House of Representatives

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

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

Gracious God, we give You thanks for giving us another day.

You have blessed us with all good gifts, and with thankful hearts we express our gratitude. You have created us with opportunities to serve other people in their need, to share together in respect and affection, and to be faithful in the responsibilities we have been given.

In this moment of prayer, please grant to the Members of this people’s House, as they return home to meet with their respective constituents, the gifts of wisdom and discernment, that in their words and actions they will do justice, love with mercy, and walk humbly with You.

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

Amen.

THE JOURNAL
The SPEAKER. 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. Will the gentleman from Michigan (Mr. MITCHELL) come forward and lead the House in the Pledge of Allegiance.

Mr. MITCHELL led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER
The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

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

Mr. ROSKAM. Mr. Speaker, it has been a difficult week in northern Illinois. A little over a week ago, torrential rains fell on Wisconsin and northern Illinois. Four Illinois counties have been named disaster areas: Lake County, McHenry County, Kane County, and Cook County.

As difficult as it is, it is an incredibly impressive thing to visit these communities, particularly Algonquin, Port Barrington, and Fox River Grove, among others, all in the Sixth Congressional District. What you will witness is literally hundreds of volunteers following through and filling thousands of bags of sand to help their neighbors.

Municipal employees, first responders, local leaders, the Governor of Illinois, and members of the Illinois delegation have all come together in order to meet our neighbors’ needs at this time.

For those of you who are people of faith, I ask that you would pray for these families as they are going through this difficult time. Also, I commend those at home who have lent a hand.

HONORING REVEREND DR. HOWARD W. PARKER, JR.
(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, I rise this morning to honor the Reverend Dr. Howard W. Parker, Jr., who has served as pastor of historic Sycamore Hill Missionary Baptist Church located in Greenville, North Carolina, for more than 35 years, and will soon retire.

The son of Howard and Bernice Parker, Dr. Parker excelled academically, attending Shaw University, Winston-Salem State University, Wake Forest University, and United Christian College, ultimately receiving a master of divinity degree and an honorary doctor of divinity degree.

Under his devoted leadership, Mr. Speaker, Sycamore Hill Missionary Baptist Church has grown in membership and has become a giant in the Greenville community. In addition to leading his congregation, Dr. Parker served as president of the North Carolina General Baptist State Convention, which represents more than a half a million Missionary Baptists in 1,700 North Carolina congregations.

Dr. Parker’s commitment to the community has stretched far beyond the pulpit. He was twice elected to the Pitt County Board of Education and served as the board’s chair. He serves as an associate chaplain of the Greenville Police Department and is a member of the Greenville Initiative on Gang Violence.

Dr. Parker is married to the former Ruby LaVerna Grantham from Goldsboro. They are the proud parents of two adult children, Kelly and Andrea.

His distinguished career and life of unselsh and dedicated service to mankind has positively impacted the lives of so many. His contributions to the community are far and wide, and too numerous to mention.

I ask my colleagues this morning to join me in honoring Reverend Dr. Howard W. Parker, Jr., and thank him for his important service to God and humanity. We wish him well in the years to come.

□ This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.
Mr. MITCHELL. Mr. Speaker, I rise today in the spirit of Made in America Week. Since taking office in January, I have had the privilege and honor of meeting with American workers and small-business owners in my district, from manufacturers to the farmers who feed our community and our world. Unfortunately, we have seen far too many of our jobs leave this country. I am focused on addressing the problems in our economy that are destroying jobs and stalling growth.

We have already made significant progress in reducing the regulatory burdens that make it hard for businesses large and small to survive. Congress has passed and the President has signed 14 Congressional Review Acts overturning excessive and ridiculous regulations. I look forward to passing comprehensive tax reform that is simpler and fairer for all Americans so individuals can keep more of their paycheck and find jobs to stay in America. I will continue to advance solutions to help Americans gain skills needed to compete in our changing workforce.

Mr. Speaker, let's remain focused on keeping jobs in America and products made in America.

FIFTH ANNIVERSARY OF COLORADO SHOOTING

Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.

Mr. PERLMUTTER. Mr. Speaker, July 20, 5 years ago, we had a terrible tragedy in Colorado. Twelve young people were killed, 70 were injured, and countless suffered emotional trauma. Today I want to recognize these 12. Despite the tragedy we suffered and the impact on our community, there were at least two bright spots: the response of law enforcement, firefighters, ambulance drivers and medical personnel in dealing with what was a war zone. Over the 5 years, the families have come together and become great friends, recognizing and celebrating the lives of the people who were taken by that crazed shooter.

I want to recognize them, I want to recognize the dedicated people who assisted them, and just let everybody know that we won't forget. Time goes on and the memories dim a little bit, but these were great young people. Our first responders were wonderful.

RECOGNIZING GREG ELLIOT

Mr. MOONEY of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to recognize a truly outstanding constituent in the field of healthcare. Greg Elliot of Charleston, West Virginia. He has been selected this year as one of the recipients of the prestigious Joe Warner Patient Advocacy Award.

The National Center for Assisted Living, the Nation's largest association of professional long-term healthcare providers, bestows this annual award on association members who have worked diligently to educate Members of Congress about the needs of long-term care patients, and to advance the quality in the long-term and post-acute care community.

Mr. Elliot is a second-generation owner of AMFM, which operates 17 long-term skilled nursing and rehabilitation centers throughout West Virginia.

Greg is frequently in Washington visiting my congressional office, advocating on behalf of West Virginia seniors.

The third-party research institute, My InnerView, has ranked AMFM facilities in the top 10 percent in the Nation 46 times for customer or employee satisfaction.

Greg Elliot resides in Charleston with his wife of 16 years, Jennifer; his 10-year-old daughter, Elizabeth; and their two dogs.

Mr. Speaker, please join me in thanking Greg for his years of dedication and care to our Nation's frail, elderly, and disabled. His career reflects the ideals embodied in the Joe Warner Patient Advocacy Award.

LET'S WORK TOGETHER ON HEALTHCARE

Mr. RUIZ asked and was given permission to address the House for 1 minute.

Mr. RUIZ. Mr. Speaker, many health insurance executives say they are raising premiums and leaving exchanges because of uncertainty and the threat of not paying the cost-sharing reductions and not funding them.

Brad Wilson, CEO of Blue Cross Blue Shield of North Carolina told The Washington Post in May: “The failure of the administration and the House to bring certainty and clarity by funding CSRs has caused only to file a 22.9 percent premium increase, rather than one that is materially lower.”

We need a bipartisan solution to stabilize exchanges. We need to stop threatening not to pay the CSRs. I introduced the Marketplace Certainty Act, which provides stability by permanently funding and expanding eligibility for these subsidies. This is pragmatic, commonsense legislation to stop premiums from skyrocketing, keep insurers in exchanges, and help people struggling to afford healthcare.

I urge Republicans and Democrats to put people over partisanship and solutions above ideology by working together by sponsoring my bill, and helping American families afford healthcare.

INDEPENDENT COMMISSION FOR RUSSIA INVESTIGATION

Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.
Ms. VELÁZQUEZ. Mr. Speaker, since last year, when our intelligence community concluded that Russia sought to influence our elections, we have seen a series of terrifying headlines. This has not stopped.

Last week we found out the President’s son took a meeting in which he anticipated receiving from the Russian Government damaging information on the Democratic nominee. This was after it was revealed out in black and white in an email that the information came from the Kremlin. Donald, Jr.’s, response: I love it. But now we must go further. We need an independent commission, which Congress can authorize. Speaker Pelosi; these issues go beyond party. They go to the heart of our democracy. The American people deserve the truth. Allow a vote on an independent commission before the August recess.

H. R. 2825
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX. The House will resume proceedings on the postponed question at a later time.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT
Mr. McCaul. Mr. Speaker, pursuant to House Resolution 454, I move to suspend the rules and pass the bill (H.R. 2825) to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill. The text of the bill is as follows: H.R. 2825

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

TITLE I—SHORT TITLE; TABLE OF CONTENTS
(a) SHORT TITLE.—This Act may be cited as the “Department of Homeland Security Authorization Act” or the “DHS Authorization Act”.

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

DIVISION A—HOMELAND SECURITY
TITLE I—DEPARTMENT OF HOMELAND SECURITY HEADQUARTERS
Sec. 1001. Short title.
Sec. 1002. Headquarters Operations.
Sec. 1101. Homeland security enterprise defined.
Sec. 1102. Functions and components of Headquarters of Department of Homeland Security.
Sec. 1103. Repeal of Director of Shared Services and Office of Counterterrorism Enforcement of Department of Homeland Security.
Sec. 1104. Responsibilities and functions of Chief Privacy Officer.
Sec. 1105. Responsibilities of Chief Financial Officer.
Sec. 1106. Chief Information Officer.
Sec. 1107. Quadrennial Homeland Security review.
Sec. 1108. Office of Strategy, Policy, and Planning.
Sec. 1109. Office of External Affairs.
Sec. 1110. Chief Procurement Officer.
Sec. 1111. Chief Security Officer.
Sec. 1113. Office for Civil Rights and Civil Liberties.
Sec. 1114. Department of Homeland Security Rotation Program.
Sec. 1115. Future Years Homeland Security Program.
Sec. 1116. Field efficiencies plan.
Sec. 1117. Submission to Congress of information regarding reprogramming or transfer of Department of Homeland Security resources to respond to operational surges.
Sec. 1118. Report to Congress on cost savings and efficiency.
Sec. 1119. Research and development and CHIPS organizational review.
Sec. 1120. Activities related to children.

Subtitle B—Human Resources and Other Matters
Sec. 1121. Human Capital Officer responsibilities.
Sec. 1122. Employee engagement steering committee and action plan.
Sec. 1123. Annual employee award program.
Sec. 1124. Independent investigation and implementation plan.
Sec. 1125. Timely guidance to DHS personnel regarding Executive Orders.
Sec. 1126. Secretary’s responsibilities regarding election infrastructure.

TITLE II—DEPARTMENT OF HOMELAND SECURITY ACQUISITION ACCOUNTABILITY AND EFFICIENCY
Sec. 1201. Definitions.
Sec. 1202. Acquisition authorities.
Sec. 1205. Acquisition authorities for Chief Information Officer of the Department of Homeland Security.
Sec. 1206. Acquisition authorities for Program Accountability and Risk Management.
Sec. 1207. Acquisition innovation.

Subtitle B—Acquisition Program Management Discipline
Sec. 1212. Requirements to reduce duplication in acquisition programs.
Sec. 1213. Department leadership council.
Sec. 1214. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.
Sec. 1215. Excluded party list system waiver.
Sec. 1216. Inspector General oversight of acquisition programs.
Sec. 1217. Multiyear Acquisition Strategy.
Sec. 1218. Acquisition reports.

TITLE III—INTELLIGENCE AND INFORMATION SHARING
Sec. 1301. Homeland intelligence doctrine.
Sec. 1302. Analysis for the Chief Intelligence Officer.
Sec. 1303. Annual homeland terrorist threat assessments.
Sec. 1305. Establishment of Insider Threat Program.
Sec. 1306. Threat assessment on terrorist use of virtual currency.
Sec. 1308. Border and gang threat assessment.
Sec. 1309. Security clearance management and administration.

Subtitle B—Stakeholder Information Sharing
Sec. 1312. Fusion center personnel needs assessment.
Sec. 1313. Program for State and local analysts and analysts.
Sec. 1314. Information technology assessment.
Sec. 1316. Terror inmate information sharing.
Sec. 1317. Annual report on Officew at State and Local Law Enforcement.
Sec. 1318. Annual catalog on Department of Homeland Security training, publications, programs, and services for State, local, and tribal law enforcement agencies.

TITLE IV—MARITIME SECURITY
Sec. 1401. Strategic plan to enhance the security of the international supply chain.
Sec. 1402. Container Security Initiative.
Sec. 1403. Cyber at ports.
Sec. 1404. Facility inspection intervals.
Sec. 1405. Updates of maritime operations coordination plan.
Sec. 1406. Evaluation of Coast Guard Deployable Specialized Forces.
Sec. 1407. Cost benefit analysis of co-locating DHS assets.
Sec. 1408. Repeal of interagency operational centers for port security and secure systems of transportation.
Sec. 1409. Maritime security capabilities assessments.
Sec. 1410. Conforming and clerical amendments.

TITLE V—TRANSPORTATION SECURITY ADMINISTRATION
Sec. 1501. Amendments to the Aviation and Transportation Security Act.
Sec. 1502. Amendments to the Aviation and Transportation Security Act.
Sec. 1503. Updates of maritime operations coordination plan.
Sec. 1504. Information required to be submitted to Congress under the strategic 5-year technology investment plan of the Transportation Security Administration.
Sec. 1505. Maintenance of security-related technology programs.
Sec. 1506. Transportation Security Administration efficiency.

Ms. VELÁZQUEZ. Mr. Speaker, since last year, when our intelligence community concluded that Russia sought to influence our elections, we have seen a series of terrifying headlines. This has not stopped.

Last week we found out the President’s son took a meeting in which he anticipated receiving from the Russian Government damaging information on the Democratic nominee. This was after it was revealed out in black and white in an email that the information came from the Kremlin. Donald, Jr.’s, response: I love it. But now we must go further. We need an independent commission, which Congress can authorize. Speaker Pelosi; these issues go beyond party. They go to the heart of our democracy. The American people deserve the truth. Allow a vote on an independent commission before the August recess.
Sec. 1578. Review of the explosives detection canine team program.

Sec. 1579. Expansion of national explosives detection canine team program.

Sec. 1580. Explosive detection technology.

Sec. 1581. Study on security standards and best practices for United States and foreign passenger transportation systems.

Sec. 1582. Amtrak security upgrades.

Sec. 1583. Study on surface transportation inspectors.

Sec. 1584. Security awareness program.

Sec. 1585. Voluntary use of credentialing.

Sec. 1586. Background checks for issuance of hazmat licenses.

Sec. 1587. Requirements for surface transportation credential-holders.

Sec. 1588. Pipeline security study.

Subtitle H—Security Enhancements in Public Areas of Transportation Facilities

Sec. 1591. Working group.

Sec. 1592. Technical assistance; Vulnerability assessment tools.

Sec. 1593. Review of regulations.

Sec. 1594. Definition.

TITLE VI—EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS

Subtitle A—Grants, Training, Exercises, and Coordination

Sec. 1601. Urban Area Security Initiative.

Sec. 1602. State Homeland Security Grant Program.

Sec. 1603. Grants to directly eligible tribes.

Sec. 1604. Law enforcement terrorism prevention.

Sec. 1605. Prioritization.

Sec. 1606. Allowable uses.

Sec. 1607. Approval of certain equipment.

Sec. 1608. Memoranda of understanding.

Sec. 1609. Grants management.

Sec. 1610. Grant management best practices.

Sec. 1611. Prohibition on consolidation.

Sec. 1612. Maintenance of grant investments.

Sec. 1613. Transit security grant program.

Sec. 1614. Port security grant program.

Sec. 1615. Cyber preparedness.

Sec. 1616. Major incident response; area counter-terrorism training and exercise grant program.

Sec. 1617. Operation Stonegarden.

Sec. 1618. Non-Profit Security Grant Program.

Sec. 1619. Study of the use of grant funds for cybersecurity.

Subtitle B—Communications

Sec. 1621. Office of Emergency Communications.

Sec. 1622. Responsibilities of Office of Emergency Communications Director.

Sec. 1633. Annual reporting on activities of the Office of Emergency Communications.

Sec. 1634. National Emergency Communications Plan.

Sec. 1635. Technical edit.

Sec. 1636. Public Safety Broadband Network.

Sec. 1637. Communications planning.

Subtitle C—Medical Preparedness

Sec. 1641. Chief Medical Officer.

Sec. 1642. Medical Countermeasures Program.

TITLE VII—OTHER MATTERS

Sec. 1701. Decision regarding certain executive branch memoranda.

Sec. 1702. Permanent authorization for Asia-Pacific Economic Cooperation Business Travel Card Program.


Sec. 1704. Canine teams.


Sec. 1706. Savings clause.

DIVISION B—U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT


DIVISION C—UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

Sec. 3001. Short title.


DIVISION D—UNITED STATES SECRET SERVICE

Sec. 4001. Short title.

Sec. 4002. Presidential appointment of Director of the Secret Service.

Sec. 4003. Restricted building or grounds.

Sec. 4004. Threats against former vice presidents.

Sec. 4005. Increased training.

Sec. 4006. Training facilities.

Sec. 4007. Evaluation of vulnerabilities and threats.

Sec. 4008. Evaluation of use of technology.

Sec. 4009. Evaluation of use of additional weaponry.

Sec. 4010. Security costs for secondary residences.

Sec. 4011. Establishment of Ethics Program.

Sec. 4012. Secret Service protection at polling places.

Sec. 4013. Sense of Congress.

DIVISION E—COAST GUARD

Sec. 5001. Short title.

TITLE I—AUTHORIZATIONS

Sec. 5101. Authorizations of appropriations.

Sec. 5102. Authorized levels of military strength.

TITLE II—COAST GUARD

Sec. 5201. Training; public safety personnel.

Sec. 5202. Commissioned service retirement.

Sec. 5203. Officer promotion zones.

Sec. 5204. Cross reference.

Sec. 5205. Repeal.

Sec. 5206. Unmanned aircraft system.

Sec. 5207. Coast Guard health-care professionals; licensure portability.

Sec. 5208. Incentive contracts for Coast Guard yard and industrial establishments.

Sec. 5209. Maintaining cutters in class.

Sec. 5210. Congressional affairs; Director.

Sec. 5211. Contracting for major acquisitions.

Sec. 5212. National Security Cutter.

Sec. 5213. Radar refresher training.

Sec. 5214. Repeal.

Sec. 5215. Extension of authority.

Sec. 5216. Authorization of amounts for Fast Response Cutters.

Sec. 5217. Authorization of amounts for ice trials of icebreaker vessels.

Sec. 5218. Shoreside infrastructure.

Sec. 5219. Aircraft improvements.

Sec. 5220. Acquisition plan for inland waterway and river tenders and Bay-class icebreakers.

Sec. 5221. Report on sexual assault victim recovery in the Coast Guard.

TITLE III—PORTS AND WATERWAYS SAFETY


Sec. 5302. Conforming amendments.

Sec. 5303. Transitional and savings provisions.

Sec. 5304. Rule of construction.

Sec. 5305. Advisory Committee; Repeal.

Sec. 5306. Regattas and marine parades.

Sec. 5307. Regulation of vessels in territorial waters of United States.
(B) in paragraph (5), by striking “and” at the end;  
(C) by striking paragraph (6); and  
(D) by inserting after paragraph (5) the following paragraph:  

“‘(6) developing guidance to assist components of the Department in developing privacy policies and practices;  
‘(7) establishing a mechanism to ensure such components are in compliance with Federal, regulatory, statutory, and Department privacy requirements, mandates, directives, and policies;  
‘(8) working with the Chief Information Officer of the Department to identify methods for managing and overseeing the records, management policies, and procedures of the Department;  
‘(9) working with components and offices of the Department to ensure that information sharing activities incorporate privacy protections;  
‘(10) serving as the Chief FOIA Officer of the Department for purposes of section 552 of title 5, United States Code (popularly known as the Freedom of Information Act), to manage and process requests related to such section;  
‘(11) developing guidance on procedures to be followed by individuals making requests for information under section 552 of title 5, United States Code;  
‘(12) overseeing the management and processing of requests for information under section 552 of title 5, United States Code, within Department component offices and relevant Department component offices;  
‘(13) identifying and eliminating unnecessary and duplicative actions taken by the Department in the course of processing requests for information under section 552 of title 5, United States Code;  
‘(14) preparing an annual report to Congress that includes—  

‘(A) a description of the activities of the Department that affect privacy during the fiscal year covered by the report, including complaints of privacy violations, implementation of section 552a of title 5, United States Code (popularly known as the Privacy Act of 1974), internal controls, and other matters; and  

‘(B) the number of new technology programs implemented in the Department during the fiscal year covered by the report, the number of new technology programs that the Chief Privacy Officer has evaluated to ensure that privacy protections are considered and implemented, the number of such programs that contained privacy protections, the number of such programs that contained new technology programs, and an explanation of why any new programs did not effectively implement privacy protections; and  

‘(15) carrying out such other responsibilities as the Secretary determines are appropriate, consistent with this section;’”; and  
(2) adding at the end the following new subsection:  

“(f) REASSIGNMENT OF FUNCTIONS.—Notwithstanding any provision of law (a)(10), the Secretary may reassign the functions related to managing and processing requests for information under section 552 of title 5, United States Code, to another officer within the Department, consistent with requirements of that section.”.  

SEC. 1106. RESPONSIBILITIES OF CHIEF FINANCIAL OFFICER.  

(a) In General.—Section 702 of the Homeland Security Act of 2002 (6 U.S.C. 342) is amended—  

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and  

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

“(b) RESPONSIBILITIES.—In carrying out the responsibilities, authorities, and functions specified in section 902 of title 31, United States Code, the Chief Financial Officer shall—  

‘(1) oversee Department budget formulation and execution;  
‘(2) lead and provide guidance on performance-based budgeting practices for the Department to ensure that the Department and its components are meeting missions and goals;  
‘(3) lead cost-estimating practices for the Department, including the development of policies on cost estimating and approval of life cycle cost estimates;  
‘(4) coordinate with the Office of Strategy, Policy, and Plans to ensure that the development of the Department’s information security capabilities are compatible with the long-term strategic plans, priorities, and policies of the Secretary;  
‘(5) develop financial management policy for the Department and oversee the implementation of such policy, including the establishment of effective internal controls over financial reporting systems and processes throughout the Department;  
‘(6) provide guidance for and over financial system modernization efforts throughout the Department;  

‘(7) lead the efforts of the Department related to financial oversight, including identifying ways to streamline and standardize business processes;  

‘(8) oversee the costs of acquisition programs and related activities to ensure that actual and planned costs are in accordance with budget estimates and are affordable or can be adequately funded, over the lifecycle of such programs and activities;  

‘(9) fully implement a common accounting structure to be used across the entire Department by fiscal year 2020; and  

‘(10) track, approve, oversee, and make public information on expenditures by components of the Department for conferences, as appropriate, including by requiring each component to—  

‘(A) report to the Inspector General of the Department for the expenditures by such component for each conference hosted or attended by Department employees for which the total expenditures of the Department exceed $20,000, within 15 days after the date of the conference; and  

‘(B) with respect to such expenditures, provide to the Inspector General of the Department for conferences for which total expenditures exceed $50,000, documentation of such expenditures,  

‘(c) RULE OF CONSTRUCTION.—Nothing in the amendment made by this section may be construed as altering or amending the responsibilities, authorities, and functions of the Chief Financial Officer of the Department of Homeland Security under section 902 of title 31, United States Code.”.  

SEC. 1107. CHIEF INFORMATION OFFICER.  

(a) In General.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended—  

(1) in subsection (a), by adding at the end the following new sentence: “In addition to the functions specified in subsection (a)(2) of title 44, United States Code, the Chief Information Officer shall perform the functions set forth in this section and such other functions as may be assigned by the Secretary.”;  

(2) by redesignating subsection (b) as subsection (d); and  

(3) by inserting after subsection (a) the following new subsection:  

“(b) RESPONSIBILITIES.—In addition to performing the functions under section 3506 of title 44, United States Code, the Chief Information Officer shall serve as the lead technical authority for information technology programs of the Department and Department components; and  

‘(1) advise and assist the Secretary, heads of the components of the Department, and other senior officers in carrying out the responsibilities of the Department for all activities relating to the budgets, programs, security, and operations of the information technology functions of the Department;  

‘(2) to the extent delegated by the Secretary, exercise leadership and authority over Department information technology management and establish the information technology strategic plan;  

‘(3) ensure that the components of the Department have established effective internal controls and systems and develop and maintain contingency plans for responding to a disruption in the operation of any of those information systems;  

‘(4) maintain the security, visibility, reliability, integrity, and availability of data and information technology of the Department;  

‘(5) establish and implement policies and procedures to effectively monitor and manage the availability and performance for purchases of information technology, in consultation with the Chief Procurement Officer of the Department;  

‘(6) review contracts and interagency agreements associated with major information technology investments and information technology investments that have had a negative impact on the Office of Management and Budget; and  

‘(7) carry out any other responsibilities delegated by the Secretary consistent with an effective information systems management function.  

‘(c) STRATEGIC PLANS.—In coordination with the Chief Financial Officer, the Chief Information Officer shall develop an information technology strategic plan every five years and report to the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate on the extent to which—  

‘(1) the budget of the Department aligns with priorities specified in the information technology strategic plan;  

‘(2) the information technology strategic plan informs the budget process of the Department;  

‘(3) information technology priorities were or were not funded and the reasons for not funding all priorities in a given fiscal year;  

‘(4) the Department has identified and addressed skills gaps needed to implement the information technology strategic plan; and  

‘(5) unnecessary duplicate information technology within and across the components of the Department has been eliminated.”.  

(b) SOFTWARE LICENSING.—  

(1) SOFTWARE INVENTORY.—Not later than 180 days after the date of the enactment of this Act and every five years thereafter, the Chief Information Officer of the Department of Homeland Security, in consultation with Department component chief information officers, shall—  

‘(A) conduct a Department-wide inventory of all existing software licenses held by the
Department, including utilized and unutilized licenses;
(B) assess the needs of the Department and the components of the Department for software licenses for the subsequent two fiscal years;
(C) examine how the Department can achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;
(D) determine how the use of shared cloud-computing services will impact the needs for software licenses for the subsequent two fiscal years;
(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent two fiscal years;
(F) submit a copy of each inventory conducted pursuant to subparagraph (A) to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer determines through the inventory conducted under paragraph (1) that the number of software licenses held by the Department and the components of the Department exceeds the needs of the Department, not later than 90 days after the date on which the inventory is completed, the Secretary of Homeland Security shall establish a plan for reducing the number of such software licenses to meet the needs of the Department.

(3) PROHIBITION ON PROCUREMENT OF NEW SOFTWARE LICENSES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), upon completion of an inventory conducted pursuant to paragraph (1), no additional resources may be obligated for the procurement of new software licenses for the Department until such time as the need of the Department exceeds the number of utilized and unused licenses held by the Department.

(B) EXCEPTION.—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

(c) COMPTROLLER GENERAL REVIEW.—Not later than fiscal year 2019, the Comptroller General of the United States shall review the extent to which the Chief Information Officer fulfilled all requirements established in this section and the amendment made by this section.

(d) COMPLETION OF FIRST DEFINITION OF CAPABILITIES.—Not later than one year after the date of enactment of this Act, the Chief Information Officer shall complete the first information technology strategic plan required under subsection (c) of section 701 of the Homeland Security Act of 2002, as added by subsection (a) of this section.

SEC. 1107. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) IN GENERAL.—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (B), by striking ‘‘and’’ at the end;

(B) by redesignating subparagraph (C) as subparagraph (B);

(C) by inserting after subparagraph (B) the following new subparagraph (C):

‘‘(C) representatives from appropriate advisory committees established pursuant to section 871, including the Homeland Security Advisory Council and the Homeland Security Science and Technology Advisory Committee, and the National Transportation Safety Board;’’;

(D) by inserting after subparagraph (C) the following new subparagraph (D):

‘‘(D) the Office of the Under Secretary for Management (which shall include personnel, including minimum standards for pre-deployment training);’’;

(E) in paragraph (2), by inserting before the semicolon at the end the following:

‘‘based on the risk assessment required pursuant to subsection (c)(2)(B);’’;

(F) in paragraph (3)—

(i) by inserting ‘‘, to the extent practicable,’’ and;

(ii) by striking ‘‘budget plan’’ and inserting ‘‘resources required’’;

(G) in paragraph (4)—

(i) by inserting ‘‘, to the extent practicable,’’ after ‘‘identify’’;

(ii) by striking ‘‘budget plan required to provide sufficient resources to successfully implement the established plan, and’’ and inserting ‘‘, including any resources identified from redundant, wasteful, or unnecessary programs and capabilities that can be redirected to better support other existing capabilities and capacities, as the case may be;’’;

(H) in paragraph (5), by striking ‘‘, and’’ and inserting a period; and

(I) by striking paragraph (6);

(ii) in subparagraph (C)—

(I) by inserting ‘‘to the extent practicable,’’ before ‘‘a description’’; and

(ii) by striking ‘‘budget plan’’ and inserting ‘‘resources required’’;

(iv) in subparagraph (F)—

(I) by inserting ‘‘to the extent practicable,’’ before ‘‘a description’’; and

(II) by striking ‘‘the status of’’;

(v) in subparagraph (G)—

(I) by inserting ‘‘to the extent practicable,’’ before ‘‘a description’’;

(II) by striking ‘‘the status of’’;

(III) by inserting ‘‘and risks’’ before ‘‘to national homeland’’; and

(IV) by inserting ‘‘and’’ after the semicolon at the end;

(vi) by striking subparagraph (H); and

(vii) by redesigning subparagraph (I) as paragraph (4); and

(C) by redesigning paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

‘‘(3) DOCUMENTATION.—The Secretary shall retain the following documentation regarding the quadrennial homeland security review:

‘‘(A) Records regarding the consultation carried out pursuant to subsection (a)(3), including—

‘‘(i) all written communications, including communications carried out by the Secretary and feedback submitted to the Secretary through technology, online communications tools, in-person discussions, and the interagency policy;

‘‘(ii) information on how feedback received by the Secretary informed the quadrennial homeland security review;

‘‘(B) Information regarding the risk assessment, as required under subsection (c)(2)(B), including—

‘‘(i) the risk model utilized to generate the risk assessment;’’;

‘‘(ii) information, including data used in the risk model, utilized to generate the risk assessment;’’;

‘‘(iii) sources of information, including other risk assessments, utilized to generate the risk assessment;’’;

‘‘(iv) information on assumptions, weighing factors, and subjective judgments utilized to generate the risk assessment, together with information on the rationale or basis thereof; and’’;

‘‘(B) by redesigning section (d) as subsection (e); and

(C) by redesigning section (f) as subsection (g).

(2) EXECUTIVE DATE.—The amendments made by this section shall apply with respect to a quadrennial homeland security review conducted after December 31, 2017.

SEC. 1108. OFFICE OF STRATEGY, POLICY, AND PLANS.

(a) IN GENERAL.—Section 708 of the Homeland Security Act of 2002, as amended pursuant to section 1705(g) of this Act, relating to the Office of Strategy, Policy, and Plans of the Department of Homeland Security is amended—

(1) in subsection (a), by adding at the end the following:

‘‘(e) ASSISTANT SECRETARY FOR INTERNATIONAL AFFAIRS.—The Office of International Affairs shall be led by an Assistant Secretary for International Affairs appointed by the Secretary. The Assistant Secretary shall—

‘‘(i) coordinate international activities within the Department, including activities carried out by the components of the Department, in consultation with other Federal officials with responsibility for counterterrorism and homeland security matters;

‘‘(ii) advise, inform, and assist the Secretary with respect to the development and implementation of the policy priorities of the Department, including strategic priorities for the deployment of assets, including personnel, outside the United States;

‘‘(iii) develop, in consultation with the Under Secretary for Management, guidance for selecting, assigning, training, and monitoring overseas deployments of Department personnel, including minimum standards for pre-deployment training;

‘‘(iv) maintain awareness regarding the international travel of senior officers of the Department and their intent to pursue negotiations with foreign government officials, and review resulting draft agreements; and

‘‘(v) perform such other functions as are established by law or delegated by the Under Secretary for Policy.’’;

(b) ABOLISHMENT OF OFFICE OF INTERNATIONAL AFFAIRS.—The Office of International Affairs within the Office of the Secretary of Homeland Security is abolished.
(2) TRANSFER OF ASSETS AND PERSONNEL.—The functions authorized to be performed by such office as of the day before the date of the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the head of the Office of International Affairs provided for by section 708 of the Homeland Security Act of 2002, as amended by this Act.


(4) by adding at the end the following new paragraph:

"(d) shall establish a Homeland Security Advisory Council to provide advice and recommendations to the Department of Homeland Security relating to homeland security matters, including advice with respect to the preparation of the Quadrennial Homeland Security Review.

(e)swagger on NEW OFFICES.—No new office may be created to perform functions transferred by this section, other than as provided in section 709 of the Homeland Security Act of 2002, as amended by this Act.

(f) DEFINITIONS.—In this section each of the terms "functions", "assets", and "personnel" has the meaning given such term under section 879 of the Homeland Security Act of 2002 (6 U.S.C. 151).

(g) DUPLICATION REVIEW.—

"(1) REVIEW REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a review of the functions and responsibilities of each Department of Homeland Security component responsible for international affairs to identify and eliminate areas of unnecessary duplication.

"(2) IN GENERAL.—The Secretary shall submit to the President and to the appropriate congressional committees an action plan, identified in the Secretary's review, for the elimination of unnecessary duplication.

SEC. 1103. OFFICE OF LEGISLATIVE AFFAIRS.

(a) IN GENERAL.—There is established in the Department an Office of Legislative Affairs.

(b) HEAD OF THE OFFICE.—The Office of Legislative Affairs shall be headed by the Assistant Secretary for Legislative Affairs.

(c) FUNCTIONAL DUTIES.—The Assistant Secretary for Legislative Affairs shall:

"(1) perform such other functions as are authorized by law or are necessary to carry out the provisions of this Act; and

"(2) By adding at the end the following new paragraph:

"(d) ASSISTANT SECRETARY FOR DOMESTIC AFFAIRS.—There is established in the Department an Office of Domestic Affairs.

"(1) The Office of Domestic Affairs shall be headed by the Assistant Secretary for Domestic Affairs.

"(2) The Office of Domestic Affairs shall:

"(A) develop and implement policies and strategies for protecting the homeland; and

"(B) perform such other duties as are authorized by law or are necessary to carry out the provisions of this Act.

SEC. 1104. OFFICE OF POLICY.

(a) IN GENERAL.—There is established in the Department an Office of Policy.

(b) HEAD OF THE OFFICE.—The Office of Policy shall be headed by the Assistant Secretary for Policy.

(c) FUNCTIONAL DUTIES.—The Assistant Secretary for Policy shall:

"(1) conduct the activities specified in section 206(b);

"(2) advise the Secretary on the policies, regulations, processes, and activities of the Department relating to the sector and create and foster strategic communications with the private sector to enhance the primary mission of the Department to protect the homeland;

"(3) coordinate the activities of the Department relating to State and local government;

"(4) provide State and local governments with regular information, research, and technical support to assist local efforts at securing the homeland; and

"(5) perform such other functions as are established by law or delegated by the Secretary.

(b) TRANSFER OF FUNCTIONS, ASSETS, AND PERSONNEL OF OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.—The functions authorized to be performed by the Office for State and Local Law Enforcement of the Department of Homeland Security by the date of the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the Office of Partnership and Engagement under section 709 of the Homeland Security Act of 2002, as added by this section.

(c) ABOLISHMENT OF OFFICE FOR STATE AND LOCAL GOVERNMENT COORDINATION.—

"(1) IN GENERAL.—The Office for State and Local Government Coordination of the Department of Homeland Security is abolished.

"(2) TRANSFER OF FUNCTIONS AND ASSETS.—The functions authorized to be performed by such Office for State and Local Government Coordination by the date of the enactment of this Act, and the assets and personnel associated with such functions, are transferred to the Office of Partnership and Engagement under section 709 of the Homeland Security Act of 2002, as added by this section.

SEC. 1106. OFFICE OF INTERNAL AFFAIRS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new item:

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

"(b) HEAD OF THE OFFICE.—The Office of Internal Affairs shall be headed by the Assistant Secretary for Internal Affairs.

(c) FUNCTIONAL DUTIES.—The Assistant Secretary for Internal Affairs shall:

"(1) manage the activities specified in section 206(b);

"(2) conduct the activities specified in section 206(a);

"(3) perform such other functions as are authorized by law or are necessary to carry out the provisions of this Act.

SEC. 1109. OFFICE OF EXTERNAL AFFAIRS.

(a) IN GENERAL.—There is established in the Department an Office of External Affairs.

(b) HEAD OF OFFICE.—The Office of External Affairs shall be headed by the Assistant Secretary for External Affairs.

(c) FUNCTIONAL DUTIES.—The Assistant Secretary for External Affairs shall:

"(1) conduct the activities specified in section 206(b);

"(2) conduct the activities specified in section 206(c);

"(3) perform such other functions as are authorized by law or are necessary to carry out the provisions of this Act.

SEC. 1110. OFFICE OF INTERNATIONAL AFFAIRS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

"(A) by adding at the end the following new paragraph:

"(B) CONFORMING AMENDMENT.—The Homeland Security Act of 2002 is amended by inserting in section 709 of the Homeland Security Act of 2002, as added by this section.
amended by this Act, is further amended by adding at the end the following new section:

"SEC. 710. CHIEF PROCUREMENT OFFICER.

(a) IN GENERAL.—There is in the Department a Chief Procurement Officer, who shall serve as a senior business advisor to agency officials on procurement-related matters and report directly to the Under Secretary for Management. The Chief Procurement Officer is the senior procurement executive for purposes of subsection (c) of section 1502 of title 41, United States Code, and shall perform procurement functions as specified in such subsection.

(b) RESPONSIBILITIES.—The Chief Procurement Officer shall—

(1) delegate or retain contracting authority, as appropriate;

(2) issue procurement policies and oversee the heads of contracting activity of the Department to ensure compliance with those policies;

(3) serve as the main liaison of the Department to industry on procurement-related issues;

(4) account for the integrity, performance, compliance, and oversight of Department procurement and contracting functions;

(5) ensure that procurement contracting strategies and plans are consistent with the intent and direction of the Acquisition Review Board;

(6) oversee a centralized acquisition workforce certification and training program, for training professionals, ensuring that practices and acquisition training opportunities from the Federal Government, private sector, or universities and colleges to include training on how best to identify actions that warrant referrals for suspension or debarment;

(7) provide input on the periodic performance reviews of each head of contracting activity of the Department;

(8) collect baseline data and use such data to establish performance measures on the impact of strategic sourcing initiatives on the private sector, including small businesses;

(9) establish and implement policies and procedures to effectively monitor and manage vulnerabilities in the supply chain for all Department purchases;

(10) ensure that a fair proportion of the value of Federal contracts and subcontracts are awarded to small businesses in accordance with the procurement contract goals under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), maximize opportunities for small businesses (in accordance with section 15(g) of the Small Business Act of 2002 (6 U.S.C. 345) is amended—

(A) by striking ''(a) IN GENERAL.—'' and inserting ''(a) IN GENERAL.—There is in the Department a Chief Security Officer, who shall report directly to the Under Secretary for Management;

(b) RESPONSIBILITIES.—The Chief Security Officer shall—

(1) develop and implement the security policies, programs, and standards of the Department;

(2) identify training and provide education to Department personnel on security-related matters; and

(3) provide support to Department components on security-related matters.''

(c) The table of contents in section 1(b) of such Act is further amended by inserting after the item relating to section 710, as added by this Act, the following new item:

"Sec. 711. Chief Security Officer.''

"SEC. 1112. OFFICE OF INSPECTOR GENERAL.

(a) SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The Inspector General of the Department of Homeland Security has provided the Department with an impressive return on investment, Federal Government and American taxpayers an impressive return on investment, and oversees a centralized acquisition workforce certification and training program, for training professionals, ensuring that practices and acquisition training opportunities from the Federal Government, private sector, or universities and colleges to include training on how best to identify actions that warrant referrals for suspension or debarment;

(B) The Inspector General of the Department of Homeland Security detests, investigates, and prevents instances of fraud, waste, and abuse in the Department, and offers solutions for response.

(C) The Office of the Inspector General of the Department of Homeland Security detects, investigates, and prevents instances of fraud, waste, and abuse in the Department, and offers solutions for response.

(D) The Office of the Inspector General of the Department of Homeland Security provides the leadership and accountability within the Office of the Inspector General to oversee a cabinet-level agency.

(E) The Inspector General of the Department of Homeland Security stands as a leader within the Inspector General community through consistent exemplary service.


(G) The Inspector General of the Department of Homeland Security enhances the Department’s ability to effectively and efficiently administer laws.

(H) The Office of the Inspector General of the Department of Homeland Security plays a vital role in fulfilling the Department’s daily mission.

(2) COMMUNICATION.—The heads of offices and components of the Department of Homeland Security shall promptly advise the Inspector General of the Department of all allegations of misconduct with respect to which the Inspector General has investigative authority.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed as affecting any authority of the Secretary of the Department of Homeland Security under subsection (a) of section 81 of the Inspector General Act of 1978 (5 U.S.C. App. 81).

"SEC. 1113. OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

(a) IN GENERAL.—Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in the section heading, by striking ‘‘ES- TABLISHMENT OF OFFICER FOR’’;

(2) by redesigning subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection:

"(b) OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES.—There is in the Department an Office for Civil Rights and Civil Liberties. Under the direction of the Office for Civil Rights and Civil Liberties, the Office shall support the Officer in the following:

(1) Integrating civil rights and civil liberties into activities of the Department by collaborating programs and providing policy advice and other technical assistance.

(2) Investigating complaints and information indicating possible abuses of civil rights or civil liberties, unless the Inspector General of the Department determines that any such complaint or information should be investigated by the Inspector General.

(3) Assisting the Office in the Department’s equal employment opportunity and diversity policies and programs, including complaint management and adjudication.

(4) Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities.

(b) Any other activities as assigned by the Officer.’’

(b) AUTHORIZATION OF APPROPRIATIONS.— There is authorized to be appropriated $22,571,000 for each of fiscal years 2018 and 2019 to carry out section 705 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

"SEC. 1114. ESTABLISHMENT OF HOMELAND SECURITY ROTATION PROGRAM.

(a) ENHANCEMENTS TO THE ROTATION PROGRAM.—Section 844 of the Homeland Security Act of 2002 (6 U.S.C. 414) is amended—

(1) by striking ‘‘(a) ESTABLISHMENT.—’’;

(2) by redesigning paragraphs (1) through (5) as subsections (a) through (e), respectively, and adjusting the margins accordingly;

(3) in subsection (a), as so redesignated—

(A) by redesigning subparagraphs (A) through (D) as paragraphs (1) through (4), respectively, and adjusting the margins accordingly;

(B) by inserting ‘‘the Secretary of the Department and the Office of the Inspector General, respectively, and adjusting the margins accordingly;’’ after the date of enactment of this section, the ’’; and

(4) in subsection (b), as so redesignated—

(A) by redesigning subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and adjusting the margins accordingly;

(B) by inserting before paragraph (3), as so redesignated—

(1) seek to foster greater departmental integration and unity of effort;

(2) seek to help enhance the knowledge, skills, and abilities of personnel with respect to the programs, policies, and activities of the Department;’’;
subsection:
in the office or component employing the employee at the component or office in which the employee resides, with input from the supervisors of the employee.

(iv) through (viii) as subparagraphs (A) through (G) respectively, and adjusting the margins accordingly;

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

(d) ADMINISTRATIVE MATTERS.—In carrying out the Rotation Program the Secretary shall—

"(1) before selecting employees for participation in the Rotation Program, disseminate information broadly within the Department about the availability of the Rotation Program, qualifications for participation in the Rotation Program including full-time employment within the employing component or office not less than one year, and the general provisions of the Rotation Program;

"(2) establish and maintain a process for participation in the Rotation Program that an employee—

"(A) is nominated by the head of the component or office employing the employee; and

"(B) is selected by the Secretary, or the Secretary’s designee, solely on the basis of relative ability, knowledge, and skills, after fair and open competition that assures that all candidates receive equal opportunity;

"(3) ensure that each employee participating in the Rotation Program shall be entitled to receive over the five-fiscal year period described in subsection (a) of such section—

"(i) full-time employment in the same position or a corresponding or higher position, in the component or office not less than one year, and the general provisions of the Rotation Program;

"(ii) by redesignating clauses (i), (ii), and (iv) through (viii) as subparagraphs (A) through (G) respectively, and adjusting the margins accordingly;

"(6) by redesignating subsections (d) and (e), as redesignated by paragraph (2), as subsections (c) and (d) respectively;

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

SEC. 1115. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 494) is amended—

"(1) in the section heading, by striking ‘YEAR’ and inserting ‘YEARS’;

"(2) by striking subsection (a) and inserting the following:

"(a) in GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information about the status of the Homeland Security Rotation Program authorized by section 844 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, and the Future Years Homeland Security Program established pursuant to paragraph (1).''.

(8) by inserting at the end the following new items:

"(d).''.

(b) CONGRESSIONAL NOTIFICATION AND OVERSIGHT.—Not later than 90 days after the date on which the budget of the President is submitted under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information about the status of the Homeland Security Rotation Program authorized by section 844 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, and the Future Years Homeland Security Program established pursuant to paragraph (1).

"(3) by striking subsection (c) and inserting the following:

"(c) PROJECTION OF ACQUISITION ESTIMATES.—On or before February 1, 2018, each Future Years Homeland Security Program shall project—

"(1) acquisition estimates for the fiscal year for which the budget is submitted and the four succeeding fiscal years;

"(2) estimated annual deployment schedules for all physical asset major acquisitions over the five-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

"(3) DETAILED AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).

"(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by striking the item relating to section 874 and inserting the following new item:

"(b) Future Years Homeland Security Program;"

SEC. 1116. FIELD EFFICIENCIES PLAN.

SEC. 1117. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 494) is amended—

"(1) ESTABLISHMENT.—The Secretary shall establish an Intelligence Rotational Assignment Program pursuant to paragraph 1 shall be open to employees serving in existing analyst positions within the Intelligence Enterprise and other Department employees as determined appropriate by the Chief Human Capital Officer and the Chief Intelligence Officer.

"(2) COORDINATION.—The responsibilities specified in subsection (a)(2) that apply to the Rotation Program under such subsection shall be applicable also to the Intelligence Rotational Assignment Program under this subsection.

"(3) ELIGIBILITY.—The Intelligence Rotational Assignment Program established pursuant to paragraph 1 shall be open to employees serving in existing analyst positions within the Intelligence Enterprise and other Department employees as determined appropriate by the Chief Human Capital Officer and the Chief Intelligence Officer.

"(4) COORDINATION.—The responsibilities specified in subsection (a)(2) that apply to the Rotation Program under such subsection shall be applicable also to the Intelligence Rotational Assignment Program under this subsection.

"(b) CONGRESSIONAL NOTIFICATION AND OVERSIGHT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the Committees on Homeland Security and Intelligence of the House of Representatives and the Senate a field efficiencies plan that examines the facilities and administrative and logistics functions of components of the Department of Homeland Security located within designated geographic areas and provides recommendations and an associated cost-benefit analysis for the consolidation of the facilities and administrative and logistics functions of components of the Department within each designated geographic area.

"(c) Future Years Homeland Security Program.

"(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 494) is amended—

"(1) in the section heading, by striking ‘YEAR’ and inserting ‘YEARS’;

"(2) by striking subsection (a) and inserting the following:

"(a) in GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information about the status of the Homeland Security Rotation Program authorized by section 844 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, and the Future Years Homeland Security Program established pursuant to paragraph (1).''.

(3) by striking subsection (c) and inserting the following:

"(c) PROJECTION OF ACQUISITION ESTIMATES.—On or before February 1, 2018, each Future Years Homeland Security Program shall project—

"(1) acquisition estimates for the fiscal year for which the budget is submitted and the four succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

"(2) estimated annual deployment schedules for all physical asset major acquisitions over the five-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

"(d) DETAILED AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).

"(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by striking the item relating to section 874 and inserting the following new item:

"(b) Future Years Homeland Security Program;"

SEC. 1116. FIELD EFFICIENCIES PLAN.

SEC. 1117. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Intelligence of the House of Representatives and the Senate a field efficiencies plan that examines the facilities and administrative and logistics functions of components of the Department of Homeland Security located within designated geographic areas and provides recommendations and an associated cost-benefit analysis for the consolidation of the facilities and administrative and logistics functions of components of the Department within each designated geographic area.

(b) CONGRESSIONAL NOTIFICATION AND OVERSIGHT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the Committees on Homeland Security and Governmental Affairs of the Senate a field efficiencies plan that examines the facilities and administrative and logistics functions of components of the Department of Homeland Security located within designated geographic areas and provides recommendations and an associated cost-benefit analysis for the consolidation of the facilities and administrative and logistics functions of components of the Department within each designated geographic area.

"(c) Future Years Homeland Security Program.

"(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 494) is amended—

"(1) in the section heading, by striking ‘YEAR’ and inserting ‘YEARS’;

"(2) by striking subsection (a) and inserting the following:

"(a) in GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate information about the status of the Homeland Security Rotation Program authorized by section 844 of the Homeland Security Act of 2002, as amended by subsection (a) of this section, and the Future Years Homeland Security Program established pursuant to paragraph (1).''.

(3) by striking subsection (c) and inserting the following:

"(c) PROJECTION OF ACQUISITION ESTIMATES.—On or before February 1, 2018, each Future Years Homeland Security Program shall project—

"(1) acquisition estimates for the fiscal year for which the budget is submitted and the four succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

"(2) estimated annual deployment schedules for all physical asset major acquisitions over the five-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

"(d) DETAILED AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).

"(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is further amended by striking the item relating to section 874 and inserting the following new item:

"(b) Future Years Homeland Security Program;"
SEC. 1117. SUBMISSION TO CONGRESS OF INFORMATION REGARDING REPROGRAMMING OR TRANSFER OF DEPARTMENT OF HOMELAND SECURITY RESOURCES TO RESPOND TO OPERATIONAL SURGES.

(a) IN GENERAL.—The Secretary of the Department of Homeland Security Act of 2002 is further amended by adding at the end the following new section:

"SEC. 712. Annual submittal to Congress of information on reprogramming or transfers of funds to respond to operational surges.

"For each fiscal year until fiscal year 2023, the Secretary of Homeland Security shall provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, together with the annual budget request for the Department, information on—

"(1) any circumstance during the year covered by the report in which the Secretary exercised the authority to reprogram or transfer funds to address unforeseen costs, including costs associated with operational surges; and

"(2) any circumstance in which any limitation on the transfer or reprogramming of funds affected the ability of the Secretary to address such unforeseen costs.

"(b) Clerical Amendment.—The table of contents in section 1(b) of such Act is further amended by inserting, after the item relating to section 711, as added by this Act, the following new item:

"712. Annual submittal to Congress of information on reprogramming or transfers of funds to respond to operational surges."

SEC. 1118. REPORT TO CONGRESS ON COST SAVINGS AND EFFICIENCY.

(a) In General.—Not later than two years after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary of Homeland Security for Management, shall submit to the congressional homeland security committees a report that includes each of the following:

(1) A detailed accounting of the management and administrative expenditures and activities of each component of the Department that would reduce efficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies for those expenditures and activities.

(2) An examination of major physical assets of the Department, as defined by the Secretary;

(3) A review of the size, experience level, and capability distribution of the operational personnel of the Department;

(4) Recommendations for adjustments in the management and administration of the Department that would reduce efficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies.

(b) Form of Report.—The report required under subsection (a) shall be submitted in an unclassified form but may include a classified annex.

SEC. 1119. RESEARCH AND DEVELOPMENT AND CLEAR, AND EXPLOSIVES ACTIVITIES.

(a) Department of Homeland Security Research and Development Activities.

(1) In General.—The Secretary of Homeland Security shall—

(A) assess the organization and management of the Department of Homeland Security’s research and development activities, and the extent to which the Department so- 

B) in paragraph (2), by striking ''develop an explicit description of operational challenges resulting from the current organizational structure and a detailed explanation of how the proposed organizational structure will address such challenges.

(D) Information relating to how such proposed organizational structure will support and enhance coordination, effectiveness, and efficiency by providing collaboration between the research and development activities of the Department and the offices and components of the Department, including a specific description of operational challenges resulting from the current organizational structure and a detailed explanation of how the proposed organizational structure will address such challenges.

(E) A discussion of any resulting cost savings and efficiencies from such proposed organizational structure.

(F) Recommendations for any necessary statutory changes, an explanation of why no statutory or organizational changes are necessary, or a request for additional time to complete the organizational justification.

(b) Department of Homeland Security Chemical, Biological, Radiological, Nuclear, and Explosives Activities.

(1) In General.—The Secretary of Homeland Security shall—

(A) assess the organization and management of the Department of Homeland Security’s chemical, biological, radiological, nuclear, and explosives activities, including the activities of the Office of Health Affairs, the Domestic Nuclear Detection Office, and the Office for Bombing Prevention;

(B) by not later than six months after the date of enactment of this Act, develop and submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a proposed organizational structure to ensure enhanced coordination, effectiveness, and efficiency by providing strengthened chemical, biological, radiological, nuclear, and explosives activities in support of homeland security.

(2) Organizational Justification.—The proposed organizational structure for the management of the Department of Homeland Security’s chemical, biological, radiological, nuclear, and explosives activities included in the assessment required under paragraph (1) shall—

(A) a discussion of the methodology for determining such proposed organizational structure;

(B) a comprehensive inventory of chemical, biological, radiological, nuclear, and explosives activities of the Department, and the proposed location of each activity under such proposed organizational structure;

(C) Information relating to how such proposed organizational structure will enhance the development of chemical, biological, radiological, nuclear, and explosives priorities and capabilities across the Department, including a specific description of operational challenges resulting from the current organizational structure and a detailed explanation of how the proposed organizational structure will address such challenges.

(E) Recommendations for any necessary statutory changes, an explanation of why no statutory or organizational changes are necessary, or a request for additional time to complete the organizational justification.

(f) Stipulation.—Not later than three months after the submission of the proposed organizational justifications required under subsections (a)(1) and (b)(1), the Comptroller General of the United States shall submit to the Committee on Homeland Security and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a review of the organizational justifications. The review shall consider how the proposed organizational realignment, or lack thereof, of research and development activities and chemical, biological, radiological, nuclear, and explosives activities will improve or impede the Department’s ongoing efforts is such mission areas, including an assessment of—

(1) any potential cost savings or additional costs incurred as a result of any proposed organizational realignment;

(2) an assessment of the comparison of benefits and costs of the proposed organizational structure;

(3) the extent to which the organizational justification submitted pursuant to subsections (a)(1) and (b)(1) analyzes the documents, and addresses any potential problems that could result from any proposed organizational realignment;

(4) the extent to which the organizational justification identifies specific deficiencies in operations resulting from the existing organizational structure of the Department and an explanation of how any proposed realignment will address such deficiencies;

(5) the extent to which the Department solicited and incorporated the feedback of its workforce in the proposed organizational structure; and

(6) the extent to which the Department conducted and incorporated stakeholder outreach in developing the proposed organizational structure.

SEC. 1120. ACTIVITIES RELATED TO CHILDREN.

Paragraph (6) of subsection (c) of section 706 of the Homeland Security Act of 2002 (6 U.S.C. 349c(c)), as redesignated by section 410 of this Act, is amended by inserting ‘‘prior to the enactment of this Act, a proper organizational structure, and an explanation of how any proposed realignment will address such deficiencies,’’ after ‘‘priorities,’’ and ‘‘policies’’; by inserting ‘‘including feedback from organizations representing the needs of children, after ‘stakeholder feedback’’.’’

Subtitle B—Human Resources and Other Matters

SEC. 1131. CHIEF HUMAN CAPITAL OFFICER RESPONSIBILITIES.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ‘‘including with respect to leader development and employee engagement, after ‘policies’’;’’

(ii) by striking ‘‘and in line’’ and inserting ‘‘, in line’’; and

(iii) by inserting ‘‘and informed by best practices within the Federal government and the private sector, after ‘stakeholder feedback’’.’’

(B) in paragraph (2), by striking ‘‘develop performance measures to provide a basis for
monitoring and evaluating’’ and inserting ‘‘evaluate, on an ongoing basis,’’;’’

(C) in paragraph (3), by inserting ‘‘that, to the extent practicable, are informed by em-
ployee feedback, policies, and communications within the Department, such as perceptions about limitations on ca-
reer progression, mobility, or development opportunities, collected through employee feedback;’’;

(D) in paragraph (4), by inserting ‘‘includ-
ing leader development and employee en-
gage-
gment programs’’ before ‘‘in coordina-
tion’’;

(E) in paragraph (5), by inserting before the semicolon at the end the following: ‘‘that is informed by an assessment, carried out by the Capital Learning Officer, of the learning and developmental needs of employ-
ees in supervisory and non-supervisory roles across the Department and appropriate work force initiatives’’;

(F) by redesignating paragraphs (9) and (10) as paragraphs (11) and (12), respectively; and

(G) by inserting after paragraph (8) the fol-
lowing new paragraphs:

‘‘(9) maintain a catalogue of available em-
ployee development opportunities, including the Homeland Security Rotation Program pursuant to section 444, departmental leader-
ship development programs, interagency de-
velopment programs, and other rotational pro-
grame;’’

‘‘(10) ensure that employee discipline and ad-
verse action programs comply with the re-
quirements of all pertinent laws, rules, regu-
lations, and Federal guidance, and ensure

SEC. 714. EMPLOYEE ENGAGEMENT.

(a) STEERING COMMITTEE.—Not later than 120 days after the date of the enactment of this section, the Secretary shall establish an employee engagement steering committee, comprising representatives from operational components, headquarters, and field per-
sontel, including supervisory and non-sup-
ervisory personnel, and employee labor organi-
zations that represent Department employ-
ees, and chaired by the Under Secretary for Management, to carry out the following ac-
vities:

‘‘(1) Identify factors that have a negative impact on employee engagement, morale,

and communications within the Department, such as perceptions about limitations on ca-
reer progression, mobility, or development opportunities, collected through employee feedback;’’;

(b) EVALUATION AND REPORTING.—The Chief Human Capital Officer, the head of each component, and the Secretary for Management, shall—

‘‘(1) not later than 120 days after the date of the establishment of the steering com-
mittee under subsection (a), issue a Depart-
ment-wide employee engagement action

planning and communications within specific components and across the Department.

(2) Conduct regular meetings and report, not less than once per quarter, to the Under Secretary for Management, the head of each component, and the Secretary on Depart-
ment-wide employee engagement, morale, and communications within the Department, including through annual employee surveys, question-
naires, and other communications, as appro-
priate.

(3) Monitor efforts of each component to address employee engagement, morale, and communications within specific components and across the Department.

(4) Select recipients from the pool of nominees submitted by the internal review board under paragraph (3) and convene a cerem-
ony at which employees or groups of employees receive such awards from the Sec-
retary; and

(5) Publicize such program within the De-
partment.

(b) INTERNAL REVIEW BOARD.—The inter-
nal review board described in subsection
(a)(3) shall, when carrying out its function subsections (a)(3) and (4) as paragraphs (5), (6), and (7), respect-
ively; and

(B) by inserting after paragraph (1) the fol-
lowing new paragraphs:

‘‘(2) require the head of each component to

‘‘(1)(A) develop and implement a component-
specific employee engagement plan to ad-

vance the action plan required under para-
geraph (1) that includes performance mea-
sures and objectives, is informed by employee feedback provided through annual employee surveys, questionnaires, and other com-

munications in accordance with paragraph (1) of such subsection, to execute strategies to im-
prove employee engagement, morale, and communications within the Department; and

‘‘(2) conduct regular meetings and report, not less than once per quarter, to the Under Secretary for Management, the head of each component, and the Secretary on Department-wide employee engagement, morale, and communications within specific components and across the Department.

(3) Monitor efforts of each component to

address employee engagement, morale, and communications within specific components and across the Department.

(4) Select recipients from the pool of nomi-
nees submitted by the internal review board under paragraph (3) and convene a cerem-
ony at which employees or groups of employees receive such awards from the Sec-
retary; and

(5) Publicize such program within the De-
partment.

(c) RULE OF CONSTRUCTION.—Nothing in

this section may be construed to authorize
additional funds to carry out the require-
ments of this section or to require the Sec-
retary to provide monetary bonuses to re-
cipients of an award under this section.’’

SEC. 714. EMPLOYEE ENGAGEMENT.

(a) STEERING COMMITTEE.—Not later than 120 days after the date of the enactment of this section, the Secretary shall establish an employee engagement steering committee, comprising representatives from operational components, headquarters, and field per-
sontel, including supervisory and non-sup-
ervisory personnel, and employee labor organi-
zations that represent Department employ-
ees, and chaired by the Under Secretary for Management, to carry out the following ac-
vities:

(1) Identify factors that have a negative impact on employee engagement, morale,
SEC. 1153. TIMELY GUIDANCE TO DHS PERSONNEL REGARDING EXECUTIVE ORDERS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 is amend-

ed by inserting at the end of such section 714 the following new section:

(b)(1) of section 714 of the Home-

land Security Act of 2002 (as added by this Act).

(c) ACTION BY UNDER SECRETARY FOR MAN-

AGEMENT.—Upon completion of the investiga-
tion described in subsection (a), the Under Sec-
tary for Management of the Depart-
ment of Homeland Security shall review the
findings and recommendations of such inves-
tigation and implement a plan, in consulta-
tion with the employee engagement steering
committee established pursuant to subsec-
tion (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.

SEC. 1156. Acquisition Management.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 is amend-

ed by inserting after this title the following new title:

TITLES II—DEPARTMENT OF HOMELAND SECURITY ACCOUNTABILITY AND EFFICIENCY

TITLES II—DEPARTMENT OF HOMELAND SECURITY ACCOUNTABILITY AND EFFICIENCY

SEC. 1201. DEFINITIONS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 is amend-

ed by inserting at the end of such section 131 of title 41, United States Code.

(b) CONSULTATION.—In carrying out the in-

vestigation described in subsection (a), the Comptroller General of the United States
shall consult with the employee engagement steering committee established pursuant to sub-
section (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.

(b) CONSULTATION.—In carrying out the in-

vestigation described in subsection (a), the Comptroller General of the United States
shall consult with the employee engagement steering committee established pursuant to sub-
section (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.

(b) CONSULTATION.—In carrying out the in-

vestigation described in subsection (a), the Comptroller General of the United States
shall consult with the employee engagement steering committee established pursuant to sub-
section (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.

(b) CONSULTATION.—In carrying out the in-

vestigation described in subsection (a), the Comptroller General of the United States
shall consult with the employee engagement steering committee established pursuant to sub-
section (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.

(b) CONSULTATION.—In carrying out the in-

vestigation described in subsection (a), the Comptroller General of the United States
shall consult with the employee engagement steering committee established pursuant to sub-
section (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.

(b) CONSULTATION.—In carrying out the in-

vestigation described in subsection (a), the Comptroller General of the United States
shall consult with the employee engagement steering committee established pursuant to sub-
section (b)(1) of section 714 of the Home-

land Security Act of 2002, to correct any relevant deficiencies identified by the Comptroller
General of the United States. The Under Sec-
tary for Management shall direct the em-
ployee engagement steering committee to
review such plan and inform committee ac-
tivities and action plans authorized under such
section 714.
decision authority to approve, pause, modify (including the rescission of approvals of pro-
gram milestones), or cancel major acquisi-
tion programs, unless the Under Secretary de-
derives its authority to a Component Ac-
quision Executive pursuant to paragraph (3).

(C) Establishing policies for acquisition that implement an approach that takes into ac-
count risks of failure to achieve cost, sche-
dule, or performance parameters that all components of the Department shall comply with,
and ensuring relevant authorities for program managers to effectively manage acquisition programs.

(D) Ensuring that each major acquisition program has a Department Acquisition Executive
authorization process in accordance with the De-
partment’s acquisition management policy.

(E) Ensuring that the heads of compo-
ents and Component Acquisition Executives
comply with Federal law, the Federal Acqui-
sition Regulation, and Department acquisi-
tion management directives.

(F) Providing additional scrutiny and oversight for an acquisition that is not a major acquisi-
tion if—

(i) the acquisition is for a program that is
important to departmental strategic and perfor-
mance priorities;

(ii) the acquisition is for a program with significant program or policy implications; and

(iii) the Secretary determines that such scrutiny and oversight for the acquisition is
proper and necessary.

(G) Ensuring that grants and financial as-
sistance are provided only to individuals and
organizations that are not suspended or debarred.

(H) Distributing guidance throughout the Department to ensure that contractors in-
volved in acquisitions, particularly contrac-
tors that access the Department’s informa-
tion systems and technologies, adhere to re-
current Department policies related to phys-
ical and information security as identified by
the Under Secretary for Management.

(I) Overseeing the Component Acquisition Executive organizational structure to ensure
Component Acquisition Executives have suffi-
cient capabilities and comply with Depart-
ment policy with respect to—

(J) Ensuring acquisition decision memo-
randa adequately document decisions made at acquisition decision events, including any
affirmative determination of Connecticut re-
sponsibility at the down selection phase and
any other significant procurement decisions
related to the acquisition at issue.

SEC. 1211. ACQUISITION DECISION AUTHORITY.

(A) LEVEL 3 ACQUISITIONS.—The Under
Secretary for Management may delegate ac-
quision decision authority in writing to the relevant Component Acquisition Executive
for an acquisition program that has a life cycle cost estimate of less than $300,000,000.

(B) LEVEL 4 ACQUISITIONS.—The Under
Secretary for Management may delegate ac-
quision decision authority in writing to the relevant Component Acquisition Executive
for a major acquisition program that has a life cycle cost estimate of at least $300,000,000
but not more than $1,000,000,000 if all of the
following requirements are met:

(i) The contract concerns or programs working policies, processes, and procedures
that are consistent with Department-level acquisition policy.

(ii) The Component Acquisition Executive
concerned has adequate, experienced, and
dedicated professional employees with pro-
gram management training, as applicable,
comparable size of the acquisition
program and related activities dele-
gated to such Component Acquisition Execu-
tive by the Under Secretary for Manage-
ment.

(iii) Each major acquisition program con-
cerned has written documentation showing
that the acquisition program baseline and it is meeting agreed-upon cost, schedule, and performance thresholds.

(B) OPERATIONAL TESTING AND EVALUA-
TION.—The Under Secretary for Science and Technology shall—

(i) ensure, in coordination with relevant component heads, that major acquisition
programs—

(ii) complete operational testing and eval-
uation of technologies and systems;

(iii) use independent verification and vali-
dation of operational test and evaluation im-
plemented in the operational test and eval-
uation system, device, and facility;

(iv) document whether such programs meet all performance requirements included
in their acquisition program baselines;

(v) ensure that such operational testing and evaluation includes all system compo-
nents and incorporates operators into the
testing to ensure that systems perform as in-
tended in the appropriate operational set-
tings and;

(vi) determine if testing conducted by other Federal agencies and private entities is
relevant and sufficient in determining
whether systems perform as intended in the
operational setting.

(C) DEFINITIONS.—In this subsection, the terms ‘acquisition’, ‘best practices’, ‘acquisi-
tion decision authority’, ‘major acquisition program’, ‘acquisition program baseline’, and ‘Component Acquisition Executive’ have
the meanings given in section 830c.

SEC. 1212. ACQUISITION AUTHORITIES FOR
CHIEF INFORMATION OFFICER OF THE
DEPARTMENT OF HOMELAND SECURITY.

Paragraph (3) of section 702(b) of the Home-
land Security Act of 2002 (6 U.S.C. 342(b)) is
amended by adding at the end the following
new subparagraph:

(i) Oversee the costs of acquisition pro-
grams and related activities to ensure that
actual and planned costs are in accordance
with budget estimates and are affordable, or
can be adequately funded, over the life cycle
of such programs and activities.

SEC. 1213. ACQUISITION AUTHORITIES FOR
CHIEF INFORMATION OFFICER OF THE
DEPARTMENT OF HOMELAND SECURITY.

Section 703 of the Homeland Security Act of
2002 (6 U.S.C. 343), as amended by this Act, is
further amended by adding at the end the following new subsection:

(1) AQUISITION RESPONSIBILITIES.—The
Chief Information Officer shall include the following:

(i) Oversee the management of the Home-
land Security Enterprise Architecture and
ensure that it is aligned with the acquisition
decision events to identify problems with
cost, performance, or schedule that components may need to address to pre-
vent cost overruns, performance issues, or schedule delays.

(ii) Conduct oversight of individual acquisi-
tion programs to implement Department acquisition program policy, procedures, and stan-
dards in a consistent manner using the data the office collects and maintains from Department components is accurate and reli-
able.

(iii) Serve as the focal point and coordi-
nator for the acquisition life cycle review process and as the executive secretariat for the Acquisition Review Board.

(iv) Advise the Secretary on having acquisition decision authority in making acquisition de-
cisions consistent with all applicable laws and in establishing clear lines of authority,
accountability, and responsibility for acquisi-
tion decision making within the Depart-
ment.

(v) Engage in the strategic planning and performance evaluation required under Section 306 of title 5, United States Code, and sections 1105(a)(28), 1115, 1116, and
9703 of title 31, United States Code, by sup-
porting the Chief Information Officer in de-
veloping strategies and specific plans for hir-
ing, training, and professional development
in order to rectify any deficiency within the Department’s acquisition workforce.

(vi) Develop standardized certification
standards in consultation with the Compo-
nent Acquisition Executives for all acqui-
sition personnel and develop a certifica-
tion program to recognize those
employees who have completed the
relevant Component Acquisition Execu-
tive, into the performance evaluation of the
relevant acquisition program manager and report positive or negative experiences to the relevant certifying authority. 

(9) Provide technical support and assistance to the Executive Director for the acquisition and accountabil- ity program in conjunction with the Chief Procurement Officer.

(10) Prepare the Comprehensive Acquisition Infor- mation for the Department, as required by title I of division D of the Con- solidated Appropriations Act, 2016 (Public Law 114–113), and make such report available to the congressional homeland security committees.

(c) RESPONSIBILITIES OF COMPONENTS.— Each head of a component shall comply with Federal law, the Federal Acquisition Regulation, and Department acquisition manage- ment directives established by the Under Secretary for Management. For each major acquisition program, each head of a component shall—

(1) define baseline requirements and docu- ment changes to such requirements, as appro- priate;

(2) establish a complete life cycle cost esti- mate with supporting documentation, in- cluding an acquisition program baseline;

(3) verify each life cycle cost estimate against independent cost estimates, and rec- oncile any differences;

(4) complete a cost-benefit analysis with supporting documentation;

(5) develop and maintain a schedule that is consistent with scheduling best practices as identified by the Comptroller General of the United States, including, in appropriate cases, an integrated master schedule; and

(6) ensure that all acquisition program in- formation provided by the component is complete, accurate, timely, and valid.

(d) CONGRESSIONAL HOMELAND SECURITY COMMITTEE DEFINED.—In this section, the term ‘congressional homeland security committee’ means—

(1) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

SEC. 717. Acquisition authorities for Pro- gram Accountability and Risk Management.

Sec. 718. Acquisition documentation.

(1) In general.—(a) SEC. 1221. ACQUISITION REVIEW BOARD.

(a) In General.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

“SEC. 719. ACQUISITION INNOVATION.

“(a) In general.—For each major acquisition program, the Executive Director responsible for the preparation of the Comprehensive Acquisition Status Report, pursuant to paragraph (1) of section 710(b), shall require certain acquisition documentation to be sub- mitted by Department components or of- fices.

“(b) Waiver.—The Secretary may waive the require- ment for submission under subsection (a) for a program for a fiscal year if either—

(1) the program has not—

(A) entered the full rate production phase in the acquisition life cycle; or

(B) determined a reasonable cost estimate estab- lished; and

(C) had a system configuration defined fully; or

(2) the program does not meet the definition of ‘capital asset’, as defined by the Di- rector of the Office of Management and Budget.

“(c) CONGRESSIONAL OVERSIGHT.—At the same time the President’s budget is sub- mitted for a fiscal year under section 1105(a) of title 31, United States Code, the Secretary shall commit to the Committee on Homeland Security of the House of Representatives and Committee on Homeland Security and Governmental Affairs of the Senate on information on the Department’s budgetary request under subsection (b) in the prior fiscal year that includes the following specific information regarding each program for which a waiver is issued under subsection (b):

“(1) The grounds for granting a waiver for that program.

“(2) The projected cost of that program.

“(3) The proportion of a component’s an- nual acquisition budget attributed to that program, as available.

“(4) Information on the significance of the program with respect to the component’s op- erations and execution of its mission.”.

(b) CLERICAL AMENDMENT.—The table of contents of title VII of the Homeland Secu- rity Act of 2002 is further amended by in- serting after the item relating to section 716, as added by this Act, the following new item:

“Sec. 717. Acquisition authorities for Pro- gram Accountability and Risk Management.

“Sec. 718. Acquisition documentation.”.

SEC. 1215. ACQUISITION INNOVATION.

(1) In general.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following new section:

“SEC. 719. ACQUISITION INNOVATION.

“(a) In General.—(1) The Under Secretary for Management may—

(1) designate an individual within the De- partment to innovate and develop acquisition innovation efforts of the Department;

(2) test emerging acquisition best prac- tices to carrying out acquisitions, consistent with the Federal Acquisition Regulation and Department acquisition management direc- tives, as appropriate;

(3) develop and distribute best practices and lessons learned regarding acquisition in- novation throughout the Department;

(4) establish metrics to measure the effec- tiveness of acquisition innovation efforts and report, to the extent practicable, to the Under Secretary for Management Discipline, the extent of innovation throughout the Department acquisition efforts of the Board; and

(5) determine impacts of acquisition inno- vation efforts on the private sector by—

(A) engaging with the private sector, including small businesses, to provide informa- tion and feedback on procurement practices and acquisition innovation efforts of the Department;

(B) obtaining feedback from the private sector on the impact of acquisition innova- tion efforts of the Department; and

(C) incorporating such feedback, as appro- priate, into future acquisition innovation ef- forts of the Department.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Secu- rity Act of 2002 is amended by inserting after the item relating to section 716, as added by this Act, the following new item:

“Sec. 719. Acquisition innovation.”.

“(c) Information.—Not later than 90 days after the date on which the Secretary of Homeland Security submits the annual budget justifica- tion for the Department for fiscal year 2019 and thereafter, the Secretary shall, if appro- priate, provide information to the Com- mittee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Af- fairs of the Senate on information on the Department’s acquisition innovation efforts of the Board.

“(d) Authority.—The Under Secretary for Management shall serve as the chair of the Board.

“(e) Meetings.—The Board shall meet reg- ularly for purposes of ensuring that all acquisi- tions processes proceed in a timely fashion to achieve mission readiness. The Board shall convene at the discretion of the Sec- retary and at any time.

“(f) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(g) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(h) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(i) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(j) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(k) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(l) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(m) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(n) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(o) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(p) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(q) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(r) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(s) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(t) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(u) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(v) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(w) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(x) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(y) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(z) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(aa) Authority.—The Board shall have the au- thority to conduct reviews of acquisition innovation and provide recommendations to the Secretary.

“(bb) Review processes.—The Board shall re- view acquisitions to ensure that such acquisitions are consistent with the Federal Acquisition Regulation and Department acquisition management directives.

“(cc) Review.—The Board shall review the acquisi- tion of systems, major acquisition programs, and other topics as determined by the Secretary.

“(dd) Authority.—The Board shall have the au- th
"(5) Review the acquisition documents of each major acquisition program, including the acquisition program baseline and documentation reflecting consideration of trade-offs among cost, schedule, and performance objectives, to ensure the reliability of underlying data.

(6) Ensure that practices are adopted and implemented across the Department to eliminate trade-offs among cost, schedule, and performance objectives as part of the process for developing requirements for major acquisition programs prior to the initiation of the second acquisition decision event, including, at a minimum, the following practices:

(A) Department officials responsible for acquisition programs shall ensure that functions are provided with the appropriate opportunity to develop estimates and raise cost and schedule matters before performance objectives are established for capabilities when feasible.

(B) Full consideration is given to possible trade-offs among cost, schedule, and performance objectives for each alternative.

(e) Acquisition Program Baseline Report Requirement.—If the person exercising acquisition decision authority over a major acquisition program proposes such program to proceed into the planning phase before such program has a Department-approved acquisition program baseline, the Under Secretary shall ensure that the Department will create, improve, or develop an acquisition program baseline regarding such approval, and the Secretary shall—

(1) within seven days after an acquisition decision memorandum is signed, notify in writing the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such decision; and

(2) within 90 days after the acquisition decision memorandum is signed, submit to such committees a report stating the rationale for such decision and a plan of action to require an acquisition program baseline for such program.

(f) Report.—The Under Secretary for Management shall provide information to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on an annual basis throughout the life of the Board, and such additional reports as the Senate of the Board for the prior fiscal year that includes information relating to the following:

(1) For each meeting of the Board, any acquisition program listed.

(2) Results of the systematic reviews conducted pursuant to paragraph (4) of subsection (d).

(3) Results of acquisition document reviews required pursuant to paragraph (5) of subsection (d).

(4) Activities to ensure that practices are adopted and implemented throughout the Department pursuant to paragraph (6) of subsection (d)."

(b) Clerical Amendment.—The title of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is further amended by adding after the item relating to section 836, as added by this Act, the following new item:

"Sec. 837. Requirements to reduce duplication in acquisition programs.

SEC. 1223. DEPARTMENT LEADERSHIP COUNCIL.

(a) In General.—Subtitle H of title VIII of the Homeland Security Act of 2002 is amended by adding at the end the following new section:

"Sec. 837B. DEPARTMENT LEADERSHIP COUNCIL.

(1) Establishment.—The Secretary may establish a Department leadership council as the Secretary determines necessary to ensure coordination and improve programs and acquisition of the Department.

(2) Functions.—A Department leadership council shall—

(A) serve as coordinating forums; and

(B) ensure that the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

(3) Relationship to Other Forums.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

(4) Mission.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, a leadership council shall—

(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

(B) ensure that appropriate efficiencies are made available life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

(C) make prioritized capability recommendations for the joint requirements validated under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the leadership council.

(5) Chairperson.—The Secretary shall appoint a chairperson of a leadership council, for a term of not more than 2 years, from among senior officials of the Department or other senior officials as designated by the Secretary.

(6) Composition.—A leadership council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.
Subtitle C—Acquisition Program Management Accountability and Transparency

SEC. 1231. CONGRESSIONAL NOTIFICATION FOR MAJOR ACQUISITION PROGRAMS.

(a) In General.—Subtitle VII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end the following new section:

"SEC. 838. COMMISSIONER'S NOTIFICATION AND OTHER REQUIREMENTS FOR MAJOR ACQUISITION PROGRAM BREACH.

"(a) Requirements Within Department in Event of Breach.—

"(1) NOTIFICATIONS.—

"(A) NOTIFICATION OF BREACH.—If a breach occurs in a major acquisition program and such breach results in a cost overrun greater than 15 percent, a schedule delay greater than 180 days, or a failure to meet any of the goals from the cost, schedule, or performance parameters specified in the most recently approved acquisition program baseline for such program, the component Acquisition Executive for such program shall notify the Secretary and the Inspector General of the Department not later than five business days after the Secretary are notified of the breach pursuant to subparagraph (A).

"(B) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

"(1) IN GENERAL.—If a breach occurs in a major acquisition program, the program manager for such program shall submit to the head of the component concerned, the Executive Director of the Program Accountability and Risk Management Division, the Under Secretary for Management, and the Deputy Secretary not later than 30 calendar days after such breach is identified.

"(2) REMEDIATION PLAN AND ROOT CAUSE ANALYSIS.—

"(A) IN GENERAL.—If a breach occurs in a major acquisition program, the program manager for such program shall submit to the head of the component concerned, the Executive Director of the Program Accountability and Risk Management Division, the Under Secretary for Management, and the Deputy Secretary a report on the remediation plan and root cause analysis relating to such breach and program. Such plan and analysis shall be submitted at the discretion of the Under Secretary for Management.

"(B) REMEDIATION PLAN.—The remediation plan required under this subparagraph (A) shall—

"(i) explain the circumstances of the breach at issue;

"(ii) provide prior cost estimating information;

"(iii) include a root cause analysis that determines the underlying cause or causes of the breach, including the role, if any, of—

"(I) unrealistic performance expectations;

"(II) unanticipated design, engineering, manufacturing, or technology integration issues arising during program performance;

"(IV) inadequate program funding or changes in planned out-year funding from one 5-year funding plan to the next 5-year funding plan during Years One Through Five of the Homeland Security Program required under section 874.

"(V) inadequate program management personnel, including lack of sufficient number, training, or experience; and

"(VI) inadequate program management certifications, or use of best practices.

"(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the review required under subparagraph (A), the Under Secretary for Management shall submit to the congressional homeland security committees a report on the review required by paragraph (2).

"(B) REQUIREMENTS RELATING TO CONGRESSIONAL NOTIFICATION IF BREACH OCCURS.—

"(1) NOTIFICATION TO CONGRESS.—If a notification to the Secretary is made under subsection (a)(1)(B) relating to a breach in a major acquisition program, the Under Secretary for Management shall notify the congressional homeland security committees of such breach in the next quarterly Comprehensive Acquisition Status Report, as required by title I of division D of the Consolidated Appropriations Act, 2016, (Public Law 114-113) following receipt by the Under Secretary of notification under subsection (b) of such subsection.

"(2) SIGNIFICANT VARIANCES IN COSTS OR SCHEDULE.—If a likely cost overrun is greater than 20 percent or a likely delay is greater than 12 months from the costs and schedule specified in the acquisition program baseline for a major acquisition program, the Under Secretary for Management shall include in the notification required in paragraph (1) a written certification, with supporting explanation, that—

"(A) such program is essential to the accomplishment of the Department’s mission;

"(B) there are no alternatives to the capability or asset provided by such program that will provide equal or greater capability in both a more cost-effective and timely manner;

"(C) the new acquisition schedule and estimates for total acquisition cost are reasonable; and

"(D) the management structure for such program is adequate to manage and control cost, schedule, and performance.

"(c) Committees.—(1) The Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(2) the Committee on Homeland Security of the Senate, the Committee on Oversight and Governmental Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate; and
“(2) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.”;

(b) CLERICAL AMENDMENT.—The table of contents in section 837 of title VIII of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 837, as added by the preceding new section: “Sec. 838. Congressional notification and other requirements for major acquisition program breach.”.

SEC. 1232. MULTIYEAR ACQUISITION STRATEGY.

(a) MULTIYEAR ACQUISITION STRATEGY REQUIRED.—

(1) In General.—Not later than one year after the date of enactment of this section, the Secretary shall submit to the appropriate congressional committees and the Comptroller General of the United States a multiyear acquisition strategy to guide the overall direction of the acquisitions of the Department while allowing flexibility to deal with any new threats and risks, and to keep pace with changes in technology that could impact deliverables, and to help industry better understand, plan, and align resources to ensure acquisition goals of the Department. Such strategy shall be updated and included in each Future Years Homeland Security Program required under section 754.

(2) FORM.—The strategy required under paragraph (1) shall be submitted in unclassified form but may include a classified annex or classified information if necessary. The Secretary shall publish such strategy in an unclassified format that is publicly available.

(b) CONSULTATION.—In developing the strategy required under subsection (a), the Secretary shall, as the Secretary determines appropriate, consult with headquarters, components, employees in the field, and individuals from industry and the academic community.

(c) CONTENTS OF STRATEGY.—The strategy shall include the following:

(1) PRIORITIZED LIST.—A systematic and integrated prioritized list developed by the Under Secretary for Management in coordination with all of the Component Acquisition Executives of Department major acquisition programs. Department direct investment and component acquisition investments seek to address, including the expected security and economic benefit of the program or system that the acquisition addresses. An analysis of how the security and economic benefit derived from such program or system will be measured.

(2) INVENTORY.—A plan to develop a reliable Department-wide inventory of investments and real property assets to help the Department—

(A) plan, budget, schedule, and acquire upgrades of its systems and equipment; and

(B) plan for the acquisition and management of future systems and equipment.

(3) FUNDING GAPS.—A plan to address funding gaps between funding requirements for major acquisition programs and known available resources, including, to the maximum extent practicable, identification of leveraging best practices to identify and eliminate overpayment for items to—

(A) prevent wasteful purchasing;

(B) ensure at least level of efficiency and cost savings by rationalizing purchases;

(C) align pricing for similar items; and

(D) utilize purchase timing and economies of scale.

(4) IDENTIFICATION OF CAPABILITIES.—An identification of test, evaluation, modeling, and simulation capabilities that will be required to—

(A) support the acquisition of technologies to meet the needs of such strategy;

(B) leverage the greatest extent possible emerging technological trends and research and development trends within the public and private sectors; and

(C) identify ways to ensure that appropriate technology is acquired and integrated into the Department’s operating doctrine to improve mission performance.

(5) FOCUS ON INTELLIGENCE.—An assessment of ways the Department can improve its ability to test and acquire innovative solutions to allow needed incentives and protections to address risk-taking in order to meet its acquisition needs with resiliency, agility, and responsiveness to assure homeland security and facilitate trade.

(6) FOCUS ON ACQUISITION STRATEGY.—The strategy required under subsection (a) shall also include a plan to address actions to ensure competition, including that—

(A) prevent cost overruns;

(B) avoid schedule delays; and

(C) achieve cost savings in major acquisition programs.

(7) FOCUS ON ADDRESsing DELAYS AND BID PROTESTS.—An assessment of ways the Department can improve the acquisition process to minimize delays.

(A) requirements development;

(B) procurement announcements;

(C) requests for proposals;

(D) evaluation of proposals;

(E) protests of decisions and awards; and

(F) the use of best practices.

(8) FOCUS ON IMPROVING OUTREACH.—An identification of ways to increase opportunities for communication and collaboration with industry, small and disadvantaged businesses, and other stakeholders.

(A) improve the recruitment, hiring, training, and retention of Department acquisition workforce personnel, including contracting officer’s representatives, in order to retain highly qualified individuals who have experience in the acquisition life cycle, complex procurements, and management of large programs;

(B) empower program managers to have the authority to make their programs in an accountable and transparent manner as such managers work with the acquisition workforce;

(9) FOCUS ON Addressing DELays and BID PROTESTS.—Periodic system or program reviews to assess the Department’s ability to test and acquire innovative solutions to allow needed incentives and protections to address risk-taking in order to meet its acquisition needs with resiliency, agility, and responsiveness to assure homeland security and facilitate trade.

(9) ACQUISITION WORKFORCE PLAN.—

(A) ACQUISITION WORKFORCE.—The strategy required under subsection (a) shall also include a plan to address actions to ensure competition, including that—

(i) program management;

(ii) systems engineering;

(iii) procurement; and

(iv) test and evaluation;

(v) life cycle logistics;

(vi) cost estimating and program financial management;

(vii) additional disciplines appropriate to Department mission needs;

(F) strengthen the performance of contracting officers’ representatives (as defined in subpart 1.602-2 and subpart 2.101 of the Federal Acquisition Regulation), including by—

(i) assessing the extent to which such representatives are certified and receive training that is appropriate;

(ii) assessing what training is most effective with respect to the type and complexity of assignment; and

(iii) implementing actions to improve training based on such assessments; and

(G) identify ways to increase training for relevant investigators and auditors of the Department to examine fraud in major acquisition programs, including identifying opportunities to leverage existing Government and private sector resources in coordination with the Inspector General of the Department.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting
after the item relating to section 838, as added by this Act, the following new item:

"Sec. 839. Multiyear acquisition strategy.".

(c) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF MULT-YEAR ACQUISITION STRATEGY.—

(1) REVIEW.—After submission of the first multiyear acquisition strategy in accordance with section 839 of the Homeland Security Act of 2002 (as added by subsections (a) and (b) of this section), the Comptroller General of the United States shall conduct a review of such strategy in order to determine if such plan’s effectiveness in the following:

(A) Complying with the requirements of such section.

(B) Establishing clear connections between Department of Homeland Security objectives and acquisition priorities.

(C) Demonstrating that Department acquisition policy reflects program management best practices and standards.

(D) Ensuring competition or the option of competition for major acquisition programs.

(E) Considering potential cost savings through using existing or reusing systems.

(F) Preventing duplication within Department acquisition workforce training requirements through leveraging already-existing training programs of the Federal Government, academic community, or private industry.

(G) Providing incentives for acquisition program managers to reduce acquisition and procurement costs through the use of best practices and disciplined program management.

(2) DEFINITIONS.—The terms "acquisition", "best practices", and "major acquisition programs" have the same meaning given such terms in section 838 of the Homeland Security Act of 2002, as added by this Act.

(3) REPORT.—Not later than 180 days after the completion of the review required by subsection (a), the Under Secretary for Management shall submit to the Committee on Appropriations of the Senate; and the Committee on Homeland Security and Governmental Affairs of the Senate; and the Committee on Appropriations of the House of Representatives; and the Committee on Homeland Security and Governmental Affairs of the House of Representatives; and the Committee on Appropriations of the House of Representatives a report on the review. Such report shall be submitted in unclassified form but may include a classified appendix.

SEC. 840. ACQUISITION REPORTS.

(a) IN GENERAL.—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is further amended by adding at the end of such section the following:

"SEC. 840. ACQUISITION REPORTS.

"(a) COMPREHENSIVE ACQUISITION STATUS REPORT.—

"(1) IN GENERAL.—At the same time as the President’s budget is submitted for a fiscal year under section 1105(a) of title 31, United States Code, the Under Secretary for Management, the Under Secretary for Management of the Department of Homeland Security, and the Comptroller General of the United States shall each submit to the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security and Governmental Affairs of the House of Representatives, a comprehensive acquisition status report. The report shall include the following:

"(A) A narrative description of the acquisition program baseline, and a summary of any findings. Verification and validation has been implemented, with an explanation for the decision and a summary of any findings.

"(B) A rating of cost risk, schedule risk, and technical risk with each program (including narrative descriptions and mitigation actions).

"(C) Contract status (including earned value management) and a lifecycle cost of the acquisition, and time basis for the estimate.

"(2) FORM.—The guidance required under subsection (a) shall be submitted in unclassified form but may include a classified appendix.

"(3) REVIEW.—The Under Secretary shall submit a report to the Congress not later than 5 years after the date of the enactment of this Act, the Secretary, acting through the Chief Intelligence Officer of the Department, in coordination with intelligence components of the Department, the Office of the General Counsel, the Office of Civil Rights and Civil Liberties, shall develop and disseminate written Department-wide guidance for the processing, analysis, and distribution of homeland security information (as such term is defined in section 892) and terrorism information (as such term is defined in section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 465)).

"(b) CONGRESSIONAL REPORT.—The Under Secretary shall prepare a quarterly program accountability report to report to the Congress on the performance of the Department to perform program health assessments and improve program execution and governance. The report shall be submitted to the congressional homeland security committees.

"(c) CONGRESSIONAL HOMELAND SECURITY COMMITTEES DEFINED.—In this section, the term ‘congressional homeland security committees’ means:

"(1) the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(2) the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

"(d) LEVEL 3 ACQUISITION PROGRAMS OF COMPONENTS OF THE DEPARTMENT.—

"(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, component heads of the Department of Homeland Security shall identify to the Under Secretary for Management of the Department of Homeland Security all Level 3 acquisition programs of each respective component. Not later than 30 days after receipt of such information, the Under Secretary shall certify in writing to the congressional homeland security committees whether such component heads have properly identified such programs. To carry out this paragraph, the Under Secretary shall use a repeatable methodology to continually identify level 3 acquisition programs.

"(2) POLICIES AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, component heads of the Department of Homeland Security shall submit to the Under Secretary for Management of the Department of Homeland Security and relevant guidance for level 3 acquisition programs of each respective component.

"(3) REVIEW.—For each of the fiscal years beginning with the fiscal year that begins after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the guidance required under subsection (a) and, as appropriate, revise such guidance.

"(4) ANNUAL REVIEW.—For each of the five fiscal years beginning with the fiscal year that begins after the date of the enactment of this Act, the Secretary shall conduct a review of the guidance required under subsection (a) and, as appropriate, revise such guidance.

"(5) TECHNICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting
after the item relating to section 210F the following new item:

“Sec. 210G. Homeland intelligence doctrine.”

SEC. 1302. ANA LYSIS FOR THE CHIEF INTELLIGENCE OFFICER.

Paragraph (1) of section 201(e) of the Homeland Security Act of 2002 (6 U.S.C. 121(e)) is amended by adding at the end the following new sentence: “The Secretary shall also provide to the Chief Intelligence Officer with a staff having appropriate expertise and experience to assist the Chief Intelligence Officer.”

SEC. 1303. ANNUAL HOMELAND TERRORIST THREAT ASSESSMENTS.

(a) In general.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

“SEC. 210H. HOMELAND TERRORIST THREAT ASSESSMENTS.

“(a) In general.—Not later than 180 days after the date of the enactment of this section and for each of the next five fiscal years (beginning in the fiscal year that begins after the date of the enactment of this section) the Secretary, acting through the Under Secretary for Intelligence and Analysis, and using departmental information, including component information, and information provided through State and major urban area fusion centers, shall conduct an assessment of the terrorist threat to the homeland.

“(b) Contents.—Each assessment under subsection (a) shall include the following:

“(1) Empirical data assessing terrorist activities and incidents over time in the United States, including terrorist activities and incidents planned or supported by persons outside of the United States targeting the homeland.

“(2) An evaluation of current terrorist tactics, as well as ongoing and possible future changes in terrorist tactics.

“(3) An assessment of criminal activity encountered or observed by officers or employees of components in the field which is suspected of financing terrorist activity.

“(4) Detailed information on all individuals denied entry to or removed from the United States as a result of material support provided to terrorist organizations or foreign terrorist organizations (as such term is used in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189)).

“(5) The efficacy and spread of foreign terrorist organization propaganda, messaging, or recruitment.

“(6) An assessment of threats, including cyber threats, to the homeland, including to critical infrastructure and Federal civilian networks.

“(7) An assessment of current and potential homeland and terrorist threats posed by individuals and organized groups seeking to unlawfully enter the United States.

“(8) An assessment of threats to the transportation system, including surface and aviation transportation systems.

“(c) ADDITIONAL INFORMATION.—The assessments required under subsection (a)—

“(1) shall, to the extent practicable, utilize existing component data collected from the field; and

“(2) may incorporate relevant information and analysis from other agencies of the Federal Government, agencies of State and local governments (including law enforcement agencies), and the private sector, disseminated in accordance with standard information sharing procedures and policies.

“(d) FORM.—The assessments required under section 201(e)(1) shall be shared with the appropriate congressional committees and submitted in classified form, but—

“(1) shall include unclassified summaries; and

“(2) may include unclassified annexes, if appropriate.”

(b) CONFIRMING AMENDMENT.—Subsection (d) of section 201 of the Homeland Security Act of 2002 (6 U.S.C. 121) is amended by adding at the end the following new paragraph:

“(2) To carry out section 210H (relating to homeland terrorist threat assessments).”

(c) CLEVELAND AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to assessments the following new item:

“Sec. 210H. Homeland terrorist threat assessments.”

SEC. 1304. DEPARTMENT OF HOMELAND SECURITY DATA FRAMEWORK.

(a) In general.—The Secretary of Homeland Security shall develop a data framework to integrate existing Department of Homeland Security datasets and systems, as appropriate, for access by authorized personnel in a manner consistent with relevant legal authorities and privacy, civil rights, and civil liberties policies and protections.

(b) Establishment.—The department shall ensure, in accordance with all applicable statutory and regulatory requirements, the following information is included:

“(1) All information acquired, held, or obtained by an agency or component of the Department that falls within the scope of the information sharing environment, including homeland security information, terrorism intelligence, information, weapons of mass destruction information, and national intelligence.

“(2) Any information or intelligence relevant to providing needed and capability requirements of the homeland security enterprise, as determined appropriate by the Secretary.

“(c) DATA FRAMEWORK ACCESS.—

“(1) In general.—The Secretary of Homeland Security shall ensure that the data framework required under this section is accessible to employees of the Department of Homeland Security who the Secretary determines—

“(A) have an appropriate security clearance; and

“(B) are assigned to perform a function that requires access to information in such framework; and

“(2) are trained in applicable standards for safeguarding such information.

“(d) GUIDANCE.—The Secretary of Homeland Security shall—

“(1) issue guidance for Department of Homeland Security datasets and systems, as appropriate, for access to information in such framework; and

“(2) ensure that such guidance enforces a duty to share between offices and components of the Department when accessing or contributing to such framework for mission needs.

“(e) EFFICACY.—The Secretary of Homeland Security shall promulgate data standards and instruct components of the Department of Homeland Security to make available information through the data framework under this section in a machine-readable standard format, to the greatest extent practicable.

“(f) EXCLUSION OF INFORMATION.—The Secretary of Homeland Security may exclude from the data framework information that the Secretary determines access to or the release of which would—

“(1) jeopardize the protection of sources, methods, or activities;

“(2) compromise a criminal or national security investigation; or

“(3) be inconsistent with the other Federal laws or regulations; or

“(4) be duplicative or not serve an operational purpose if included in such framework.

“(g) SAFEGUARDS.—The Secretary of Homeland Security shall integrate into the data framework systems capabilities for auditing and ensuring the security of information included in such framework. Such capabilities shall include the following:

“(1) Mechanisms for identifying insider threats.

“(2) Mechanisms for identifying security risks.

“(3) Safeguards for privacy, civil rights, and civil liberties.

“(h) DEADLINE FOR IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Chief Information Officer of the Department of Homeland Security shall provide notice of the appropriate congressional committees of such.

“(i) REGULAR STATUS.—The Secretary shall submit to the appropriate congressional committees regular updates on the status of the data framework required under this section, including, when applicable, the use of such data framework to support classified operations.

“(j) DEFINITIONS.—In this section:—

“(1) the term ‘national intelligence’ has the meaning given such term in section 3(5) of the National Security Act of 1947 (50 U.S.C. 3003(5)).

“(2) the term ‘appropriate congressional committee’ has the meaning given in section 210A(1).

SEC. 1305. ESTABLISHMENT OF INSIDER THREAT PROGRAM.

(a) In general.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

“(a) ESTABLISHMENT.—The Secretary shall establish an Insider Threat Program within the Department. Such Program shall—

“(1) provide training and education for Department personnel to identify, prevent, mitigate, and respond to insider threats to the Department’s critical assets;

“(2) provide investigative support regarding potential insider threats that may pose a risk to the Department’s critical assets; and

“(3) conduct risk mitigation activities for insider threats.

“(b) STEERING COMMITTEE.—(1) In general.—The Secretary shall establish a Steering Committee within the Department. The Under Secretary for Intelligence and Analysis shall serve as the Chair of the Steering Committee. The Chief Information Officer shall serve as the Vice Chair. The Steering Committee shall be comprised of representatives of the Office of Intelligence and Analysis, the Office of the Chief Information Officer, the Office of the General Counsel, the Office for Civil Rights and Civil Liberties, the Privacy Office, the Office of Chief Human Capital, the Office of the Chief Financial Officer, the Federal Protective Service, the Office of the Chief Procurement Officer, the Science and Technology Directorate, and other component or offices of the Department as appropriate. Such representatives shall meet on a
regular basis to discuss cases and issues related to insider threats to the Department's critical assets, in accordance with subsection (a).

(2) RESPONSIBILITIES.—Not later than one year after the date of the enactment of this section, the Under Secretary for Intelligence and Analysis and the Chief Security Officer, in coordination with the Steering Committee established pursuant to paragraph (1), shall—

(A) develop a holistic strategy for Department-wide efforts to identify, prevent, mitigate, and respond to insider threats to the Department's critical assets;

(B) require the Chair and Vice Chair of the Steering Committee to consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is implemented, on an ongoing basis, in coordination with the Department, including members of the Armed Forces, Federal, State, local, and tribal law enforcement officials, tribal and local governments, and research institutions to implement solutions that are validated and cost-effective;

(C) develop a timeline for deploying working groups to implement the insider threat measures identified in the strategy developed under subparagraph (A) across the components and offices of the Department;

(D) conduct a baseline risk assessment of insider threats posed to the Department's critical assets;

(E) examine existing programmatic and technology best practices adopted by the Federal Government, industry, and research institutions to identify opportunities to improve insider threat measures;

(F) require the Chair and Vice Chair of the Steering Committee to consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is implemented, on an ongoing basis, in coordination with the Department, including members of the Armed Forces, Federal, State, local, and tribal law enforcement officials, tribal and local governments, and research institutions to implement solutions that are validated and cost-effective;

(G) require the Chair and Vice Chair of the Steering Committee to consult with the Under Secretary for Science and Technology and other appropriate stakeholders to ensure the Insider Threat Program is implemented, on an ongoing basis, in coordination with the Department, including members of the Armed Forces, Federal, State, local, and tribal law enforcement officials, tribal and local governments, and research institutions to implement solutions that are validated and cost-effective;

(H) develop, collect, and report metrics on the effectiveness of the Department’s insider threat mitigation efforts.

(3) DEFINITIONS.—In this section:

(1) CRITICAL ASSETS.—The term ‘critical assets’ means the people, facilities, information, and technology required for the Department to fulfill its mission.

(2) INSIDER.—The term ‘insider’ means—

(A) any person who has access to classified national security information and is employed by, detailed to, or assigned to the Department, including members of the Armed Forces, Federal, State, local, and tribal law enforcement officials, tribal and local governments, and research institutions to implement solutions that are validated and cost-effective; or

(B) any person who has access to classified national security information, or through the loss or compromise of departmental resources or capabilities.

(b) REPORTING.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), as amended by this Act, the Secretary shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the status and activities of the board established under section 210A of the Homeland Security Act of 2002, as added by subsection (a) of this section.

(c) MEMBERS.—

(1) CHAIR.—The Secretary shall appoint a Coordinator for Counterterrorism within the Department who will serve as the chair of the board.

(2) ADDITIONAL MEMBERS.—The Secretary shall appoint additional members of the board from among the following:

(A) The Transportation Security Administration.

(B) U.S. Customs and Border Protection.

(C) U.S. Immigration and Customs Enforcement.


(E) The Coast Guard.

(F) United States Citizenship and Immigration Services.

(G) The United States Secret Service.

(H) The National Protection and Programs Directorate.

(I) The Office of Operations Coordination.

(J) The Office of the General Counsel.

(K) The Office of Intelligence and Analysis.

(L) The Office of Policy.

(M) The Science and Technology Directorate.

(N) Other departmental offices and programs as determined appropriate by the Secretary.

(d) MEETINGS.—The board shall meet on a regular basis to discuss intelligence and coordinate ongoing threat mitigation efforts and departmental activities, including coordination with other Federal, State, local, tribal, territorial, and private sector partners, and shall make recommendations to the Secretary.

(e) TERRORISM ALERTS.—The board shall advise the Secretary on the issuance of terrorism alerts pursuant to section 230 of this Act.

(f) PROHIBITION ON ADDITIONAL FUNDS.—No additional funds are authorized to carry out this section.

(g) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Coordinator for Counterterrorism, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the status and activities of the board established under section 210A of the Homeland Security Act of 2002, as added by subsection (a) of this section.

(h) BORDER AND GANG THREAT ASSESSMENT.—

(1) REPORTING.—

(A) IN GENERAL.—Not later than ninety days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a threat assessment on whether human smuggling organizations and transnational gangs are exploiting vulnerabilities in border security screening programs and to gain access to the United States and threaten the United States or border security.
(b) **RECOMMENDATIONS.**—Upon completion of the threat assessment required under subsection (a), the Secretary of Homeland Security shall make a determination if any change is necessary to address any vulnerabilities identified in such assessment.

**SEC. 1306. SECURITY CLEARANCE MANAGEMENT AND ADMINISTRATION.**

(a) In General.—Title VII of the Homeland Security Act of 2002 is amended—

(1) by inserting before section 701 (6 U.S.C. 314) the following:

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"Subtitle A—Headquarters Activities"
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and

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

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"Subtitle B—Security Clearances"
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**SEC. 731. DESIGNATION OF NATIONAL SECURITY SENSITIVE AND PUBLIC TRUST POSITIONS.**

"(a) In General.—The Secretary shall require the designation of the sensitivity level of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) be conducted in a consistent manner with respect to an individual or group of individuals and offices of the Department, and consistent with Federal guidelines.

(b) IMPLEMENTATION.—In carrying out subsection (a), the Secretary shall require the utilization of uniform designation tools throughout the Department and provide training to appropriate staff of the Department. The training shall include guidance on factors for determining eligibility for access to classified information and eligibility to hold a national security position.

**SEC. 732. REVIEW OF POSITION DESIGNATIONS.**

"(a) In General.—Not later than one year after the date of the enactment of this section, the Secretary shall review all sensitivity level designations of national security positions (pursuant to part 1400 of title 5, Code of Federal Regulations, or similar successor regulation) at the Department.

(b) DETERMINATION.—If during the course of a review required under subsection (a), the Secretary determines that a change in the sensitivity level of a position that affects the need for an individual to obtain access to classified information is warranted, such access shall be reviewed and an appropriate level periodic reinvestigation completed, as necessary.

(c) CONGRESSIONAL REPORTING.—Upon completion of the review required under subsection (a), the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the findings of each such review, including the number of positions by classification level and by component of the Department in which the Secretary made a determination in accordance with subsection (b) to—

"(1) require access to classified information;

"(2) no longer require access to classified information; or

"(3) otherwise require a different level of access to classified information.

**SEC. 733. AUDITS.**

"Beginning not later than 180 days after the date of the enactment of this section, the Inspector General of the Department shall conduct regular audits of compliance of the Department with part 1400 of title 5, Code of Federal Regulations, or similar successor regulation.

**SEC. 734. REPORTING.**

"(a) In General.—The Secretary shall annually through fiscal year 2022 submit to the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the following:

"(1) The number of denials, suspensions, revocations, and appeals of the eligibility for access to classified information of an individual throughout the Department.

"(2) The date and status or disposition of each reported appeal under paragraph (1).

"(3) The identification of the sponsoring entity, whether by component, office, or headquarters of the Department, of each action under paragraph (1), and description of the grounds for each such action.

"(4) Demographic data, including data relating to race, sex, national origin, and disability, of the Servicemembers and subordinates with respect to all components and offices of the Department.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended—

(1) by inserting before the item relating to title VII the following new item:

"Subtitle A—Headquarters Activities";

and

(2) by inserting after the final item relating to title VII the following new items:

"Subtitle B—Security Clearances"

"Subtitle C—Security Clearances Management and Administration"

"Subtitle D—Security Clearances Management and Administration Initiative"

**SEC. 731. REPORTING.**

"(a) In General.—Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by amending the section heading to read—

"Subtitle A—Department of Homeland Security Fusion Center Partnership Initiative";

(2) in subsection (a), by adding at the end the following new sentence: "Beginning on the date of the enactment of the Homeland Security Fusion Center Act of 2017, such Initiative shall be known as the ‘Department of Homeland Security Fusion Center Partnership Initiative’;

(3) by amending subsection (b) to read as follows:

"(b) INTERAGENCY SUPPORT AND COORDINATION.—Through the Department of Homeland Security Fusion Center Partnership Initiative, in coordination with principal officials of fusion centers in the National Network of Fusion Centers and the officers designated as the Homeland Security Advisors of the States, the Secretary shall:

"(1) coordinate with the heads of other Federal departments and agencies to provide operational and intelligence advice and assistance to the National Network of Fusion Centers;

"(2) (A) support the integration of fusion centers into the information sharing environment;

"(B) conduct outreach to such fusion centers to identify any gaps in information sharing environment;

"(C) consult with other Federal agencies to develop methods to address any such gaps, as appropriate;

"(D) (i) Identify Federal databases and datasets, including databases and datasets used, operated, or managed by Department components, the Federal Bureau of Investigation, the Office of the Director of National Intelligence, the National Geospatial-Intelligence Agency, the Department of Defense, the Federal Bureau of Investigation, the Department of the Treasury, that are appropriate, in accordance with Federal laws and policies, to address any gaps identified pursuant to paragraph (2), for inclusion in the information sharing environment; and

"(E) coordinate with the appropriate Federal agency to deploy or access such data and information;

"(2) support the maturation and sustainment of the National Network of Fusion Centers;

"(3) identify inefficiencies and maximize the effectiveness of Federal resource support to the National Network of Fusion Centers;

"(4) provide analytic and reporting advice and assistance to the National Network of Fusion Centers;

"(5) review information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, that is gathered by the National Network of Fusion Centers and incorporate such information, as appropriate, into the Department’s own such information;
“(A) INFORMATION SHARING.—The Under Secretary for Intelligence and Analysis shall ensure that, as appropriate—

(i) fusion centers in the National Network of Fusion Centers have access to homeland security information sharing systems; and

(ii) Department personnel are deployed to support fusion centers in the National Network of Fusion Centers consistent with the Department’s mission and existing statutory limits.

(B) PERSONNEL ASSIGNMENT.—Department personnel referred to in subparagraph (A)(i) may include the following:

(i) Intelligence officers.

(ii) Intelligence analysts.

(iii) Other liaisons from components and offices of the Department, as appropriate.

(C) MEMORANDA OF UNDERSTANDING.—The Under Secretary for Intelligence and Analysis shall negotiate memoranda of understanding between the Department and a State or local government, in coordination with the appropriate representatives from fusion centers in the National Network of Fusion Centers, regarding the exchange of information between the Department and such fusion centers. Such memoranda shall include the following:

(i) The categories of information to be provided by each party to the other party that are part of the memorandum.

(ii) The contemplated uses of the exchanged information that is the subject of any such memorandum.

(iii) The procedures for developing joint products.

(iv) The information sharing dispute resolution processes.

(v) Any protections necessary to ensure the exchange of information accords with applicable law and policies.

(2) SOURCE MATERIALS—

(A) IN GENERAL.—Information shared and personnel assigned pursuant to paragraph (1) may be shared or provided, as the case may be, by the following Department components and offices, in coordination with the respective component or office head and in consultation with the principal officials of fusion centers in the National Network of Fusion Centers:

(i) The Office of Intelligence and Analysis.

(ii) The Office of Infrastructure Protection.

(iii) The Transportation Security Administration.

(iv) U.S. Customs and Border Protection.

(v) U.S. Immigration and Customs Enforcement.

(vi) The Coast Guard.

(vii) The national cybersecurity and communications integration center under section 227.

(B) PERSONNEL ASSIGNMENT.—Department personnel assigned pursuant to paragraph (1) may include the following:

(i) Intelligence officers.

(ii) Intelligence analysts.

(iii) Other liaisons from components and offices of the Department, as appropriate.

(3) RESOURCE ALLOCATION CRITERIA.—

(A) IN GENERAL.—The Secretary shall make available criteria for sharing information and deploying personnel to support a fusion center in the National Network of Fusion Centers consistent with the Department’s mission and existing statutory limits.

(B) ACCOUNTABILITY REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2024, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall report to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate on the efforts of the Office of Intelligence and Analysis of the Department and other relevant components and offices of the Department to enhance...
support provided to fusion centers in the National Network of Fusion Centers, including meeting the requirements specified in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by subsection (a) of this section.

(c) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by striking the item relating to section 210A and inserting the following new item:

"Sec. 210A. Department of Homeland Security Fusion Center Partnership Initiative.".

(d) REFERENCE.—Any reference in any law, rule, or regulation to the "Department of Homeland Security Fusion Center Partnership Initiative" shall be deemed to be a reference to the "Department of Homeland Security Fusion Center Partnership Initiative".

SEC. 1312. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of Department of Homeland Security personnel assigned to fusion centers pursuant to subsection (c) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act, including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department's Office of Intelligence and Analysis' ability to provide support to fusion centers and the degree to which deploying, retaining, and reassigning additional Department personnel to such fusion centers would enhance the Department's Office of Intelligence and Analysis' ability to provide support to fusion centers in such jurisdiction, and the degree to which deploying, retaining, and reassigning additional Department personnel to such fusion centers would enhance the Department's Office of Intelligence and Analysis' ability to provide support to fusion centers in such jurisdiction.

(b) Information on the current deployment of the Department's personnel to each fusion center.

(c) Information on the roles and responsibilities of the Department's Office of Intelligence and Analysis intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers.

(d) Information on Federal resources, in addition to personnel, provided to each fusion center.

(e) An analysis of the optimal number of personnel the Office of Intelligence and Analysis should deploy to fusion centers, including a cost-benefit analysis comparing deployments to fusion centers to other potential solutions to support information sharing.

(f) An assessment of fusion centers located in jurisdictions along land and maritime borders of the United States, and the Coast Guard to such fusion centers would enhance the integrity and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and interdict persons, weapons, and related contraband that pose a threat to homeland security.

(g) An assessment of fusion centers located in jurisdictions with large and medium hub airports, and the degree to which deploying, as appropriate, personnel from the Transportation Security Administration to such fusion centers would enhance the integrity and security of aviation security.

(h) Definitions.—In this section:

(1) FUSION CENTER.—The term "fusion center" has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(2) NATIONAL NETWORK OF FUSION CENTERS.—The term "National Network of Fusion Centers" has the meaning given such term in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act.

SEC. 1313. PROGRAM FOR STATE AND LOCAL ANALYST CLEARANCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department, through the Under Secretary of Intelligence and Analysis, shall conduct an assessment of departmental components and offices of information systems used to share homeland security information with fusion centers in the National Network of Fusion Centers.

(b) DEFINITIONS.—In this section:

(1) FUSION CENTER.—The term "fusion center" has the meaning given such term in subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

(2) NATIONAL NETWORK OF FUSION CENTERS.—The term "National Network of Fusion Centers" has the meaning given such term in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act.

SEC. 1315. DEPARTMENT OF HOMELAND SECURITY CLASSIFIED FACILITY INVENTORY AND DISSEMINATION.

(a) In General.—The Secretary of Homeland Security shall, to the extent practicable—

(1) maintain an inventory of those Department of Homeland Security facilities that the Department certifies to house classified infrastructure or systems at the secret level and above;

(2) update such inventory on a regular basis; and

(3) share part or all of such inventory with—

(A) Department personnel who have been granted the appropriate security clearance;

(B) non-Federal governmental personnel who have been granted a Top Secret security clearance; and

(C) other personnel as determined appropriate by the Secretary.

(b) INVENTORY.—The inventory of facilities described in subsection (a) may include—

(1) the location of such facilities;

(2) the attributes of such facilities (including the square footage of, the total capacity of, the number of workstations in, and the number of conference rooms in, such facilities);

(3) the entities that operate such facilities; and

(4) the date of establishment of such facilities.

SEC. 1316. TERROR INMATE INFORMATION SHARING.

(a) IN GENERAL.—The Secretary of Homeland Security, in coordination with the Attorney General, shall in consultation with other appropriate Federal officials, shall, as appropriate, share with State, local, and regional fusion centers through the Department of Homeland Security Fusion Center Partnership Initiative under section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by this Act, as well as other relevant law enforcement entities, release information from a Federal correctional facility, including the name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat.

(b) SCOPE.—The information shared pursuant to subsection (a) shall be—

(1) for homeland security purposes; and

(2) regarding individuals convicted of a Federal crime of terrorism (as such term is defined in section 2332h of title 18, United States Code).

(c) PERIODIC THREAT ASSESSMENTS.—Concurrent with the protection of classified information and controlled unclassified information, the Secretary of Homeland Security shall coordinate with appropriate Federal officials to provide State, local, and regional fusion centers described in subsection (a) with periodic assessments regarding the overall threat from known or suspected terrorists currently incarcerated in Federal correctional facilities, including the assessed risks of such populations engaging in terrorist activity upon release.

(d) PRIVACY PROTECTIONS.—Prior to affecting information sharing described in subsection (a), the Secretary shall receive input and consultation from the Department of Justice and Civil Rights, the Office for Privacy and the Chief Intelligence Officer of the Department.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as requiring the establishment of a list or registry of individuals convicted of terrorism.

SEC. 1317. ANNUAL REPORT TO CONGRESS OF THE DEPARTMENT OF HOMELAND SECURITY ON THE STATUS OF STATE AND LOCAL LAW ENFORCEMENT INFORMATION SHARING.

(1) by redesigning paragraph (5) as paragraph (6); and
(2) by inserting after paragraph (4) the following new paragraph:

"(5) REPORT.—For each of fiscal years 2018 through 2022, the Assistant Secretary for State and Local Law Enforcement shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate a report on the activities of the Office of State and Local Law Enforcement. Each such report shall include, for the fiscal year covered by the report, a description of each of the following:

"(A) Efforts to coordinate and share information regarding Department and component agency programs with State, local, and tribal law enforcement agencies.

"(B) Efforts to improve information sharing through the Homeland Security Information Network by appropriate component agencies of the Department, including by—

(i) providing an annual catalog that summarizes information for training, publications, programs, and services available to State, local, and tribal law enforcement agencies from the Department and from each component within the Department and, not later than 30 days after the date of such production, disseminate the catalog, including by—

(ii) making such catalog available to State, local, and tribal law enforcement agencies, including by posting the catalog on the website of the Department in coordination with national organizations that represent such agencies;

(iii) submitting such catalog to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(iv) in coordination with appropriate component agencies and offices of the Department and other Federal agencies, evaluate the effectiveness of efforts to carry out responsibilities set forth within the subsection.

"(D) Any feedback from State, local, and tribal law enforcement agencies about the Office, including the mechanisms utilized to collect such feedback.

"(E) Efforts to carry out all other responsibilities of the Office of State and Local Law Enforcement.


"(1) by deleting clauses (i) through (iii) as clauses (ii) and (iv), respectively; and

"(2) by inserting before clause (ii) the following new clause:

"(i) shall facilitate the sharing of information relating to cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148b)) to address port-specific cybersecurity risks and incidents, which may include the establishment of a working group of members of such committees to address such port-specific cybersecurity risks and incidents;".

"(7) Updates of maritime operations coordination plan; and

"(8) any other matters the Secretary considers appropriate.

SEC. 1405. UPDATES OF MARITIME OPERATIONS COORDINATION PLAN.

Paragraph (4) of section 209(b) of the Homeland Security Act of 2002 (6 U.S.C. 607(b)) is amended—

"(1) in subparagraph (E), by striking "and" at the end; and

"(2) in subparagraph (F), by striking the period at the end and inserting a semicolon.

"(3) Cooperation and coordination with other departments and agencies of the Federal Government, and State and local agencies, in the maritime environment, in support of maritime homeland security missions.

(3) Work conducted within the context of other national and Department maritime security strategic guidance.

(b) C LERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 1403 the following new item:

"Sec. 1404. Updates of maritime operations coordination plan; and

(4) Coordination and integration, with Federal, State, and local officials and the private sector, regarding threats to maritime security.

Title IV—Maritime Security

SEC. 1401. STRATEGIC PLAN TO ENHANCE THE SECURITY OF THE INTERNATIONAL COMMERCIAL VESSEL TRAFFIC.

Paragraph (2) of section 201(g) of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 941(g)) is amended to read as follows:

"(2) UPDATES.—Not later than 270 days after the date of the enactment of this paragraph, the Secretary shall submit to the appropriate congressional committees a report that contains an update of the strategic plan required by this section.

SEC. 1402. CONTAINER SECURITY INITIATIVE.

Subsection (i) of section 205 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945) is amended—

"(I) in paragraph (1), by striking "(i) in GENERAL.—Not later than September 30, 2007," and inserting "Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that contains an update of the strategic plan required by this section;"

"(2) by redesigning subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and by moving the margins of such paragraphs (as so redesignated) two ems to the left; and

"(3) by striking paragraph (2).

SEC. 1403. CYBER AT PORTS.

(a) CYBERSECURITY ENHANCEMENTS TO MARITIME SECURITY ACTIVITIES.—Subparagraph (B) of section 7012(a)(2) of title 46, United States Code, is amended—

"(1) by redesigning clauses (i) through (iii) as clauses (ii) and (iv), respectively; and

"(2) by inserting before clause (ii) the following new clause:

"(i) shall facilitate the sharing of information relating to cybersecurity risks and incidents (as such terms are defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148b)) to address port-specific cybersecurity risks and incidents, which may include the establishment of a working group of members of such committees to address such port-specific cybersecurity risks and incidents;".

(b) VULNERABILITY ASSESSMENTS AND SECURITY PROGRAMS.—Title 46, United States Code, is amended—

"(1) in subparagraph (C) of section 70103(c)(3)—

"(A) in clause (i), by inserting "cybersecurity" after "physical security;",

"(B) by inserting after clause (iv) the following new clause:

"(iv) the vulnerabilities and security programs of such port facilities,

"(C) by redesigning clause (v) as clause (vi); and

"(D) by inserting after clause (iv) the following new clause:

"(v) the implications of such vulnerabilities and security programs on maritime operations.

SEC. 1404. FACILITY INSPECTION INTERVALS.

Subparagraph (D) of section 70103(c)(4) of title 46, United States Code, is amended to read as follows:

"(D) in subparagraph (C) of section 70103(c)(3)—

"(i) in clause (I), by inserting "cybersecurity," after "cybersecurity;"

"(ii) in clause (II), by inserting "cybersecurity," after "physical security;"

"(iii) by deleting clause (III); and

"(iv) by inserting after clause (II) the following new clause:

"(V) the implications of such vulnerabilities and security programs on maritime operations.

SEC. 1405. UPDATES OF MARITIME OPERATIONS COORDINATION PLAN.

(a) In General.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 945) is amended—

"(1) for each of the past three fiscal years, and for each type of DSF, the following:

"(A) A cost analysis, including training, operation, and travel costs.

"(B) The number of personnel assigned.

"(C) The total number of units.

"(D) The total number of operations conducted.

"(E) The number of operations requested by each of the following:

"(i) The Coast Guard.

"(ii) Other Department of Homeland Security components or offices.

"(iv) State agencies.

"(v) Local agencies.

"(F) The number of operations fulfilled by DSFs, including the feasibility, cost (including cost savings), and impact on mission capability of such distributions, including at a minimum the following:

"(1) By type of DSF.

"(2) By DSF.

"(3) Cooperation and coordination with other national and Department maritime security strategic guidance.

"(2) by inserting after subparagraph (A) the following new subparagraph:

"(b) clerical amendment.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 1403 the following new item:

"Sec. 1404. Updates of maritime operations coordination plan; and

"Sec. 1405. Updates of maritime operations coordination plan; and

"Sec. 1406. Evaluation of Coast Guard Deployable Specialized Forces.
SEC. 1047. COST BENEFIT ANALYSIS OF CO-LOCATING DIS ihrem assets.

(a) In general.—For any location in which U.S. Customs and Border Protection’s Office of Air and Marine Operations is based within 45 miles of locations where any other Department of Homeland Security agency also operates air and marine assets, the Secretary of Homeland Security shall conduct a cost-benefit analysis to consider the potential cost of and savings derived from co-locating aviation and maritime operational assets of the Office of Air and Marine Operations at facilities where other agencies of the Department operate such assets. In analyzing such potential cost savings achieved by sharing aviation and maritime facilities, such analysis shall consider, at a minimum, the following factors:

(1) Potential enhanced cooperation derived from co-locating facilities and horizontal co-action;

(2) Potential costs, of, and savings derived through, shared maintenance and logistics activities;

(3) Joint use of airport and facility infrastructure, such as runways, hangars, control towers, operations centers, piers and docks, boathouses, and fuel depots.

SEC. 1048. REPEAL OF INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY AND SAFE SYSTEMS OF TRANSPORTATION.

Sections 70107A and 70116 of title 46, United States Code, are repealed.

SEC. 1409. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

(a) In general.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

SEC. 435. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

“Not later than 180 days after the date of the enactment of this section and annually thereafter, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report summarizing the results of the cost-benefit analysis conducted under subsection (a) and any planned actions based upon such results.

SEC. 1409. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

(a) In general.—Subpart C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

SEC. 435. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

“Not later than 180 days after the date of the enactment of this section and annually thereafter, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of the number and type of maritime assets and the number of personnel required to increase the Department’s maritime response rate pursuant to the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223; Public Law 114–328).”

(b) Clerical amendment.—The table of contents of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 434 the following new items:

“Sec. 435. Maritime security capabilities assessments.”

SEC. 1410. COMBINING AND CLERICAL AMENDMENTS.

(a) Sections.—The following provisions of the Security and Accountability for Every Port Act of 2006 (Public Law 109–347) are amended as follows:

(1) By striking section 105.

(2) By redesigning sections 106 and 107 as sections 106 and 107, respectively.

(3) By striking section 108.

(4) By redesigning sections 109 and 110 as sections 109 and 108, respectively.

(b) In section 701 (6 U.S.C. 983), by striking subsections (c), (d), and (e); and

(c) In section 702 (6 U.S.C. 984), by redesigning subsections (i), (j), (k), and (l) as subsections (i), (j), (k), and (l), respectively.

SEC. 1408. REPEAL OF INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY AND SAFE SYSTEMS OF TRANSPORTATION.

Sections 70107A and 70116 of title 46, United States Code, are repealed.

SEC. 1501. AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002 AND TITLE 5, UNITED STATES CODE.

(a) HOMELAND SECURITY ACT OF 2002.—Section 1092 of the Homeland Security Act of 2002, as amended by this Act, is further amended by adding at the end the following new subparagraph:

“(K) An Administrator of the Transportation Security Administration, in accordance with section 114 of title 49, United States Code.’’

(b) INCLUSION IN EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended by adding at the end the following:

“Administrator of the Transportation Security Administration, Department of Homeland Security.’’

SEC. 1502. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

(a) AMENDMENTS.—Section 114 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Department of Transportation” and inserting “Department of Homeland Security”; and

(2) in subsection (b), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”.

(b) TABLE OF CONTENTS.—

(1) HOMELAND SECURITY ACT OF 2002.—The table of contents of such Act is amended by inserting the following:

Sec. 703. Air and Marine Operations of the Northern Border Air Wing.

Sec. 704. Phasewave of vessels supporting oil and gas development.

Sec. 705. Coast Guard property in Portland, Maine.

Sec. 706. Methamphetamine and methamphetamine precursor chemicals.

Sec. 707. Protection of health and safety during disasters.’’

(2) TITLE IV.—In the list of items relating to the analysis for chapter 701 of title 46, United States Code, by striking the items relating to sections 701 et seq., inserting “‘Transportation Security Administration’; and

SEC. 1407. COST BENEFIT ANALYSIS OF CO-LOCATING DISassets.

(b) Report.—Not later than one year after the date of enactment of this section and annually thereafter, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Transportation and Infrastructure of the House of Representatives a report summarizing the results of the cost-benefit analysis required under subsection (a), including in such report an analysis of the potential enhanced cooperation derived from co-locating aviation and maritime facilities, such as analysis to determine the potential cost savings derived from co-locating aviation and maritime facilities, such analysis shall consider, at a minimum, the following factors:

(1) Potential enhanced cooperation derived from co-locating facilities and horizontal co-action;

(2) Potential costs, of, and savings derived through, shared maintenance and logistics activities;

(3) joint use of airport and facility infrastructure, such as runways, hangars, control towers, operations centers, piers and docks, boathouses, and fuel depots.

(4) Joint operational costs of co-locating aviation and maritime assets and personnel.

(5) Short term moving costs required in order to co-locate facilities.

(6) Acquisition and infrastructure costs for enlarging current facilities, as needed.

(b) Report.—Not later than one year after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report summarizing the results of the cost-benefit analysis conducted under subsection (a) and any planned actions based upon such results.

SEC. 1408. REPEAL OF INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY AND SAFE SYSTEMS OF TRANSPORTATION.

Sections 70107A and 70116 of title 46, United States Code, are repealed.

SEC. 1501. AMENDMENTS TO TITLE 49, UNITED STATES CODE.

(a) AMENDMENTS.—Section 114 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “Department of Transportation” and inserting “Department of Homeland Security”; and

(2) in subsection (b), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”.

(b) TABLE OF CONTENTS.—

(1) HOMELAND SECURITY ACT OF 2002.—The table of contents of such Act is amended by inserting the following:

Sec. 703. Air and Marine Operations of the Northern Border Air Wing.

Sec. 704. Phasewave of vessels supporting oil and gas development.

Sec. 705. Coast Guard property in Portland, Maine.

Sec. 706. Methamphetamine and methamphetamine precursor chemicals.

Sec. 707. Protection of health and safety during disasters.’’

(2) TITLE IV.—In the list of items relating to the analysis for chapter 701 of title 46, United States Code, by striking the items relating to sections 701 et seq., inserting “‘Transportation Security Administration’; and
(12) in subsection (o), by striking “Department of Transportation” and inserting “Department of Homeland Security”;
(13) in subsection (p)(4), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; (14) by redesignating subsections (u), (v), and (w) as subsections (t), (cc), and (dd), respectively; and
(15) by inserting after subsection (t), as so redesignated, the following new subsections:
(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement.

(2) CHIEF OF MISSION SUPPORT.—The head of the Office shall be the Chief of Mission Support, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

(3) FUNCTIONS.—The Office shall be responsible for conducting protection, response, detection, assessment, and investigation activities related to civil rights and liberties and developing innovative programs related to the public; carrying out the Administration’s mission with internal and external audiences in a timely, accurate, and transparent manner.

(4) OFFICE OF LEGISLATIVE AFFAIRS.—
(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Legislative Affairs, which shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

(2) FUNCTIONS.—The Office shall be responsible for developing and implementing strategies and programs to support the Transportation Security Administration to achieve congressional approval or authorization of the Administration’s programs and policies.

(5) OFFICE OF FINANCE AND ADMINISTRATION.—
(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of Finance and Administration, which shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

(2) CHIEF FINANCIAL OFFICER.—The head of the Office shall be the Chief Financial Officer, who shall be appointed by the Administrator of the Transportation Security Administration or the Administrator’s designee.

(3) FUNCTIONS.—The Office shall be responsible for financial, budgetary, and administrative activities that support the mission of the Transportation Security Administration and the Office of the Chief of Operations.

(2) OFFICE OF THE CHIEF OF OPERATIONS.—
(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of the Chief of Operations (in this subsection referred to as the ‘Office’).

(2) CHIEF OF OPERATIONS.—The head of the Office shall be the Chief of Operations, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

(3) FUNCTIONS.—The Office shall be responsible for the following:
(A) Conducting protection, response, detection, assessment, and investigation activities related to the transportation systems of the United States;
(B) Identifying, analyzing, and mitigating risk by assessing vulnerabilities at international locations to determine risk, evaluating risk impacts to determine mitigation activities, and executing mitigation activities to reduce risk to the United States;
(C) Providing security and intelligence professionals with information in order to prevent a terrorist attack against the transportation systems of the United States;
(D) Developing security policies and plans that reduce the risk of catastrophic terrorist attacks;
(E) Providing risk-based, adaptive security that includes airport checkpoint and baggage screening operations, regulatory compliance, cargo inspections, and other specialized programs designed to secure transportation facilities;
(F) Safeguarding the transportation systems of the United States through the qualification and delivery of innovative security capabilities.

(3a) OFFICE OF THE CHIEF OF MISSION SUPPORT.—
(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of the Chief of Mission Support, which shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

(2) CHIEF OF MISSION SUPPORT.—The head of the Office shall be the Chief of Mission Support, who shall report to the Administrator of the Transportation Security Administration or the Administrator’s designee.

(3) FUNCTIONS.—The Office shall be responsible for the following:
(A) Negotiating and awarding contracts and other procurement vehicles that improve the Transportation Security Administration’s capabilities;
(B) Providing strategic, sustainable, and comprehensive programs and services that attract, build, and inspire a talented workforce;
(C) Overseeing the development, delivery, and evaluation of training programs for Transportation Security Administration employees.

(D) Providing information technologies and services that enable global transportation security.
(E) Ensuring the integrity, efficiency, and effectiveness of the Transportation Security Administration’s workforce, operations, and programs through objective audits, covert testing, inspections, and criminal investigations.
(F) Ensuring consistency in misconduct penalty determinations and an expeditious and fair administration of the Transportation Security Administration’s capabilities by managing the acquisition, testing, deployment, and sustainment of security technology and other acquisition programs.

(3b) OFFICE OF THE CHIEF COUNSEL.—
(1) ESTABLISHMENT.—There is established in the Transportation Security Administration an Office of the Chief Counsel (in this subsection referred to as the ‘Office’).

(2) CHIEF COUNSEL.—The head of the Office shall be the Chief Counsel for the Transportation Security Administration, who shall report to the General Counsel of the Department of Homeland Security.

(3) FUNCTIONS.—The Office shall be responsible for providing legal advice and services across the Transportation Security Administration.

(b) Section 40115.—Subsection (c) of section 115 of title 49, United States Code, is amended—
(1) in paragraph (1), by striking “Under Secretary for Security” each place it appears and inserting “Administrator of the Transportation Security Administration” and

(c) Section 40119.—Section 40119 of title 49, United States Code, is amended—
(1) by striking “Under Secretary for Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(d) Section 49001.—Section 49001 of title 49, United States Code, is amended—
(1) by striking “Under Secretary of Transportation” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(2) by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(3) by striking “Secretary” each place it appears and inserting “Administrator”;

(e) Section 49002.—Section 49002 of title 49, United States Code, is amended—
(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(2) in subsection (b), by striking “Secretary” and inserting “Administrator”;

(f) Section 49003.—Section 49003 of title 49, United States Code, is amended—
(1) in subsection (b)(1), by inserting “the Secretary of Homeland Security,” before “the Secretary of Transportation”; and
(2) in subsection (c)(2)(C), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;
(3) in subsection (d), in the matter preceding paragraph (1), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and
(4) in subsection (g)—
(A) in paragraph (1)(A), in the heading, by striking “Secretary” and inserting “Administrator”;
and
(B) in paragraph (2), by striking “Under Secretary of Transportation” and inserting “Administrator of the Transportation Security Administration Administrator’s”; and
(5) in subsection (h)—
(A) in section 49003, by inserting “of Homeland Security” after “Secretary”; and
(B) in paragraph (6)(C), in the matter preceding clause (i), by inserting “of Homeland Security” after “Secretary”;
(6) in subsection (i)(1), by striking “, after receiving the recommendations of the National Institute of Justice,”;
(7) in subsection (n)—
(A) in paragraph (1)—
(i) in the matter preceding subparagraph (A), by striking “Under Secretary for Transportation and” and inserting “Administrator of the Transportation Security Administration”;
and
(ii) in the matter following subparagraph (A), by striking “Secretary of Transportation” each place it appears and inserting “Administrator of the Transportation Security Administration”;
(8) in subsection (o)—
(A) in paragraph (1)(A), by striking “Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;
and
(B) in paragraph (2), by striking “Secretary of Transportation” each place it appears and inserting “Administrator of the Transportation Security Administration”;
(9) by striking “Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
(10) by striking “Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
(11) by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” each place it appears and inserting “Administrator of the Transportation Security Administration”; and
(12) by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.
(g) Section 49004.—Section 49004 of title 49, United States Code, is amended—
(1) in subsection (a), by striking “Under Secretary for Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
(2) in subsection (b)—
(A) in paragraph (1), by striking “Secretary of Transportation” and inserting “Administrator of the Transportation Security Administration”;
(B) by striking “Under Secretary for Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
and
(3) in subsection (d), by striking “Administrator of the Transportation Security Administration”.
(h) Section 49005.—Section 49005 of title 49, United States Code, is amended—
(1) in subsection (a), by striking “Secretary of Transportation and” and inserting “Secretary of Homeland Security”;
(2) in subsection (b), by striking “Under Secretary for Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
and
(3) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.
(i) Section 49006.—Section 49006 of title 49, United States Code, is amended—
(1) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
and
(3) in section 49008—
(1) by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;
(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
and
(3) in section 49009—
(1) by striking “Secretary of Transportation” and inserting “Administrator of the Transportation Security Administration”;
(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
(3) by striking “Under Secretary” each place it appears and inserting “Secretary of Homeland Security”;
and
(4) in section 49101—
(1) by striking “Assistant Secretary for Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
(2) in subsection (b), by striking “Secretary of Homeland Security”;
and
(3) redesignating subsection (d) as subsection (e).
(j) Section 49102.—Section 49102 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1), by striking “Assistant Secretary for Immigration and Customs Enforcement” and inserting “Administrator of the Transportation Security Administration”;
and
(B) in paragraph (2), by inserting “of Homeland Security,” before “the National Geospatial-Intelligence Agency.”
(2) in subsection (b)—
(A) by striking “Secretary of Homeland Security” and inserting “the National Geospatial-Intelligence Agency.”
(3) in subsection (c)—
(A) by striking “the Secretary of Homeland Security” and inserting “the Secretary of Homeland Security.”
and
(B) by striking “Under Secretary of Transportation for Security” and inserting “the Administrator of the Transportation Security Administration.”
(m) Section 4912.—Section 4912 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1), by striking “Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
and
(B) in paragraph (3), by striking “Secretary of Transportation” each place it appears and inserting “Administrator of the Transportation Security Administration”;
(2) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
and
(n) Section 4913.—Section 4913 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1), by striking “Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
and
(B) by striking “the Customs Service” each place it appears and inserting “U.S. Customs and Border Protection.”
(o) Section 4911.—Section 4911 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1) through (10), by striking “the” each place it appears and inserting “The”;
and
(B) by inserting the following at the end of the section:

(11) The Coast Guard.
(13) The National Geospatial-Intelligence Agency.
(14) The National Reconnaissance Office.

(2) in subsection (b)—
(A) by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”; and
(B) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(p) Section 4914.—Section 4914 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and
(B) in paragraph (2), by inserting “of Homeland Security,” before “the National Geospatial-Intelligence Agency.”

(q) Section 4915.—Section 4915 of title 49, United States Code, is amended by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration.”

(r) Section 4916.—Section 4916 of title 49, United States Code, is amended—
(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
(2) by striking “Secretary of Homeland Security,” before “the National Geospatial-Intelligence Agency.”

(s) Section 4917.—Section 4917 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (2)(A), by striking “Secretary of Transportation” and inserting “Administrator of the Transportation Security Administration”;
(B) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;
and
(2) in subsection (b), by striking “the Customs Service” each place it appears and inserting “U.S. Customs and Border Protection.”

(t) Section 4918.—Section 4918 of title 49, United States Code, is amended—
(1) in subsection (a)—
(A) in paragraph (1), by striking “Secretary of Transportation” and inserting “Administrator of the Transportation Security Administration”;
and
(B) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(u) Section 4919.—Section 4919 of title 49, United States Code, is amended by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration.”

(v) Section 4920.—Section 4920 of title 49, United States Code, is amended—
(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
and
(2) by striking “the Customs Service” each place it appears and inserting “the National Geospatial-Intelligence Agency.”

(w) Section 4921.—Section 4921 of title 49, United States Code, is amended—
(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;
and
(2) by striking “the Customs Service” each place it appears and inserting “the National Geospatial-Intelligence Agency.”
the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(ii) SECTION 44943.—Section 44943 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “The Under Secretary for Transportation Security” and inserting “The Administrator of the Transportation Security Administration”; 

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking the “Secretary” and inserting “the Secretary of Homeland Security”; and 

(ii) by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”; 

and 

(iii) by striking “30 percent” and inserting “15 percent”;

(iv) by striking “the Secretary’s” and inserting “the Secretary of Homeland Security”; and 

(B) by striking subsection (g) (49 U.S.C. 44901 note).

(b) SECTION 106.—Section 106 of the Aviation and Transportation Security Act (49 U.S.C. 44903 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; 

(B) in paragraph (2)(A), by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”; and 

(2) in subsection (e), by striking “Under Secretary” each place it appears and inserting “Secretary of Homeland Security”; and

(c) by striking paragraph (2); and 

(d) by striking paragraph (3). 

(2) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; 

and 

(b) by striking “the Under Secretary” each place it appears and inserting “the Administrator of the Transportation Security Administration”; 

and 

(c) in paragraph (1), by striking “biennially” and inserting “annually”;

(B) in paragraph (1), by striking “and”;

(C) in paragraph (2), by striking the period and inserting “;”;

and 

(D) by adding at the end the following new paragraphs:

“(i) Notice required.—The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives notice of any covered change to the Plan not later than 90 days after the date on which the change is made.

“(ii) Definition of change.—In this subsection, the term ‘covered change’ means an increase or decrease in the dollar amount allocated to the procurement of a technology or an increase or decrease in the number of a technology.

“(b) Report on equipment in operation post-life-cycle.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a report describing any equipment of the Transportation Security Administration that is in operation after—

“(1) the end of the life-cycle of the equipment specified by the manufacturer of the equipment; or

“(2) the end of the useful life projection for the equipment under the strategic 5-year technology investment plan of the Transportation Security Administration, as required by section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563).”.

(c) Notice to airports and airlines.—Upon the enactment of this Act, the Administrator shall notify airports and airlines of any changes to the strategic 5-year technology investment plan of the Transportation Security Administration.

SECTION 1565. MAINTENANCE OF SECURITY-RELATED TECHNOLOGY.

(a) In General.—Title X VI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.) is amended by adding at the end the following new subtitle:
Subtitle C — Maintenance of Security-Related Technology

SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.

(a) In General.—Not later than 180 days after the date of the enactment of this title, the Administrator shall develop and implement a preventive maintenance validation process for security-related technology deployed to airports.

(b) MAINTENANCE BY ADMINISTRATION PERSONNEL AT AIRPORTS.—For maintenance to be carried out by Administration personnel at airports, the process referred to in subsection (a) shall include the following:

(1) Guidance to Administration personnel at airports on how to conduct and document preventive maintenance actions.

(2) Mechanisms for the Administrator to verify compliance with the guidance issued pursuant to paragraph (1).

(c) MAINTENANCE BY CONTRACTORS AT AIRPORTS.—For maintenance to be carried out by a contractor at airports, the process referred to in subsection (a) shall require the following:

(1) Provision of monthly preventative maintenance schedules to appropriate Administration personnel at each airport that includes information on each action to be completed by contractor.

(2) Notification to appropriate Administration personnel at each airport when maintenance action is completed by a contractor.

(3) A process for independent validation by a third party of contractor maintenance.

(d) PENALTIES FOR NONCOMPLIANCE.—The Administrator shall require maintenance contracts for security-related technology deployed at airports to include penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers’ specifications.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1618 the following:

Subtitle C—Maintenance of Security-Related Technology

"Sec. 1621. Maintenance validation and
oversight."
Security Traveler Redress Inquiry Program (DHS TRIP) redress process to adjudicate inquiries for individuals who—
(A) are citizens of the United States and aliens lawfully admitted for permanent residence;
(B) have filed an inquiry with DHS TRIP after receiving enhanced screening at an airport or checkpoint who have been subjected to enhanced screening more than three times in any 60-day period; and
(C) believe they have been wrongly identified as being a threat to aviation security.

(2) Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study on the implementation of the redress process required under paragraph (1).

(b) Privacy Impact Review and Update.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall review and update the security assessment for the Secure Flight programs to ensure such assessment accurately reflects the operation of such programs.

(2) Public Dissemination; Form.—The Secure Flight Privacy Impact Assessment review and update required under paragraph (1) shall be published on the internet webpage of the Transportation Security Administration and submitted to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) Transportation Security Administration Rule Review and Notification Process.—

(1) Rule Review.—Not later than 60 days after the date of the enactment of this Act and every 120 days thereafter, the Assistant Administrator of the Office of Intelligence and Analysis of the Transportation Security Administration, in coordination with the entities specified in paragraph (2), shall conduct a comprehensive review of the Transportation Security Administration’s intelligence-based screening rules.

(2) Rule Process.—Not later than 48 hours after changing, updating, implementing, or suspending a Transportation Security Administration intelligence-based screening rule, the Assistant Administrator of the Office of Intelligence and Analysis of the Transportation Security Administration shall notify the following entities of any such change, update, implementation, or suspension, as the case may be:
(A) The Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement of the Transportation Security Administration.
(C) The Office of Chief Counsel of the Administration.
(D) The Office of General Counsel of the Department.
(E) The Privacy Office of the Administration.
(F) The Privacy Office of the Department.
(G) The Federal Air Marshal Service.
(H) The Traveler Redress Inquiry Program of the Department.
(d) Federal Air Marshal Service Coordination.—

(1) In General.—The Administrator of the Transportation Security Administration shall ensure that the Transportation Security Administration’s intelligence-based screening rules are taken into account for Federal Air Marshal mission scheduling.

(2) Report.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the Transportation Security Administration’s intelligence-based screening rules are incorporated in the risk analysis conducted during the Federal Air Marshal mission scheduling process.

(e) GAO Report.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study on the Transportation Security Administration’s intelligence-based screening rules and the effectiveness of such rules in identifying and mitigating potential threats to aviation security.

SEC. 1518. SCREENING IN AREAS OTHER THAN PASSENGER TERMINALS.

The Administrator of the Transportation Security Administration is authorized to provide on request to a commercial charter air carrier in areas other than primary passenger terminals upon the request of such carrier. A commercial charter air carrier shall enter into an agreement with the Federal Security Director for the airport where such services are requested. A Federal Security Director may elect to provide screening services for all reasonable costs in addition to overtime costs that are incurred in the provision of screening services under this section.

SEC. 1519. FEDERAL AIR MARSHAL SERVICE AGREEMENTS.

(a) Standardization.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall develop a standard working document that shall be made available to agreements that begin after the date of the enactment of this Act between the United States and foreign governments or partners regarding Federal Air Marshal coverage of Flights to and from the United States.

(b) Written Agreements.—All agreements between the United States and foreign governments or partners regarding the presence of Federal Air Marshals on flights to and from the United States must be written and signed by the Secretary of Homeland Security or the Secretary of Commerce.

(c) Congressional Notification.—The Secretary of Homeland Security shall transmit to the Committees on Homeland Security of the Senate any agreements described in subsection (b) within 30 days of such agreement being signed.

SEC. 1520. FEDERAL AIR MARSHAL MISSION SCHEDULING AUTOMATION.

The Administrator of the Transportation Security Administration shall seek to acquire the capability for the scheduling of Federal Air Marshal Service missions based on current risk modeling.

SEC. 1521. CANINE DETECTION RESEARCH AND DEVELOPMENT ALLOCATION MODEL.—The Administrator of the Transportation Security Administration shall develop a staffing allocation model for canines to determine the optimal number of passenger screening canines at airports in the United States.

SEC. 1522. FEDERAL AIR MARSHAL MISSION TO THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the United States Ambassador or the Chargé d’Affaires to the United States Mission to the International Civil Aviation Organization shall report to the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate a report on the recommendations required by subsection (a).

(b) Briefing to Congress.—

(1) In General.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation of the Senate on the implementation of subsection (a).

(2) Expansion of the Program to Include Additional Dutch and German Airports.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall seek to incorporate an increase in the number of additional Dutch and German airports, as the case may be:

(A) under section 44940 of title 49, United States Code, beyond the passenger security fee under section 1523;

(B) prohibited from incorporating an increase in the number of additional Dutch and German airports, as the case may be:

(C) The United States Ambassador or the Chargé d’Affaires to the United States Mission to the International Civil Aviation Organization or the Secretary of Homeland Security shall transmit to the Committees on Homeland Security of the Senate a report on how the Transportation Security Administration effectively communicates canine training guidelines and testing methodology to the private sector.

(b) Passengers from Foreign Countries.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall direct any such request to the Federal Security Director for the airport where such services are requested. A Federal Security Director may elect to provide screening services for all reasonable costs in addition to overtime costs that are incurred in the provision of screening services under this section.

(c) Recommendations Required by Congress.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation of the Senate a report on the recommendations required by subsection (a).

(c) Report to Congress.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall convene a working group of representatives from all such programs to make recommendations on possible measures that could be gained by integrating training standards and facilities.

SEC. 1523. PASSenger Security Fee.

The Secretary of Homeland Security is prohibited from incorporating an increase in the passenger security fee under section 44940 of title 49, United States Code, beyond what is authorized by the annual budget application for the Department of Homeland Security is transmitted to Congress.
SEC. 1524. LAST POINT OF DEPARTURE AIRPORT CERTIFICATION.

Subparagraph (B) of section 44907(a)(2) of title 49, United States Code, is amended by inserting ‘‘, including the screening and vetting of airport workers’’ before the semicolon at the end.

SEC. 1525. SECURITY INCIDENT RESPONSE AT AIRPORTS AND SURFACE TRANSPORTATION HUBS.


(1) in section 3—

(A) in subsection (b), in the matter preceding paragraph (1), by striking ‘‘may each place it appears and inserting ‘‘shall’’; and

(B) by redesignating subsection (c) as subsection (d), and

(C) by inserting after subsection (b) the following new subsection:

‘‘(c) REVIEW.—The Administrator of the Transportation Security Administration shall review the active shooter response guidelines specified for Department of Homeland Security personnel under this section and make a recommendation to the Secretary of Homeland Security to modify such guidelines for personnel who are certified Federal law enforcement officials and for personnel who are uniformed but unarmed security officials.’’; and

(2) in section 7—

(A) in subsection (b), in the matter preceding paragraph (1), by striking ‘‘may each place it appears and inserting ‘‘shall’’;

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(C) by inserting after subsection (b) the following new subsection:

‘‘(c) REVIEW.—The Administrator of the Transportation Security Administration shall review the active shooter response guidelines specified for Department of Homeland Security personnel under this section and make a recommendation to the Secretary of Homeland Security to modify such guidelines for personnel who are certified Federal law enforcement officials and for personnel who are uniformed but unarmed security officials.’’.

SEC. 1526. AIRPORT SECURITY SCREENING OPT-OUT PROGRAM.

Section 44907 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ‘‘120’’ and inserting ‘‘120 days’’;

(B) by redesigning paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

‘‘(3) ENTRANCE INTO CONTRACT.—The Administrator of the Transportation Security Administration shall make best efforts to enter into a contract with a private screening company to provide screening services at an airport not later than 60 days after the date of approval of an application submitted by an airport under subsection (a).’’; and

(D) in subparagraph (A) of paragraph (4), as so redesignated, in the matter preceding clause (i) by striking ‘‘not later than 60 days following the date of the denial’’ and inserting ‘‘immediately upon issuing the denial’’; and

(2) by striking subsection (b) and inserting the following new subsection:

‘‘(b) EVALUATION OF SCREENING COMPANY PROPOSALS FOR AWARD.—Notwithstanding any of the laws, including title 44 of the Code of Federal Regulations and the Federal Advisory Committee Act (5 U.S.C. App.), an airport operator that has applied for and been awarded screening services shall conduct an evaluation of the services carried out by a qualified private screening company under contract with the Administrator of the Transportation Security Administration in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).’’.

SEC. 1527. PERSONNEL MANAGEMENT SYSTEM REVIEW.

(a) IN GENERAL.—Notwithstanding subsection (d) of section 111 of the Aviation and Transportation Security Act (49 U.S.C. 44935 note), not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall convene a working group consisting of representatives of the Administrator and representatives of the labor organization representing airport personnel to discuss reforms to the Administration’s personnel management system, including appeals to the Merit Systems Protection Board and grievance procedures.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the working group convened under subsection (a) shall terminate and submit to the Administrator of the Transportation Security Administration and the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing agreed-upon reforms to the Administration’s personnel management system. The Administrator may implement associated recommendations mutually agreed to by the parties to such working group before the end of such one year period.

SEC. 1528. INNOVATION TASK FORCE.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration may establish a task force to collaborate with and hear from appropriate stakeholders from—

(A) the Department of Transportation, including the Federal Highway Administration and the Federal Aviation Administration;

(B) the Department of Homeland Security;

(C) the Department of Justice, including the Office of Justice Programs and the Federal Bureau of Investigation;

(D) other aviation security stakeholders; and

(E) other appropriate Federal agencies.

(b) DUTIES.—The task force may and shall—

(1) conduct an assessment of the current state of the aviation security environment;

(2) evaluate best practices in the aviation security environment; and

(3) develop and promulgate recommendations.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to Congress a report containing agreed-upon recommendations and an assessment of whether such covered activities should be expanded to reflect emerging threats.

SEC. 1529. AIRPORT LAW ENFORCEMENT REIMBURSEMENT.

Not later than 120 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the Transportation Security Administration’s law enforcement officer reimbursement program, which shall include—

(1) The current structure of the program, including how funding disbursement decisions are made.

(2) An assessment of threats requiring law enforcement officer response at airports.

(3) The scope of current law enforcement agreements covered under the program and an assessment of whether such covered activities should be expanded to reflect emerging threats.

(4) The annual costs to airport authorities for providing law enforcement for such covered activities at security checkpoints.

(5) Proposed methodology for funding allocations.

Subtitle C—Transportation Security Screening Personnel Training and Accountability

SEC. 1531. TRANSPORTATION SECURITY TRAINING PROGRAMS.

(a) IN GENERAL.—Section 4936 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following new subsection:

‘‘(1) INITIAL AND ELIMINATION TRAINING.—

(A) IN GENERAL.—The Administrator of the Transportation Security Administration shall establish a training program for new screening personnel located at the Federal Law Enforcement Training Center in Glyncro, Georgia.

(B) ACTIVITIES.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall establish recurring training of screening personnel located at the Federal Law Enforcement Training Center in Glyncro, Georgia.

(2) RECURRING TRAINING.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall establish recurring training of screening personnel regarding updates to screening procedures and technologies, including methods to identify the verification of false or fraudulent travel documents, as well as training on emerging threats, in response to weaknesses identified in covert tests at airports. The training shall include—

(A) internal controls for monitoring and documenting compliance of transportation security officers with such training requirements; and

(B) such other matters as identified by the Administrator with regard to such training.

‘‘(b) GAO STUDY.—Not later than one year after the date of the enactment of this Act, the Commissioner of the General Services Administration shall report to Congress on the effectiveness
of the new security screening personnel training at Glyncos, Georgia, required under subsection (i) of section 44935 of title 49, United States Code, as amended by this section.

**SEC. 1532. ALTERNATE NEW SECURITY SCREENING PERSONNEL TRAINING PROGRAM COST AND FEASIBILITY STUDY.**

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall conduct a cost and feasibility study of developing a training program for security screening personnel that will provide such personnel with an equal level of training as is provided in the training program for new security screening personnel located at the Federal Law Enforcement Training Center in Glyncos, Georgia, that could be conducted at or within 50 miles of such security screening personnel's duty station. Such study shall examine the use of online seminar and training platforms for portions of the training curriculum that are conducive to such an outcome.

**SEC. 1533. PROHIBITION OF ADVANCE NOTICE OF COVERT TESTING TO SECURITY SCREENERS.**

Section 44935 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following new section:

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(m) PROHIBITION OF ADVANCE NOTICE TO SECURITY SCREENERS OF COVERT TESTING AND EVALUATION—

''(1) GENERAL.—The Administrator of the Transportation Security Administration shall ensure, to the greatest extent practicable, that information concerning a covert test of a transportation security system to be conducted by a covert testing office, the Inspector General of the Department of Homeland Security, or the Government Accountability Office is not provided to any individual involved in such test prior to the completion of such test.

''(2) EXCEPTION.—Notwithstanding paragraph (1),—

''(A) an authorized individual involved in a covert test of a transportation security system may reveal information concerning such covert test to—

''(i) employees, officers, and contractors of the Federal Government (including military personnel);

''(ii) employees and officers of State and local governments; and

''(iii) law enforcement officials who are authorized to receive or directed to be provided such information by the Administrator of the Transportation Security Administration, the Inspector General of the Department of Homeland Security, or the Comptroller General of the United States, as the case may be; and

''(B) for the purpose of ensuring the security of any individual in the vicinity of a site at which a covert test of a transportation security system is being conducted, an individual conducting such test may disclose his or her status as an individual conducting such test to any appropriate individual if a security screener or other individual who is not a covert testing office employee identifies the individual conducting such test as a potential threat.

''(3) SPECIAL RULES FOR TSA.—

''(A) MONITORING AND SECURITY OF TESTING PERSONNEL.—The head of each covert testing office shall ensure that a person or group of persons conducting a covert test of a transportation security system for a covert testing office is accompanied at the site of such test by a covert team composed of one or more employees of such covert testing office for the purpose of monitoring such test and confirming the identity of personnel involved in such test under subparagraph (B).

''(B) RESPONSIBILITY OF COVER TEAM.—Under this paragraph, a covert team for a covert test of a transportation security system shall—

''(i) monitor such test; and

''(ii) for the purpose of ensuring the security of any individual in the vicinity of a site at which such test is being conducted, confirm, notwithstanding paragraph (1), the identity and status of any individual conducting such test to any appropriate individual if a security screener or other individual who is not a covered employee identifies the individual conducting such test as a potential threat.

''(C) Rule of Construction.—Notwithstanding subparagraph (A), the Transportation Security Administration is not required to have a covert team present during a test of the screening of persons, carry-on items, or checked baggage at an aviation security checkpoint at or serving an airport if such test—

''(i) is approved, in coordination with the designated security official for the airport operator by the Federal Security Director for such airport; and

''(ii) is carried out under an aviation screening associated with the Department of Homeland Security.

''(D) USE OF OTHER PERSONNEL.—The Transportation Security Administration may use employees, officers, and contractors of the Federal Government (including military personnel) and employees and officers of State and local governments or any personnel authorized by the Federal Security Director to conduct covert tests.

''(4) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) APPROPRIATE INDIVIDUAL.—The term 'appropriate individual', as used with respect to—

''(i) a covert test under paragraph (2)(B) of a transportation security system, means any individual who the individuals conducting such test determines needs to know his or her status as an individual conducting such test; or

''(ii) a covert test under paragraph (3)(B)(i), means any individual who the covert team monitoring such test determines needs to know the identity of such covert team.

''(B) COVERED EMPLOYEE.—The term 'covered employee' means any individual who receives notice of a covert test before the completion of a test under paragraph (2)(B).

''(C) COVERED TESTING OFFICE.—

''(i) IN GENERAL.—The term 'covered testing office' means an exercise or activity conducted by a covert testing office, the Inspector General of the Department of Homeland Security, or the Government Accountability Office in conducting covert tests of transportation security systems.

''(ii) LIMITATION.—Notwithstanding clause (i), the term 'covert test' does not mean an exercise or activity conducted by an employee or contractor of the Transportation Security Administration to test or assess compliance with relevant regulations.

''(D) COVERT TESTING OFFICE.—The term 'covert testing office' means a transportation security system designated by the Administrator of the Transportation Security Administration to conduct covert tests of transportation security systems.

''(E) EMPLOYEE OF A COVERT TESTING OFFICE.—The term 'employee of a covert testing office' means an individual who is an employee, contractor, or an employee of a contractor of a covert testing office.

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**Title II—Transportation Security Administration**

**SEC. 1541. REFORMATION OF CERTAIN PROGRAMS OF THE TRANSPORTATION SECURITY ADMINISTRATION.**

**Subtitle D—Airport Access Controls and Perimeter Security**

**SEC. 1541. REFORMATION OF CERTAIN PROGRAMS OF THE TRANSPORTATION SECURITY ADMINISTRATION.**

**Subtitle D—Airport Access Controls and Perimeter Security**

(a) DEFINITIONS.—In this subtitle:

(1) AIR CARRIER.—The term ‘air carrier’ has the meaning given such term in section 40102 of title 49, United States Code.

(2) APPLICABLE COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Homeland Security of the House of Representitives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate; and

(3) FOREIGN AIR CARRIER.—The term ‘foreign air carrier’ has the meaning given such term in section 40102 of title 49, United States Code.

(b) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(c) SECURED AREA.—The term ‘secured area’ has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(d) SECURITY IDENTIFICATION DISPLAY AREA.—The term ‘Security Identification Display Area’ has the meaning given such term in section 1540.5 of title 49, Code of Federal Regulations.

(e) COST AND FEASIBILITY STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the Aviation Security Advisory Committee (established under section 44966 of title 49, United States Code), shall submit to the appropriate congressional committees and the Comptroller General of the United States a cost and feasibility study of a statistically significant number of Category I, II, III, IV, and X airports assessing the impact if all employee access points from non-secured areas in secured areas of such airports are comprised of the following:

(A) A secure door utilizing card and pin entry or biometric technology.

(B) An advanced video recording system, capable of storing video data for at least 30 days.

(C) Advanced screening technologies, including at least one of the following:

(i) Advanced imaging technology.

(ii) Explosives detection canines.

(iii) Explosives trace detection.

(iv) Advanced imaging technology.

(v) X-ray bag screening technology.

(2) CONTENTS.—The study required under paragraph (1) shall include information related to the employment costs of those category I, II, III, IV, and X airports which have already implemented practices of screening 100 percent of employees accessing secured areas of airports, including the following:

(A) Costs associated with establishing an operational minimum number of employee entry and exit points.

(B) A comparison of estimated costs and effectiveness associated with implementing the security features specified in paragraph (1).

(c) APPROPRIATIONS.—

(1) (i) the Federal Government; and

(ii) airports and the aviation community.

(d) COMPTROLLER GENERAL ASSESSMENT.—Notwithstanding subsection (b)(1), the study required under paragraph (1), the Comptroller General of the United States Code.
shall review such study to assess the quality and reliability of such study.

(B) ASSESSMENT.—Not later than 90 days after the receipt of the study required under paragraph (1), the Comptroller General of the United States shall report to the appropriate congressional committees on the results of the review required under subparagraph (A).

(c) AIRPORT WORKER EDUCATION AND SECURITY AWARENESS.—

(1) COOPERATIVE EFFORTS TO ENHANCE AIRPORT SECURITY AWARENESS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall work with air carriers, foreign air carriers, airport operators, labor unions representing credentialed employees, and the Aviation Security Advisory Committee to enhance security awareness of credentialed airport populations regarding insider threats to aviation security and recognized practices related to airport access controls.

(2) CREDENTIALING STANDARDS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, in consultation with airline operators, airport operators, labor unions representing credentialed employees, and the Aviation Security Advisory Committee, assess credentialing standards, policies, and practices to ensure that insider threats to aviation security are adequately addressed.

(B) REPORT.—Not later than 30 days after completion of the assessment required under subparagraph (A), the Administrator of the Transportation Security Administration shall report to the appropriate congressional committees on the results of such assessment.

(3) SIDA, STERILE AREA, AND AOA APPLICATIONS.—

(A) SOCIAL SECURITY NUMBERS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall require the submission of a social security number for each individual applying for a Security Identification Display Area, Sterile Area, or Air Operations Area airport credential identifying the veteran or active service member's current and previous status and the associated security vetting effective date. An applicant who does not provide such applicant's social security number may be denied such a credential.

(B) SCREENING NOTICE.—The Administrator of the Transportation Security Administration shall issue requirements for airport operators to include in applications for access to a Security Identification Display Area, Sterile Area, or Air Operations Area a notice informing applicants that an employee holding a credential granting access to such an area may be screened at any time while gaining access to, working in, or leaving such an area.

(4) SECURING AIRPORT WORKER ACCESS.—

(1) IN GENERAL.—The Administrator of the Transportation Security Administration shall, in consultation with the Aviation Security Advisory Committee, shall—

(A) in general.—The Administrator shall conduct covert testing of Transportation Security Administration-led employee inspection operations at airports and measure existing levels of security effectiveness. The Administrator of the Transportation Security Administration shall—

(i) the results of such testing to the airport operator for the airport that is the subject of any such testing; and, as appropriate, to air carriers and foreign air carriers that operate at the airport that is the subject of such testing; and

(ii) recommendations and technical assistance for air carriers, foreign air carriers, and airport operators to conduct their own employee inspections, as needed.

(B) ANNUAL REPORTING.—The Administrator of the Transportation Security Administration shall annually, for each of fiscal years 2018 through 2022, submit to the appropriate congressional committees on the results of such reviews, the methodologies, and effectiveness of employee inspection operations at airports.

(6) CENTRALIZED DATABASE.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the Aviation Security Advisory Committee, shall—

(A) establish a national database of individuals who have either had their airport or airport operator-issued badge revoked for failure to comply with aviation security requirements; and

(B) determine the appropriate reporting mechanisms for air carriers, foreign air carriers, and airport operators, and set forth appropriate safeguarding and reporting requirements.

(2) CONTENTS.—The security risk assessments required under paragraph (1)(B); and

(c) AIRPORT WORKER EDUCATION AND SECURITY AWARENESS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees a plan to conduct recurring reviews of the effectiveness and reliability of such training for employees.

(2) REPORT.—The Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees a report on the results of the security risk assessments required under such paragraph.

(d) INSIDER THREAT EDUCATION AND MITIGATION.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall ensure that such training will be conducted in such a manner that will enable employees to recognize insider threats to aviation security.

(2) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, the National Counterterrorism Center, the Department of Justice, the Department of Defense, and other appropriate Federal agencies, shall develop an initial prioritized list of potential homeland threats.

(3) INSIDER THREAT COORDINATION EFFORTS.—The Department of Homeland Security is authorized, through the Office of the Under Secretary for Intelligence and Analysis, to enter into agreements with Federal, State, and local governments, and with other appropriate entities, to carry out the purposes of this section.

(4) AIRPORT TASK FORCES.—The Secretary of Homeland Security, through the Director of the Federal Bureau of Investigation and the Director of U.S. Immigration and Customs Enforcement, shall establish a task force to address the goals and objectives referred to in subsection (a).

(5) DISSEMINATION OF INTELLIGENCE.—The Administrator of the Transportation Security Administration shall, in consultation with the National Counterterrorism Center, the Department of Justice, and other appropriate Federal agencies, disseminate such information to airport operators and other appropriate entities, to address the goals and objectives referred to in subsection (a).

(6) SECURITY RISK ASSESSMENTS.—The Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees a report on the results of the security risk assessments required under paragraph (1).

(7) INSIDER THREAT Coordination EFFORTS.—The Administrator of the Transportation Security Administration shall, in consultation with the appropriate congressional committees, the Department of Justice, and the Director of the National Counterterrorism Center, shall—

(A) in general.—The Administrator shall ensure that such training will be conducted in such a manner that will enable employees to recognize insider threats to aviation security.

(B) INSIDER THREAT COORDINATION EFFORTS.—The Secretaries of Homeland Security, in consultation with the Director of the National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of the Central Intelligence Agency, and other appropriate Federal agencies, shall develop an initial prioritized list of potential homeland threats.

(C) INSIDER THREAT EDUCATION AND MITIGATION.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall promote the development of such training for Federal, State, and local governments, and other appropriate entities.
[iv] input from airport operators.

[3] Upd. — Not later than 90 days after the update is completed under paragraph (1), the Administrator of the Transportation Security Administration shall implement a process for determining when additional updates to the strategy referred to in such subsection are needed.

SEC. 1543. ENHANCED SECURITY.

There is authorized $77,000,000 for each of fiscal years 2018 and 2019 to carry out subsection (n)(1) of section 4903 of title 49, United States Code.

SEC. 1544. REIMBURSEMENT FOR DEPLOYMENT OF ARMED LAW ENFORCEMENT PERSONNEL AT AIRPORTS.

There is authorized $45,000,000 for each of fiscal years 2018 and 2019 to carry out subsection (b) of section 4903 of title 49, United States Code.

Subtitle E—Air Cargo Security

SEC. 1551. AIR CARGO ADVANCE SCREENING PROGRAM.

(a) IN GENERAL.—Subtitle B of title IV of the Homeland Security Act of 2002 (6 U.S.C. 211 et seq.) is amended by adding at the end the following:

"SEC. 420. AIR CARGO ADVANCE SCREENING PROGRAM.

"(a) IN GENERAL.—The Secretary, consistent with the requirements of the Trade Act of 2002 (Public Law 107–210) shall—

"(1) establish an air cargo advance screening program referred to as the ‘ACAS Program’ for the collection by U.S. Customs and Border Protection of advance electronic information from air carriers and other persons within the supply chain regarding cargo being transported to the United States by air;

"(2) under such program, require that such information be transmitted by such air carriers and other persons at the earliest point practicable prior to loading of such cargo onto an aircraft destined to or transiting through the United States;

"(3) establish appropriate communications systems with freight forwarders, shippers, and air carriers;

"(4) establish a system that will allow freight forwarders, shippers, and air carriers to provide shipment level data for air cargo, departing from any location that is inbound to the United States; and

"(5) coordinate with the Administrator of the Transportation Security Administration to identify opportunities in which the information obtained by the new ACAS Program could be used by the Administrator.

"(b) INSPECTION OF HIGH-RISK CARGO.—Under the ACAS Program, the Secretary shall ensure that all cargo that has been identified as high-risk is inspected—

"(1) prior to the loading of such cargo onto an aircraft at the last point of departure, or

"(2) at an earlier point in the supply chain, before departing for the United States.

"(c) CONSULTATION.—In carrying out the ACAS Program, the Secretary shall consult with relevant stakeholders, as appropriate, to ensure that an operationally feasible and practicable approach is employed.

"(d) The collection of advance information with respect to cargo on aircraft departing for the United States, and

"(e) The Secretary recognizes the significant differences among air cargo business models and modes of transportation.

"(d) ANALYSIS.—The Secretary may analyze the information referred to in subsection (a) in the Department’s automated targeting system and integrate such information with other intelligence to enhance the accuracy of the risk assessment process under the ACAS Program.

SEC. 1552. EXPLOSIVES DETECTION CANINE TEAMS FOR AIR CARGO SECURITY.

Section 1307 of the Implementing Rec. 888 (6 U.S.C. 1116) is amended by adding at the end the following:"

"(a) FEDERAL SECURITY DIRECTORS.—Section 4201 of title 49, United States Code, is amended by adding at the end the following:

"(b) PLAN TO IMPROVE INFORMATION SHARING.—In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting..."
through the Administrator of the Transportation Security Administration, shall develop a plan to improve intelligence information sharing with State and local transportation security and law enforcement agencies that includes best practices to ensure that the information shared is actionable, useful, and not redundant.

(2) CONTENTS.—The plan required under subsection (a) shall include the following:

(A) The incorporation of best practices for information sharing;

(B) The identification of areas of overlap and redundancy;

(C) An evaluation and incorporation of stakeholder input in the development of such plan;

(D) The integration of recommendations of the Comptroller General of the United States on information sharing;

(E) request the Aviation Security Advisory Committee established pursuant to section 44946 of title 49, United States Code, to report and make recommendations to the Secretary on the information related to aviation-related cybersecurity risks and incidents between relevant Federal, state, local, tribal, and territorial entities and the aviation stakeholder community.

(2) CYBERSECURITY ENHANCEMENTS TO AVIATION SECURITY ACTIVITIES.—The Secretary of Homeland Security in consultation with the Secretary of Transportation, shall—

(A) direct the sharing of information concerning cybersecurity risks and incidents to address aviation-related cybersecurity vulnerabilities, and remediation plans to address such vulnerabilities;

(B) upon request, conduct cybersecurity vulnerability assessments for airports and air carriers.

(3) TSA DATABASE CYBER-ASSESSMENT.—

(A) ASSESSMENT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall perform a cybersecurity vulnerability assessment of the Transportation Security Administration databases for trusted traveler and credentialing programs that contain personal information; information that identifies specific individuals, including the Transportation Worker Identification Credential and Pre-Check trusted traveler programs, and the means to transmit data to and from such databases and develop information on any identified cybersecurity vulnerabilities and remediation plans to address such vulnerabilities;

(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the completion of the evaluation required under subparagraph (A), the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate information relating to such evaluation. Such submission shall be provided in a classified form.

(C) SUBMISSION OF SUPPLEMENTARY INFORMATION.—Not later than 90 days after the completion of such evaluation, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate supplementary information relating to such evaluation, including information (a) identified cybersecurity vulnerabilities and remediation plans to address such vulnerabilities. Such submission shall be provided in a classified form.

(4) DEFINITIONS.—In this subsection, the terms “cybersecurity risk” and “incident” have the meanings given such terms in section 227 of the Homeland Security Act of 2002.

Subtitle G—Surface Transportation Security

SEC. 1571. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) EXPLOSIVES DETECTION CANINE TEAM.—The term “explosives detection canine team” means a canine and a canine handler trained to detect explosives and other threats as determined by the Secretary.

(3) RISK.—The term “risk” means the potential for an unwanted outcome resulting from a threat event, determined by its likelihood and the associated consequences.

(4) THREAT.—The term “threat” means an individual, entity, action, or natural or man-made occurrence that has or indicates the potential to harm life, information, operations, assets, the environment, or property.

SEC. 1572. SURFACE TRANSPORTATION SECURITY ASSESSMENT AND IMPLEMENTATION OF RISK-BASED STRATEGY.

(a) SECURITY ASSESSMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall complete an assessment of the vulnerabilities of and risks to surface transportation systems, including findings from similar vulnerability analyses completed within three years of the date of the enactment of this Act.

(2) CONSIDERATIONS.—(A) The assessment under paragraph (1), the Secretary of Homeland Security shall, at a minimum—

(i) consider appropriate intelligence;

(ii) consider information on the quality and quantity of information shared with State and local transportation systems; and

(iii) consider the vulnerabilities and risks associated with specific modes of surface transportation systems;

(B) The assessment under paragraph (1), the Secretary shall submit to—

(i) the Senate and the House of Representatives;

(ii) the Secretary of Homeland Security; and

(iii) the heads of other relevant Federal departments or agencies.

(b) RISK-BASED SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date the security assessment under subsection (a) is complete, the Secretary of Homeland Security shall use the results of such assessment—

(A) to develop and implement a cross-cutting, risk-based security strategy that includes—

(i) all surface transportation systems;

(ii) a mitigating strategy that aligns with each vulnerability and risk identified in subsection (a); and

(iii) a planning process to inform resource allocation;

(B) to develop a management oversight strategy that—

(i) identifies the parties responsible for the implementation, management, and oversight of the risk-based security strategy under paragraph (a); and

(ii) includes a plan for implementing such risk-based security strategy; and

(C) to modify the risk-based budget and resource allocations, in accordance with section 573(c), for the Transportation Security Administration.

(2) COORDINATED APPROACH.—In developing and implementing the risk-based security strategy...
strategy under paragraph (1)(A), the Secretary of Homeland Security shall coordinate with the heads of other relevant Federal departments or agencies, and stakeholders as appropriate—
(a) to evaluate existing surface transportation security programs, policies, and initiatives, including the explosives detection canine teams for consistency with the risk-based security strategy and, to the extent practicable, avoid any unnecessary duplication of effort;
(b) to determine the extent to which stakeholder security programs, policies, and initiatives address the vulnerabilities and risks to surface transportation systems identified in section (a); and
(c) subject to subparagraph (B), to mitigate each such vulnerability and risk.
(3) REPORT.—
(1) IN GENERAL.—Not later than one year after the date the security assessment under subsection (a) is complete, the Secretary of Homeland Security shall submit to the appropriate congressional committees and the Inspector General of the Department of Homeland Security a report that—
(A) describes the process used to complete such security assessment;
(B) describes the process used to develop the risk-based security strategy under subsection (b)(1)(A);
(C) describes such risk-based security strategy;
(D) includes the management oversight strategy under subsection (b)(1)(B);
(E) includes—
(i) the findings of such security assessment;
(ii) a description of the actions recommended or taken by the Department or another Federal department or agency to mitigate the vulnerabilities and risks identified in subsection (a);
(iii) any recommendations for improving the coordinated approach to mitigating vulnerabilities and risks to surface transportation systems; and
(iv) any recommended changes to the National Infrastructure Protection Plan developed pursuant to Homeland Security Presidential Directive–7, the modal annexes to such plan, or relevant surface transportation security programs, policies, or initiatives; and
(F) may contain a classified annex.
(2) PROTECTIONS.—In preparing the report required under paragraph (1), the Secretary of Homeland Security shall take appropriate action to protect the information described by section 552(b) of title 5, United States Code, or protected from disclosure by any other law of the United States.
(d) Updates.—Not less frequently than semiannually, the Secretary of Homeland Security shall report to or brief the appropriate congressional committees on the vulnerabilities of and risks to surface transportation systems and how such vulnerabilities and risks affect the risk-based security strategy under subsection (b)(1)(A).

SEC. 1573. RISK-BASED BUDGETING AND RESOURCE ALLOCATION.
(a) REGULATION.—In connection with the submission of the Department’s annual budget request to the Office of Management and Budget, the Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees a report that describes a risk-based budget and allocation plan for surface transportation sectors, within and across modes, that—
(1) reflects the risk-based security strategy under subsection (a)(1); and
(2) is organized by appropriations account, program, project, and initiative.
(b) BUDGET TRANSPARENCY.—Subsection (a) of section 1105 of title 31, United States Code, is amended by adding at the end the following new paragraph:
‘‘(4) A statement clearly distinguishing the resources requested for surface transportation security from the resources requested for aviation security.’’
(c) INCIDENT RESPONSE.—
(1) IN GENERAL.—Not later than 15 days after the date on which the Transportation Security Administration allocates any resources described in subparagraph (A) for purposes of paragraph (2), the Secretary of Homeland Security shall take appropriate congressional committees and the Inspector General of the Department of Homeland Security of such personnel or resource allocation at issue;
(b) the expected end date of such resource or personnel allocation; and
(c) the name of the Transportation Security Administration of such personnel or resource allocation.

SEC. 1574. SURFACE TRANSPORTATION SECURITY MANAGEMENT AND INTERAGENCY COORDINATION REVIEW.
(a) REVIEW.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall—
(1) review the staffing, budget, resource, and personnel allocation, and management oversight strategy of the Transportation Security Administration’s surface transportation security programs;
(2) review the coordination between relevant entities with respect to transportation security programs relating to surface transportation to reduce redundancy and regulatory burden; and
(3) submit to the appropriate congressional committees a report on the findings of reviews under paragraphs (1) and (2), including any recommendations for improving coordination between relevant entities and reducing redundancy and regulatory burden.
(b) RELEVANT ENTITIES DEFINED.—In this section, the term ‘‘relevant entities’’ means—
(1) the Transportation Security Administration;
(2) other Federal, State, or local departments or agencies with jurisdiction over a mode of surface transportation;
(3) critical infrastructure entities;
(4) the Transportation Systems Sector Coordinating Council; and
(5) relevant stakeholders.

SEC. 1575. TRANSPARENCY.
(a) REGULAR NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter, the Administrator of the Transportation Security Administration shall make available through a public website information regarding the status of each regulation relating to surface transportation security, including any instructions, guidance, or orders issued by the Administrator, with the exception of any classified annex.

SEC. 1576. TSA COUNTERTERRORISM ASSET DEPLOYMENT.
(a) IN GENERAL.—The Administrator of the Transportation Security Administration is authorized to maintain 30 Visible Intermodal Prevention and Response (VIPR) teams for deployment, at the request of and in collaboration with Federal, State, and local transportation stakeholders, to prevent and deter acts of terrorism against United States surface transportation systems and for other counterterrorism purposes. Starting in January 2019 and for five years thereafter, the Administrator shall annually assess whether the number of VIPR teams is adequate to respond to requests for collaboration from Federal, State, and local transportation stakeholders and to carry out counterterrorism activities with respect to United States surface transportation systems.
(b) CONGRESSIONAL NOTIFICATION.—If the Administrator of the Transportation Security Administration determines that the number of VIPR teams should be reduced below 30, the Administrator shall notify the Committees on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate not later than 90 days prior to such determination.
(c) REPORT TO CONGRESS.—Not later than 60 days after the development and implementation of the performance measures and objectives required under paragraph (1), the Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the appropriate number of VIPR teams needed by the Administration.

SEC. 1577. TRANSPORTATION SECURITY ADMINISTRATION IMPROVEMENTS.
(a) REGULAR NOTIFICATION.—If the Transportation Security Administration deploys any counterterrorism personnel or resource, such as explosive detection assets, inspections, or personnel, teams, patrol, or other activities with respect to United States surface transportation systems, the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.
(b) NOTICE.—The Secretary of Homeland Security shall report to the appropriate congressional committees the nature and number of resources used or deployed by the Transportation Security Administration on a regular basis, including new operations, expansions, changes in the number of deployments, or the termination of deployments, that is necessary; and
(c) EXCEPTION.—Subsection (d) shall not apply if the Administrator of the Transportation Security Administration determines that the deployment of such personnel or resource is necessary.
§ 44947. Surface Transportation Security Advisory Committee

(a) Establishment.—The Administrator of the Transportation Security Administration (hereinafter in this section referred to as the ‘‘Administrator’’) shall establish within the Transportation Security Administration the Surface Transportation Security Advisory Committee (referred to in this section as the ‘‘Advisory Committee’’).

(b) Duties.—

(1) In general.—The Advisory Committee may advise, consult with, report to, and make recommendations to the Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

(2) Risk-based security.—The Advisory Committee shall consider risk-based security approaches in the performance of its duties.

(3) Composition.—The Advisory Committee shall be composed of—

(A) voting members appointed by the Administrator;

(B) nonvoting members, serving in an advisory capacity, who shall be designated by—

(i) the Transportation Security Administration; and

(ii) the Department of Transportation; and

(iii) such other Federal department or agency as the Administrator considers appropriate.

(4) Appointment.—The Administrator shall appoint voting members from among stakeholders having expertise in each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, and trucking, including representatives from—

(A) associations representing such modes of surface transportation;

(B) labor organizations representing such modes of surface transportation;

(C) groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;

(D) law enforcement, first responders, and security experts; and

(E) such other groups as the Administrator considers appropriate.

(5) Chairperson.—The Advisory Committee shall select a chairperson from among its voting members.

(6) Term of office.—

(A) Terms.—

(i) In general.—The term of each voting member of the Advisory Committee shall be two years and such member may continue to serve until the Administrator appoints a successor.

(ii) Reappointment.—A voting member of the Advisory Committee may be reappointed.

(7) Removal.—

(i) In general.—The Administrator may remove the participation of a member of the Advisory Committee and remove such member for cause at any time.

(iii) Access to certain information.—The Administrator determines should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

(8) Prohibition on compensation.—The members of the Advisory Committee may not receive any compensation from the Government by reason of their service on the Advisory Committee.

(9) Meetings.—

(A) In general.—The Advisory Committee shall meet at least semiannually in person or through web conferencing, and may convene additional meetings as necessary.

(B) Public meetings.—At least one of the meetings of the Advisory Committee each year shall be—

(i) announced in the Federal Register;

(ii) announced on a public website; and

(iii) open to the public.

(C) Attendance.—The Advisory Committee shall maintain a record of the persons present at each meeting.

(10) Minutes.—

(i) In general.—The Administrator may request from the Administrator the meetings of the Advisory Committee shall be published on the public website under subsection (e)(5).

(ii) Protection of classified and sensitive information.—The Advisory Committee may redact or summarize, as necessary, minutes of the meetings to protect classified or sensitive security information in accordance with law.

(11) Voting member access to classified information and sensitive security information.—The Advisory Committee shall consider the information, advice, and recommendations of the Advisory Committee in formulating policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

(12) Feedback.—Not later than 90 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(13) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(14) Joint Committee meetings.—The joint committee may meet with one or more of the following advisory committees regarding multi-modal security issues and other security-related issues of common concern:

(A) Aviation Security Advisory Committee, established under section 44946 of title 49, United States Code.

(B) Maritime Security Advisory Committee, established under section 70112 of title 49, United States Code.

(C) Railroad Safety Advisory Committee, established by the Federal Railroad Administration.

(D) Subject matter experts.—The Advisory Committee may request the assistance of subject matter experts with expertise related to the jurisdiction of the Advisory Committee.

(15) Reports.—

(1) Periodic reports.—The Administrator shall periodically submit to the Administrator reports requested by the Administrator or by a majority of the members of the Advisory Committee.

(2) Annual report.—

(A) Submission.—The Advisory Committee shall submit to the Administrator and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the Senate an annual report that—

(I) provides information on the activities, findings, and recommendations of the Advisory Committee during the preceding year;

(II) publication.—Not later than six months after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.

(3) Notices.—Not later than 30 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on such recommendation, including—

(A) if the Administrator agrees with such recommendation, a plan describing the action the Administrator will take, or recommends that the head of another Federal department or agency take to implement such recommendation; or

(B) if the Administrator disagrees with such recommendation, a justification for such disagreement.
disagreement under subparagraph (A) or subparagraph (B) of such paragraph, as applicable; and

(b) provides the contact information for the Advisory Committee.

(c) information relating to meetings, minutes, annual reports, and the implementation of recommendations under this section.

(1) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee or any subcommittee established under this section.

(b) ADVISORY COMMITTEE MEMBERS.—(1) Voting Members.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall appoint the voting members of the Surface Transportation Security Advisory Committee established under section 44947 of title 49, United States Code, as added by subsection (a) of this section.

(2) NONVOTING MEMBERS.—Not later than 90 days after the date of the enactment of this Act, each Federal Government department and agency with regulatory authority over a mode of surface transportation, as the Administrator of the Transportation Security Administration considers appropriate, shall designate, and notify the Secretary of the Surface Transportation Security Advisory Committee, a representative to serve as a nonvoting member of the Surface Transportation Security Advisory Committee.

(c) CLERICAL AMENDMENT.—The analysis for chapter 449 of title 49, United States Code, is amended by inserting after the item relating to section 44966 the following new item:

"44947. Surface Transportation Security Advisory Committee.".

SEC. 1578. REVIEW OF THE EXPLOSIVES DETECTION CANINE TEAM PROGRAM.

(a) In General.—Not later than 90 days after the date that the Inspector General of the Department of Homeland Security receives the report under section 572(c), the Inspector General shall—

(1) review the explosives detection canine team program of the Department, including—

(A) the development by the Transportation Security Administration of a deployment strategy for explosives detection canine teams;

(B) the national explosives detection canine team training program, including canine training, refresh training, and updates to such training; and

(C) the use of the canine assets during an urgent security need, including the reallocation of resources and the transportation systems sector during an urgent security need; and

(2) submit to the appropriate congressional committees a report on such review, including any recommendations.

(b) Considerations.—In conducting the review of the deployment strategy under subsection (a)(1)(A), the Inspector General of the Department of Homeland Security shall consider whether the Transportation Security Administration’s method to analyze the risk to transportation facilities and transportation systems is appropriate.

SEC. 1579. EXPANSION OF SURFACE TRANSPORTATION EXPLOSIVES DETECTION CANINE TEAM PROGRAM.

(a) In General.—The Secretary of Homeland Security, where appropriate, shall encourage State, local, and tribal governments and private owners of high-risk transportation systems to train and deploy canine security teams by the use of explosives detection canine teams.

(b) INCREASED CAPACITY.

(1) IN GENERAL.—Before the date the Inspector General of the Department of Homeland Security submits the report under section 578, the Administrator of the Transportation Security Administration may increase the number of State and local surface and maritime transportation explosives detection canine teams by not more than 70 such teams.

(2) ADDITIONAL TEAMS.—Beginning on the date the Inspector General of the Department of Homeland Security submits the report under section 578, the Administrator of the Transportation Security Administration may increase the number of State and local surface and maritime transportation explosives detection canine teams by not more than 200 such teams unless more of such teams are needed as identified in the risk-based security strategy under section 572(b)(1), the report under section 573 or with the President’s most recent budget submitted under section 1105 of title 31, United States Code.

(3) RECOMMENDATIONS.—Before initiating any increase in the number of explosives detection teams under paragraph (2), the Secretary of Homeland Security shall consider any recommendations in the report under section 578 on the efficacy and management of the explosives detection canine program of the Department of Homeland Security.

(c) DEPLOYMENT.—The Secretary of Homeland Security shall—

(1) use any additional explosives detection canine teams described in subsection (b)(1), as part of the Department of Homeland Security’s efforts to strengthen security across the Nation’s surface and maritime transportation systems;

(2) make available explosives detection canine teams to all modes of transportation, subject to the requirements under section 576, to address specific vulnerabilities or risks, on an as-needed basis and as otherwise determined appropriate by the Secretary; and

(3) consider specific needs and training requirements for explosives detection canine teams to be deployed across the Nation’s surface and maritime transportation systems, including in venues of multiple modes of transportation, as the Secretary considers appropriate.

SEC. 1580. EXPLOSIVE DETECTION TECHNOLOGY.

The Secretary of Homeland Security shall prioritize the research and facilitation of next generation technologies to detect explosives in the Nation’s surface transportation systems.

SEC. 1581. STUDY ON SURFACE TRANSPORTATION INSPECTORS.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—

(1) identifies any duplication or redundancy between the Transportation Security Administration and the Department of Transportation relating to surface transportation security inspections or oversight; and

(2) provides recommendations, if any, relating to—

(A) improvements to the surface transportation security inspectors program, including—

(i) changes in organizational and supervisory structures;

(ii) coordination procedures to enhance consistency; and

(iii) effectiveness in inspection and compliance activities; and

(B) whether each transportation mode needs inspectors trained and qualified for each such specific mode.
SEC. 1584. SECURITY AWARENESS PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Transportation Security Administration shall establish a program to promote surface transportation security through the training of surface transportation operators and frontline employees on each of the skills identified in subsection (c).

(b) APPLICATION.—The program established under subsection (a) shall apply to all modes of surface transportation, including public transportation, rail, highway, motor carrier, and pipeline.

(c) TRAINING.—The program established under subsection (a) shall cover, at a minimum, the skills necessary to observe, assess, and respond to suspicious items or actions that could indicate a threat to transportation.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Administrator of the Transportation Security Administration shall conduct an assessment of current training programs for surface transportation operators and frontline employees.

(2) CONTENTS.—The assessment under paragraph (1) shall identify—

(A) whether other training is being provided, either voluntarily or in response to other Federal requirements; and

(B) whether there are any gaps in existing training.

(e) UPDATES.—The Administrator of the Transportation Security Administration shall update the plan established under subsection (a) as updated as necessary to address changes in risk and terrorist methods and to close any gaps identified in the assessment under subsection (d).

(f) SUSPICIOUS ACTIVITY REPORTING.—

(1) IN GENERAL.—The Secretary of Homeland Security shall ensure there exists a national plan and procedures for an individual to report to the Department of Homeland Security suspicious activity in transportation systems.

(2) PROCEDURES.—The Secretary of Homeland Security shall establish procedures for the Department of Homeland Security—

(A) to review and follow-up, as necessary, on each report received under paragraph (1); and

(B) to share, as necessary and in accordance with law, such reports with appropriate Federal and tribal entities.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed to—

(A) replace, in any way the use of 9-1-1 services in an emergency; or

(B) replace or affect in any way the security training requirements under other law.

(4) Federal requirements; and

(c) SECURITY TRAINING.—The term "frontline employee" includes—

(d) Transportation security card issued under section 5103a of title 49, United States Code, may satisfy such requirement by obtaining a valid transportation security card issued under section 70105 of title 46, United States Code.

(b) FEES.—The Secretary of Homeland Security may charge reasonable fees, in accordance with section 528(a) of the Department of Homeland Security Appropriations Act, 2004 (6 U.S.C. 469(a)), for providing the necessary credentialing and background investigation under this section.

(c) DEFINITIONS.—In this section—

(1) IN GENERAL.—The term "individual who is subject to credentialing or a background investigation" means—

(A) because of employment is regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard and is required to have a background investigation under section 5103a of title 49, United States Code; or

(B) is required to have a credential and background records check under section 2122(d) of the Homeland Security Act of 2002 (6 U.S.C. 622(d)(2)) at a facility with activities that are regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard.

(2) VALID TRANSPORTATION SECURITY CARD.—The term "valid transportation security card" means—

(A) a transportation security card issued under section 70105 of title 46, United States Code, that is—

(i) not expired;

(ii) shows no signs of tampering; and

(iii) bears a photograph of the individual representing the card that is—

(A) S TUDY.—The Comptroller General of the United States shall conduct a study regarding the roles and responsibilities of the Department of Homeland Security and the Department of Transportation with respect to pipeline security. Such study shall address whether—

(1) the Annex to the Memorandum of Understanding executed on August 9, 2006, between the Department of Homeland Security and the Department of Transportation adequately delineates structural and operational responsibilities for pipeline security, including whether it is clear which department is responsible for—

(A) protecting against intentional pipeline breaches and cyber attacks;

(B) responding to intentional pipeline breaches and cyber attacks; and

(C) planning to recover from the impact of intentional pipeline breaches and cyber attacks;

(2) the respective roles and responsibilities of each department are adequately conveyed to relevant stakeholders and to the public;

(3) the processes and procedures for determining whether a particular breach is a terrorist incident are clear and effective.

(b) REPORT ON STUDY.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Secretary of Homeland Security and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the study conducted under subsection (a).

SEC. 1586. BACKGROUND RECORDS CHECKS FOR ISSUANCE OF HAZMAT LICENSES.

(a) ISSUANCE OF LICENSES.—(Paragaph 1) of section 5103a(a) of title 49, United States Code, is amended—

(1) by striking "unless" and inserting "unless";

(2) by striking "the Secretary of Homeland Security and inserting the following—

(A) the Secretary of Homeland Security; or

(3) in subparagraph (A), as designated pursuant to paragraph (2) of this subsection, by striking the period at the end and inserting "or";

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

"(B) the individual holds a valid transportation security card issued under section 70105 of title 46.";

(b) TRANSPORTATION SECURITY CARD.—Paragraph (1) of section 5103a(d) of title 49, United States Code, is amended, in the matter preceding clause (1), by striking "described in subsection (a)(1)" and inserting "under subsection (a)(1)(A)".

SEC. 1587. RECURRENT VETTING FOR SURFACE TRANSPORTATION CREDENTIAL HOLDERS.

Section 70105 of title 46, United States Code, is amended by adding at the end the following new subsection:

"(r) RECURRENT VETTING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall develop and implement a plan to utilize the Federal Bureau of Investigation’s Rap Back Service in order to establish recurrent vetting capabilities for individuals holding valid transportation security cards under this section.

(2) EXEMPTION.—Individuals holding valid transportation security cards under this section who are subject to recurrent vetting under this section may be exempt from any recurrent determinations or background checks under this subsection to which such individuals would otherwise be subject every five years in the absence of such utilization.

SEC. 1588. PIPELINE SECURITY STUDY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study regarding the roles and responsibilities of the Department of Homeland Security and the Department of Transportation with respect to pipeline security. Such study shall address whether—

(1) the Annex to the Memorandum of Understanding executed on August 9, 2006, between the Department of Homeland Security and the Department of Transportation adequately delineates structural and operational responsibilities for pipeline security, including whether it is clear which department is responsible for—

"(A) protecting against intentional pipeline breaches and cyber attacks;

"(B) responding to intentional pipeline breaches and cyber attacks; and

"(C) planning to recover from the impact of intentional pipeline breaches and cyber attacks;

"(D) the respective roles and responsibilities of each department are adequately conveyed to relevant stakeholders and to the public;

"(E) the processes and procedures for determining whether a particular breach is a terrorist incident are clear and effective.

(b) REPORT ON STUDY.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Secretary of Homeland Security and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the study conducted under subsection (a).

(2) the respective roles and responsibilities of each department are adequately conveyed to relevant stakeholders and to the public;

(3) the processes and procedures for determining whether a particular breach is a terrorist incident are clear and effective.

(b) REPORT ON STUDY.—Not later than 180 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Secretary of Homeland Security and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the study conducted under subsection (a).

(c) REPORT TO CONGRESS.—Not later than 90 days after the submission of the report referred to in paragraph (b), the Secretary of Homeland Security shall review and analyze the study and submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on such review and analysis, including any recommendations for—

(1) changes to the Annex to the Memorandum of Understanding referred to in subsection (a); and

(2) other improvements to pipeline security activities at the Department.
TITLE VI—EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS

SUBTITLE A—Grants, Training, Exercises, and Technical Assistance

SEC. 1601. URBAN AREA SECURITY INITIATIVE.

(a) IN GENERAL.—In subsection (b) of section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604), in paragraph (2)(B), by striking ''is used''; and

(b) OFFICE FOR STATE AND LOCAL LAW ENFORCEMENT.—Subsection (a) of section 2006 of the Homeland Security Act of 2002 (6 U.S.C. 607) is amended—

(1) in paragraph (1), by amending subparagraph (A) to read—

(2) in paragraph (4)—

(3) by striking subsection (e) and inserting the following new subsections:

(4) ANNUAL REPORT.—The Administrator, in consultation with the heads of other appropriate agencies, shall make available to public and private stakeholders a framework for establishing an operations center within a transportation facility to promote interagency response and coordination.

SEC. 1594. REVIEW OF REGULATIONS.
(a) REVIEW.—Not later than one year after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the heads of other appropriate agencies, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes a review of regulations, directives, policies, and procedures issued by the Administrator regarding the transportation of a firearm and ammunition by an aircraft passenger, and, as appropriate, information on plans to modify any such regulation, directive, policy, or procedure based on such review.

(b) CONSULTATION.—In preparing the report required under subsection (a), the Administrator shall consult with the Aviation Security Advisory Committee (established pursuant to section 4946 of title 49, United States Code) and appropriate public and private sector stakeholders.

SEC. 1595. DEFINITION.
In this title, the term “public and private sector stakeholders” has the meaning given such term in section 114(h)(1)(C) of title 49, United States Code.
appropriate" before the semicolon at the end; and
(C) in subparagraph (1), by striking "target" and inserting "core"; and
(D) in paragraph (5), by striking "target" and inserting "core".
(b) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security, through the Administrator of the Federal Emergency Management Agency, shall review and report to the Committee on Homeland Security and the Governmental Affairs of the Senate an appropriate formula and methodology used to award grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), including a discussion of any necessary changes to such formula to ensure grant awards are appropriately based on risk.
(c) COMPTROLLER GENERAL REVIEW.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall review and assess the risk formula and methodology used to award grants under sections 2003 and 2004 of the Homeland Security Act of 2002, including:
(1) the process utilized by the Department of Homeland Security to gather threat information about each potential State and high-risk urban area;
(2) the extent to which such risk formula and methodology considers the factors specified in section 2007 of the Homeland Security Act of 2002 (6 U.S.C. 608), in particular:
(A) the extent to which the jurisdiction has unmet core capabilities due to resource constraints;
(B) the degree to which a jurisdiction has been able to address capability gaps with previous grant awards; and
(C) the extent to which a high-risk urban area, the extent to which such high-risk urban area includes:
(i) incorporated municipalities, counties, parishes, and Indian tribes within the relevant eligible metropolitan area the inclusion of which will enhance regional efforts to prevent, prepare for, protect against, and respond to terrorism and acts of terrorism within the high-risk urban area; and
(ii) other local and tribal governments in the surrounding area that are likely to be called upon to respond to acts of terrorism within the high-risk urban area; and
(3) how grant award amounts are determined.
SEC. 1606. ALLOWABLE USES.
(1) in subsection (a)—
(A) in the matter preceding paragraph (1), by striking "target" and inserting "core"; and
(B) by redesignating paragraphs (6) through (14) as paragraphs (8) through (16), respectively;
(C) in paragraph (5), by inserting before the semicolon at the end the following: ". . . provided such purchases align with the Statewide Interoperability Coordinator or Statewide Interoperability Governance body of the State of the recipient"; and
(D) in paragraph (5), by striking after paragraph (5) the following new paragraphs:
"(6) enhancing medical preparedness, medical surge capacity, and mass prophylaxis capability; the development and maintenance of an initial pharmaceutical stockpile, including medical kits and diagnostics sufficient to protect first responders, immediate victims, and vulnerable populations from a chemical or biological event;
(7) enhancing cybersecurity, including preparing for and responding to cybersecurity risks and incidents (as such terms are defined in section 227) and developing statewide cyber incident analysis and dissemination activities;"
(E) in paragraph (8), as so redesignated, by striking "Homeland Security Advisory System" and inserting "National Terrorism Advisory System"; and
(F) in paragraph (11), as so redesignated, by striking "and" and inserting "or";
(2) in the matter following paragraph (1), by striking "target" and inserting "core"
(A) in paragraph (3)(B), by striking "(a)(10)" and inserting "(a)(12)"; and
(B) in paragraph (4)(B)(i), by striking "target" and inserting "core";
(3) in subsection (c), by striking "target" and "core".
SEC. 1607. APPROVAL OF CERTAIN EQUIPMENT.
(a) IN GENERAL.—Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609), as amended by this Act, is further amended—
(1) in subsection (f), by striking "If an applicant" and inserting "If an applicant"
and inserting the following:
"(1) APPLICATION REQUIREMENT.—If an applicant and
(B) by adding at the end the following new paragraphs:
(2) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications that, in accordance with paragraph (1), contain explanations to use grants provided under section 2003 or 2004 to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747).
(3) FACTORS.—In carrying out the review process under paragraph (2), the Administrator shall consider:
(A) current or past use of proposed equipment or systems by Federal agencies or the Armed Forces;
(B) the absence of a national voluntary consensus standard for such equipment or systems;
(C) the existence of an international consensus standard for such equipment or systems, and whether such equipment or systems meets such standard;
(D) the nature of the capability gap identified by the applicant or whether such equipment or systems will address such gap.
(E) the degree to which such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed existing consensus standards.
(F) any other factor determined appropriate by the Administrator; and
(2) by adding at the end the following new subsection:
"(g) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications that, in accordance with paragraph (1), contain explanations to use grants provided under section 2003 or 2004 to purchase equipment or systems not included on the Authorized Equipment List maintained by the Administrator."
(b) INSPECTOR GENERAL REPORT.—Not later than three years after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Governmental Affairs of the Senate a report assessing the implementation of the review process established under paragraph (2) of subsection (f) of section 2008 of the Homeland Security Act of 2002 (as added by subsection (a) of this section), including information on the following:
(1) the number of requests to purchase equipment or systems that do not meet or exceed any applicable consensus standard evaluated under such review process.
(2) the capability gaps identified by applicants and the number of such requests granted.
(3) the processing time for the review of such requests.
SEC. 1608. MEMORANDA OF UNDERSTANDING.
(a) IN GENERAL.—Subtitle B of title XX of the Homeland Security Act of 2002 (6 U.S.C. 611 et seq.) is amended by adding at the end the following new section:
"Sec. 2024. Memoranda of understanding with departmental components and offices.
"The Administrator shall enter into memoranda of understanding with the heads of the following departmental components and offices delineating the roles and responsibilities of such components and offices regarding the policy and guidance for grants under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135), sections 2003 and 2004 of this Act, and section 70107 of title 46, United States Code, as appropriate:
(1) The Commissioner of U.S. Customs and Border Protection.
(2) The Administrator of the Transportation Security Administration.
(3) The Commandant of the Coast Guard.
(4) The Under Secretary for Intelligence and Analysis.
(5) The Director of the Office of Emergency Communications.
(6) The Assistant Secretary for State and Local Law Enforcement.
(7) The Countering Violent Extremism Coordinator.
(9) The heads of other components or offices of the Department, as determined by the Secretary."
"Sec. 2024. Memoranda of understanding with departmental components and offices.
(a) IN GENERAL.—To determine the extent to which grants under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 603 and 604), the capability gaps identified in State Preparedness Reports required under subsection (c) of section 102 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 752; title VI of the Department of Homeland Security Appropriations Act, 2007; Public Law 109–285) and Threat and Hazard Identification and Risk Assessments required under subsections (e) and (f) of such sections 2003 and 2004, respectively, as added by this Act, from each State and high-risk urban area, the Administrator of the Federal Emergency Management Agency shall conduct and submit to the Committee on Homeland Security of the House of Representatives and the Committee on Governmental Affairs of the Senate an assessment of information provided in such Reports and Assessments.
(b) ASSESSMENT REQUIREMENTS.—The assessment requirements under paragraphs (a)(1) and (a)(2) shall include a comparison of successive State Preparedness Reports and Threat and Hazard Identification and Risk Assessments that aggregates results across the States and high-risk urban areas.
SEC. 1610. GRANT MANAGEMENT BEST PRACTICES.
The Administrator of the Federal Emergency Management Agency shall include in
the annual Notice of Funding Opportunity relating to grants under sections 2033 and 2034 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 685) an appendix that includes the following:

(1) A summary of findings identified by the Office of the Inspector General of the Department of Homeland Security in audits of such grants award, maintenance areas identified for improvement, including opportunities for technical assistance.

(2) Innovative projects and best practices instituted by grant recipients.

SEC. 1611. PROHIBITION ON CONSOLIDATION.

The Secretary of Homeland Security may not implement the National Preparedness Grant Program or any successor consolidated grant program unless the Secretary receives prior authorization from Congress permitting such implementation.

SEC. 1612. MAINTENANCE OF GRANT INVESTMENTS.

Section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609), as amended by this Act, is further amended by adding at the end the following new subsection:

"(h) MAINTENANCE OF EQUIPMENT.—Any applicant for a grant under section 2003 or 2004 seeking to purchase equipment, including pursuant to paragraphs (3), (4), (5), or (12) of subsection (a) of this section, shall by the time of the receipt of such grant develop and maintain a comprehensive inventory of such equipment over its life-cycle that includes information identifying which entity is responsible for such maintenance.

SEC. 1613. TRANSIT SECURITY GRANT PROGRAM.

Section 1006 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) is amended—

(1) in subsection (a), by inserting "and associated backfill" after "security training"; and

(2) by striking subsection (m) and inserting the following new subsection:

"(m) PERIODS OF PERFORMANCE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), funds provided pursuant to a grant awarded under this section for a use specified in subsection (b) shall remain available for use by a grant recipient for a period of not fewer than 36 months.

"(2) FUNDING.—Funds provided pursuant to a grant awarded under this section for a use specified in paragraph (M) or (N) of subsection (b) shall remain available for use by a grant recipient for a period of not fewer than 55 months.

SEC. 1614. PORT SECURITY GRANT PROGRAM.

Section 70107 of title 46, United States Code, is amended by—

(1) striking subsection (l);

(2) redesignating subsection (m) as subsection (l); and

(3) by adding at the end the following new subsections:

"(n) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

"(o) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under this section $200,000,000 for each of fiscal years 2018 through 2022.

SEC. 1615. CYBER PREPAREDNESS.

(a) IN GENERAL.—Section 227 of the Homeland Security Act of 2002 (6 U.S.C. 612) is amended—

(1) in subsection (a)—

(A) in paragraph (5)(B), by inserting "and regional fusion centers, as appropriate" before the semicolon at the end;

(B) in paragraph (7), in the matter preceding subparagraph (A), by striking "information and recommendations" each place it appears and inserting "information, recommendations, and other intelligence";

(C) in paragraph (9), by inserting "best practices," after "defensive measures;"; and

(D) in subsection (d)(1)(B)(ii), by inserting "and State and territorial fusion centers, as appropriate" before the semicolon at the end.

(b) SEINER OF CONGRESS.—It is the sense of Congress that to facilitate the timely dissemination to appropriate State, local, and private sector stakeholders of homeland security information related to threats, the Secretary of Homeland Security should, to the greatest extent practicable, work to share actionable information in an unclassified form related to such threats.

SEC. 1616. MAJOR METROPOLITAN AREA COUNTERTERRORISM TRAINING AND EXERCISE GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.) is amended by adding at the end the following new subsections:

"SEC. 2009. MAJOR METROPOLITAN AREA COUNTERTERRORISM TRAINING AND EXERCISE GRANT PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—The Secretary, acting through the Administrator and the heads of other Federal entities or agencies of the Department, shall carry out a program to make grants to emergency response providers to prevent, prepare for, and respond to emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters, as determined by the Secretary, against major metropolitan areas.

"(2) INFORMATION.—In establishing the program pursuant to paragraph (1), the Secretary shall provide to eligible applicants—

"(A) information, in an unclassified format, on emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters, that grants under such program are intended to address; and

"(B) information on training and exercises best practices.

"(b) ELIGIBLE APPLICANTS.—

"(1) IN GENERAL.—Only jurisdictions that have previously received, but are no longer eligible for, Section 2008 funds under section 2003 may apply for a grant under the program established pursuant to subsection (a).

"(2) ADDITIONAL JURISDICTIONS.—Eligible applicants under the program established pursuant to subsection (a) may include in activities funded by such program neighboring jurisdictions that would be likely to provide mutual aid in response to emerging terrorist attack scenarios, including complex, coordinated terrorist attacks and active shooters.

"(3) CONDUCT TRAINING.—The Administrator shall provide to eligible applicants—

"(A) information identifying which entity is responsible for such maintenance.

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under this section $39,000,000 for each of fiscal years 2018 through 2022.

(b) CEREMONIAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following new item:

"‘Sec. 2009. Major metropolitan area counterterrorism training and exercise grant program.’

SEC. 1617. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.), as amended by this Act, is further amended by adding at the end the following new subsections:

"SEC. 2009. OPERATION STONEGARDEN.

"(a) ESTABLISHMENT.—There is established in the Department a program to be known as ‘Operation Stonegarden’. Under such program, the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through the State Administrative Agency, to enhance border security in accordance with this section.

"(b) ELIGIBLE APPLICANTS.—There is eligible to receive a grant under this section, a law enforcement agency shall—

"(1) develop a plan for the maintenance of such portal.

"(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.


"(4) Any other appropriate activity, as determined by the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection.

"(d) PERIOD OF PERFORMANCE.—The Secretary shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of fiscal years 2018 through 2022 grants under this section.

"(f) REPORT.—The Administrator shall annually for each of the fiscal years specified in paragraph (1) submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing information on the expenditure of grants made under this section by each grant recipient."
(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 2009 the following new item:

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“Sec. 2010. Operation Stonegarden.”
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SEC. 1618. NON-PROFIT SECURITY GRANT PROGRAM.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

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SEC. 2011. NON-PROFIT SECURITY Grant PROGRAM.

“(a) ESTABLISHMENT.—There is established in the Department a program to be known as the ‘Non-Profit Security Grant Program’ (in this section referred to as the ‘Program’).

Under the Program, the Secretary, acting through the Administrator, shall make grants to eligible nonprofit organizations described in subsection (b), through the State in which such organizations are located, for target hardening and other security enhancements to protect against terrorist attacks.

“(b) ELIGIBLE RECIPIENTS.—Eligible nonprofit organizations described in this subsection (a) are organizations that are—

(1) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

(2) determined to be at risk of a terrorist attack by the Administrator.

“(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for any of the following uses:

(1) Target hardening activities, including physical security equipment and inspection and screening systems.

(2) Fees for security training relating to physical security and cybersecurity, target hardening, terrorism awareness, and employee awareness.

(3) Any other appropriate activity, as determined by the Administrator.

“(d) PERIOD OF PERFORMANCE.—The Administrator shall make funds provided under this section available for use by a recipient of a grant for a period of not less than 36 months.

“(e) REPORT.—The Administrator shall annually for each of fiscal years 2018 through 2022 submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing information on the expenditure by each grant recipient of grant funds made under this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) In GENERAL.—There is authorized to be appropriated $5,000,000 for each of fiscal years 2018 through 2022 to carry out this section.

(2) SPECIFICATION.—Of the amounts authorized to be appropriated pursuant to paragraph (1),--

(A) $55,000,000 is authorized for eligible recipients located in jurisdictions that receive funding under section 2003; and

(B) $15,000,000 is authorized for eligible recipients in jurisdictions not receiving funding under section 2003.


(2) In section 1803(d) of the Homeland Security Act of 2002 (6 U.S.C. 603), the table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2002 the following new item:

“Sec. 2011. Non-Profit Security Grant Program.”
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SEC. 1619. STUDY OF THE USE OF GRANT FUNDS FOR CYBERSECURITY.

Not later than 120 days after the enactment of this section, the Administrator, in coordination with relevant components of the Department, shall conduct a study on the use of grant funds awarded pursuant to section 2003 and section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), including information on the following:

(1) The amount of grant funds invested or obligated annually during fiscal years 2006 through 2016 to prepare for and respond to cybersecurity risks and incidents (as such terms are defined in section 227 of such Act) and the impact of the amendment made by sections 601 and 602 of this title.

(2) The degree to which grantees identify cybersecurity as a capability gap in the Threat and Hazard Identification and Risk Assessment carried out pursuant to the amendment made by sections 601 and 602 of this title.

(3) Obstacles and challenges related to using grant funds to improve cybersecurity capabilities.

(4) Plans for future efforts to encourage grantees to use grant funds to improve cybersecurity capabilities.

Subtitle B—Communications

SEC. 1631. OFFICE OF EMERGENCY COMMUNICATIONS DIRECTOR.

The Secretary of Homeland Security may not change the location or reporting structure of the Office of Emergency Communications of the Department of Homeland Security unless the Secretary receives prior authorization from the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate permitting such change.

SEC. 1632. RESPONSIBILITIES OF OFFICE OF EMERGENCY COMMUNICATIONS DIRECTOR.

(a) In GENERAL.—Subsection (c) of section 1801 of the Homeland Security Act of 2002 (6 U.S.C. 571) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) through (15) as paragraphs (3) through (14), respectively;

(3) in paragraph (8), as so redesignated, by striking “, in cooperation with the National Communications System,” and inserting “;”;

(4) in paragraph (12) by striking “Assistant Secretary for Grants and Planning” and inserting “Administrative Office of the Federal Emergency Management Agency”;

(b) AUTHORIZATION.—(1) by striking paragraph (3); and

(2) by inserting paragraph (2) the following new paragraph:

(b) PERFORMING PREVIOUSLY TRANSFERRED FUNCTIONS.—Subsection (d) of section 1801 of the Homeland Security Act of 2002 is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) through (11) as paragraphs (4) through (11), respectively; and

(b) by inserting paragraph (2) the following new paragraph:

(2) CONFORMING AMENDMENT.—Subsection (a) of section 1801 of the Homeland Security Act of 2002 (6 U.S.C. 571) is amended—

(1) by striking “and” at the end;

(2) striking “and” at the end; and

(3) in section 1801(d), as so redesignated, by striking “a” and inserting “the”.

SEC. 1634. NATIONAL EMERGENCY COMMUNICATIONS PLAN.

Section 1802 of the Homeland Security Act of 2002 (6 U.S.C. 572) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “, and in cooperation with the National Communications System (as appropriate),”; and

(B) by inserting “, but not less than once every five years,” after “periodically”; and

(2) in subsection (c)—

(A) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively; and

(B) by inserting after paragraph (2) the following new paragraph:

(f) ANNUAL REPORTING OF OFFICE ACTIVITIES.—

(1) by striking paragraph (3); and

(2) by inserting paragraph (2) the following new paragraph:

(f) ANNUAL REPORTING OF OFFICE ACTIVITIES.—

(1) by striking paragraph (3); and

(2) by inserting paragraph (2) the following new paragraph:

(2) PERFORMING PREVIOUSLY TRANSFERRED FUNCTIONS.—Subsection (d) of section 1801 of the Homeland Security Act of 2002 is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) through (11) as paragraphs (4) through (11), respectively; and

(b) by inserting after paragraph (2) the following new paragraph:

(2) CONFORMING AMENDMENT.—Subsection (a) of section 1801 of the Homeland Security Act of 2002 (6 U.S.C. 571) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) through (11) as paragraphs (4) through (11), respectively; and

(b) by inserting paragraph (2) the following new paragraph:

SEC. 1641. CHIEF MEDICAL OFFICER.

Section 516 of the Homeland Security Act of 2002 (6 U.S.C. 1226) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “and shall establish medical and behavioral health exposure policy, guidance, strategies, and initiatives,” before “including—”;

Subtitle C—Medical Preparedness

SEC. 1643. PUBLIC SAFETY BROADCAST NETWORK WORK.

The Undersecretary for Management of the Department of Homeland Security, in coordination with the appropriate component heads, shall develop a strategy consistent with the strategy required pursuant to section 4 of the Department of Homeland Security Interoperable Communications Act (Public Law 114-294), including information on the extent to which the department works with the First Responder Network Authority of the Department of Commerce to identify and address cyber threats and other threats that could impact short term or long term availability and operations of such network and recommendations to mitigate such risks.
(B) in paragraph (1), by inserting before the semicolon at the end the following: “including advice on how to prepare for, protect against, respond to, recover from, and mitigate the adverse public health effects of terrorist attacks or other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives”; and
(C) in paragraph (2), by striking “emergency medical services and medical first responder stakeholders,” after “the medical community”, and
(E) in paragraph (6), by striking “and” at the end; and
(F) in paragraph (7), by striking the period and inserting a semicolon; and
(G) by adding at the end the following new paragraphs:
“(8) ensuring that the workforce of the Department has evidence-based policy, standards, requirements, and metrics for occupational health and operational medicine programs;”
“(9) developing and maintaining a coordinated system for medical support for the Department’s operational activities;”
“(10) providing oversight of the Department’s operational services;”
“(A) reviewing and maintaining verification of the accreditation of the Department’s health provider workforce;”
“(B) developing quality assurance and clinical policy, requirements, standards, and metrics for all medical and health activities of the Department;”
“(C) providing oversight of medical records systems for employees and individuals in the Department’s care and custody; and”
“(D) providing medical direction for emergency medical services activities of the Department; and
“(11) as established under section 528, maintaining a medical countermeasures stockpile and dispensing system, as necessary, to facilitate personnel readiness, and protection for the Department’s employees and working animals and individuals in the Department’s care and custody in the event of a chemical, biological, radiological, nuclear, or explosive attack, naturally occurring disease outbreak, or pandemic;” and
“(2) by adding at the end the following new subsection:
“(d) MEDICAL LIASIONS.—The Chief Medical Officer may provide medical liaisons to the components of the Department to provide subject matter expertise on medical and public health issues and a direct link to the Chief Medical Officer. Such expertise may include the following:
“(1) Providing guidance on health and medical aspects of policy, planning, operations, and workforce health protection.
“(2) Identifying and resolving component medical issues.
“(3) Supporting the development and alignment of medical and health systems.
“(4) Identifying common gaps in medical and health standards, policy, and guidance, and enterprise solutions to bridge such gaps.”.

SEC. 1642. MEDICAL COUNTERMEASURES PROGRAM.
(a) In General.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following new section:

SEC. 528. MEDICAL COUNTERMEASURES.
“(a) In General.—The Secretary shall establish a medical countermeasures program to facilitate personnel readiness, and protection for the Department’s employees and working animals and individuals in the Department’s care and custody, in the event of a chemical, biological, radiological, nuclear, or naturally occurring disease outbreak, or pandemic, and to support Department mission continuity.
“(b) Oversight.—The Medical Officer of the Department shall provide programmatic oversight of the medical countermeasures program established pursuant to subsection (a), and shall—
“(1) develop Department-wide standards for medical countermeasure storage, securing, dispensing, and documentation;”
“(2) maintain a stockpile of medical countermeasures, including antimicrobials, antivirals, and radiological countermeasures, as appropriate;”
“(3) preposition appropriate medical countermeasures in strategic locations nationwide, based on threat and employee density, in accordance with applicable Federal statutes and regulations;”
“(4) provide oversight and guidance on dispensing of stockpiled medical countermeasures;”
“(5) ensure rapid deployment and dispensing of medical countermeasures in a chemical, biological, radiological, nuclear, or explosive attack, naturally occurring disease outbreak, or pandemic;”
“(6) provide training to Department employees on medical countermeasure dispensing; and
“(7) support dispensing exercises.”
“(c) MEDICAL COUNTERMEASURES WORKING GROUP.—The Chief Medical Officer shall establish a medical countermeasures working group comprised of representatives from appropriate components and offices of the Department to ensure that medical countermeasures standards are maintained and guidance is consistent.
“(d) MEDICAL COUNTERMEASURES MANAGEMENT.—Not later than 180 days after the date of the enactment of this section, the Chief Medical Officer shall develop and submit to the Secretary an integrated logistics support plan for medical countermeasures, including:
“(1) a methodology for determining the ideal types and quantities of medical countermeasures to stockpile and how frequently such methodologies are evaluated;”
“(2) a replenishment plan; and
“(3) inventory tracking, reporting, and reconciliation procedures for existing stockpiles and new medical countermeasure purchases.”
“(e) STOCKPILE ELEMENTS.—In determining the types and quantities of medical countermeasures to stockpile under subsection (d), the Chief Medical Officer shall utilize, if available—
“(1) Department chemical, biological, radiological, and nuclear risk assessments; and
“(2) Centers for Disease Control and Prevention guidance on medical countermeasures.”
“(f) REPORT.—Not later than 180 days after the date of the enactment of this section, the Chief Medical Officer shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on progress in achieving the requirements of this section.”
“(g) CHERNOBYL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 527 the following new item:
“Sec. 528. Medical countermeasures.”.

TITLE VII—OTHER MATTERS
SEC. 1701. DECISION REGARDING CERTAIN EXECUTIVE PRIVILEGES.
Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall review existing Department of Homeland Security policy memoranda, including memoranda approved by prior Secretaries that remain in effect, to determine whether such memoranda should remain in effect and, if so, whether any of such memoranda should be modified.

SEC. 1702. PERMANENT AUTHORIZATION FOR ASIA-PACIFIC ECONOMIC COOPERATION BUSINESS TRAVEL CARD PROGRAM.
Section 2(a) of the Asia-Pacific Economic Cooperation Business Travel Cards Act of 2011 (Public Law 112–24; 8 U.S.C. 1185 note) is amended by striking “During the 7-year period ending on September 30, 2018,” the Secretary,” and inserting “The Secretary.”

SEC. 1703. AUTHORIZATION OF APPROPRIATIONS FOR OFFICE OF INSPECTOR GENERAL.
There is authorized to be appropriated for the Office of the Inspector General of the Department of Homeland Security $175,000,000 for each of fiscal years 2018 and 2019.

SEC. 1704. CANINE TEAMS.
The Commissioner of U.S. Customs and Border Protection may request additional canine teams when there is a justified and demonstrated shortage and such additional canine teams would be effective for drug detection at the border.

SEC. 1705. TECHNICAL AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.
(a) TITLE I.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), as amended by this Act, is further amended as follows:
(1) In subsection (a), by striking “biological,” each places it appears and inserting “biological, chemical,”
(2) by inserting “and” after the semicolon at the end.
(b) TITLE II.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended as follows:
(1) In section 202 (6 U.S.C. 122)—
(A) in subsection (c), in the matter preceding paragraph (1), by striking “Director, Central Intelligence” and inserting “Director of National Intelligence”; and
(B) by inserting the following new subparagraph:
“(5) An Administrator of the Transportation Security Administration.”.
(2) In subsection (d), by striking “and” at the end and inserting “section 708” and inserting “section 707”.
(c) TITLE III.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 131 et seq.) is amended as follows:
(1) In section 210B (6 U.S.C. 124)—
(A) by striking subsection (c); and
(B) by redesignating subsection (a) as subsection (c).
(2) In section 221(c)(1)(B) (6 U.S.C. 143(1)(B)), by striking “and” after the semicolon at the end.
(3) In section 225 (6 U.S.C. 145), by striking subsections (c) and (d).
(4) In section 228A (6 U.S.C. 159), by striking “biological,” each place it appears and inserting “biological, chemical,”
(5) In section 228A(c)(3)(C), by striking “section 707” and inserting “section 706.”
(d) TITLE IV.—Title IV of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended as follows:
(1) In section 302 (6 U.S.C. 182), by striking “and” after the item relating to section 327 the following new item:
“Sec. 528. Medical countermeasures.”.
(2) By redesigning the second section 319 (relating to EMP and GMD mitigation research and development) as section 320.
(3) By redesigning section 402 (6 U.S.C. 292) as section 401.
(4) In section 401(d), as so redesignated, by striking “section 429” and inserting “section 428.”
(5) By redesigning section 417 as section 416.

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(4) By redesignating section 427 (6 U.S.C. 235) as section 425.
(5) In section 425, as so redesignated, by striking subsection (c).
(6) By redesignating section 428 (6 U.S.C. 236) as section 426.
(7) In section 426, as so redesignated, in—
(A) in subsection (a), by striking paragraphs (2) and (3) and inserting—
(B) by striking subsections (g) and (h); and
(C) by redesignating subsection (i) as subsection (g).
(8) By redesignating section 429 (6 U.S.C. 237) as section 428.
(9) By redesigning section 430 (6 U.S.C. 238) as section 429.
(10) By striking section 431 (6 U.S.C. 239) as section 428.
(11) By redesigning section 432 (6 U.S.C. 240) as section 429.
(12) By redesigning section 433 (6 U.S.C. 241) as section 430.
(13) By amending the subtitle D heading to read as follows: "U.S. Immigration and Customs Enforcement".
(15) By striking section 446 (6 U.S.C. 256).
(16) In the subtitle E heading, by inserting "United States" before "Citizenship and Immigration Services".
(17) In section 452 (6 U.S.C. 272)—
(A) by striking "the Bureau of" each place it appears and inserting "United States"; and
(B) in subsection (f), in the subsection heading, by striking "BUREAU" and inserting "UNITED STATES".
(22) By striking section 460 (6 U.S.C. 277).
(23) By striking section 461 (6 U.S.C. 278).
(24) By redesigning section 462 (6 U.S.C. 279) as section 455.
(25) In section 455, as so redesignated, in subsection (b)(2)(A), in the matter preceding clause (i)—
(A) by striking "the Bureau of Citizenship and Immigration Services" and inserting "United States Citizenship and Immigration Services"; and
(B) by striking "Assistant Secretary of the Bureau of Border Security" and inserting "Director of U.S. Immigration and Customs Enforcement"; and
(C) by striking paragraph (3) and inserting paragraph (2).
(27) By redesigning section 473 (6 U.S.C. 293) as section 472.
(29) By redesigning section 476 (6 U.S.C. 296) as section 472.
(30) In section 472, as so redesignated—
(A) by striking "the Bureau of Citizenship and Immigration Services" each place it appears and inserting "United States Citizenship and Immigration Services"; and
(B) by striking "the Bureau of Border Security" each place it appears and inserting "U.S. Immigration and Customs Enforcement".
(33) In section 473, as so redesignated—
(A) in the section heading, by inserting "ANNUAL REPORT ON" before "IMMIGRATION";
(B) by striking subsection (b); and
(C) in subsection (a)—
(i) by striking "REPORT."—" and all that follows through "One year" and inserting "Review One year; and
(ii) by redesignating paragraph (2) as subsection (b) and moving such subsection two ems to left; and
(iii) by striking (b), as so redesignated—
(I) in the heading, by striking "INCLUDED" and inserting "INCLUDED"; and
(II) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively, and moving such paragraphs two ems to the left.
(e) TITLE V—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended as follows:
(1) In section 501 (6 U.S.C. 311)—
(A) in paragraph (b), by striking "section 502(a)(1)(A)" and inserting "section 502(a)(1)(B)";
(B) by redesignating paragraphs (9) through (14) as paragraphs (10) through (15), respectively; and
(C) by inserting after paragraph (8) the following new paragraph:
"(9) the term 'Nuclear Incident Response Team' means a resource that includes—
"(A) those entities of the Department of Energy that perform nuclear or radiological emergency support functions (including accident response, search response, advisory, and technical operations functions), radiation exposure functions at the medical assistance facility known as the Radiation Emergency Assistance Center/Training Site (REAC/TS), radiological assistance functions, and related functions; and
"(B) those entities of the Environmental Protection Agency that perform such support functions, including radiological emergency response functions and related functions.
"(2) By striking section 502 (6 U.S.C. 312).
"(3) In section 504(a)(3)(B) (6 U.S.C. 314(a)(3)(B)), by striking "the national Dis- aster Medical System,".
"(4) In section 506(c) (6 U.S.C. 316(c)), by striking "section 708" each place it appears and inserting "section 707".
"(5) In section 509(c)(2) (6 U.S.C. 319(c)(2)), in the matter preceding subparagraph (A), by striking "section 708" and inserting "section 707".
(f) TITLE VI.—Section 601 of the Homeland Security Act of 2002 (6 U.S.C. 331) is amended by striking "Director of Central Intelligence" each place it appears and inserting "Director of National Intelligence".
(g) TITLE VII—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended as follows:
(1) By striking section 706 (6 U.S.C. 346).
(2) By redesigning section 707 (6 U.S.C. 347) as section 706.
(3) By redesigning section 708 as section 707.
(4) By redesigning section 709 (relating to the Office of Strategy, Policy, and Plans) as section 708.
(5) In section 708, as so redesignated, in subsection (c)(3), by striking "section 707" and inserting "section 706".
(h) TITLE VIII—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended as follows:
(1) By redesigning section 812 as section 811.
(2) In section 811, as so redesignated—
(A) by striking subsections (a) and (c); and
(B) in subsection (b)—
(i) by striking "as added by subsection (a) of this section" each place it appears;
(ii) by redesigning paragraphs (2) through (4) as subsections (b) through (d), respectively, and by moving such subsections, as so redesignated, two ems to the left; and
(iii) in paragraph (1), by redesigning subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by moving such paragraphs, as so redesignated, two ems to the left; and
(iv) by striking "(b) PROMOTION OF INITIAL GROWTH" that follows through "In this subsection" and inserting the following:
"(a) DEFINITION.—In this section;"
SEC. 2002. ESTABLISHMENT OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.

(a) In General.—Section 422 of the Homeland Security Appropriations Act of 2002 (6 U.S.C. 252) is amended to read as follows:

"SEC. 422. ESTABLISHMENT OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.

"(a) Establishment.—There is established within the Department an agency to be known as "U.S. Immigration and Customs Enforcement.

"(b) Director of U.S. Immigration and Customs Enforcement.—There shall be at the head of U.S. Immigration and Customs Enforcement an Executive Associate Director who shall be responsible for the administration of U.S. Immigration and Customs Enforcement (in this section referred to as the "Director").

"(c) Duties and Qualifications.—The Director shall—

"(1) have a minimum five years—

"(A) professional experience in law enforcement (which may include enforcement of the immigration laws, as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) or the customs and trade laws of the United States, as defined in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4301)); and

"(B) management experience;

"(2) identify, arrest, detain and seek the removal of inadmissible and deportable aliens and otherwise enforce the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), other than through criminal prosecutions;

"(3) investigate and, where appropriate, refer for prosecution, any criminal or civil violation of Federal law relating to or involving—

"(A) the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)));

"(B) border control and security, including the prevention of the entry or residence of terrorists, criminals, and human rights violators;

"(C) the customs and trade laws of the United States, as defined in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4301);

"(D) the import or export of merchandise, including the illicit possession, movement of, or trade in goods, services, property, arms, instruments of terrorism, items controlled or prohibited from export, child exploitation, Internet piracy, or currency or other monetary instruments;

"(E) bulk cash smuggling or other financial crimes with a cross border or international nexus;

"(F) transnational gang activity;

"(G) chapter 40 or 44 of title 18, United States Code, or other violation relating to firearms, explosives, or other destructive devices involving an alien;

"(H) severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102);

"(I) the production, procurement, counterfeiting, alteration, or use of fraudulent immigration documents or fraudulently obtaining immigration benefits;

"(J) unlawful use of personal information, including immigration document fraud, as such use has an impact on border security, terrorism, customs, immigration, naturalization, trade, travel, or transportation security;

"(K) drug laws, as specified in the Controlled Substance Act and the Controlled Substance Import and Export Act in the context of cross-border criminal activity; or

"(L) fraud relating to or involving any matter specified in this paragraph.

"(4) administer the National Intellectual Property Rights Coordination Center established in section 305 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125; 19 U.S.C. 3341);

"(5) jointly with the Commissioner of U.S. Customs and Border Protection, develop and submit the joint strategic plan required under section 106 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125; 19 U.S.C. 3341);

"(6) coordinate with Federal, State, local, tribal, and foreign agencies, in carrying out the duties described in paragraphs (2) and (3);

"(7) in coordination with the Department of State and the Office of International Affairs of the Department, establish staff liaison offices and vetted units in appropriate foreign countries to support the counterterrorism efforts and other international activities including investigations and repatriation efforts;

"(8) assign employees of the Department to diplomatic and consular posts, in coordination with the Secretary, pursuant to section 426(e);

"(9) establish, maintain, and administer appropriate law enforcement centers in furtherance of the Director’s statutory duties, including interagency centers, in accordance with applicable law, or as prescribed by the Secretary.

"(10) administer the Border Enforcement Security Task Force established under section 426;

"(11) operate the Cyber Crimes Center established in section 890A;

"(12) in carrying out paragraph (3), administer internal conspiracy investigations at United States ports of entry;

"(13) carry out other duties and powers prescribed by law, or delegated by the Secretary.

"(b) General Enforcement Powers.—The Director may authorize agents and officers of U.S. Immigration and Customs Enforcement to—

"(1) carry out the duties and responsibilities authorized under sections 287 and 274A of the Immigration and Nationality Act (8 U.S.C. 1257 and 8 U.S.C. 1324a(a)) and section 589 of the Tariff Act of 1930 (19 U.S.C. 1588a);

"(2) offer and pay rewards for services and information leading to the apprehension of persons involved in or the attempts of violation of those provisions of law which United States Immigration and Customs Enforcement is authorized by statute to enforce;

"(3) conduct undercover investigative operations pursuant to section 294 of the Immigration and Nationality Act (8 U.S.C. 1363a), and section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081; enacted as part of the Anti-Drug Abuse Act of 1986); and

"(4) carry out other duties and responsibilities provided under the laws of the United States.

"(c) Deputy Director.—There shall be a Deputy Director of U.S. Immigration and Customs Enforcement who shall assist the Director in managing U.S. Immigration and Customs Enforcement and who shall assist the Director in carrying out the Director’s duties.

"(d) Office of Homeland Security Investigations.—

"(1) There is established in U.S. Immigration and Customs Enforcement an Office of Homeland Security Investigations.

"(2) Executive Associate Director.—There shall be at the head of the Office of Homeland Security Investigations an Executive Associate Director, who shall report to the Director.

"(3) Duties.—The Office of Homeland Security Investigations shall—
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(A) serve as the law enforcement office of U.S. Immigration and Customs Enforcement with a primary responsibility to conduct investigations of terrorist organizations and other threats that threaten homeland or border security;

(B) serve as the law enforcement office of U.S. Immigration and Customs Enforcement with the primary responsibility to conduct investigations of, and, where appropriate, refer for prosecution, any criminal or civil violation of Federal law, including—

(i) money laundering offenses with a cross-border nexus;

(ii) bulk cash smuggling with a cross-border nexus;

(iii) commercial fraud with a cross-border nexus and intellectual property theft;

(iv) cybercrimes;

(v) human smuggling and human trafficking as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102), and human rights violations as defined by 28 U.S.C. 599(e);

(vi) narcotics and weapons smuggling and trafficking;

(vii) export violations;

(viii) international antitrust violations; and

(x) any other criminal or civil violation prescribed by law or delegated by the Director:

(C) administer the program to collect information relating to nonimmigrant foreign students and other exchange program participants described in section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372), including the Student and Exchange Visitor Information System established under such section, and use such information to carry out the enforcement functions of United States Immigration and Customs Enforcement;

(D) administer a National Export Enforcement Coordination Center, which shall serve as the primary information sharing forum to coordinate, monitor, and promote Federal and international investigations of export control offenses;

(E) conduct investigations of alleged violations of, and make arrests under, section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), including referring for prosecution any employer or contractor of U.S. Immigration and Customs Enforcement, and

(F) a bulk cash smuggling center, which shall serve to investigate domestic and international bulk cash smuggling activities and support law enforcement in effecting the seizure and restrict bulk cash smuggling;

(G) investigate and refer for prosecution public safety matters involving (to the extent permitted by paragraph (h)(4))—

(i) large-scale operations prosecuted pursuant to chapter 96 (relating to racketeer influenced and corrupt organizations) of title 18, United States Code; and

(ii) the smuggling into, and sale within, the United States of weapons; and

(H) carry out other duties and powers prescribed by the Director.

(i) Office of Enforcement and Removal Operations.

(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Enforcement and Removal Operations.

(2) EXECUTIVE ASSOCIATE DIRECTOR.—There shall be at the head of the Office of Enforcement and Removal Operations an Executive Associate Director, who shall report to the Director.

(3) DUTIES.—The Office of Enforcement and Removal Operations shall—

(A) serve as the law enforcement office of U.S. Immigration and Customs Enforcement with primary responsibility to enforce the civil immigration and nationality laws of the United States;

(B) identify, locate, arrest, detain, and seek the removal of aliens in custody settings or at-large, and remove aliens ordered removed, who—

(i) are inadmissible or deportable under sections 1182(a)(3) or 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3) or 1227(a)(4)), or otherwise present a national security risk to the United States;

(ii) are inadmissible or deportable under sections 1182(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2) or 1227(a)(2));

(iii) undermine the border security efforts and operations of the United States;

(iv) enter the United States in violation of Federal law;

(v) are unlawfully present in the United States;

(vi) are members of a criminal gang or participate in gang-related crimes, except as described in subsection (j)(3);

(vii) constitute threats to the public safety; or

(viii) are otherwise subject to exclusion, deportation, or removal from the United States;

(C) refer for prosecution aliens described in subparagraph (B) or section 237(g)(5) of title 18, United States Code;

(D) have custody (and the authority to release) over aliens detained for potential exclusion, deportation, or removal from the United States, manage the administrative and adjudicative functions of U.S. Immigration and Customs Enforcement, and provide necessary, and appropriate medical care to detained aliens in the custody of the agency;

(E) plan, coordinate, and manage the execution of exclusion, deportation, and removal orders issued to aliens;

(F) investigate and refer for prosecution a civil or criminal violation of the immigration laws or an offense described in section 287(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1357(a)(5));

(G) carry out other duties and powers as prescribed by the Director.

(2) OFFICE OF THE PRINCIPAL LEGAL ADVISOR.—

(I) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of the Principal Legal Advisor.

(2) PRINCIPAL LEGAL ADVISOR.—There shall be at the head of the Office the Principal Legal Advisor a Principal Legal Advisor to the Director.

(3) DUTIES.—The office of the Principal Legal Advisor shall—

(A) provide specialized legal advice and policy guidance to the Office of the Director;

(B) represent the Department in all exclusion, deportation, and removal proceedings before the Executive Office for Immigration Review;

(C) represent U.S. Immigration and Customs Enforcement in venues and fora as authorized by the Director or General Counsel of the Department of Homeland Security, or otherwise permitted by law; and

(D) carry out other duties and powers as prescribed by the Director.

(2) OFFICE OF PROFESSIONAL RESPONSIBILITY.—

(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Professional Responsibility.

(2) ASSISTANT DIRECTOR.—There shall be at the head of the Office of Professional Responsibility an Assistant Director, who shall report to the Director.

(3) DUTIES.—The Office of Professional Responsibility shall—

(A) investigate allegations of administrative, civil, and criminal misconduct involving any employee or contractor of U.S. Immigration and Customs Enforcement;

(B) inspect and review United States Immigration and Customs Enforcement's offices, operations, and processes, including detention facilities operated or used by U.S. Immigration and Customs Enforcement, and provide an independent review of United States Immigration and Customs Enforcement's operations of, and make arrests under, section 287(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1357(a)(5));

(C) provide and manage the security programs and operations for U.S. Immigration and Customs Enforcement;

(D) carry out other duties and powers as prescribed by the Director.

(4) Office of Management and Administration.

(1) IN GENERAL.—There is established in U.S. Immigration and Customs Enforcement an Office of Management and Administration.

(2) EXECUTIVE ASSOCIATE DIRECTOR.—There shall be at the head of the Office of Management and Administration an Executive Associate Director, who shall report to the Director.

(3) DUTIES.—The Office of Management and Administration shall—

(A) administer the Office of Human Capital to provide guidance to the agency and ensure compliance with human resources policies and practices;

(B) administer the Office of Chief Financial Officer;

(C) administer the Office of Policy to develop and communicate the agency policies and priorities;

(D) create best practices to efficiently respond to all Freedom of Information Act requests received by the agency;

(E) manage all information technology systems within the agency; and

(F) carry out additional duties as assigned or delegated by the Director.

(4) DEPARTMENTAL EVIDENCE DATA BASES.—Notwithstanding any other provision of this Act, any officer within the Office of Enforcement and Removal Operations engaged in the duties of that office under subsection (j)(3)(C) or (j)(3)(F) shall be provided access, in connection to such duties, to databases necessary for data collection, recordation, and retention of any evidence collected.

(5) OTHER AUTHORITY.—

(1) IN GENERAL.—The Secretary may establish such other Executive Associate Directors, or other similar positions or offices, as the Secretary determines necessary to carry out the missions, duties, functions, and authorities of U.S. Immigration and Customs Enforcement.

(4) DEFINITION.—If the Secretary exercises the authority provided pursuant to paragraph (1), the Secretary shall notify the Committee on the Judiciary and the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs.
item relating to section 422 and inserting the following:

"Sec. 422. Establishment of U.S. Immigration and Customs Enforcement."
"(3) DUTIES.—The Office of Policy and Strategy shall—

(A) develop policy recommendations for the Director;

(B) coordinate strategy for policy implementation; and

(C) carry out other duties and powers prescribed by law or delegated by the Director.

(4) ASSOCIATE DIRECTOR.—

(1) IN GENERAL.—There is established within the United States Citizenship and Immigration Services an Office of Citizenship.

(2) CHIEF.—There shall be at the head of the Office of Citizenship a Chief.

(3) DUTIES.—The Office of Citizenship shall—

(A) promote instruction and training on citizenship responsibilities, as well as assimilation and civic integration, for eligible aliens who are interested in becoming naturalized citizens of the United States; and

(B) carry out other duties and powers prescribed by law or delegated by the Director.

(5) FRAUD DETECTION AND NATIONAL SECURITY DIRECTORATE.—

(A) IN GENERAL.—There is established within United States Citizenship and Immigration Services a Fraud Detection and National Security Directorate.

(B) ASSOCIATE DIRECTOR.—There shall be at the head of the Fraud Detection and National Security Directorate an Associate Director who shall report to the Director.

(6) DUTIES.—The Fraud Detection and National Security Directorate an Associate Director who shall report to the Director.

(7) Field Operations Directorate shall—

(A) oversee field offices;

(B) oversee the adjudication of immigration benefits applications and petitions, and naturalizations;

(C) conduct interviews for pending immigration benefits applications and petitions;

(D) conduct naturalization ceremonies;

(E) conduct required security and background checks for pending applications and petitions;

(F) ensure the integrity of immigration benefit processing that occurs at the field offices; and

(G) carry out other duties and powers prescribed by law or delegated by the Director.

(8) FEE REFUND AND INTERNATIONAL OPERATIONS DIRECTORATE.—

(A) IN GENERAL.—There is established within the United States Citizenship and Immigration Services a Fee Refund and International Operations Directorate.

(B) ASSOCIATE DIRECTOR.—There shall be at the head of the Fee Refund and International Operations Directorate an Associate Director who shall report to the Director.

(C) DUTIES.—The Fee Refund, Asylum, and International Operations Directorate shall—

(A) oversee refugee application adjudication and interviews;

(B) oversee asylum application adjudication and interviews;

(C) seek to ensure the integrity of application processing that occurs under the Refugee, Asylum and International Operations Directorate’s authority;

(D) perform other authorized functions of United States Citizenship and Immigration Services, such as those associated with international adoptions and naturalization of members the Armed Forces; and

(E) carry out other duties and powers prescribed by law or delegated by the Director.

(9) SERVICE CENTER OPERATIONS DIRECTORATE.—

(A) IN GENERAL.—There is established within the United States Citizenship and Immigration Services a Service Center Operations Directorate an Associate Director who shall report to the Director.

(B) DUTIES.—The Service Center Operations Directorate shall—

(A) oversee and manage all Service Centers;

(B) oversee the adjudication of immigration benefit applications and petitions that occur at Service Centers;

(C) carry out other duties and powers prescribed by law or delegated by the Director.

(10) MANAGEMENT DIRECTORATE.—

(A) IN GENERAL.—There is established within the United States Citizenship and Immigration Services a Management Directorate.

(B) ASSOCIATE DIRECTOR.—There shall be at the head of the Management Directorate an Associate Director who shall report to the Director.

(11) DUTIES.—The Management Directorate shall carry out management duties and powers prescribed by law or delegated by the Director.

(12) OFFICE OF PROFESSIONAL RESPONSIBILITY.—

(A) IN GENERAL.—There is established within the United States Citizenship and Immigration Services an Office of Professional Responsibility.

(B) CHIEF.—There shall be at the head of the Office of Professional Responsibility a Chief who shall report to the Director.

(C) DUTIES.—The Office of Professional Responsibility shall—

(A) seek to ensure compliance with all United States Citizenship and Immigration Services programs and policies relating to corruption, misconduct, or mismanagement;

(B) investigate allegations of administrative, civil, and criminal misconduct involving any employee or contractor of United States Citizenship and Immigration Services; and

(C) carry out other duties and powers prescribed by law or delegated by the Director.

(13) OTHER AUTHORITIES.—

(A) IN GENERAL.—The Secretary may establish such other Associate Directors, or other similar positions or officials, as the Secretary determines necessary to carry out the missions, duties, functions, and authorities of the United States Citizenship and Immigration Services.

(B) NOTIFICATION.—If the Secretary exercises the authority provided pursuant to paragraph (1), the Secretary shall notify the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives and the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days prior to the exercise of such authority.

(20) RULES OF CONSTRUCTION.—

(A) RULES AND REGULATIONS.—Notwithstanding the treatment described in paragraph (1), nothing in this division may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as amended by subsection (a) of this section, or any similar provision of law, including any rule or regulation issued or promulgated pursuant to any provision of law, including section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as amended by subsection (a) of this section, or any similar provision of law.

(B) OTHER ACTIONS.—Notwithstanding the treatment described in paragraph (1), nothing in this division may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of law, including section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as amended by subsection (a) of this section, or any such action, determination, policy, or decision.
Immigration Services on the day before the date of the enactment of this division may, notwithstanding the treatment provision under paragraph (1) of subsection (b), continue to serve as the Director of United States Citizenship and Immigration Services on and after such date of enactment in accordance with section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271), as amended by subsection (a) of this section, until the earlier of—

(A) the date on which such individual is no longer eligible to serve as Director; or
(B) the date on which a person nominated by the President to be the Director is confirmed by the Senate in accordance with such amended section 451.

(2) OTHER REFERENCES.—The individuals serving as Chiefs, Associate Directors and other officers and officials under section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) on the day before the date of the enactment of this division may, notwithstanding the treatment provision under paragraph (1) of subsection (b), serve as the appropriate Chiefs, Assistant Directors and other officers and officials under such section 451 if confirmed by the Senate in accordance with such amended section 451.

(3) C LERICAL AMENDMENT.—The table of contents in section 451 of the Homeland Security Act of 2002 as of the date of enactment of this Act, including joint training between the two.

SEC. 4006. INCREASED TRAINING.

The Director of the Secret Service is authorized to construct facilities at the Rowley Training Center necessary to improve the training of officers of the United States Secret Service Uniformed Division established under section 3056 of title 18, United States Code and agents operating pursuant to section 3056 of title 18, United States Code, including joint training between the two.

SEC. 4007. EVALUATION OF VULNERABILITIES AND THREATS.

(a) In General.—The Director of the Secret Service shall devise and adopt improved procedures for evaluating vulnerabilities in the security of the White House and threats to persons protected by the Secret Service, including threats posed by unmanned aerial systems or explosive devices.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

(1) the Committee on the Judiciary of the House of Representatives;
(2) the Committee on Homeland Security and Governmental Affairs of the Senate; and
(3) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 4008. EVALUATION OF USE OF TECHNOLOGY.

(a) In General.—The Director of the Secret Service shall evaluate the practicality of equipping agents and officers with weapons other than those provided to officers and agents of the Secret Service as of the date of enactment of this Act, including threats posed by unmanned aerial systems, equipment, and services to secure non-Governmental property in addition to the one non-Governmental property designated by each protector under subsection (a) or (b) of section 3.

(b) CONFORMING AMENDMENTS.—The Presidential Protection Act of 1976 (18 U.S.C. 3056 note) is amended by striking section 4 and inserting in its stead—

SEC. 471. COMBINATION PROHIBITION.

The authority provided by section 1502 of the Homeland Security Act of 2002 may be used to reorganize functions or organizational units within United States Citizenship and Immigration Services, but may not be used to combine the two components into a single agency or otherwise to combine, join, or consolidate functions or organizational units of the two components with each other.

(2) C LERICAL AMENDMENT.—The table of contents in section 1502 of the Homeland Security Act of 2002 as of the date of enactment of this Act includes the provisions of the Ethics in Government Act of 1978, as amended, to provide increased training to employees of the United States Secret Service.

SEC. 4012. SECRET SERVICE PROTECTION AT POLLING PLACES.

Subject to the oversight of the Office of Chief Counsel of the United States Secret Service, the Director of the Secret Service shall establish an Ethics Program Office, consisting of a minimum of two employees, to administer the provisions of the Ethics in Government Act of 1978, as amended, and to provide increased training to employees of the United States Secret Service.
SEC. 501. SHORT TITLE. This Act may be cited as the "Coast Guard Authorization Act of 2017."
“(b) INCENTIVE CONTRACTS.—

(1) The parties to an order for industrial work to be performed by the Coast Guard Yard or a Coast Guard industrial establishment under subsection (a) may enter into an order or a cost-plus-incentive-fee order in accordance with this subsection.

(2) If such parties enter into such an order or a cost-plus-incentive-fee order, an agreed-upon amount must be credited to the appropriation for such agreement and distributed to such Coast Guard Yard or such Coast Guard industrial establishment.

(3) Before entering into such an order or cost-plus-incentive-fee order, such parties must agree that the wage-grade employees of the Coast Guard Yard or Coast Guard industrial establishment will take action to improve the delivery schedule or technical performance agreed to in the order for industrial work to which such parties initially agreed.

(4) Notwithstanding any other provision of law, if the industrial workforce of the Coast Guard Yard or such Coast Guard industrial establishment satisfies the performance target established in such an order or cost-plus-incentive-fee order, the Coast Guard may include to the extent otherwise required.

(c) CONFORMING AMENDMENTS.—The following provisions are repealed:

(1) Section 113(g) of title 12, United States Code, is amended by adding at the end of the section the following:

“(11) The Commandant may, at any time, modify, cancel, or terminate an order for a ship-life extension or enhanced maintenance program.

SEC. 5218. AIRCRAFT IMPROVEMENTS.

Of the amounts authorized under section 2702(2) of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 there is authorized to be appropriated up to $3,500,000 to the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction, rebuilding or improvement of Coast Guard shore-based infrastructure and facilities necessary to support Coast Guard operations and readiness.

SEC. 5219. ACQUISITION PLAN FOR INLAND WATERWAY AND RIVER TENDER AND BAY-CLASS ICEBREAKERS.

(a) ACQUISITION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to replace or extend the life of the Coast Guard fleet of inland waterway and river tenders, and the Bay-class icebreakers.

(b) CONTENTS.—The plan under subsection (a) shall include—

(1) a description of the work required to extend the life of vessels described in subsection (a);

(2) recommendations for which, if any, such vessels it is cost effective to undertake a ship-life extension or enhanced maintenance program;

(3) an analysis of the aids to navigation provided to determine whether navigational technology may reduce the needs for physical aids to navigation;
(4) recommendations for changes to physical aids to navigation and the distribution of such aids that reduce the need for the acquisition of vessels to replace the vessels described in subsection (a); (5) a schedule for the acquisition of vessels to replace the vessels described in subsection (a), including the date on which the first vessel will be delivered; (6) an estimate of the cost per vessel and of the total cost of the acquisition program of record; and (7) a description of the order in which vessels to replace the vessels described in subsection (a) will be built, and the homeports of each such vessel upon its commissioning.

SEC. 2221. RECOVERY IN THE COAST GUARD.

(a) In GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on sexual assault prevention and response policies of the Coast Guard and strategic goals related to sexual assault victim recovery.

(b) CONTENTS.—The report shall—

(1) describe Coast Guard strategic goals relating to sexual assault prevention, response, and accountability, and actions taken by the Coast Guard to promote sexual assault victim recovery;
(2) explain how Coast Guard victim recovery is being incorporated into Coast Guard strategic and programmatic guidance related to sexual assault prevention and response;
(3) examine current Coast Guard sexual assault prevention and response policy with respect to—
(A) Coast Guard criteria for what comprises sexual assault victim recovery;
(B) alignment of Coast Guard personnel policies to enhance—
(i) an approach to sexual assault response that gives priority to victim recovery;
(ii) upholding individual privacy and dignity; and
(iii) the opportunity for the continuation of Coast Guard service by sexual assault victims; and
(C) sexual harassment response, including a description of the circumstances under which sexual harassment is considered a criminal offense; and
(4) to ensure victims and supervisors understand the full scope of resources available to aid in sexual assault recovery, explain how the Coast Guard informs its workforce about policies related to victim recovery.

TITLE III—PORTS AND WATERWAYS SAFETY

SEC. 3001. CODIFICATION OF PORTS AND WATERWAYS SAFETY ACT.

(a) Codification.—Subtitle VII of title 6, United States Code, is amended by inserting, before chapter 701 the following:

"CHAPTER 700—PORTS AND WATERWAYS SAFETY

"SUBCHAPTER A—VESSEL OPERATIONS

"Sec.

"7001. Vessel traffic services.
"7002. Special powers.
"7003. Requirements to notify Coast Guard of release of objects into the navigable waters of the United States.
"7004. Considerations by Secretary.
"7005. International agreements.

"SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

"Sec.

"7001. Waterfront safety.
"7002. Navigational hazards.
"7003. Requirements to notify Coast Guard of release of objects into the navigable waters of the United States.

"SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

"70021. Conditions for entry to ports in the United States.

"SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY

"70031. Definitions.
"70032. Saint Lawrence Seaway.
"70033. Limitation on application to foreign vessels.
"70034. Regulations.
"70035. Investigatory powers.
"70036. Enforcement.

"SUBCHAPTER E—VESSEL OPERATIONS

"§ 70001. Vessel traffic services

(4) may control vessel traffic in areas subjected to information, advice, or communication assistance while under the supervision of a Coast Guard officer, employee or contractor shall not be liable for damages caused by or related to such assistance unless the acts or omissions of such pilot constitute gross negligence or willful misconduct.

"(2) NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.—An entity operating a non-Federal vessel traffic information service or an advisory service pursuant to a fully executed written agreement with the Coast Guard, and any pilot acting on behalf of such entity, is not liable for damages caused by or related to information, advice, or communication assistance provided by such entity or pilot while so operating or acting unless the acts or omissions of such entity or pilot constitute gross negligence or willful misconduct.

"70002. Special powers

"The Secretary may order any vessel, in a port or place subject to the jurisdiction of the United States or in the navigable waters of the United States, to operate or anchor in a manner the Secretary directs if—

(1) the Secretary has reasonable cause to believe such vessel does not comply with any regulation issued under section 70034 or any other applicable law or treaty.

(2) the Secretary determines such vessel does not satisfy the conditions for port entry set forth in section 7021 of this title; or

(3) by reason of weather, visibility, sea conditions, port congestion, other hazardous circumstances, or the operation of such vessel, the Secretary is satisfied such direction is justified in the interest of safety.

"70003. Port access routes

"(A) AUTHORITY TO DESIGNATE.—Except as provided in subsection (b) and subject to the requirements of subsection (c), in order to provide safe access routes for the movement of vessels to or from ports or places subject to the jurisdiction of the United States, the Secretary shall designate necessary fairways and traffic separation schemes for vessels operating in the territorial sea of the United States and in high seas approaches, outside the territorial sea, to such ports or places. Such a designation shall recognize, within the designated area, the paramount right of navigation over all other uses.
(b) LIMITATION.—

(1) IN GENERAL.—No designation may be made by the Secretary under this section if—

(A) the Secretary determines such a designation would jeopardize, would be detrimental to, or would deprive any person of the effective exercise of a right granted by a lease or permit executed or issued under another applicable provision of law; or

(B) such right has become vested before the time of publication of the notice required by paragraph (1) of subsection (c).

(2) Action by Head of Agency.—The Secretary shall make the determination under paragraph (1)(A) after consultation with the head of the agency responsible for executing the lease or issuing the permit.

(c) CONSIDERATION OF OTHER USES.—Before making a designation under subsection (a), and in accordance with the requirements of section 70004, the Secretary shall—

(1) undertake a study of the potential traffic density and the need for safe access routes for vessels in any area for which fairways or traffic separation schemes are proposed or that may otherwise be considered, and publish notice of such undertaking in the Federal Register;

(2) in consultation with the Secretary of State, the Secretary of the Interior, the Secretary of the Army, and the Governors of affected States, as their responsibilities may require, take into account all other uses of the area under consideration, as appropriate, to the exploration for, or exploitation of, oil, gas, or other mineral resources, the construction or operation of deepwater ports or other structures on or above the seabed or subsoil of the submerged lands or the Outer Continental Shelf of the United States, the establishment or operation of marine or estuarine sanctuaries, any activities involving recreational or commercial fishing; and

(3) to the extent practicable, reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved.

(d) STUDY.—In carrying out the Secretary’s responsibilities under subsection (c), the Secretary shall—

(1) proceed expeditiously to complete any study undertaken; and

(2) after completion of such a study, promptly

(A) issue a notice of proposed rulemaking for the designation contemplated; or

(B) publish in the Federal Register a notice of the proposed rulemaking as a result of the study and the reason for such determination.

(e) IMPLEMENTATION OF DESIGNATION.—In connection with a designation made under this section, the Secretary—

(1) shall issue reasonable rules and regulations concerning the use of such designated areas, including rules and regulations regarding the applicability of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to security of channels and traffic separation schemes, respectively, in waters where such regulations apply;

(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of the designation, make the use of designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States and for specific types and sizes of vessels of the United States operating on the high seas beyond the territorial sea of the United States;

(3) may, from time to time, as necessary, adjust the limits of designated fairways or traffic separation schemes in order to accommodate the needs of other uses that cannot be reasonably accommodated otherwise, except that such an adjustment may not, in the judgment of the Secretary, unacceptably adversely affect the safety and security of United States ports and waterways, including—

(A) the scope and degree of the risk or hazard involved;

(B) vessel traffic characteristics and trends, including traffic volume, the sizes and types of vessels involved, potential interference with the flow of commercial traffic, the presence of any unusual cargoes, and other similar factors;

(C) port, harbor, or waterway configurations and variations in local conditions of geography, climate, and other similar factors;

(D) the need for granting exemptions for the installation of equipment or devices for use with vessel traffic services for certain classes of small vessels, such as self-propelled fishing vessels and recreational vessels;

(E) the proximity of fishing grounds, oil and gas drilling and production operations, or any other potential or actual conflicting activity;

(F) environmental factors;

(G) economic impact and effects; and

(H) existing vessel traffic services; and

(I) local practices and customs, including voluntary arrangements and agreements within the maritime community; and

(2) at the earliest possible time, consult with and receive and consider the views of representatives of the maritime community, ports and harbor authorities or associations, environmental, and other persons who may be affected by the proposed actions.

§ 70005. International agreements

(a) TRANSMITTAL OF REGULATIONS.—The Secretary shall transmit, via the Secretary of State, to appropriate international bodies or forums, any regulations issued under this subchapter, for consideration as international standards.

(b) AGREEMENTS.—The President is authorized and encouraged to—

(1) enter into negotiations and conclude and execute agreements with neighboring nations, to establish compatible vessel standards and vessel traffic services, and to establish, operate, and maintain international vessel traffic services, in areas and under circumstances of mutual concern; and

(2) enter into negotiations, through appropriate international bodies, and conclude and execute agreements to establish vessel traffic services in appropriate areas of the high seas.

(c) OPTIMIZATIONS.—The Secretary, pursuant to any agreement negotiated under subsection (b) that is binding upon the United States in accordance with constitutional requirements—

(1) require vessels operating in an area of a vessel traffic service to utilize or to comply with the vessel traffic service, including the carrying or installation of equipment and devices as necessary for the use of the service, and

(2) by rule or regulation, the application of any United States law or regulation concerning the design, construction, operation, equipment, personnel qualifications, and manning standards for vessels operating in waters over which the United States exercises jurisdiction if such vessel is not en route to or from a United States port or place, and, if vessels on en route to or from a United States port or place are accorded equivalent waivers of laws and regulations of the neighboring nation, when operating in waters over which that nation exercises jurisdiction.

(d) SHIP REPORTING SYSTEMS.—The Secretary, in cooperation with the International Maritime Organization, may implement and enforce two mandatory ship reporting systems, consistent with international law, with respect to vessels subject to such reporting systems entering the following areas of the Atlantic Ocean:

(1) Cape Cod Bay, Massachusetts Bay, and Great South Channel (in the area generally bounded by a line drawn on Cape Ann, Massachusetts at 42 deg. 39′ N., 70 deg. 37′ W; then northeast to 42 deg. 45′ N., 70 deg. 30′ W, then east to 42 deg. 16′ N., 68 deg. 31′ W, then south to 41 deg. 00′ N., 68 deg. 31′ W; then west to 41 deg. 00′ N., 68 deg. 17′ W; then northwest to 42 deg. 05′ N., 70 deg. 02′ W; then west to 42 deg. 04′ N., 70 deg. 10′ W; and then along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann at 43 deg. 39′ N., 77 deg. W).

(2) In the coastal waters of the Southeastern United States within about 25 nm along a 90 nm stretch of the Atlantic seaboard in an area bounded from the shoreline east to longitude 80 deg. 51.6′ W with the southern and northern boundary at latitudes 30 deg. 00′ N., 31 deg. 27′ N., respectively.

SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

§ 70011. Waterfront safety

(a) IN GENERAL.—The Secretary may take such action as is necessary to prevent damage or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such structure, by a vessel, or any other potential or actual conflicting activity;

(b) ACTIONS AUTHORIZED.—Actions authorized by this subsection (a) include—

(1) establishing procedures, measures, and standards for the handling, loading, unloading, storage, stowage, and movement on a structure (including the emergency removal, and disposal or other measures) of any oil or hazardous materials on or in a vessel or any other structure, or in a vessel and its equipment;

(2) prevent the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or learning.

(c) STATE LAW.—Nothing in this section, with respect to structures, prohibits a State...
or political subdivision thereof from prescribing higher safety equipment requirements or safety standards than those that may be prescribed by regulations under this section.

§ 70012. Navigational hazards

(a) REPORTING PROCEDURE.—The Secretary shall establish a program to encourage fishermen and other vessel operators to report to the Secretary any existing or potential navigational hazards involving pipelines to the Secretary through Coast Guard field offices.

(b) SECRETARY'S RESPONSE.—

(1) NOTIFICATION BY THE OPERATOR OF A PIPELINE.—Upon notification by the operator of a pipeline of a hazard to navigation with respect to that pipeline, the Secretary shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, and vessel owners and operators of the pipeline's vicinity.

(2) NOTIFICATION BY OTHER PERSONS.— Upon notification by any other person of a hazard or potential hazard to navigation with respect to such a pipeline, the Secretary shall promptly determine whether a hazard exists, and if so shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline's vicinity, and the owner and operator of the pipeline.

(c) PIPELINE DEFINED.—For purposes of this section, the term 'pipeline' has the meaning given the term 'pipeline facility' in section 7103(b) of title 49.

§ 70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States

(a) REQUIREMENT.—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Rivers and Harbors Appropriations Act of 1899 (33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army to the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

(b) RESTRICTION ON USE OF NOTIFICATION.—Any notification provided by an individual or any other person in accordance with subsection (a) may not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.

§ 70021. Conditions for entry to ports in the United States

(a) IN GENERAL.—No vessel that is subject to any chapter 7 shall operate in the navigable waters of the United States or transfer cargo or residue in any port or place under the jurisdiction of the United States, if such vessel—

(1) has a history of accidents, pollution incidents, or serious repair problems that, as determined by the Secretary, creates reason to believe such vessel may be unsafe or may create a threat to the marine environment;

(2) fails to comply with any applicable regulation issued under section 7001, chapter 37, or any other applicable law or treaty;

(3) discharges oil or hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with any treaty to which the United States is a party; or

(4) does not comply with any applicable vessel operator's certificate.

(b) POWERS.—In an investigation under this section, the Secretary may issue subpoenas to require the attendance of witnesses and the production of documents or other evidence relating to any violation, accident, or act. If any person refuses to obey a subpoena, the Secretary may request the appropriate district court of the United States to compel compliance with the subpoena. Any district court of the United States may, in the case of refusal to obey a subpoena, issue an order requiring compliance with the subpoena, and failure to obey the order may be punished by the court as contempt of court.

(c) ENFORCEMENT PROCEDURE.—The authority granted under this section may not be delegated with respect to the Saint Lawrence Seaway.

(d) AUTHORITY.—The authority granted to the Secretary under subsection (b) may be delegated to the Saint Lawrence Seaway Development Corporation. If the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

§ 70032. Saint Lawrence Seaway

The authority granted to the Secretary under sections 70001, 70002, 70003, 7004, and 70011 may not be delegated with respect to the Saint Lawrence Seaway to any agency other than the Saint Lawrence Seaway Development Corporation. Any other authority granted the Secretary under subchapters A through C and this subchapter shall be delegated by the Secretary to the Saint Lawrence Seaway Development Corporation to the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

§ 70033. Limitation on application to foreign vessels

Except pursuant to international treaty, convention, or agreement, to which the United States is a party, subchapters A through C and this subchapter shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

(1) innocent passage through the territorial sea of the United States; or

(2) transit through certain navigable waters of the United States that form a part of an international strait.

§ 70034. Regulations

(a) IN GENERAL.—In accordance with section 7001, the Secretary shall issue, and may from time to time amend or repeal, regulations necessary to implement subchapters A through C.

(b) CONSULTATION.—In the exercise of the regulatory authority under subchapters A through C and this subchapter, the Secretary shall consult with, and receive and consider the views of all interested persons, including—

(1) interested Federal departments and agencies;

(2) officials of State and local governments;

(3) representatives of the maritime community;

(4) representatives of port and harbor authorities or associations;

(5) representatives of environmental groups;

(6) any other interested persons who are knowledgeable or experienced in dealing with problems involving vessel safety, port safety, and waterways safety and protection of the marine environment; and

(7) advisory committees consisting of all interested segments of the public when the establishment of such committees is considered necessary because the issues involved are highly complex or controversial.

§ 70035. Investigatory powers

(a) SECRETARY.—The Secretary may investigate any violation, accident, or act involving the loss or destruction of, or damage to, any structure subject to subchapters A through C and this subchapter, or that affects or may affect the safety or environmental quality of the ports, harbors, or navigable waters of the United States.

(b) POWERS.—In an investigation under this section, the Secretary may issue subpoenas to require the attendance of witnesses and the production of documents or other evidence related to any violation, accident, or act. If any person refuses to obey a subpoena, the Secretary may request the appropriate district court of the United States to compel compliance with the subpoena. Any district court of the United States may, in the case of refusal to obey a subpoena, issue an order requiring compliance with the subpoena, and failure to obey the order may be punished by the court as contempt of court. Witnesses may be paid fees for travel and attendance at rates not exceeding those allowed in a district court of the United States.

§ 70036. Enforcement

(a) CIVIL PENALTY.

(1) IN GENERAL.—Any person who is found by the Secretary, after notice and an opportunity for a hearing, to have violated subchapter A through C or this subchapter or a regulation issued under subchapters A through C or this subchapter shall be liable to the United States for a civil penalty, not to exceed $25,000 for each such violation. Each day of a continuing violation shall constitute a separate violation. The amount of such civil penalty shall be assessed by the Secretary, after notice and hearing, and a demand for payment. Failure to pay the amount of such penalty, the Secretary shall take into account

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the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay fines, and such other matters as justice may require.

(2) COMPROMISE, MODIFICATION, OR REMISSION.—The Secretary may compromise, modify, or suspend without collection, any civil penalty that is subject to imposition or that has been imposed under this section.

(3) FAILURE TO PAY PENALTY.—If any person fails to pay an assessment of a civil penalty after it has become final, the Secretary may refer the matter to the Attorney General for enforcement in any appropriate district court of the United States.

(B) CRIMINAL PENALTY.—

(1) CLASS D FELONY.—Any person who willfully and knowingly violates subchapters A through C or this subchapter or any regulation issued thereunder commits a class D felony.

(2) CLASS C FELONY.—Any person who, in the willful and knowing violation of subchapters A through C or this subchapter or any of the regulations issued thereunder, uses a dangerous weapon, or engages in conduct that causes bodily injury or fear of imminent bodily injury, shall be subject to the provisions of such a subchapter or the regulations issued under such subchapter, commits a class C felony.

(c) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred so as to replace title 46 of that title, as in effect before the enactment of this Act.

(d) REFERENCES TO TITLE 46 PROVISIONS.—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.

SEC. 5304. RULE OF CONSTRUCTION.

This title, including the amendments made by this title, is intended to reorganize the provisions of the Ports and Waterways Safety Act to title 46, United States Code, and may not be construed to alter, amend, or repeal, as the case may be, any provision of that title.

SEC. 5305. ADVISORY COMMITTEE; REPEAL.


SEC. 5306. REGATTAS AND MARINE PARADES.

(a) IN GENERAL.—Chapter 700 of title 46, United States Code, as established by section 3001 of this Act, is amended by adding at the end the following:

"SUBCHAPTER E—REGATTAS AND MARINE PARADES

70041. Regattas and marine parades

"(a) IN GENERAL.—The Commandant of the Coast Guard may issue regulations to protect the safety and security of safe waterways during regattas or marine parades.

"(b) DETAIL AND USE OF VESSELS.—To enforce regulations issued under this section—

"(1) the Commandant may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for that purpose; and

"(2) upon the request of the Commandant, the head of any other Federal department or agency may enforce the regulations by means of any public vessel of such department and any private vessel tendered gratuitously for that purpose.

"(c) TRANSFER OF AUTHORITY.—The author-

ity transferred to the Commandant by the source provision may be transferred by the President for any special occasion to the head of another Federal department or agency whenever in the President's judgment such transfer is desirable.

"(d) PENALTIES.—

"(1) IN GENERAL.—For any violation of reg-

ulations issued pursuant to the transfer the following penalties shall be incurred:

"(A) A licensed officer shall be liable to suspension or revocation of license in the manner prescribed by law for incompetency or misconduct.

"(B) Any person in charge of the naviga-

tion of a vessel other than a licensed officer shall be liable to penalties prescribed for the misconduct of the owner of the vessel.\n
"(C) The owner of a vessel (including any corporate officer of a corporation owning the

whether one provision of law supersedes another based on enactment later in time, a title 46 provision is deemed to have been enacted on the date of enactment of the source provision that the title supersedes.
states as described in Presidential Proclamation. All waters of the territorial sea of the United States as defined in this subchapter shall be subject to the jurisdiction of the United States, continental or insular, subject to the jurisdiction of the United States.

2. TERRITORIAL WATERS.—The term ‘‘teritorial waters of the United States’’ includes all waters of the territorial sea of the United States as described in President Proclamation 5928 of December 27, 1988."

(b) Regulation of Anchorage and Movement of Vessels During National Emergency.—Section 1 of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 191), is amended—

(1) by striking the section designation and inserting the following:

"70051. Regulation of anchorage and movement of vessels during national emergency

Whenever the President, (a) at any time while the war is in progress, may employ the armed forces of the United States in any manner prescribed by law for the protection of the coast of the United States, continental or insular, subject to the jurisdiction of the United States, or (b) in any other case, if in the judgment of the President, it is necessary for the protection of the coast of the United States, continental or insular, for the armed forces of the United States to be employed in connection with the coast guard, the President may, by means of war or other public agency with administrative jurisdiction over the roadway that abuts the approach to such bridge, or (iii) the law enforcement organization with jurisdiction over the roadway that abutes the approach to such bridge.''

SEC. 5045. DEADLINE FOR COMPLIANCE WITH ALTERNATE SAFETY COMPLIANCE PROGRAMS.

(a) Deadline.—Section 4503(d) of title 46, United States Code, is amended by striking so much as precedes paragraph (3) and inserting the following:

(3) An alternative safety compliance program prescribed under paragraph (1) shall apply to a vessel—

(A) except as provided in subparagraph (B), after the later of January 1, 2026, or the period of 3-year period beginning on the date on which the Secretary prescribe the program; and

(B) in the case of a vessel that undergoes a major conversion completed after the later of July 1, 2013, or the date the Secretary establishes the alternative safety compliance program, upon the completion of such conversion.

(b) Conforming Amendment.—Section 4502(b) of title 46, United States Code, is amended by inserting ‘‘and subject to section 4503(d),’’ after ‘‘In addition to the requirements of subsection (a) of this section.’’

SEC. 5046. AUTHORIZATION FOR MARINE DEBRIS PROGRAM.

The Marine Debris Research, Prevention, and Reduction Act is amended—

(1) in section 9 (33 U.S.C. 1508)—

(A) by striking the em-dash and all that follows through ‘‘(1)’’; and

(B) by striking ‘‘; and’’ and all that follows through the end of the section and inserting a period; and

(2) by adding at the end the following:

"SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

‘‘Of the amounts authorized for each fiscal year under section 2702(b) of title 14, United States Code, up to $2,000,000 are authorized for the Commandant to carry out section 4 of this Act, of which not more than 10 percent may be used for administrative costs.’’

SEC. 5047. ALTERNATIVE DISTRESS SIGNALS.

(a) Performance Standard.—Not later than one year after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Coast Guard is operating shall issue a rule that establishes a performance standard for distress signals, including for maritime visual distress signals, that may be used as prescribed by the Secretary under section 3312 of title 33, Code of Federal Regulations, to authorize the use of distress signals in accordance with such performance standard.

SEC. 5048. ATLANTIC COAST PORT ACCESS ROUTE STUDY RECOMMENDATIONS.

Not later than 30 days after the date of the enactment of the Act, the Commandant...
the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, science, and Transportation of the Senate, a plan to ensure that the system required under this title is fully operational by not later than 3 years after such date of enactment.

SEC. 5412. WATERS DEEMED NOT NAVIGABLE

Section 12114 of title 46, United States Code, is amended by adding at the end the following:

"(d) EFFECTIVE PERIOD.—A recreational endorsement for a vessel—

"(1) except as provided in paragraph (3), shall be effective for 5 years;

"(2) shall require the owner of the vessel to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change; and

"(3) shall terminate upon the expiration of such 30-day period if the owner has not notified the Coast Guard of such change before the end of such period.

"(e) STATE AND LOCAL AUTHORITY TO REMOVE ABANDONED AND DERELICT VESSELS.—Nothing in this section shall be construed to limit the authority of a State or local authority from taking action to remove an abandoned or derelict vessel.

"(f) AUTHORITY.—

"(1) IN GENERAL.—The Secretary shall assess and collect a fee for the issuance or renewal of a recreational endorsement, that is equivalent to the fee established for the issuance or renewal, respectively, of a fishery endorsement pursuant to section 2110.

"(2) EFFECTIVE PERIOD.—A recreational endorsement pursuant to section 2110.

"(3) REQUIREMENTS.—The system established under subsection (a) shall—

"(1) be wireless;

"(2) be capable of being retrieved;

"(3) provide wide-area coverage;

"(4) transmit a precise, high-power signal in the 100 kilohertz spectrum and meet the one microsecond accuracy requirement specified in the Federal Radio Navigation Plan;

"(5) be synchronized with coordinated universal time;

"(6) be resilient and extremely difficult to disrupt or degrade;

"(7) be able to penetrate underground and inside buildings;

"(8) be capable of deployment to remote locations;

"(9) take full advantage of the infrastructure of the existing, unused Coast Guard long-range navigation support system (commonly known as ‘LORAN-C’), and subject to the concurrence and agreement of other agencies, unused facilities associated with the Combined Air and Ground Wave Emergency Network and Nationwide Differential GPS systems;

"(10) utilize and leverage the capabilities of the entity for development, building, and operation of the system;

"(11) function in an interoperable and complementary manner with other similar positioning, navigation, and timing systems;

"(d) SECRETARY DEFINED.—In this section the term ‘Secretary’ means the Secretary of Transportation.

(b) C LERICAL AMENDMENT.—The analysis for subtitle V of title 46, United States Code, is amended by adding after the item relating to chapter 805 the following:

"807. Position, navigation, and timing80701.

(c) IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary, as that term is defined in the amendments made by this section, shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a plan to ensure that the system required under this title is fully operational by not later than 3 years after such date of enactment.

SEC. 5413. UNINSPECTED PASSENGER VESSELS

Subsection (h) of section 888 of the Home

7601. Land-based complementary and backup positioning, navigation, and timing system.

780701. Land-based complementary and backup positioning, navigation, and timing system.

Sec. 860701. Land-based complementary and backup positioning, navigation, and timing system.

"(A) ELORAN.—Subject to the availability of appropriations, the Secretary shall provide for the establishment, operation of a reliable land-based enhanced LORAN, or eLORAN, positioning, navigation, and timing system.

"(b) PURPOSE.—The purpose of the system established under this section is to provide assistance in the event of a complement to, and backup for, the Global Positioning System (in this section referred to as ‘GPS’) to ensure the availability of uninterrupted, undegraded, positioning, navigation, and timing signals for military and civilian users in the event that GPS signals are corrupted, degraded, unplanned, or otherwise unavailable.

"(c) REQUIREMENTS.—The system established under subsection (a) shall—

"(1) be wireless;

"(2) be capable of being retrieved;

"(3) provide wide-area coverage;

"(4) transmit a precise, high-power signal in the 100 kilohertz spectrum and meet the one microsecond accuracy requirement specified in the Federal Radio Navigation Plan;

"(5) be synchronized with coordinated universal time;

"(6) be resilient and extremely difficult to disrupt or degrade;

"(7) be able to penetrate underground and inside buildings;

"(8) be capable of deployment to remote locations;

"(9) take full advantage of the infrastructure of the existing, unused Coast Guard long-range navigation support system (commonly known as ‘LORAN-C’), and subject to the concurrence and agreement of other agencies, unused facilities associated with the Combined Air and Ground Wave Emergency Network and Nationwide Differential GPS systems;

"(10) utilize and leverage the capabilities of the entity for development, building, and operation of the system;

"(11) function in an interoperable and complementary manner with other similar positioning, navigation, and timing systems;

"(d) SECRETARY DEFINED.—In this section the term ‘Secretary’ means the Secretary of Transportation.

(b) C LERICAL AMENDMENT.—The analysis for subtitle V of title 46, United States Code, is amended by adding after the item relating to chapter 805 the following:

"807. Position, navigation, and timing80701.

(c) IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of this Act, the Secretary, as that term is defined in the amendments made by this section, shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a plan to ensure that the system required under this title is fully operational by not later than 3 years after such date of enactment.

SEC. 5412. WATERS DEEMED NOT NAVIGABLE

Section 12114 of title 46, United States Code, is amended by adding at the end the following:

"(d) EFFECTIVE PERIOD.—A recreational endorsement for a vessel—

"(1) except as provided in paragraph (3), shall be effective for 5 years;

"(2) shall require the owner of the vessel to notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change; and

"(3) shall terminate upon the expiration of such 30-day period if the owner has not notified the Coast Guard of such change before the end of such period.

"(e) STATE AND LOCAL AUTHORITY TO REMOVE ABANDONED AND DERELICT VESSELS.—Nothing in this section shall be construed to limit the authority of a State or local authority from taking action to remove an abandoned or derelict vessel.

"(f) AUTHORITY.—

"(1) IN GENERAL.—The Secretary shall assess and collect a fee for the issuance or renewal of a recreational endorsement, that is equivalent to the fee established for the issuance or renewal, respectively, of a fishery endorsement pursuant to section 2110.

"(2) TREATMENT.—Fees collected under this subsection—

"(A) shall be credited to the account from which the costs of such issuance or renewal were paid; and

"(B) may remain available until expended.

SEC. 5411. BACKUP GLOBAL POSITIONING SYSTEM.

(a) IN GENERAL.—Subtitle VIII of title 46, United States Code, is amended by adding at the end the following:

"CHAPTER 807—POSITION, NAVIGATION, AND TIMING

Sec. 860701. Land-based complementary and backup positioning, navigation, and timing system.

780701. Land-based complementary and backup positioning, navigation, and timing system.

"(A) ELORAN.—Subject to the availability of appropriations, the Secretary shall provide for the establishment, sustained, and

"(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute ‘12 passengers’ for ‘6 passengers’ each place it appears in section 2101(b)."

SEC. 5414. ENGINE CUT-OFF SWITCH REQUIREMENTS.

(a) INSTALLATION REQUIREMENT.—

"(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a regulation amending part 183 of title 33, Code of Federal Regulations, the regulations of the Secretary of the department in which the Coast Guard is operating shall issue a regulation amending part 183 and part 183 of title 33, Code of Federal Regulations, that—

"(1) defines the term ‘engine cut-off switch’ for purposes of this title; and

"(2) defines the term ‘engine cut-off switch link’ for purposes of this title with respect to such equipment that—

"(A) is attached to as recreational vessel equipment; and

"(B) activates the engine cut-off switch.

(c) EDUCATION ON CUT-OFF SWITCHES.—The Commandant of the Coast Guard, through the National Boating Safety Advisory Council established under section 13110 of title 46, United States Code, may initiate a boating safety program on the use and benefits of cut-off switches for recreational vessels.

SEC. 5413. ENGINE CUT-OFF SWITCH REQUIREMENTS.

Sec. 5413. ENGINE CUT-OFF SWITCH REQUIREMENTS.

"(A) In general.—Subtitle VIII of title 46, United States Code, is amended by adding at the end the following:

"(c) PROHIBITION.—Not later than 180 days after the date of enactment of this title, the Secretary, as that term is defined in the amendments made by section 807, shall issue a regulation amending part 183 of title 33, Code of Federal Regulations, that—

"(1) defines the term ‘engine cut-off switch’ for purposes of this title; and

"(2) defines the term ‘engine cut-off switch link’ for purposes of this title with respect to such equipment that—

"(A) is attached to as recreational vessel equipment; and

"(B) activates the engine cut-off switch.

TITLE V—MISCELLANEOUS

Sec. 5501. REPEAL.

Subsection (b) of section 888 of the Homeland Security Act of 2002 (6 U.S.C. 468) is repealed.
SEC. 5502. REIMBURSEMENTS FOR NON-FEDERAL CONSTRUCTION COSTS OF CERTAIN AIDS TO NAVIGATION.

(a) In General.—Subject to the availability of amounts specifically provided in advance in subsequent appropriations Acts and in accordance with this section, the Commandant of the Coast Guard may reimburse a non-Federal entity for costs incurred by the entity for a covered project.

(b) Conditions.—The Commandant may not reimburse under subsection (a) with respect to a covered project unless—

(1) the need for the project is a result of the completion of construction with respect to a Federal or non–Federal entity authorized navigation channel;

(2) the Commandant determines, through an appropriate navigation safety analysis, that the project is necessary to ensure safe maritime transportation;

(3) the Commandant approves the design of the project to ensure that it meets all applicable Coast Guard aids-to-navigation standards and requirements; and

(c) Limitations.—Reimbursements under subsection (a) may not exceed the following:

(1) $5,000,000 for projects in a single fiscal year;

(2) $5,000,000 for projects in a single covered project.

SEC. 5503. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

Section 604(b) of the Harbor Coble Coast Guard Maritime Transportation Act of 2014 (Public Law 113-231; 128 Stat. 3601) is amended by inserting “and fishery endorsement” after “endorsement”.

SEC. 5504. SHIP SHELL LIGHTHOUSE TRANSFER—REPEAL.


SEC. 5505. COAST GUARD MARITIME DOMAIN AWARENESS.

(a) In General.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act under which the Academy shall prepare an assessment of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard;

(b) Assessment.—The assessment shall—

(1) describe the potential limitations of current and emerging unmanned technologies for maritime domain awareness for—

(A) ocean observation;

(B) vessel monitoring and identification;

(2) the extent practicable for consideration by the Academy, intelligence gathering, surveillance, and reconnaissance; and

(E) communications;

(2) examine how technologies described in paragraph (1) can help prioritize Federal investment by examining—

(A) affordability of such investments, including acquisition, operations, and maintenance;

(B) reliability;

(C) versatility;

(D) efficiency and

(E) estimated service life and persistence of effort; and

(3) analyze the use of new and emerging maritime domain awareness technologies to be used to—

(A) carry out Coast Guard missions at lower costs;

(B) expand the scope and range of Coast Guard maritime domain awareness;

(C) allow the Coast Guard to more efficiently and effectively allocate Coast Guard vessels, aircraft, and personnel; and

(D) identify adjustments that would be necessary in Coast Guard policies, procedures, and protocols to incorporate unmanned technologies.

(c) Report to Congress.—Not later than 1 year after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences shall submit an assessment prepared under this section to the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives and the Committees on Commerce, Science, and Transportation of the Senate.

(d) Use of Information.—In formulating costs pursuant to subsection (b), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard and other Federal requirements or other reports, assessments, or analyses for the acquisition of unmanned, autonomous, or remotely controlled technologies by the Federal Government.

SEC. 5506. TOWING SAFETY MANAGEMENT SYSTEM FEES.

(a) Review.—The Commandant of the Coast Guard shall—

(1) review and compare the costs to the Government of—

(A) towing vessel inspections performed by the Coast Guard;

(B) such inspections performed by a third party; and

(2) based on such review and comparison, determine whether the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard.

(b) Revisions of Fees.—If the Commandant determines under subsection (a) that the costs to the Government of such inspections performed by the Coast Guard are different than the costs to the Government of such inspections performed by a third party, the Commandant shall—

(1) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or off the Tract that violates or threatens to violate one or more of such restrictions; or

(2) cease a commercial activity for appropriate relief, including a permanent or temporary injunction, that violates or threatens to violate such restrictions; and

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island.

SEC. 5507. OIL SPILL DISBURSEMENTS AUDITING.

(a) Land Exchange.—If the owner of Ayakulik Island, Alaska, offers to exchange the Island for the Tract—

(1) within 30 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(2) within 90 days after receiving the notice under paragraph (1), the Secretary shall develop and transmit to the Secretary proposed operational restrictions on commercial activity conducted on the Tract, including the right of the Commandant to—

(A) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or off the Tract that violates or threatens to violate one or more of such restrictions; or

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction, that violates or threatens to violate such restrictions; and

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island.

(b) Boundary Revisions.—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.

(c) Public Land Order.—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) Failure to Timely Respond to Notice.—If the Commandant does not transmit proposed operational restrictions to the Secretary within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 60 days after transmitting such notice, convey to the owner of Ayakulik Island in exchange for the Tract, title, and interest of the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(2) 1990—The Secretary may, upon receipt of an application for a land exchange and an exchange under this section shall not be construed to limit the application of or
as endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and
(b) the response of the Coast Guard to such concerns.
(b) RESTRICTION.—The Commandant may not establish any of the anchorages described in subsection (a) before the end of the 180-day period beginning on the date of the submission of the report under subsection (a)(2).

SEC. 5511. PUBLIC SAFETY ANSWERING POINTS AND MARITIME SEARCH AND RESCUE COORDINATION.

Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall review Coast Guard policies and procedures for public safety answering points and search-and-rescue coordination with State and local law enforcement entities in order to—

(A) further minimize the possibility of maritime 911 calls being improperly routed; and
(B) assure the Coast Guard is able to effectively carry out the Coast Guard’s maritime search and rescue mission; and

(2) submit to the Commandant a plan for a national strategy on anchorages for public safety answering points policy and submit a report to the Congress on that subject.

SEC. 5512. DOCUMENTATION OF "AMERICA’S FINEST".

Notwithstanding sections 12112 and 12113 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise and a fishery endorsement for the vessel America’s Finest (United States 12760).".

DIVISION F—FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

SEC. 6001. SHORT TITLE.

This division may be cited as the “FEMA Reauthorization Act of 2017”.

SEC. 6002. REAUTHORIZATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY.


(1) by striking "administration and operations" each place it appears and inserting "management and administration";

(ii) in paragraph (2), by striking ";" and "; and"; and

(vi) by adding at the end the following:

(1) for fiscal year 2018, $1,049,000,000; and

(2) for fiscal year 2020, $1,082,836,544.

SEC. 6003. COMPREHENSIVE STUDY OF DISASTER COSTS AND LOSSES.

(a) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Administrator shall begin, acting through the National Advisory Council, a comprehensive study relating to disaster costs and losses and Federal disaster assistance.

(b) ADDITIONAL MEMBERSHIP.—For the purposes of the study required under subsection (a), as soon as practicable after the date of enactment of this Act, the Administrator shall appoint the following members to the National Advisory Council:

(1) Individuals who have the requisite technical knowledge and expertise on issues related to disaster costs and losses.

(2) Representatives of the insurance industry.

(3) Experts in and representatives of the construction and building industry.

(4) Representatives of Federal, state, and local governments and personnel.

(5) Academic experts.

(6) Representatives of the private industry, such as vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for emergency management services.

(7) Other members, as the Administrator considers appropriate.

(b) REQUIREMENTS.—For the purposes of the comprehensive study required under subsection (a), the National Advisory Council shall consult with other relevant agencies and entities that are not represented on the National Advisory Council to consider research, data, findings, recommendations, innovative technologies, and developments, including—

(A) entities engaged in federally funded research; and

(B) academic institutions engaged in relevant work and research.

(d) STUDY REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the National Advisory Council shall convene to evaluate disaster costs and losses and Federal disaster assistance, including consideration of the following:

(A) Loss of life and injury.

(B) Property damage and other costs to individuals, the private sector, and each level of government.

(C) Presidentially declared disasters.

(D) Disaster assistance available from all Federal sources.

(2) DISASTER ROLES AND RESPONSIBILITY.—Fundamental principles that drive national disaster assistance decision making, including—

(a) the appropriate roles for each level of government, the private sector, and individuals.

(3) RECOMMENDATIONS.—The National Advisory Council shall develop recommendations to reduce disaster costs and losses in the United States and to more efficiently and effectively deliver Federal disaster assistance, including consideration of the following:

(1) Actions to enhance national disaster assistance decision making.

(2) Incentives, including tax incentives, to reduce disaster costs and losses and promote a more efficient and effective use of Federal disaster assistance.

(3) Mechanisms to promote disaster cost and loss reduction, mitigation, and resiliency.

(4) Legislative proposals, including proposals for implementing the recommendations in the report compiled pursuant to the requirement in section 1111 of the Sandy Recovery Improvement Act of 2013 (Public Law 112–23; 127 Stat. 49).

(5) Legal, societal, geographic, technological, and other challenges to implementation of recommendations.

(6) A projected study of savings and efficiencies, including measures of effectiveness, from recommendations.

(7) REPORT TO ADMINISTRATOR AND CONGRESS.—Not later than 1 year after the National Advisory Council convenes under subsection (d), the National Advisory Council shall submit a report containing the data, analysis, and recommendations developed under subsections (d) and (e) to—

(1) the Administrator;

(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Committee on Homeland Security and Governmental Affairs of the Senate.

(g) AVAILABILITY OF INFORMATION.—The Administrator shall make the data collected otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

DEFINITIONS.—In this section:

(1) COMMANDANT.—The term "Commandant" means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Treasury.

(3) TRACT.—The term "Tract" means the land (including submerged land) depicted as "PROPOSED PROPERTY EXCHANGE PARCEL" and dated 3/2/77.

SEC. 5509. VESSEL RESPONSE PLANS IN THE ARCTIC.

Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate a report on such assessment, including a validation of the port assessment visit and a determination regarding how efficiently and effectively such equipment and assets are distributed throughout such Captain of the Port Zone;

(4) a description of the locations of such equipment and assets, including an estimate of the time necessary to deploy such equipment and assets;

(5) a determination regarding how effectively such equipment and assets are distributed throughout such Captain of the Port Zone;

(6) a description of the resources needed by the Coast Guard to conduct port assessments, exercises, response plan review, and spill responses in such Captain of the Port Zone;

(7) Other members, as the Administrator considers appropriate.

(1) Individuals who have the requisite technical knowledge and expertise on issues related to construction and building industry.

(2) Representatives of state, local, and Tribal governments and personnel.
pursuant to this section publicly available on the website of the Agency.

SEC. 6004. NATIONAL DOMESTIC PREPAREDNESS CONSORTIUM.

Section 6004 of the Implementing Recommendations of the 9/11 Commission Act (6 U.S.C. 1102) is amended—

(1) in subsection (c), by inserting “to the extent that they provide training in emergency response providers from rural communities, such as urban areas,” after “levels,”; and

(2) in subsection (d), by striking paragraphs (2) and (3) and inserting the following:

“(2) for the members referred to in paragraphs (2) through (7) of subsection (b)——

(A) $101,000,000 for fiscal year 2018; and

(B) $102,606,000 for fiscal year 2019; and

(C) $104,247,856 for fiscal year 2020; and

(3) in subsection (e) by striking——

(A) “Each of the following entities” and inserting “members enumerated in section (b)”;

(B) “2007-” and inserting “2015-” and

(C) paragraphs (1) through (5).
Agency, including, as necessary, information on additional resources or authority needed to implement such recommendations.

(b) COMPTROLLER GENERAL REVIEW.—Not later than one year after the date of the enactment of this section, the Comptroller General of the United States shall review and report to Congress on the status of the implementation required by subsection (a) and the governance structure at the Chemical, Ornance, Biological and Radiological Training Facility of the Center for Domestic Preparedness of the Federal Emergency Management Agency.

SEC. 6013. FEMA SENIOR LAW ENFORCEMENT ADVISOR.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

SEC. 530. SENIOR LAW ENFORCEMENT ADVISOR.

"(a) ESTABLISHMENT.—There is established in the Agency a Senior Law Enforcement Advisor to serve as a qualified expert to the Administrator for the purpose of strengthening the Agency’s coordination among State, local, and Tribal law enforcement.

"(b) QUALIFICATIONS.—The Senior Law Enforcement Advisor shall have an appropriate background with experience in law enforcement, intelligence, information sharing, and other terrorist functions.

"(c) RESPONSIBILITIES.—The Senior Law Enforcement Advisor shall—

"(1) coordinate on behalf of the Administrator with the State and Local Law Enforcement under section 2006 for the purpose of ensuring State, local, and Tribal law enforcement receive consistent and appropriate consideration in policies, guidance, training, and exercises related to preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism, and other man-made disasters within the United States;

"(2) work with the Administrator and the Office for State and Local Law Enforcement under section 2006 to ensure grants to State, local, and Tribal government agencies, including programs under sections 2003, 2004, and 2006(a), appropriately focus on terrorism prevention activities; and

"(3) serve other appropriate functions as determined by the Administrator.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002, as amended by this Act, is further amended by inserting after the item relating to section 529 the following new item:

"Sec. 530. Senior Law Enforcement Advisor.".

SEC. 6014. TECHNICAL EXPERT AUTHORIZED.

Paragraph (2) of section 530(b) of the Homeland Security Act of 2002 (6 U.S.C. 311(b)) is amended—

(1) in subparagraph (G), by striking "and" at the end;

(2) in subparagraph (H), by striking the period at the end and inserting "; and"; and

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

"(I) after this date and integrate the needs of children into activities to prepare for, protect against, respond to, recover from, and mitigate against natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents, by appointing a technical expert, who may consult with relevant outside organizations and experts to coordinate such activities, as necessary.
"

SEC. 6015. MISSION SUPPORT.

(a) ESTABLISHMENT.—The Administrator of the Federal Emergency Management Agency shall designate an individual to serve as the chief mission support official and principal advisor to the Administrator on matters related to the management of the Federal Emergency Management Agency, including management integration in support of emergency preparedness, response, and recovery.

(b) MISSION AND RESPONSIBILITIES.—The Administrator of the Federal Emergency Management Agency shall appoint, or otherwise designate pursuant to subsection (a), shall be responsible for the management and administration of the Federal Emergency Management Agency, including with respect to the following:

(1) Procurement.

(2) Human resources and personnel.

(3) Information technology and communications systems.

(4) Real property investment and planning, facilities, accountable personal property (including fleet and other materiel resources), records and disclosure, privacy, safety and health, and sustainability and environmental management.

(5) Security for personnel, information technology and communications systems, facilities, property, equipment, and other materiel resources.

(6) Any other management duties that the Administrator may designate.

(c) MOUNT WEATHER EMERGENCY OPERATIONS CENTER AND ASSOCIATED FACILITIES.—Nothing in this section shall be construed as limiting or otherwise affecting the role or responsibility of the Administrator for National Continuity Programs with respect to the matters described in subsection (b) as such matters relate to the Mount Weather Emergency Operations Center and associated facilities. The management and administration of the Mount Weather Emergency Operations Center and associated facilities remain the responsibility of the Administrator for National Continuity Programs.

(d) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes—

(1) a review of financial, human capital, information technology, and capital investment programs and planning, and acquisition management of headquarters and all regional offices of the Federal Emergency Management Agency; and

(2) a strategic financial, human capital, information technology, real property planning, and acquisition data.

SEC. 6016. SYSTEMS MODERNIZATION.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes—

(1) a review of financial, human capital, information technology, and capital investment programs and planning, and acquisition management of headquarters and all regional offices of the Federal Emergency Management Agency; and

(2) a strategic financial, human capital, information technology, real property planning, and acquisition data.

SEC. 6017. STRATEGIC HUMAN CAPITAL PLAN.

The Administrator shall submit to the Committees on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Federal Emergency Management Institute, Center for Domestic Preparedness, Center for Homeland Defense and Security, U.S. Fire Administration, National Exercise Program, and National Domestic Preparedness Consortium to ensure that content related to persons with disabilities, access and functional needs in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster; and

(3) coordinate with other appropriate federal agencies that provide emergency assistance to persons with disabilities, access and functional needs in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

(4) coordinate with the technical expert on the needs of children within the Agency to provide guidance and coordination on matters related to children with disabilities about access and functional needs in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

(5) ensure the coordination and dissemination of best practices and model evacuation plans for individuals with disabilities;

(6) work to ensure that qualified experts develop easily accessible training materials and a curriculum for the training of emergency response providers, State, local, and Tribal government officials, and others on the needs of individuals with disabilities;

(7) coordinate with the Emergency Management Institute, Center for Domestic Preparedness, and other appropriate federal agencies to ensure that the needs of individuals with disabilities in emergency management are addressed;

(8) work to ensure that qualified experts develop easily accessible training materials and a curriculum for the training of emergency response providers, State, local, and Tribal government officials, and others on the needs of individuals with disabilities;
to individuals with hearing and vision disabilities; 

“(11) ensure the availability of accessible transportation options for individuals with disabilities in the event of an evacuation; 

“(12) provide guidance and implement policies to ensure that the rights and feedback of individuals with disabilities regarding post-evacuation residency and relocation are respected; 

“(13) ensure that meeting the needs of individuals with disabilities are included in the comprehensive national preparedness system established under section 644 of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295); 

“(14) perform any other duties as assigned by the Administrator. 

(d) DIRECTOR.—After consultation with organizations representing individuals with disabilities, the Administrator shall appoint a Director. The Director shall report directly to the Administrator, in order to ensure that the needs of individuals with disabilities are being properly addressed in emergency preparedness and disaster relief. 

“(e) ORGANIZING REPRESENTING INDIVIDUALS WITH DISABILITIES DEFINED.—For purposes of this section, ‘organizations representing individuals with disabilities’ shall include—

(1) the National Council on Disabilities and the Interagency Coordinating Council on Preparedness and Individuals with Disabilities, among other appropriate disability organizations. 

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 513 and inserting the following new item: “513. Office of Disability Integration and Coordination.”. 

(b) REPORTING.—

(1) GENERAL RULE.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to Congress a report on the funding and staffing needs of the Office of Disability Integration and Coordination under section 513 of the Homeland Security Act of 2002, as amended by subsection (a). 

(2) DEPARTMENTAL GENERAL REVIEW.—Not later than 120 days after the date of submission of the report under paragraph (1), the Comptroller General of the United States shall review the report to evaluate whether the funding and staffing needs described in the report are sufficient to support the activities of the Office of Disability Integration and Coordination. 

SEC. 6019. TECHNICAL AMENDMENTS TO NATIONAL EMERGENCY MANAGEMENT.


(1) in section 501(b) (6 U.S.C. 311(b))—

(A) by striking “National Response Plan” each place it appears and inserting “National Response Framework” and 

(B) by striking “502(a)(6)” and inserting “502(a)(6)”;

(2) in section 503(b)(2)(A) (6 U.S.C. 313(b)) by striking “incidents impacting critical infrastructure” before the semicolon; 

(3) in section 506(a) (6 U.S.C. 314(a))—

(A) in paragraph (3) by striking “including—” and inserting “(that includes incidents impacting critical infrastructure),” 

(B) in paragraph (4) by inserting “including incidents impacting critical infrastructures” before the semicolon; 

(C) in paragraph (5) by striking “and local” and inserting “and Tribal”

(D) in paragraph (6) by striking “national response plan” and inserting “national response framework,” which shall be reviewed and updated as required but not less than every 5 years; 

(E) by redesigning paragraphs (7) through (23) as paragraphs (8) through (24), respectively; 

(F) by inserting after paragraph (6) the following— 

“(7) developing integrated frameworks, to include consolidating existing Government plans addressing prevention, protection, mitigation, and recovery with such frameworks reviewed and updated as required, but not less than every 5 years;” ;

and 

(G) in paragraph (14), as redesignated, by striking “National Plan” and inserting “National Response Framework”; 

and 

in section 507 (6 U.S.C. 317)—

(A) in subsection (b)(1) of that section—

(i) in paragraph (2)(E), by striking “National Response Plan” and inserting “National Response Framework”; 

(ii) in subsection (c)(1)(G), by striking “National Response Plan” and inserting “National Response Framework”; 

and 

(B) in subsection (f)(1)(G), by striking “National Response Plan” and inserting “National Response Framework”; 

(5) in section 508 (6 U.S.C. 318)—

(A) in subsection (a)—

(i) in paragraph (1)—


(II) by striking “successor” and inserting “successors” ;

and 

(III) by striking “plan” at the end of that paragraph and inserting “framework”; 

and 

(B) in subsection (c)—

(i) in subparagraph (A)—

(I) by striking “National Response Plan” in the text and inserting “National Response Framework”; 

and 

(II) by striking “National Response Plan” and inserting “National Response Framework”; 

(6) in section 509 (6 U.S.C. 319)—

(A) in subsection (b) of that section—

(i) in paragraph (1)—


(II) by striking “successor” and inserting “successors” ;

and 

(III) by striking “plan” at the end of that paragraph and inserting “framework”;

and 

(B) in subsection (c)(2)—

(i) by striking “successor” and inserting “successors”;

and 

(II) by striking “team” and inserting “framework”.

(7) in section 509A (6 U.S.C. 320)—

(A) in subsection (b) by striking “enter into a memorandum of understanding” and inserting “partner”; 

(B) in section 509A(b)(1)(A) by striking “National Response Plan” and inserting “National Response Framework”; 

and 

(C) in subsection (c), by striking “National Response Plan” and inserting “National Response Framework.”

(8) in section 510(c)(1) (6 U.S.C. 321(d)(1)), by striking “and local” each place it appears and inserting “and Tribal”;

(9) by striking section 524 (6 U.S.C. 321m); and 

(10) in section 525(a) (6 U.S.C. 321n), by striking “Secretary” and inserting “Administrator.”

(b) POST-KATRINA EMERGENCY MANAGEMENT REFORM ACT OF 2006.


(2) CHANGE OF REFERENCE.—Chapter 1 of title VI of the Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109–295) is amended by striking “National Response Plan” each place it appears and inserting “National Response Framework.”

(c) SAVINGS CLAUSE.—The amendments made by subsection (a) to section 503(b)(2)(A) and paragraphs (3) and (4) of section 504(a) of the Homeland Security Act of 2002 shall not be construed as affecting the authority, existing on the date before the date of enactment of this division, of any other component of the Department of Homeland Security or any other Federal department or agency.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. McCaul) and the gentleman from Mississippi (Mr. Thompson) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

Mr. McCaul. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to record extended remarks and include any extraneous materials on the bill under consideration.

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

There was no objection.

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


Mr. Speaker, the American people are reminded about the threats facing our country on a daily basis. When they turn on the TV or pick up the newspaper, they learn about the latest terror attack or plot, foreign governments engaged in cyber warfare, and drug smugglers and human traffickers relentlessly trying to creep across our border and infect our neighborhoods.

Our adversaries are determined and agile. They wish to strike our homeland and disrupt our way of life. They are constantly calling for new attacks to be carried out against Americans with any weapons they have available.

To stay ahead of our enemies, we need a national security apparatus that is best set up for success and can adapt to new challenges as they arise.

After the 9/11 attacks, the creation of the Department of Homeland Security was necessary to help confront the threats at that time. Unfortunately, Congress has never reauthorized DHS since it was created. This is just simply unacceptable, and that is why eight committee chairmen signed a memorandum of understanding at the beginning of the year stating: “The Department of Homeland Security and its components should be authorized on a regular basis to oversee and improve its operation.”

If we are going to keep America safe, we must reform and improve DHS.
through a first-ever comprehensive re-authoritzation. The legislation before us today accomplishes several goals.

First, it reasserts Congress’ Article I authority granted by the Constitution to write laws and give discretion to the Department of Homeland Security. This reauthorization has also restored its role and responsibility in providing comprehensive legislative direction since 2002, and has ceded power to the executive branch. This legislation will fix that.

Second, it creates efficiencies by eliminating, consolidating, and streamlining programs and offices. With dangers gathering and the terrorist threat evolving, we need the most nimble DHS possible for the Secretary to lead and carry out the Department’s vital mission.

Third, this bill protects American taxpayers by making DHS more accountable. Through new cost-efficiency efforts, we will be able to provide the funds necessary to keep our country safe from terrorism and eliminating government waste.

Fourth, our legislation will support our frontline defenders and first responders. This bill will provide the tools and training needed to defeat emerging threats through improved detection technology and bolstering of DHS programs while also allowing DHS to better focus on recruiting and training a qualified workforce.

Finally, it improves America’s security. Specifically, this reauthorization will:

- Strengthen the Department’s ability to deny terrorists entry into the United States; ensure that Federal agencies meet readiness standards to respond to terror attacks and natural disasters; expand TSA’s use of explosive detection technology and bolster security at last points of departure; it will also modernize and replace outdated Coast Guard vessels; it will prioritize investigations of cross-border crimes, including human trafficking, cybercrimes, and drug smuggling.

These are necessary measures that we, as Congress, must take to fight back against the array of ever-changing threats. This legislation is a commonsense and bipartisan bill that is long overdue. It also enjoys strong backing from the administration.

In testimony given to my committee, Secretary Kelly stated: “This is an important endeavor which will provide the Department with the authorities it needs to carry out its mission.”

And just recently in an op-ed that ran this morning in support of this bill, Secretary Kelly wrote: “There is no more important mission—no duty more sacred—than protecting the people of the United States, and I strongly encourage Members in both parties to support this legislation.”

Protecting our homeland and keeping American families safe are shared goals that should bring both parties together, and a comprehensive reauthorization of the Department of Homeland Security will be a major bipartisan accomplishment and an example of what we can achieve when we put the safety and security of our country ahead of partisan politics.

Mr. Speaker, I would like to thank the majority leader for all his efforts to help bring this to the floor. I would also like to thank each of the chairman and ranking members of the Committee on Homeland Security for signing the MOU, as well as members of the Committee on Homeland Security from both sides of the aisle, and the staff members who made this possible.

Let’s show the enemies that we stand united in protecting our country, our values, and our people. So I urge my colleagues to support this bill.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Hon. Michael McCaul,
Chairman, Committee on Homeland Security,
Washington, DC.

Dear Chairman McCaul, I am writing with respect to H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” This bill contains provisions within the Rule X jurisdiction of the Committee on Ways and Means.

The Committee on Ways and Means will not seek a sequential referral on H.R. 2825 so that it may proceed expeditiously to the House Floor consideration of the bill. I appreciate your support in bringing this very important legislation re-authorizing the Department of Homeland Security before the House of Representatives.

Chairman McCaul, I am writing with respect to your letter regarding H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” I appreciate your support in bringing this very important legislation re-authorizing the Department of Homeland Security before the House of Representatives.

I understand that the Department of Homeland Security is working with the understanding that the jurisdictional interests of the Committee on Ways and Means over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 2825 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 2825 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

Kevin Brady,
Chairman,
COMMITTEE ON WAYS AND MEANS,

Dear Chairman Brady:

Thank you for your letter regarding H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” I appreciate your support in bringing this very important legislation re-authorizing the Department of Homeland Security before the House of Representatives.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future.

In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

Michael T. McCaul,
Chairman, Committee on Homeland Security,

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Hon. Michael T. McCaul,
Chairman, Committee on Homeland Security,
Washington, DC.

Dear Chairman McCaul: I write concerning H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 2825, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee’s Rule X jurisdiction. I appreciate you working with us on the text of the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Homeland Security as this bill moves through the legislative process.

Sincerely,

Bill Shuster,
Chairman,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Hon. Bill Shuster,
Chairman, Committee on Transportation and Infrastructure,
Washington, DC.

Dear Chairman Shuster: Thank you for your letter regarding H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.” I appreciate your support in bringing this very important legislation re-authorizing the Department of Homeland Security before the House of Representatives.

I understand that the Department of Homeland Security is working with the understanding that by foregoing a sequential referral on this bill at this time, the Committee on Transportation and Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future.

In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

Michael T. McCaul,
Chairman, Committee on Homeland Security,

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Hon. Michael T. McCaul,
Chairman, Committee on Homeland Security,
Washington, DC.

Dear Mr. McCaul: I am writing to you concerning the jurisdictional interests of the Committee on Oversight and Government Reform in H.R. 2825, the “Department of
Homeland Security Authorization Act of 2017," which was ordered reported favorably to the House by the Committee on Homeland Security on June 14, 2017. Our committee recognizes the importance of H.R. 2825 and the need for the legislation to move expeditiously, notwithstanding my recent investiture as the Chair of the Oversight Committee. In addition, while we have identified matters of jurisdictional interest to the Oversight Committee in the bill, I do not intend to request a sequential referral, and, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Oversight and Government Reform. The Oversight Committee's jurisdictional claim stems from the presence of numerous provisions in H.R. 2825 that directly implicate the Committee's jurisdiction as defined in House Rule X. Specifically, the bill as ordered reported includes provisions concerning and even amending title 5, title 41 and other cross-cutting issues involving the federal government as a whole. Moreover, for any or all of the reasons, the Committee necessarily has jurisdiction over legislation that establishes government-wide requirements or adds additional features to those requirements, the Committee necessarily has jurisdiction over legislation that does the reverse—creating exceptions and otherwise adversely impacting the applicability of existing government-wide requirements.

I ask that a copy of this letter and your response be acknowledged by including our jurisdictional interest be included in the Committee Report and as part of the Congressional Record during consideration of this bill by the House. The Oversight and Government Reform also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

I look forward to working with you in my new capacity as chair of the Oversight Committee. The Committee has been, and remains, open to working with the Committee on Homeland Security to ensure that the Committee on Homeland Security and the federal government as a whole are best equipped to address any and all national security challenges, through robust oversight and improved operations of the Department of Homeland Security.

Thank you for your consideration in this matter.

Sincerely,
Trey Gowdy
Chairman

House of Representatives
Committee on Homeland Security

Hon. Trey Gowdy,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

Dear Chairman Gowdy: Thank you for your letter regarding H.R. 2825, the "Department of Homeland Security Authorization Act of 2017." Congratulations on recently becoming Chairman of the Oversight and Government Reform Committee. I appreciate your support in bringing this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Oversight and Government Reform to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Oversight and Government Reform does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary and you request to have the Committee on Oversight and Government Reform represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,
Michael T. McCaul
Chairman, Committee on Homeland Security.


H.R. 2825 contains provisions within the Committees on Science, Space, and Technology's Rule X jurisdiction. In order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and request that you include a copy of this letter along with your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,
Lamar Smith
Chairman

Committee on Homeland Security

Hon. Lamar Smith,
Chairman, Committee on Science, Space, and Technology

Dear Mr. Chairman: Thank you for your letter regarding H.R. 3285, the "Department of Homeland Security Authorization Act of 2017." I appreciate your understanding of the importance of this very important legislation reauthorizing the Department of Homeland Security before the House of Representatives, and appreciate the willingness of the Committee on Science, Space, and Technology to forego seeking a sequential referral.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing a sequential referral on this bill at this time, the Committee on Science, Space, and Technology does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Science, Space, and Technology represented on the conference committee for provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,
Michael T. McCaul
Chairman, Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.


Mr. Speaker, most Americans give lip service to the idea that the Department of Homeland Security undertakes every day to safeguard our Nation. Consideration of this legislation today provides us with the opportunity to take a moment to not only acknowledge the contributions of the nearly 250,000 men and women who serve at the Department but to consider what DHS does on a daily basis.

On any given day, the Transportation Security Administration screens 2 million air passengers and 1 million bags. The Federal Protective Service protects 1.4 million people who visit and work in Federal buildings. The U.S. Customs and Border Protection screens 282,000 vehicles, 72,000 truck, rail, and maritime containers. The U.S. Coast Guard enforces laws and removes over 1,000 pounds of drugs and saves more than 10 lives in search and rescue operations daily.

The Secret Service provides physical protection to the Nation's highest elected leaders, visiting foreign dignitaries, facilities, and major events. And the National Cybersecurity and Communications Integration Center issues 50 cyber warnings and blocks nearly 2,000 intrusions.

This list of activities is not, by any means, exhaustive, but I think it is important for Members to keep in mind what DHS does every day, as we consider H.R. 2825.

A central focus of this legislation is improving operations within the DHS by, among other things, bolstering acquisition management, employee engagement, policymaking, stakeholder engagement, and civil rights and civil liberties.

Additionally, H.R. 2825 seeks to enhance DHS' counterterrorism and intelligence efforts and the sharing of that information with State, local, and regional fusion centers.

I am particularly pleased that H.R. 2825 rejects the Trump administration's proposed cuts to assistance to State and local jurisdictions. Not only does H.R. 2825 authorize homeland security first responder grants, training, and exercises, but it also restores funding for two critical TSA programs: the Law Enforcement Grant Program and the program to fund security staffing at airport exit lanes.

With respect to the Urban Area Security Initiative Grant Program, it authorizes funding at $800 million, which is $350 million above President Donald Trump's request. For the State Homeland Security Grant Program, it authorizes $600 million, $100 million above President Donald Trump's request.

Additionally, the Transit Security, Port Security, Nonprofit Security, and Domestic Nuclear Detection Programs all receive funding in H.R. 2825.

With respect to the Civil Rights and Civil Liberties Program, it authorizes $65 million, which is $15 million above the Trump administration's request.

I believe that Members should agree that recommendations contained in this legislation are vital to the mission of the Department of Homeland Security.

I thank you for your consideration of this legislation.
Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, I rise today in support of this bill, and particularly the provision that creates a new competitive grant program designed to preserve core capability gains achieved with previous Urban Area Security Initiative, UASI, grant funding. The UASI program provides critical Federal support to local law enforcement in large metropolitan areas to help them protect their residents and visitors. I was the police chief in Orlando when Orlando was initially approved for UASI funding, and, therefore, I know firsthand how critical such Federal support is to Orlando and other large metropolitan areas.

Orlando, a number one destination, is now where an ISIS-inspired terrorist took the lives of 49 people and injured many more, the deadliest in our Nation’s history.

As first responders from my district responded to the scene, the dedicated staff and analysts of the Central Florida Intelligence Exchange, CFIX, a member of DHS’ National Network of Fusion Centers, sprung into action together and shared information. Together, the courageous first responders and CFIX saved lives and helped to quickly identify the perpetrator.

The capabilities that led to their successful response were created through previous grant investments, in particular, the Urban Area Security Initiative. Unfortunately, such Federal funding capabilities and preparedness can be severely diminished or even lost.

My concern is this: what will happen to the capabilities developed with previous Grant support now that the funding is no longer available? The bill today would create a $39 million competitive grant program for former Urban Area Security Initiative, USAI cities and would make sure that core capability gains achieved with previous grant funding were supported and maintained.

Mr. THOMPSON of Mississippi. I yield an additional one minute to the gentlewoman from Florida.

Mrs. DEMINGS. Mr. Speaker, as Secretary Kelly acknowledged before the Committee on Homeland Security last month, the threat of terrorism “has metastasized around the country, whether it’s New York City, the largest municipality in the country, or some little town in the middle of Arkansas, the potential is about the same in my view for a lone wolf attack.”—that was how the Secretary described it last week.

My constituents in Florida know, all too well, the truth of the Secretary’s words.

No city in America can afford to go backwards; to lose ground on preparedness.

The demands on local law enforcement are ever increasing, ever changing, and more complex than ever before. The federal government must continue to be a strong partner to local law enforcement who are our first line of defense.

I thank the Chairman of the Committee on Homeland Security for his support of this program.

The bill would also require the Government Accountability Office to perform an independent review of the risk formula and award
processes for the UASI program, as well as the State Homeland Security Grant Program.

The preparedness of urban areas and the threats they face has changed since the programs were created after the 9/11 attacks, and this report will assess the current process used to identify and evaluate threat information in order to ensure grants are provided where they are needed most.

I am also pleased that this bill would reject a proposal, put forth earlier this year by President Trump in his first budget, which called for transitioning almost 1,100 Transportation Security Administration (TSA) to monitor passenger exit points from the sterile areas of airports.

As a former Captain of the Airport Division of the Orlando Police Department, and a 27-year veteran of law enforcement, I can tell you: There is no question about it. TSA is responsible for exit lane staffing.

Eliminating federal exit lane staffing would not enhance our nation's security, and doing so would be a contravention of the existing statutory requirement.

I offered an amendment in the Homeland Security Committee, which was accepted, that explicitly authorizes funding at the Fiscal Year (FY) 2017 level for exit lane coverage through Fiscal Year 2019.

As a result, the bill before us today sends a clear message to the Administration that we will not stand for TSA attempting to foist its fiscal year veteran of law enforcement, I can tell you: There is no question about it. TSA is responsible for exit lane staffing.

Eliminating federal exit lane staffing would not enhance our nation's security, and doing so would be a contravention of the existing statutory requirement.

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Eliminating federal exit lane staffing would not enhance our nation's security, and doing so would be a contravention of the existing statutory requirement.

I offered an amendment in the Homeland Security Committee, which was accepted, that explicitly authorizes funding at the Fiscal Year (FY) 2017 level for exit lane coverage through Fiscal Year 2019.
The PREPARE Act would provide a crucial investment in homeland security preparedness, both for the safety of New York City and the entire nation. This investment is particularly important in light of the recent events in Europe and the expressed goals of a variety of groups seeking to recruit individuals from within our borders to carry out mass casualty attacks. Federal funding is essential to allow law enforcement to adapt to the new challenges by developing innovative technology and enhanced preparedness programs like the NYPD’s Counterterrorism Bureau Training Unit. I strongly support passage of the PREPARE Act and urge you to continue to place the highest priority on protecting New York and other high-threat urban areas. Increasing funding for these key programs is critical to further ensuring our nation’s security and preparedness.

Thank you for your continued support of the New York City Police Department.

All the best,

JAMES P. O’NEILL,
Police Commissioner.

INTERNATIONAL ASSOCIATION OF FIRE CHIEFS,
Hon. MICHAEL McCaul,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR CHAIRMAN McCaul: On behalf of the nearly 12,000 fire and emergency service leaders of the International Association of Fire Chiefs (IAFC), I express our support for Title VI of the amendment in the nature of a substitute to the Department of Homeland Security Authorization Act of 2017 (H.R. 2825). This legislation will play an important role in helping our nation’s fire and emergency service personnel to respond to the escalating risks that we face.

As recent events have shown, the terrorist threat presents a wide variety of tactics and techniques. For any type of terrorist attack, local first responders will be the first on-scene and will have to provide an immediate response. This fact means that local first responders must be ready to respond to explosive; active shooter incidents; complex, coordinated attacks; and threats of biological or chemical terrorism. The federal government can provide valuable training and equipment to help states and local governments develop multidisciplinary approaches to future threats.

This legislation amends Title VI of the Homeland Security Act of 2002 to increase the authority and funding to protect our nation’s fire and emergency service personnel. The amendment would provide critical additional funding for support services to help local fire departments and emergency responders.

The IAFC appreciates your leadership in ensuring that local first responders are prepared to mitigate the increasing number of threats facing our nation. An effective response requires that local first responders are properly trained and prepared for the threats.

We urge the committee members to support the PREPARE Act. We commend your consistent and aggressive efforts to find ways for Congress to foster improved collaboration and coordination among local, state, and federal entities to protect the homeland. We have made great progress, but we have much more work to do. The PREPARE Act is the latest example of your dedication to this purpose, and we look forward to working with you and your colleagues to ensure effective legislation is enacted.

Sincerely,

MIKE SENA,
President.

H6114 CONGRESSIONAL RECORD — HOUSE
July 20, 2017

MAGNOLIA COUNTY SHERIFFS OF AMERICA,
Hon. MICHAEL McCaul,
Chairman, Homeland Security Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN McCaul: As Vice President of the Magnolia County Sheriffs of America (MCSA) in charge of Homeland Security and Government Affairs, we write to thank you for your leadership and support of local law enforcement through the FY18 grant authorization activity. We appreciate your continued attention to the critical level of homeland security threats as outlined in Title VI of H.R. 2825, the Department of Homeland Security Authorization Act of 2017.

MCSA is an association of elected Sheriffs representing rural and suburban counties with populations of 500,000 people or more. Collectively, we provide public safety services to over 100 million residents and have a unique understanding of the national security challenges facing our nation.

Since September 11, 2001, our country has made great progress on the nation’s ability to prepare for, respond to and prevent terrorist attacks; however, in an era of deep budget cuts and reduced funding, state and local law enforcement do not have sufficient funds by themselves to support the homeland security mission.

Federal funding such as the Homeland Security Grant Program (HSGP) which includes the Urban Areas Security Initiative (UASI) and the State Homeland Security Program (SHSP) work to address gaps in local agency capabilities for responding to terrorist threats in the homeland. Authorizing UASI at $800 million annually and SHSP at $600 million is critical to our efforts. Local capabilities that have been built in part through UASI and SHSP funds are not self-sustaining.

We appreciate your leadership and thank you and Committee staff for working Honestly and collaboratively to ensure that federal support to maintain a level of vigilance against threats. This requires an active, and invested level of collaboration with our partner agencies to maintain a level of preparedness that our citizens deserve and expect.

There also remains a strong need for the Law Enforcement Terrorism Prevention Activities (LETPA) requirement that is in current law. Under this provision, 25% of all UASI and SHSP funds that are received by a state must be used to fund LETPA. If this requirement was removed, there would be zero dedicated federal support for terrorism prevention activities, which is a unique role of local law enforcement. Based on what we have recently seen all over the world, now is not the time to step away from this critical activity.

On a related note, there should be much more formal local law enforcement input into FEMA’s grant guidance and prioritization processes to ensure transparency to the policy directives, grant guidance, and risk formulas.

Very Respectfully,

SHERIFF MICHAEL J. BOUCHARD,
Oakland County (MI) Sheriff—Government Affairs.

SHERIFF RICHARD STANIER,
Hennepin County (MN) Sheriff—Homeland Security.

THE U.S. CONFERENCE OF MAYORS,
Hon. MICHAEL McCaul,
Chairman, Homeland Security Committee, Washington, DC.

DEAR CHAIRMAN McCaul: I write on behalf of The United States Conference of Mayors to indicate our support for the provisions relative to the homeland security programs in H.R. 2825, the Department of Homeland Security Authorization Act of 2017. At a time of growing concern about the terror threat to our cities, it is important to have a stable five-year source of funding that helps us prevent and respond to attacks.

We appreciate the authorization levels you have included in the bill and understand the funding constraints you faced in drafting the bill, but we must be clear that more funding is needed to keep our cities safe. This applies, of course, both to designated higher risk jurisdictions and to the many areas not in that category, or no longer in that category, which have critical needs in many areas not in that category, or no longer in that category, or no longer in that category,
We also appreciate your inclusion of language that would require authorization from Congress for any grant consolidation proposals and the maintenance of the law enforcement terrorism prevention set-asides, a provision of great importance to our police departments.

The nation’s mayors appreciate your leadership in security and order and look forward to working with you and the Committee to see these provisions enacted into law.

Sincerely,

Tom Cochran
CEO and Executive Director

Mr. DONOVAN. I am also pleased a number of the provisions provided by the Committee on Homeland Security are included in division P of this bill. These provisions authorize FEMA’s senior law enforcement adviser, ensure an appropriate focus on good management practices at FEMA, support vital training programs for first responders, and codify the Office of Disability Integration and Coordination to ensure individuals with disabilities are integrated into disaster preparedness and response efforts.

I look forward to continuing to work with the subcommittee Chairman BARLETTA of the Transportation and Infrastructure Committee as this bill progresses through the process.

Mr. Speaker, I want to commend Chairman McCaul for his leadership in getting this bill through the committee and onto the floor, and I urge my colleagues to join me in supporting this bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. Jackson Lee).

Ms. JACKSON LEE. Mr. Speaker, I thank the chairman and ranking member of the committee for doing a historic reauthorization of this historic Department that came in the backdrop of the shocks and singular terrorist act in terms of the beginning part of the 21st century to come together with this important statement about securing the homeland.

This year will mark the 15th year of the Department of Homeland Security. Homeland security is defined as ‘the national effort to ensure a homeland that is safe, secure, and resilient against terrorism and other hazards where American interests, aspirations, and ways of life can thrive.’ It is a necessary step to make sure the agency can benefit from that experience.

The role of the Internet as a tool for terrorism has evolved over time. Terrorists have evolved their means and ways of life can thrive to the nation’s defense against terrorism.

I recall the shooting incident at LAX that killed Gerardo Hernandez, who became the first TSA officer killed in the line of duty; and the machete attack at the Louis Armstrong New Orleans International Airport that resulted in injuries to Senior Transportation Security Officer Carol Richel.

Their sacrifice and heroism reminds me of what we saw on September 11, 2001. I will forever recall the Members of this House who stood with each other not as Democrats or Republicans, but as Americans.

We also appreciated your leadership in support of the Department of Homeland Security in meeting its core mission of keeping Americans safe.

September 11, 2017 will mark the 16th Anniversary of the attacks that killed 2,977 men, women, and children.

On September 11, 2001, I stood on the East Front steps of the Capitol along with 150 Members of the House of Representatives and sang “God Bless America.”

I want to thank and commend the work of our first responders across the nation for their efforts to protect and serve their communities and our nation.

Our duty as Members of Congress is to support the Department of Homeland Security in its mission to keep America safe.

I support the Department’s efforts to support our communities.

I am in support of H.R. 2825 for the following reasons:

Terrorists have evolved their means and methods for perpetrating acts of terror that were not envisioned at the time the agency was created.

As a former member of the Committee on Homeland Security and former Chair of the Subcommittee on Transportation Security, now known as the Transportation and Protective Security Subcommittee, as well as the former Ranking Member of the Subcommittee on Border and Maritime Security, I am very much aware of the importance of the work performed by the men and women who protect us from terrorism.

Homeland Security is defined as: “the national effort to ensure a homeland that is safe, secure, and resilient against terrorism and other hazards where American interests, aspirations, and ways of life can thrive to the nation’s defense against terrorist acts at home.”

This year will mark the 15th year the Department of Homeland Security has been in existence and we owe the men and women who are on the front line of defending our people of the United States against terrorist acts at home.

DHS’s mission is to secure the nation from the many threats we face.

DHS is securing our nation through the dedication of hard work of the more than 229,000 employees to serve the nation in jobs that range from aviation and border security to emergency response, from cybersecurity analyst to chemical facility inspectors.

The Department of Homeland Security has many challenges—the greatest of which is overcoming serious moral problems.

This authorization will accomplish a great deal, but the underlying central problem for the Department of Homeland Security is moral.

The employees of the Department of Homeland Security are on the front lines of our nation’s defense against terrorism.

I recall the shooting incident at LAX that killed Gerardo Hernandez, who became the first TSA officer killed in the line of duty; and the machete attack at the Louis Armstrong New Orleans International Airport that resulted in injuries to Senior Transportation Security Officer Carol Richel.

Their sacrifice and heroism reminds me of what we saw on September 11, 2001. I will never forget that day, which made the creation of the Department of Homeland Security necessary.

September 11, 2017 will mark the 16th Anniversary of the attacks that killed 2,977 men, women, and children.

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Mr. Speaker, the FIRST State and Local Law Enforcement Act, supports transparency and oversight of the work of the DHS Office of State and Local Law Enforcement by requiring that an annual report of its activities be provided to Congress. This office is the primary coordinator, liaison, and advocate for state, local, tribal, and territorial law enforcement agencies.

This office was created based on recommendations from the 9/11 Commission and serves as the primary liaison between DHS and non-Federal law enforcement agencies across the country.

The office also leads the coordination of DHS’ policies related to state, local, tribal, and territorial law enforcement’s role in preventing, preparing for, protecting against, and responding to natural disasters, acts of terrorism and other man-made disasters.

Because this DHS office plays a significant role in the required outreach to state and local law enforcement agencies, it is important that the Committee be kept apprised of its work.

The “FIRST State and Local Law Enforcement Act” will include data about the coordination and information with State and locals, establishing and reporting performance and metrics feedback received from State, local, and tribal law enforcement agencies about the Office.

I thank the Chairman and Ranking Member of the Homeland Security Committee for also including several Jackson Lee amendments in the final bill.

The First Jackson Lee Amendment adds to the list of the Bill’s mandates for the Department of Homeland Security, which the Secretary of DHS shall implement as part of the overall mission of the agency.

The second Jackson Lee Amendment adds a new provision to the duties of the Office of Civil Rights and Civil Liberties, which directs that the Department recognizes as part of its mission to preserve individual liberty, fairness, and equality under the law.

The Second Jackson Lee Amendment adds an assurance that the DHS Multiyear Acquisition Strategy keeps “pace with changes in technology that could impact deliverables.” This amendment makes sure that the agency’s purchases are the most up to date technology available.

The Third Jackson Lee Amendment would amend the Department of Homeland Security Fusion Center Partnership Initiative section of the bill to make sure that the Department will “develop, keep up to date, and make available information on federal resources intended to support fusion center access to agency data.”

The unique and well established relationship between the National Network of Fusion Centers and the Department of Homeland Security is codified in this authorization bill, and important transparency measure.

This amendment creates an ongoing mission by the Homeland Security Fusion Center Partnership Initiative to support local and state fusion participation.

The Fourth Jackson Lee Amendment adds to the list of DHS components which can enter into Memorandums of Understanding to include the Chief Medical Officer. A memorandum of understanding or MOU is a formal agreement between Department of Homeland Security components and two or more parties regarding a matter of mutual benefit or interest where each party will provide to the other something of consequence.

In the case of this Jackson Lee amendment, the Office of Chief Medical Officer will be able to enter into MOUs, which are not legally binding agreements for the purpose of carrying out its mission.

The fifth Jackson Lee Amendment assures that the Department of Homeland Security’s National Domestic Preparedness Consortium includes a special directive regarding preparedness training for urban areas.

The Amendment establishes that “to the extent practicable,” the Department of Homeland Security will “provide training in settings that simulate real response environments, such as urban areas.”

Urban preparedness planning will include drills, and my amendment allows each urban area to determine the settings and scenarios that will best approximate the challenges that may need to be overcome.

Few of us will forget the impact of Hurricane Katrina or what we saw following Hurricane Sandy.

None of us will forget the attack on New York City or the months of difficult excavation and recovery at the site of the attacks.

Urban centers come with a host of challenges that require adjustments in how preparedness drills are conducted to ensure that the lessons learned can be applied to real-world conditions.

I thank the Committee for adoption of these legislative improvements, which added them to the bill being debated by the House of Representatives.

I ask that the members of the House support H.R. 2825, the “Department of Homeland Security Authorization Act of 2017.”

Mr. McCaul. Mr. Speaker, I yield 2 minutes to the gentleman from California, Mr. Hunter, chairman of the Subcommittee on Coast Guard and Maritime Transportation of the Transportation and Infrastructure Committee.

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

Mr. Speaker, H.R. 2825 includes H.R. 2518, the Coast Guard Authorization Act of 2017, in division E. The Coast Guard Authorization Act is a product of bipartisan efforts of the Transportation and Infrastructure Committee, specifically through Chairman Strater’s leadership and the efforts of Ranking Member DeFazio and Ranking Member Garamendi and our great staff, Dave Jansen and John Clark Rayfield.

The Coast Guard Authorization Act includes an authorization of funding for fiscal years 2018 and 2019 to support the Coast Guard and its service members. It is important to remember the Coast Guard is one of the five Armed Forces, and even though it is outside of the Department of Defense, the service plays a critical role in protecting our country. It is unique in being the only armed force with law enforcement authorities, and this combination allows the service to perform its multitude of missions.

The Committee on Transportation and Infrastructure has been overseeing the Coast Guard for more than two decades and moved legislation to support the service in each Congress since 1995. The text of the Coast Guard Authorization Act is a product of hearings, discussions with the Coast Guard, and regulated industries.

The bill does four main things:

- Clarifies acquisition authorities to be used by the Coast Guard;
- Updates certain service authorities to provide them parity with the other Armed Forces;
- Removes a variety of Coast Guard regulatory authorities; and
- Provides regulatory relief for fishing and maritime transportation industries.

The Coast Guard Authorization Act is a great bill. I urge Members to support it and the passage of the broader bill, H.R. 2825.

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

Mr. McCAUL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. Gallagher), chairman of the Task Force on Denying Terrorist Entry into the United States of the Homeland Security Committee.

Mr. GALLAGHER. Mr. Speaker, I would like to acknowledge and thank Chairman McCaul for his leadership in undertaking this effort as we take the next step in advancing the 2017 Department of Homeland Security authorization bill.

As part of this broader legislative effort, I sponsored the Intelligence Rota
tional Assignment Program Act because I believe we need to make sure that our Intelligence Committee has the best and most robust training in the world in order to keep our Nation safe.

In 2015, the Department’s Chief Intelligence Officer identified the need to strengthen the workforce at the agency by giving intelligence analysts the tools they need to succeed. I served as an intelligence officer for 7 years in the Marine Corps and worked in the Intelligence Committee, including at the National Counterterrorism Center, and the Drug Enforcement Administration, so I know firsthand the value of intelligence analysts gaining experience in different mission areas in order to broaden their ability to do their jobs more effectively for the American people.

This program does that. It encourages analysts to gain experience in all of the various agencies that are part of the larger DHS community.

With authorization, this bill will ensure that we are building and strengthening the expertise among employees.
at the DHS in order to keep the country safe.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. KATKO), chairman of the Subcommittee on Transportation and Protective Security of the Homeland Security Committee.

Mr. KATKO. Mr. Speaker, I rise today in strong support of H.R. 2825. This critical piece of legislation is a chance for Congress to fulfill its duty to oversee the missions, programs, and functions of the Department of Homeland Security and its component agencies.

As chairman of the Subcommittee on Transportation and Protective Security, I am particularly pleased to support the important provisions of this bill relating to the Transportation Security Administration and the Secret Service. This bill will make measurable and lasting improvements to the way in which we protect the traveling public on both aviation and surface transportation systems. It also provides much-needed leadership and continuity to TSA by establishing a 5-year term for its administrator.

Specifically, the bill provides important streamlining of TSA functions and offices; improves the vetting of aviation workers; enhances emergency preparedness at airports to protect against terrorist attacks and active shooters; and bolsters the Department’s focus on aviation cybersecurity issues.

Passing this legislation will ensure that TSA is prioritizing the development and procurement of new passenger screening technologies and ramping of deployment of explosives detection canines for both aviation and surface transportation sectors.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Louisiana (Mr. HIGGINS), a member of the Homeland Security Committee.

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of passage of H.R. 2825, the Department of Homeland Security Authorization Act of 2017, of which I am honored to be an original cosponsor.

The threats facing American families are real and rapidly evolving. Since the original authorization 15 years ago, DHS has never been reauthorized, leading to inefficiencies and a lack of congruence between our planning. Mr. Speaker, I thank Chairman McCaul and his staff for their work on making the reauthorization package a reality. National security is an issue that affects every man, woman, child, Replica of the Constitution in our nation. This bill will go a long way to ensuring that DHS remains mission ready to continue protecting our homeland.

This legislation accomplishes several key things: It creates efficiencies that protect the people’s treasure and holds programs accountable; It offers congressional guidance for agencies such as Immigration and Customs Enforcement and the U.S. Citizenship and Immigration Services to bolster our Nation’s response to illegal immigration; and Supports the boots-on-the-ground and frontline defenders with much-needed resources.

Mr. Speaker, I urge my colleagues to support the bill.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Kansas (Mr. ESTES).

Mr. ESTES of Kansas. Mr. Speaker, I rise today in support of H.R. 2825, the Department of Homeland Security Authorization Act.

America faces mounting threats to our national security from around the globe. This includes the increased threats faced by Islamist terrorism, foreign cyber attacks, and an unsecured southern border.

This bill will improve the Department of Homeland Security by making it more efficient and improving its processes so that the DHS can face security threats head on.

This bill promotes the domestic sharing of counterterrorism information and calls for regular reports to Congress on cost-saving and efficiency activities, including consolidation of facilities and response to operational surges.

I believe this bill is vital to ensuring America’s continued safety.

Mr. THOMPSON of Mississippi. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCCAIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. GARRETT), a member of the Homeland Security Committee.

Mr. GARRETT. Mr. Speaker, there are two amendments to this important piece of legislation that we bring forward. I want to thank the chairman of the committee for allowing us the opportunity to be heard and participate in this process.

The first is an amendment that ensures that there is a strategic plan to reduce senior executive positions as it relates to the TSA. Right now, we have more tail of the dragon than teeth of the dragon. We need to make sure that we are focusing our assets efficiently and with responsibility to the taxpayers who give us the money to protect the homeland. This will save over $7 million in salary alone.

The second ensures that there is an oversight of the Homeland Security Grant Program, which is intended to protect the homeland, so we demonstrate that we are being good stewards of the public’s dollars, while ensuring the safest possible Nation that we can.

Mr. THOMPSON of Mississippi. Mr. Speaker, H.R. 2825 was unanimously approved by the Committee on Homeland Security on June 14, 2017, after 39 bipartisan amendments focused on strengthening the underlying bipartisan bill were accepted.

To make this legislative package more complete, subsequent to committee consideration, text that was approved by the Transportation and Infrastructure and Judiciary Committees was added.

Mr. Speaker, I urge Members to join me in supporting passage of this important homeland security legislation that includes provisions that have the support of groups as diverse as the International Association of Fire Chiefs, the U.S. Conference of Mayors, National Fusion Center Association, the Jewish Federations of North America, the American Federation of Government Employees, and the American Public Transportation Association.

Mr. Speaker, let me compliment the chairman for a job well done.

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

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

Mr. Speaker, let me give my heartfelt thanks to the ranking member for his work on this important legislation, floor work. It was a real team effort on both sides of the aisle. I want to thank all of the staff on both sides of the aisle, Rosaline Cohen and Jennifer Gorski, who worked tirelessly.

Mr. Speaker, I include in the Record a January 11, 2017, memorandum of understanding, signed by myself and seven other committee chairmen.

MEMORANDUM REGARDING AUTHORIZATION OF THE DEPARTMENT OF HOMELAND SECURITY

We, the chairs of the committees with jurisdiction over the Department of Homeland Security or its components, are hereby recording our agreement on the following principles for the 115th Congress:

1. Committees with jurisdiction over the Department and its components will prioritize the authorization of the Department and any unauthorized or expiring component in that committee’s authorization and oversight plan.

2. To the maximum extent practicable, the committees with jurisdiction over unauthorized or expiring components of the Department shall coordinate with the Committee on Homeland Security to introduce comprehensive authorization bills for the Department.

3. The Committee on Homeland Security shall coordinate with the committees with jurisdiction over unauthorized or expiring components of the Department in the development of any comprehensive authorization bills for the Department.

4. The Committee on Homeland Security shall coordinate with the committees with jurisdiction over the Department and its components in the development of any comprehensive authorization bills for the Department.

5. The Committee on Homeland Security and the committees with jurisdiction over components of the Department shall jointly develop a process to facilitate the pre-clearing of base text and amendments offered at subcommittee and full committee
markups of a DHS authorization bill in the Committee on Homeland Security that fall within the jurisdiction of a committee other than or in addition to the Committee on Homeland Security.

6. The committees will expedite consideration of any comprehensive authorization bill for the Department, including timely resolution of amendments subject to a sequential or additional referral.

7. To the extent that there are policy differences between the committees regarding a provision of the comprehensive authorization bill for the Department, the committees will make best efforts to resolve any such disputes.

8. The Committee on Homeland Security shall not include any provision in a comprehensive authorization bill that the chair of the Committee on Ways and Means has determined to be a revenue provision or a provision affecting revenue. If the chair of the Committee on Ways and Means makes such a determination, nothing in this agreement shall be construed to preclude that chair from exercising an additional or sequential referral over the measure, or a point of order under rule XXI of the House of Representatives.

9. Nothing in this agreement shall be construed as altering any committee’s jurisdiction under rule X of the Rules of the House of Representatives or the referral of any measure thereunder.

10. Further, nothing in this memorandum préceding agreement between the committees with regard to the implementation of a process to ensure regular comprehensive authorizations of the Department.

Signed,
Gregg Walden, Chair, Committee on Energy and Commerce; Michael McCaul, Chair, Committee on Homeland Security; Devin Nunes, Chair, Permanent Select Committee on Intelligence; Bob Goodlatte, Chair, Committee on the Judiciary; Jason Chaffetz, Chair, Committee on Oversight and Government Reform; Lamar Smith, Chair, Committee on Science, Space and Technology; Bill Shuster, Chair, Committee on Transportation and Infrastructure; Kevin Brady, Chair, Committee on Ways and Means.

Mr. McCaul, Mr. Speaker, in conclusion of this debate, it is very important to remember that a comprehensive reauthorization of the Department of Homeland Security has never been done before. While various reauthorization efforts have been tried in the past, we finally have a chance to get it across the finish line and have it signed into law. So let’s stand together as Republicans and Democrats and show the people we represent both parties and that both parties can work with one another by putting aside our national security above politics.

This legislation is not just about good governance or bureaucratic reforms. It is absolutely essential to making sure we are able to defeat the grave and growing threats facing the United States.

Once again, I want to thank the ranking member and all of his staff; leadership, as well, and their staff; and, also, all of the members of the Office of the Independent Counsel, who got us to this point here today.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,

Hon. Devin Nunes,
Chairman, Permanent Select Committee on Intelligence, Washington, DC.

Dear Chairman Nunes: Thank you for your follow up letter regarding H.R. 2825 dated June 27, 2017. I appreciate your continued willingness to work with me to bring H.R. 2825 to the House Floor.

As I stated in my June 22, 2017 letter, the Committee on Homeland Security concurs with the mutual understanding that by foregoing seeking a sequential referral at this time, the House Permanent Select Committee on Intelligence does not waive any jurisdictional interest it may have over provisions in the bill.

Regarding the provisions referenced in your recent letter, each of the sections listed were introduced as stand alone bills, as well as included in H.R. 2825, and the Committee on Homeland Security was granted the primary referral on such provisions. As discussed between our staff and in the exchange of letters, I recognize that your Committee could request a sequential referral on those provisions. I reiterate my continued appreciation for the cooperation of you and your staff in moving H.R. 2825 through the legislative process.

Per your request, I will include your letters, my response letters, the Memorandum Regarding the Department Authorization of Homeland Security and the exchange of letters in the Congressional Record when H.R. 2825 is considered on the Floor.

Sincerely,
Michael T. McCaul,
Chairman.

DEAR CHAIRMAN MCCAUL: H.R. 2825, a bill "to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes," was recently marked up and reported by your Committee. Given that several provisions of H.R. 2825 implicate National Intelligence Program (NIP) funded activities, I am conferring upon request the bill will be sequentially referred to the Permanent Select Committee on Intelligence (the Committee).

As you know, we signed a Memorandum Regarding Authorization of the Department of Homeland Security and exchanged letters on January 11, 2017 (January 2017 Exchange of Letter), to clarify the Committee’s exclusive jurisdiction over NIP-funded elements of the Department of Homeland Security (DHS). The January 2017 Exchange of Letters...
The understanding detailed by this letter is limited to the 115th Congress. It shall not affect Department elements that happen to be funded through the Department’s Office of Intelligence. Nothing in the January 2017 Exchange of Letters made explicit that the Committee on Homeland Security or the Permanent Select Committee on Intelligence has not been informed about any such amendment related to any DHS elements. In this context, and in recognition of the unique importance of authorizing legislation for DHS, we agree to work together to ensure that the Office receives the most effective congressional guidance.

We further agree that if the Committee on Homeland Security reports a DHS-wide authorization bill that includes an amendment during consideration of the bill in the full House. That amendment will contain the text of any legislative provisions related to the NIP-funded elements of DHS. We further agree that you will oppose as non-germane any amendments related to the NIP-funded elements of DHS, I will not offer an amendment, and the DHS-wide authorization bill will not contain any provisions related to the NIP-funded elements of DHS. We further agree that you will oppose as non-germane any amendments related to the NIP-funded elements of DHS, I will not offer an amendment, and the DHS-wide authorization bill will not contain any provisions related to the NIP-funded elements of DHS. We further agree that you will oppose as non-germane any amendments related to the NIP-funded elements of DHS, I will not offer an amendment, and the DHS-wide authorization bill will not contain any provisions related to the NIP-funded elements of DHS.

In accordance with Rule X(11)(b)(2) this understanding does not preclude the Committee on Homeland Security from authorizing other intelligence and intelligence-related activities of DHS, including, but not limited to, the Homeland Security Intelligence Program. In keeping with paragraph 5 of the January 2017 “Memorandum Regarding Authorization of the Department of Homeland Security,” we agree to consult with me before taking any action on similar amendments which may be offered during consideration of the bill by the full House.

In the interest of ensuring the most robust Department authorization possible, we further agree that you may offer an amendment during consideration of the bill in the full House. That amendment will contain the text of any legislative provisions related to the NIP-funded elements of DHS previously reported by the Permanent Select Committee on Intelligence from authorizing other intelligence and intelligence-related activities of DHS, including, but not limited to, the Homeland Security Intelligence Program. In keeping with paragraph 5 of the January 2017 “Memorandum Regarding Authorization of the Department of Homeland Security,” we agree to consult with me before taking any action on similar amendments which may be offered during consideration of the bill by the full House.

Finally, I reiterate my intention that nothing included in the 2017 “Memorandum Regarding Authorization of the Department of Homeland Security” alters the jurisdiction of either the Committee on Homeland Security or the Permanent Select Committee on Intelligence. The Committee on Homeland Security appreciates the past successes we have enjoyed working with the Intelligence Committee. I am grateful for your support and look forward to continuing to
work together toward our mutual goal of ensuring that the Department and its components are authorized on a regular basis.

Sincerely,

MICHAEL T. McCaul
Chairman.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. McCaul) that the House suspend the rules and pass the bill, H.R. 2325, 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. MCCaul, you may 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.

KING COVE ROAD LAND EXCHANGE ACT

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 218.

The SPEAKER pro tempore. Pursuant to rule, the Clerk read the title of the bill.

The question was taken.

The bill doesn't bombard birds like Black Brants because Congress can carefully craft conveyances to create consistent courses for certain care in this Cove community. Construction cope outs and crumbling commitments cause a cacophony of complex concerns and constitute considerable constellation when crossing channels in choppy conditions. Don't diligently doing on his district, dutifully demanding demands of daily so the Department doesn't dawdle on its domain. Despite dangerous dashes and emergency evacuations, expanding elevated environmental evaluations exploded expenses. Exact exchanges exempt events to enhance intruding inking with exits in eleven expenses. Frankly, fifty-five frigid flights fleeing fast from freezing fields in furious flurries found frighteningly few fancy facilities for fearful families.

Geese gradually got generally greedy, grimly generating genuine grief on giant goals of going great grounds on gravel and grabbing glory from good glacial gateways. Historically, hovercraft hijinks harmfully hampered hurrying to hospitals and hobbled healing, harpooning hope and hardening hardships near the harsh harbors. The House must hastily have a helpful hand in halting havoc and hindering hefty hazards for Izembek inhabitants instead of idling indefinitely. Interior's in decision impeded infrastructure and informally interrupted implementing instant improvements, intensifying increasingly impossible journeys. Jewell jumped into jeopardy when justifying juxtapositions and jarring, jolly jaunts from King Cove that keep killing kind kin without knowing key kernels of keen knowledge.

King Cove lacks life-saving lanes linking lonesome localities on land while lofty liberals lamely lament losing limited landscapes and maroon many who might make mends with medical ministration. Masterful mandatory medivacs must make miraculous moves after miniscule mainland migrations. Narrow native neighborhoods need necessary navigable networks now that nasty neglect notched nineteen needless obituaries. Other offered options outlined aren't okay or optimal for opening outbound opportunities over a one-lane, non-preferred path across a perilous peninsula. Patients patiently practice peacefully praying to postpone pain and postmortems while partisan panels prioritize protecting a percent of the preserve over the persisting population.

Perhaps people quietly question this quixotic quandary, quickly quarreling over quality, quaint routes. Resilient rural Refuge residents require really rapid resolutions to reliably ride on requisite roads routinely in rough surroundings. Seventy segments of street are still stationed in the same stagnation, we won't subvert the surroundings. The State swap saves the site's sheltered status while swelling up safety and security for this scorned society. 1,000 tormented townsmen tempt their tombs in terrifying travels. They take threatening treks that traverse the tough tundra between the two towns in treacherous temperatures. United, we urgently unite this unbelievably unjust ultimatum for a unique unwinding of unfortunately unreliable voyages. Valid in vibrant victory we venture to vote to viciously vanish vanity and vacate this wronging. When we want wins, waveringly willfully won't work. We weigh wishes of wilderness with wild winter weather while ways wane for wandering within windstorms. Xylophone.

Yeah, yeah, yeah, you're yawning and yearning for me to yield and stop yapping like a yelling yahoo while you're still young. So I'll zig-zag and zoom past zany zealots in Zen like Ryan Zinke.

Mr. BISHOP of Utah. Mr. Chair, I yield 5 minutes to the gentleman from Alaska (Mr. YOUNG of Alaska) to ask permission to revise and extend his remarks.

Mr. YOUNG of Alaska. Mr. Chairman, this is an issue that should have been settled a long time ago.

In 2009, this Congress passed a land exchange piece of legislation, very similar to this, and we made one mistake. We did put into it the ability to have the Fish and Wildlife Service make recommendations. Even then, the recommendations were on a positive side.

The last administration decided, under the Secretary of the Interior, not to build an 11-mile road to save my constituents, the Aleut people from King Cove, in favor of a goose, and the people who live in King Cove weren't really considered.

0958

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. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, with Mr. PALMER 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.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. Grijalva) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chair, I include in the RECORD my statement on the ABCs of Izembek.

Alaska's ardently asking for action and assistance to acquire acres to always allow actual access across areas and assuredly avert atrocious aviation accidents after appalling administrative blockades on building basic boulevards between beautiful bays before blizzards.

The bill doesn't bombard birds like Black Brants because Congress can carefully craft...
The hovercraft does not work, yet we will have an amendment later on, the area that did not ask for it is going to be requested to pay the money back. I didn’t hear anybody, by the way, say, because a levee failed and we put money into it, they had to pay the money back.

So let’s actually consider what we are talking about here. We are talking about 11 miles, single lane, gravel-covered road to provide access to Cold Bay for people in the community who do not have access to a hospital, which is 600 miles away in Anchorage.

We had one lady evacuated at a cost of $250,000 by the Coast Guard. The helicopter crashed, and she lost her life.

We had two other elders that went across with a crab boat. They had to put the people into a crab pot because there was no way to get to this airport.

So, Mr. Chairman, I am suggesting to my fellow colleagues, let’s do what is right. This does no harm to the refuge. It, in fact, saves lives, gives them an opportunity to take and experience the medical care that all the rest of us have. Let’s do the right thing today.

Let’s not be caught into special interests that say it is going to hurt the refuge. I know many even got phone calls: Oh, this is going to be terrible. The truth of the matter is it is not terrible. It is the right thing to do. So I am asking my colleagues, let’s vote “yes” on this bill. Let’s vote “no” on the amendments. Let’s do what is right today in the House of Representatives.

Mr. GRIJALVA. Mr. Chairman, I yield myself such time as I may consume.

Today we are being asked to mandate a land exchange that will put a road through a designated wilderness area inside the Izembek National Wildlife Refuge in Alaska. If that sounds familiar, that is because we have been down this road before.

After years of prodding from the Alaska delegation, the Public Land Management Act of 2009 authorized this exchange and the eventual construction of the road. However, that 2009 authorization was contingent upon a determination by the Secretary of the Interior that the road was in the public interest.

The Fish and Wildlife Service then spent nearly 5 years preparing a full environmental impact statement in order to analyze the environmental impacts of the proposed road, and to determine if viable alternatives existed. During the lengthy and public process, the agency held 130 public meetings, reviewed thousands of public comments, 97 percent of which were opposed to the road.

Ultimately, the Interior Department determined that building a road through the one-of-a-kind wilderness area is not justified because it will destroy an irreplaceable ecosystem, and there are other ways to improve transport in the area.

This is not just a simple trail through the woods. It is a road through a narrow chain of islands and lagoons. Its construction requires the development of bridges, installation of culverts and pipes, and the dredge and fill of nearly 4 acres of wetlands.

The Izembek National Wildlife Refuge supports numerous species of migratory waterfowl that we have international treaty obligations to protect, including nearly the entire global population of the Pacific black brant, and one of the only populations of non-migratory tundra swans, in addition to providing prime habitat for bears, caribou, and other wildlife.

Now, before the point can be made, let me just say, I want to be clear, I have never been to the refuge. Opposition to this road is not based on personal opinion or spite, or ignorance, or because we love birds more than people.

Opposition to this road is based on extensive public comments and a long, careful, scientific review of its merits conducted by professional environmental reviewers. The benefits and made an informed decision. Now we are being asked just to ignore that scientific analysis and ram this road right through the refuge, despite knowing the damage it will do.

The consequences of a decision like that are known. They are not unintended. The road through an Alaskan wilderness is not justified. This particular road is not justified, and it is not necessary.

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

Mr. BISHOP of Utah. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. GOSAR), a subcommittee chairman of the Natural Resources Committee.

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 218, the King Cove Road Land Exchange Act, introduced by my good friend and Western Caucus Vice-Chairman for Indian Affairs and Oceans, Mr. DON YOUNG.

H.R. 218 authorizes a commonsense land exchange between the U.S. Fish and Wildlife Service and the State of Alaska that will save lives and taxpayer money.

The bill provides significant benefits for all parties, including tribal members, supporters of fish and wildlife, supporters of the environment, supporters of the Izembek National Wildlife Refuge and, most importantly, the people living in the surrounding areas that need access to critical medical and healthcare services.

Local communities in the State of Alaska have been trying to build a one-lane, 11-mile gravel road to link King Cove and Cold Bay for nearly 3 decades. The bill authorizes the transfer of more than 43,000 acres of Alaska State land in exchange for just 206 acres of...
Federal land. These 43,000-plus acres will be added to the Izembek National Wildlife Refuge in order to protect fish, wildlife, and the environment.

The one-lane, 11-mile noncommercial road that will be built as a result of this legislation is necessary in order to provide emergency medical assistance for American citizens and native populations.

The bill will save taxpayer money. Since 2013 alone, 55 emergency medical evacuations have been required to get people in need of significant medical attention to hospitals. Many of these medical evacuations have required the Coast Guard, as inclement weather prevents aerial flights on an average of 100 days per year and results in cancellations of more than 40 percent of flights in King Cove.

In order to receive lifesaving care, local residents often must fly 600 miles to Anchorage. Connecting King Cove to Cold Bay Airport will allow the Aleutians East Borough residents to receive the emergency services they need and deserve.

The National Congress of American Indians has testified before Congress multiple times in support of this legislation citing the need to construct this road. NCAI has also passed formal resolutions of support in 2007, 2014, and 2015.

The 2015 NCAI resolution stated: "The Aleut people of King Cove are continuing to seek justice for this basic right to safe and dependable transportation access for emergency and routine medical health, which is an expectation that most Americans, Indian and non-Indian take for granted."

"Because of public health, safety, and quality of life factors, the NCAI does hereby support the rights of the Aleut people of King Cove for this basic expectation of dependable transportation access for emergency medical evacuations, but it will also be used to transport fresh product."

And finally, on May 25 of this year, Alaska Governor Bill Walker sent a request to the Trump administration. He asked for: "Access for isolated King Cove residents to the airport in Cold Bay in all weather conditions, enabling access to health services and the movement of goods and people between King Cove and Cold Bay."

When you add all this up, the evidence is pretty convincing. Sure, the road may be used by environmental activists and by ideological zealots in the bureaucracy. During these past 8 years, we have just heard a sampling of why. It is not because of natural barriers. It is not for lack of need or financing. It is because a national wildlife refuge in a section of the Alaska Peninsula National Wildlife Refuge is in between these communities and the federal government and leftwing environmental activists just won’t hear of it.

For over 20 years, the people of King Cove have begged for this lifesaving road for their safety—not a major interstate, not a parkway, just a one-lane road. It requires only 206 acres out of the 59 million acres of designated Federal wilderness in Alaska.

Just in the last 4 years, this has been pointed out, 55 emergency medical evacuations have been made, a number of which required Coast Guard involvement or extended patient waiting times or both.

Mr. WILSTETTER has told us just last year of the King Cove woman in her seventies suffering from heart issues medevaced from King Cove to Cold Bay by Coast Guard vessel after high winds prevented an air ambulance from landing at King Cove. In the end, it took the woman over 7 hours to reach a hospital in Anchorage.

A road between King Cove and Cold Bay would go a long way to preventing similar situations from recurring, and it would provide a potentially life-sustaining evacuation route for King Cove citizens in the event of an emergency. And if it helps provide additional jobs for that little community, well, I say so much the better.

Congressman YOUNG has tried for more than a decade to get this done, but it has been stymied by leftwing environmental activists and by ideological zealots in the bureaucracy. During
our hearing on the bill, opposition came not from any of the communities involved, but from environmental activists hundreds of miles away from King Cove, although they seemed to have mouthpieces here in this House.

In exchange for use of the 206 acres of Federal land, the State of Alaska is willing to transfer 40,000 acres of State land to the Federal Government. This bill facilitates that transfer and, after two decades, finally gives permission for this little road to be built.

I salute Congressman Young for his persistent pursuit of justice for the long-suffering people of King Cove.

Mr. Chair, I ask for speedy adoption of this bill by this House.

Mr. GRJALVA. Mr. Chairman, we are not saying that the residents of King Cove do not deserve reliable transportation options, and neither did the EIS. The EIS included an analysis of nonroad transportation options that would not have cost the $37.5 million Congress has already invested in King Cove’s infrastructure.

The Interior Department also asked the U.S. Army Corps of Engineers to analyze the nonroad transportation options to construct King Cove with Cold Bay. The Army Corps published a report in 2015 that identified three viable alternatives. These included a new airport that is capable of supporting aircraft that can fly directly to Anchor- age, a heliport for emergency evacuations, and an ice-capable marine vessel that is able to make the trip to Cold Bay in weather conditions that the taxpayer-funded hovercraft could not.

Options exist, and that is why I urge a “no” vote on this bill.

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

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

Mr. GRIJALVA. Mr. Chairman, I yield as much time as he may consume to the gentleman from Florida (Mr. Deutch).

Mr. DEUTCH. Mr. Chair, I thank my friend from Arizona for yielding me time.

Mr. Chair, I rise to oppose this bill today for a number of reasons, but building a road through a congressionally designated wilderness area is without precedent. There are lots of other reasons.

I would note that at least today’s debate shifts the focus of this Congress in the right direction because, when we look to Alaska, it requires a gaze just a little bit further into Russia, and I only wish that what we were debating today was the sanctions bill that passed the Senate by a vote of 98-2. The reason that we should be debating that bill today is readily apparent to any one who has been paying attention to recent events.

Just this morning, we read of the President’s interview with The New York Times, and we think about a President who took action to fire the acting Attorney General, to urge the FBI Director to go easy on Flynn in the Flynn investigation, who fired the FBI Director because of the Russia investigation, and who just now, in this interview yesterday, threatened the acting FBI Director, the Attorney General, and the person carrying out the investigation of Russia and the potential ties between his administration and Russia.

All of this gets to the larger point, which is we are getting ready to go home on August 1, and if we go home without passing the sanctions bill and getting tough on Russia, we will have failed the American people on a vital national security issue. We will be showing weakness at a time when the American people expect to see strength, expect us to stand up to Russian attempts to interfere with our election, to stand up when we learn about an eight-person—for now, eight-person—meeting that was put together with the sole purpose, according to the emails, of providing information to help President Trump, then candidate Trump, get elected with the assistance of the Russian Government.

We do not have to rely on one Member’s claim that the sky is falling. These concerns have been assessed for years through process, and the conclusion was that there were viable alternatives that will address any legitimate public safety concerns.

People’s lives do not hang in the balance. We can protect public health and the refuge if we abandon this bill and work together on a better solution.

This is, indeed, a remote area. That is why many of the residents choose to live there in the first place. They are fully accustomed to the challenges that come with living in the last frontier. To address these challenges, the Federal Government has appropriated tens of millions of dollars to this community for better medical and transportation facilities.

We have remote communities in Arizona, especially Tribal communities, that would surely appreciate $37.5 million to address their health and safety concerns as well.

The local government used some of that money to buy a hovercraft that could make the airport run much faster than this road will ever allow. The local community, not the Federal Government, elected to stop using the hovercraft. Surely, if people’s lives were at stake, the local government would not have made that kind of a decision.

We have legitimate policy differences on this bill. The EIS has convinced many on our side that this is not a worthwhile proposal. Let’s debate these findings calmly and rationally that would serve the public in this debate and look for a solution that both protects people’s health and the refuge.
Mr. Chair, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I yield myself the balance of my time.

This is an issue that people have, for three decades, been trying calmly discuss and find an alternative. Unfortunately, the people of Alaska, who have been engaged in this effort for the last three-plus decades, have been rebuffed at every turn in which the only answer they got was the Federal Government here in Washington giving them an alternative, and forcing upon them an alternative that flat out didn’t work, and it hasn’t worked in the last 7 years.

One of the things we should realize is that this idea of building this road is not new. The House has voted to build this road. The Senate has voted to build this road. Unfortunately, they didn’t vote it on the same bill, except, in 2009, when there was a piece of legislation that went through both the House and the Senate, which was very clear at the time that it was the intent of both the House and the Senate to build the road, but it did require the Interior Department to do the NEPA process. They took 4 years.

Now think of that. It was in 2009 when the bill was passed and the intent of Congress was very clear. Four years later, the Interior Department finally got around to doing the study, a study which, I might add, had five options that were added to it, one of which was to do nothing, and the Interior Department chose, after 4 years of study as their preferred option, to do nothing.

Therefore, all of the efforts and anguish of these people in Alaska went to naught because a bureaucracy here decided, despite what the House had said and despite what the Senate had said, that they knew best, despite what the people of Alaska needed, they knew best, and their option simply was to do nothing.

This bill, let me remind you, all of the masses of people who are here, is not about a road. It is about a land transfer for a road. The State of Alaska is putting up 43,996 acres for new wilderness in exchange for 200-plus acres—240, I think, acres to be a road, a road that already exists. There is a 30-mile road that exists. The only problem is, only 19 of the 30 miles are constructed.

They exist. They exist now.

What Alaska is asking is: Simply give us the last 11, so the road that does exist can be used. It can be used for them, for their medical needs, for their recreation, if they want to. I mean, it has been brought up that, heaven forbid, this might be used for economic advantage. I don’t know why this community of around 1,000 people, about 80 percent are Native Alaskans, would ever have the audacity to think that they ought to have a job, or the audacity that maybe they should try and use something that is there to further their economic ability to actually earn a living.

How uppy can you get, when we realize that those of us sitting here 6,000 miles away really have the superior wisdom to tell those people living in King Cove how they actually should live their life, and we did it. We did it in the 1990s. We said: No, you can’t have a hovercraft, you can’t have a philosophic opposition to it. Instead, we will spend a heck of a lot of money to come up with a hovercraft that doesn’t work, and is too expensive, and is useless, and it no longer exists.

And now you are saying: "No, no, no, you can’t have access to the mainland. You can’t have access to an all-weather airport. You can’t have access for medical care; you can’t have access for jobs. You can’t have access for anything. Instead, let’s work together to come up with another really stupid idea that won’t work as well." when the solution is simply to build a road, 11 miles to connect an existing road so people who live in King Cove can do it. You are putting in the data that has been presented. In the last 30 years, 19 people have died. Nineteen people have died, and it can be traced specifically to the fact that they didn’t have access to healthcare.

In the last 30 years, they have had over 50 cases when medevac had to be used, very expensively, by the Coast Guard to try and help people out there. You wouldn’t have to do that if you simply had the silty road; the 70-year-old woman who had to wait 7 hours, suffering a heart attack before she could get medical care; the woman in labor who had to go 6 hours before she could get someplace to have medical care; the man who had the saw accident, who had to wait 12 hours before he was able to get any kind of medical care, simply because there is not an 11-mile single-lane gravel road to connect to the rest of the 30-mile road that already exists.

And we are sitting here because we know that these people need a road. They need a road, and we did it. We did it in the Clinton administration when it finally passed it in both the House and the Senate, and then had to wait 4 years to get through with it in 2009 when they finally passed it in both the House and the Senate, and then had to wait 4 years for the Interior Department to study the issue, and their conclusion was: let’s not do anything. That doesn’t exist.

It is time for us to do something to help people, to put people above ideology, to put people above ideology.

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

The CHAIR. All time for general debate has expired.

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

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-27. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 218

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 "King Cove Road Land Exchange Act".

SEC. 2. FINDING. Congress finds that the land exchange required under this Act (including the designation of the road corridor and the construction of the road along the road corridor) is in the public interest.

SEC. 3. DEFINITIONS. In this Act:

(1) FEDERAL LAND.—(A) IN GENERAL.—The term "Federal land" means the approximately 206 acres of Federal land located within the Refuge as depicted on the map entitled "Project Area Map" and dated September 2012.

(B) INCLUSION.—The term "Federal land" includes the 131 acres of Federal land in the Wilderness, which shall be used for the road corridor along which the road is to be constructed in accordance with section 4(b)(2).

(2) NON-FEDERAL LAND.—The term "non-Federal land" means the approximately 43,996 acres of land owned by the State as depicted on the map entitled "Project Area Map" and dated September 2012.

(3) REFUGE.—The term "Refuge" means the Izembek National Wildlife Refuge in the State of Alaska.

(4) ROAD CORRIDOR.—The term "road corridor" means the road corridor designated under section 4(b)(1).

(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(6) STATE.—The term "State" means the State of Alaska.

SEC. 4. LAND EXCHANGE REQUIRED. (a) IN GENERAL.—If the State offers to convey to the Secretary all right, title, and interest of the State in and to the non-Federal land, the Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal land.
(b) USE OF FEDERAL LAND.—The Federal land shall be conveyed to the State for the purposes of—
(1) designating a road corridor through the Refuge;
(2) constructing a single-lane gravel road along the road corridor subject to the requirements in section 6.

7. VALUATION, APPRAISALS, AND EQUALIZATION.—

(i) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under this section—
(A) shall be equal, as determined by appraisals conducted in accordance with paragraph (2); or
(B) if not equal, shall be equalized in accordance with paragraph (3).

(ii) APPRAISALS.—
(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and State shall select an appraiser to conduct appraisals of the Federal land and non-Federal land.

(B) REQUIREMENTS.—The appraisals required under subparagraph (A) shall be conducted in accordance with nationally recognized appraisal standards, including—
(1) the Uniform Appraisal Standards for Federal Land Acquisitions; and
(2) the Uniform Standards of Professional Appraisal Practice.

(iii) EQUALIZATION.—
(A) SURPLUS OF FEDERAL LAND.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized—
(i) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;
(ii) by the State making a cash payment to the United States; or
(iii) by using a combination of the methods described in clauses (i) and (ii).

(B) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized—
(i) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;
(ii) by using a combination of the methods described in clauses (i) and (ii).

(C) AMOUNT OF PAYMENT.—Notwithstanding section 5 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), the Secretary may accept a payment under subparagraph (A)(ii) in excess of 25 percent of the value of the non-Federal land conveyed.

(d) ADMINISTRATION.—On completion of the exchange of Federal land and non-Federal land under this section—
(1) the boundary of the Wilderness shall be modified to exclude the Federal land; and
(2) the non-Federal land shall be—
(A) added to the Wilderness; and
(B) administered in accordance with—
(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and
(ii) other applicable laws.

(e) DEADLINE.—The land exchange under this section shall be completed not later than 180 days after the date of enactment of this Act.

3. REQUIREMENTS RELATING TO ROAD.

The route of the road corridor shall follow the southern road alignment as described in the alternative entitled “Alaskan Land Exchange and Southern Road Alignment” in the final environmental impact statement entitled “Izembek National Wildlife Refuge Land Exchange/Road Corridor Final Environmental Impact Statement” and dated February 5, 2013.
Mr. YOUNG of Alaska. Mr. Chairman, I would just like to first remind my distinguished colleague from Alaska, who I know cares very deeply about his constituents, that in 2008, he did vote for the omnibus land package that included the language that I would like to see again as part of the legislation before us today.

Mr. Chairman, my amendment is simple. It restores bipartisan language that was passed by Congress and that Congressman YOUNG supported and signed into law in 2008 authorizing this land exchange back in 2009.

The road through Izembek National Wildlife Refuge is expected to have a significant detrimental impact on lands that are protected for the benefit of all Americans. This amendment will help mitigate some, but not all, of these impacts in the event that the road is constructed.

Mr. Chairman, I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Utah (Mr. Bishop) who is the chairman.

Mr. BISHOP of Utah. Mr. Chairman, I can say I don’t support this because even though I had three bills in that package, I voted against it. It was a bad package going through.

But the problem is that this amendment does not reinsert the language that caused the problem in the first place. This language is the reason that we don’t have the solution right now. Remember, the solution was no action, not to do anything whatsoever.

I understand sometimes we have distance issues that come here. The gentleman from Massachusetts has not an inch of BLM land in her entire State. Only 3 percent of the land is controlled by the Federal Government, which is much different than having 99 percent controlled by the Federal Government as in Alaska. I would contend that if there was any other area in the Nation—especially the eastern part of the Nation that had a situation like this—they would not tolerate this existing.

They also had the ability of actually solving the problem on the local level, which is what they are asking in this bill to impose. Eighty percent of these people are Native Alaskans. They don’t have the lung power to come up here and express for themselves. They don’t have the resources to hire special interest groups to come express for themselves. They are depending on us to do it for them. Eighty percent of these people are Native Alaskans.

Mr. Chairman, I am saying this is the time to build the road.

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

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Ms. Tsongas).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. Tsongas. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. YOUNG OF ALASKA

The CHAIR. It is now in order to consider amendment No. 2, printed in part C of House Report 115-235.

Mr. YOUNG of Alaska. I have an amendment at the desk, Mr. Chairman. The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 21, insert “(including the issuance of any permit that may be required by any Federal agency to construct the road)” after “under this Act”.

The CHAIR. Pursuant to House Resolution 454, the gentleman from Alaska (Mr. Young) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, in order to fully ensure that this emergency route will not be slowed down by unnecessary regulatory delays, my amendment makes minor changes to section 7 to conform to the text of H.R. 218 with the Senate text of S. 101.

Section 7 of the underlying bill waives the NEPA process because the NEPA process had already been completed in 2014 under Secretary Jewell. An environmental impact statement has already been published. Secretary Jewell ignored the public health and safety aspects that killed people because we don’t have a road.

There is no reason to make the people of King Cove go through the time-consuming and expensive process again when it was done so recently. The people of King Cove have fought for this road for 40 years. Forty percent have literally died, again, because of the lack of this road to Cold Bay which has a 6,000-foot airstrip.

Mr. Chairman, again, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. Grijalva. Mr. Chairman, I claim the time in opposition to the amendment.
The CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRJALVA. Mr. Chairman, I rise in opposition to this amendment. While it was described as a technical amendment to conform the bill to the Senate version, it does much more than make a small change. It is a complete change in the NEPA process.

Mr. YOUNG of Alaska. Again, Mr. Chairman, let’s not wait again for 50 years or 9 years or 10 years. This has already been done by the study. The NEPA process has already been done. It has been done recently, and this is not a cheap effort for a small community. So I am suggesting, and I yield back the balance of my time.

Mr. Chairman, this amendment makes the bill worse. I urge a “no” vote, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Again, Mr. Chairman, let’s not wait again for 40 years or 9 years or 10 years. This has already been done by the study. The impact statement has already been done. The NEPA process has already been done. It has been done recently, and this is not a cheap effort for a small community. So I am suggesting, respectfully, this amendment be adopted so we can build a road.

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

Mr. GRIJALVA. Mr. Chairman, I urge adoption of my amendment, and I yield the balance of my time.

Mr. Chairman, this amendment is a punitive amendment. I urge a “no” vote, and I yield back the balance of my time.

Mr. GRJALVA. Mr. Chairman, I urge support of my amendment, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I urge support of my amendment, and I yield back the balance of my time.

Mr. GRJALVA. Mr. Chairman, I urge adoption of my amendment, and I yield back the balance of my time.

This Act shall not take effect until the expiration of the term in office of the President who signed it, but it is impossible to keep the residents of King Cove before the bill can take effect. The American taxpayer has already provided the town of King Cove with a total of $37.5 million to improve transportation access and medical facilities in the area. That included $20 million to build a road, construct a dock, and purchase marine equipment.

Mr. GRIJALVA. Mr. Chairman, let me remind the point of the amendment is that the money, the $37.5 million, and also the decision by the local residents to purchase the hovercraft, that was not mandated by the Federal Government. It was their decision, again with Federal money, $9 million, and so that was all in lieu of construction of the road.

This legislation mandates a construction of a road—this road, and I think it is only fair to the taxpayers that if the purpose was in lieu of to deal with the medical evacuation situations that we have heard about here again today, then the American taxpayers should be reimbursed for that. Not an error caused by, as the levees in New Orleans, faulty design and construction that bore responsibility to the Federal Government. These were local decisions made on the use of that money. Now that the use of that money is moot, then the taxpayers deserve to be reimbursed.

Mr. Chairman, I urge support of my amendment, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I urge support of my amendment, and I yield back the balance of my time.

Mr. Chairman, I urge adoption of my amendment, and I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP) who is the chairman of the committee.

Mr. BISHOP of Utah. Mr. Chairman, as we close on this particular amendment, let me say I would never consider this amendment up close. I would consider it cute and a gotcha amendment because the reality is, unlike what has been alluded to, the community did not want this hovercraft.

They wanted what was promised to them in the bill, which was an 11-mile road to connect to the rest of the road. It was forced upon them by the Clinton administration that said: This is it; take it or leave it.

They tried to make it work. The bottom line is the system didn’t work. But the Clinton administration here, 6,000 miles away, foreclosed on residents who knew they would have a problem something that did not work, and they quit doing it simply because they could not afford to maintain that hovercraft.

The hovercraft is for sale; but no one is going to buy it. This is why this community now is stuck with the decision that we made 6,000 miles away because we know what is right for King Cove, Alaska, instead of allowing them to have some kind of control over their own lives.

What Mr. YOUNG said is accurate. When the levees broke along the Mississippi and the Missouri, we didn’t go...
to those States to insist on it. When there are wildfires that take place in the West, including the gentleman from Arizona’s home State, we don’t go back to Arizona and force them to pay for all of it. This is simply an amendment that is cut and dried, and it is a gotcha amendment. But it is also wrong.

It was also pointed out the grants went to the community. The community is not being required under this amendment to pay for it. It is the State which simply means the amendment is also poorly written if it ever was intended supposed to be a sincere amendment.

This is one of those things that we don’t need to go through. The options are very clear. We have gone through the process. Vote against this particular amendment.

Mr. YOUNG of Alaska. Vote “yes” on the bill and “no” on the amendment.

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

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Chair announced that the noes appeared to have had the vote.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona from Arizona’s home State, which simply means the amendment that is cute, and it is a gotcha amendment. But it is also wrong.

If from Arizona’s home State, we don’t go to those States to insist on it. When there are wildfires that take place in the West, including the gentleman from Arizona’s home State, we don’t go back to Arizona and force them to pay for all of it. This is simply an amendment that is cut and dried, and it is a gotcha amendment. But it is also wrong.

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This is one of those things that we don’t need to go through. The options are very clear. We have gone through the process. Vote against this particular amendment.

Mr. YOUNG of Alaska. Vote “yes” on the bill and “no” on the amendment.

Mr. Chairman, I yield back the balance of my time.
IN THE COMMITTEE OF THE WHOLE

Accordingly, it was resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 218) to provide for the exchange of Federal and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, with Ms. CHENES (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 amendments No. 3 printed in House Report 115-235, offered by the gentleman from Arizona (Mr. GRIJALVA), had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair. Pursuant to clause 6 of rule XVIII, proceedings will now resume on amendments offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed in the following order:

Amendment No. 1 by Ms. TSONGAS of Massachusetts.

Amendment No. 3 by Mr. GRIJALVA of Arizona.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. TSONGAS

The Acting Chair. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Chair 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.

A recorded vote will be a 2-minute vote. The vote was taken by electronic device, and there were—ayes 190, noes 234, not voting 9, as follows:

(Roll No. 404)

AYES—190

Adams, David
Adam, Niki
Aguilera, Jared
Aguilar, Henry
Akin, Craig
Alcorn, Trent
Alcourt, Walter
Alfonso, Carlos
Ambrose, Ryan
Andrews, Don
An照顾 the confluence of the Committees of the Whole House on the state of the Union for the further consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay, with Ms. CHENES (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 amendments No. 3 printed in House Report 115-235, offered by the gentleman from Arizona (Mr. GRIJALVA), had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair. Pursuant to clause 6 of rule XVIII, proceedings will now resume on amendments offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed in the following order:

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AYES—190
Mr. GARAMENDI. Mr. Speaker, I move to recommit the bill H.R. 218 to the Committee on Natural Resources with instructions to report the same amended.

The road and road corridor described in section 4(b) shall be constructed using only materials and equipment manufactured in the United States.

Who is opposed to that? Who is opposed to that? Surely, my colleagues on the left and the right want to have American equipment used in manufacturing this road or any other road, any other pipeline, or any other infrastructure project. This is what we all want, all of us.

This amendment is about American jobs, they want American labor, and American equipment manufactured in the United States.

I am not going to do a gotcha thing today. All too often these MTRs are not voted on in Congress and roads and highways and water, and we could put into each and every one of those very same sentences that says they will be built with American equipment, American labor, and American materials. That is it.

I know my Republican colleagues want it as much as my Democratic colleagues, although you are shy and you are not willing to shout up in support. But I will tell you what I will give you the opportunity to do. I am aware of that fact as any of you are, and here is my promise to my Republican colleagues and to my Democratic colleagues. Give us a resounding
“yes” so that the very clear ear of our Speaker can hear a “yes” vote from all of us, and let’s go home.

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

Mr. BISHOP of Utah. Mr. Speaker, I claim the title in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is not recognized for debate.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the efforts of the gentleman from California. I would remind him, when he was the Administrator of the Clinton administration, that the Clinton administration forced the community to buy a hovercraft instead of building this road, that was made in Canada.

However, I want you to know that I am actually livid for the people of King Cove, Alaska, because they lack a life-saving lane on the land to link this lonesome locality that has been left alone while lofty litigious liberals lamely lament losing a little landscape.

Mr. Speaker, the arguments are limited and they lack love for the Aleuts who are there.

This amendment is a loser. Vote “no.” Vote “yes” on passage, and let’s get out of here.

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

Mr. Speaker, I was abashed during rollcall vote Nos. 403 through 406 due to my spouse’s health situation in California. Had I been present, I would have voted “yes” on the Grijalva Amendment, and “no” on final passage of H.R. 218—King Cove Road Land Exchange Act.

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall vote Nos. 403 through 406 due to my spouse’s health situation in California. Had I been present, I would have voted “no” on H.R. 2825—DHS Authorization Act of 2017, “yea” on the Grijalva Amendment, “yea” on the Tsongas Amendment, “no” on final passage of H.R. 218—King Cove Road Land Exchange Act.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 620

Mr. SUOZZI. Mr. Speaker, I ask unanimous consent and my name be removed as a cosponsor of H.R. 620.

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

There was no objection.

ANNOUNCING THE PASSING OF THE HONORABLE RALPH REGULA

(3209)

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

Mr. CHABOT. Mr. Speaker, as dean of the Ohio delegation, I am greatly saddened to inform the Members that our former colleague, Ralph Regula, who was the dean of the Ohio delegation, has passed away.

Ralph was 92 years of age. He had the honor of serving his constituents back home in Ohio for 36 years. He was a key player on the Appropriations Committee for many years. He will be truly missed.

I wanted to inform the Members that Congressmen Bob Gibbs—Ralph was a
legislative program

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. McCARTHY. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, on Monday, the House will meet at noon for morning hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business.

Madam Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

Now, one suspension worth highlighting is H.R. 3218, the Forever GI Bill, sponsored by Representative PHIL RODNEY FRELINGHUYSEN.

Education in the 21st century is a process that we worked through, and I yield to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. McCARTHY. Madam Speaker, I thank the gentleman for yielding me time, and I thank him for his note that sometimes we have more Republican ideas usually that come to the floor, and I think ideas are good.

Madam Speaker, I do intend to bring the other eight bills to the floor in September.

Mr. HOYER. Madam Speaker, I yield to my friend.

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Mr. McCARTHY. Madam Speaker, I thank the gentleman for yielding me time, and I thank him for his note that sometimes we have more Republican ideas usually that come to the floor, and I think ideas are good.
many times in history it shows, just a short history ago, of those who have voted for it. Hillary Clinton has voted for border security as well on the wall, Barack Obama, Joe Biden, and Chuck Schumer.

That will be an amendment made in Rules for the bill.

Mr. HOYER. Madam Speaker, I thank the gentleman for his comments. It is an amendment made in Rules. Is that to be an amendment that will be made in order for full consideration and debate on the floor of the House of Representatives?

Madam Speaker, I yield to my friend.

Mr. MCCARTHY. Madam Speaker, as the gentleman knows, I do not speak for the Rules Committee. It will be their process and their determination. It is a committee. They will decide as a committee.

Mr. HOYER. Madam Speaker, I thank the majority leader for that answer.

Given the fact that, as the gentleman has pointed out, this was made a major issue by the administration during the campaign, and light of the fact that there are many members of his own administration who believe the wall will not work and is not the most effective way to do what all of us agree ought to be done, and that is to keep our border secure and to make sure that we know who is coming into the United States of America—I think that is a unanimous position, frankly, of the Members of this House.

This border wall, as I understand it, is in none of the four bills that have been marked up by the committee. Therefore, my presumption is the Rules Committee is, in some fashion, going to add this. If they add it, frankly, to the rule and that it is adopted as a result of the adoption of the rule, that will preclude a vote on the wall.

Now, I know the gentleman doesn’t like me to quote his book, but it seems to me, in the book, every issue was gone into. It is light of the fact that there are many Members on our side of the aisle who feel that.

Just as you quote my book—and I don’t get upset with you quoting my book. You should buy it and read it more. Buy more books. The whole staff should be reading my book.

Mr. HOYER. I am enthralled by it, Mr. Majority Leader.

Mr. MCCARTHY. And just to clarify, I get no royalties. The Wounded Veterans get the money, and I am thankful that you buy it.

But if I may finish with this, the Rules Committee will act. The American public expects us to act. We utilize technology. We utilize levees. We utilize dams. And I will tell you, many of those ideas come from your side of the aisle.

It is requested not just from Members on your side of the aisle, but Democrats and city councils and others that are along the border.

So, yes, we are taking action, just as we said we would do. The Rules Committee will find the right place to apply it, and we will be able to have the discussion on the floor.

Mr. HOYER. Madam Speaker, I understand the majority leader’s reticence to answer the question because he says he can’t speak for the Rules Committee. I understand that. But the fact of the matter is this is an important issue. It ought to be considered by the House.

It ought to have every Member’s ability to speak to the issue of whether or not we ought to build that wall, not whether we ought to have security—we all agree that we should and must have security—but whether we do it with a wall, as I said, in which many members of the current administration do not believe it will work and have been quoted as saying so in the past, and there are many Members on our side who feel that.

I would hope that the majority leader would at least make it known to the Rules Committee that we ought to have that as a freestanding amendment, not incorporate it in a rule that the vote for the rule or a vote against the rule is, of itself, a vote on the wall itself.

Lastly, Mr. Leader, I want to say that you and I are both very concerned about the Russian sanctions and Iranian sanctions bill that is pending. We have been working very hard on that, very constructively on that, and I look forward, over the next 24 hours, more or less, to see whether or not we could get that to the Senate and move that bill to the President’s desk.

I thank you for your work on that, and I look forward to working with you over the next day or two to see if we can achieve that objective together.

Madam Speaker, unless the gentleman wants further time, I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, JULY 20, 2017, TO MONDAY, JULY 24, 2017

Mr. MCCARTHY. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday, July 24, 2017, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Ms. Cheney). Is there objection to the request of the gentleman from California?

There was no objection.

RECOGNIZING GABRIELLA BOFFELLI

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

Ms. ROS-LEHTINEN. Madam Speaker, last night I was proud to present my legislative director, Gabriella Boffelli, with the Vermillion Award of the Congressional Hispanic Leadership Institute, CHLI, named after the late Steve Vermillion, the former chief of staff to Congressman Lincoln Diaz-Balart.

This award is presented each year to two staffers who exemplify Steve’s huge heart and dedication to freedom. None are more deserving than Gaby, and her fellow honoree, Angela Ramirez.

Since starting as an intern in my Miami office 6 years ago, Gaby has risen through the ranks, year after year, serving our south Florida community with wisdom, grace, and integrity. Now completing a master’s degree at Johns Hopkins University, Gaby is the consummate public servant, selflessly working on behalf of our constituents, while constantly fighting for democracy and human rights in places like Nicaragua.

It has been an honor to have Gaby Boffelli on my team, and I know this is just the beginning of an extraordinary career.
Congratulations, my friend.
Felicidades, mi amiga.

BRING AMERICA TO 100 PERCENT RENEWABLE ENERGY BY 2050

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

Ms. JAYAPAL. Mr. Speaker, to quote Ronald Reagan: “Preservation of our environment is not a liberal or conservative challenge; it’s common sense.” Yet, this week, my Republican colleagues continued the trend of pushing through bills that deeply undermine critical environmental protections.

H.R. 806, the “Smoggy Skies Act,” is an attack on the Clean Air Act that will lift protections against harmful pollutants that put the health of our communities at risk. Republicans also made it clear that they are prioritizing dangerous pipelines while shirking environmental review processes.

But despite their efforts, we are looking ahead and putting forward a bold vision for protecting our environment and our economic future. I am proud to introduce, with Congressmen POLIS, GRIJALVA, and HUFFMAN, the 100 by ‘50 Act, which aims to bring the United States to 100 percent renewable energy by 2050.

Climate change is the biggest threat to our planet, our economy, our children, and our communities, and our bill lays out a bold roadmap for ensuring that we transition to a clean and renewable energy economy while prioritizing good jobs for workers and investments in our communities.

This is the time to be bold.

HONORING HABITAT FOR HUMANITY OF BUCKS COUNTY

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

Mr. FITZPATRICK. Mr. Speaker, I rise to honor Habitat for Humanity of Bucks County, which is an organization dedicated to eliminating substandard housing, locally and worldwide, through constructing, rehabilitating, and preserving homes.

This global, nonprofit housing organization, with a local chapter in my district, operates on the principles that seek to put God’s love into action. Habitat for Humanity of Bucks County advocates for fair and just housing policies that provide training and access to resources to help families improve their living conditions.

The Bucks County chapter of Habitat for Humanity is a motivated team, driven towards service, where they build communities and empower families. I am grateful for the work of Executive Director Florence Kawoczka, Laura Blair, B.J. Breish, Colleen Brink, Stefanie Clark, Candace Clarke, Mike Fallon, Susan Harrity, Josh Hilliker, Theresa Leonard, Sam Martin, Tracy Mulvaney, Karen Reever, and all of the associates and volunteers who make this organization possible.

Mr. Speaker, I am proud to work with the Bucks County Habitat for Humanity, driven by the conviction that every man, every woman, and every child should have a simple, durable place to live in dignity and safety, and that decent shelter and decent community should be a matter of conscience for all of us.

PROVIDE PROTECTION FOR UNDOCUMENTED FARMWORKERS

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

Mr. PANETTA. Mr. Speaker, I represent the central coast of California, known to many of my colleagues as the salad bowl of the world. It is where agriculture is the number one industry, and it is where the farm labor movement was partially founded.

Now, as many Republicans and Democrats know, in agriculture, undocumented farmworkers do a majority of the labor-intensive work needed to put food on our dinner tables. That is why I am a cosponsor of H.R. 2990, the Agricultural Worker Program Act, also known as the “Blue Card” bill.

This bill would provide a majority of our farmworkers with a path to legal permanent residence. Now, it doesn’t allow people to jump the line. It doesn’t just give them benefits. In fact, there are certain obligations that they must undertake in order to receive those benefits. They have to work in agriculture for at least 100 days, and then they have to commit to working in agriculture for 100 days over the next 5 years.

Our farmworkers, whom we employ and critically need, are now living in the shadows for fear of deportation. This bill would provide legal protections for our workers to ensure a better future for their families, our farms, and our communities.

While it is my hope that this bill would again be incorporated into a larger comprehensive package negotiated by Republicans and Democrats, just like it was in 2013 when Congress nearly passed comprehensive immigration reform, the people who help feed our families deserve this opportunity, and that is why I support it.

“MADE IN AMERICA” WEEK

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

Mr. WESTERMAN. Mr. Speaker, I rise today to show my support for the “Made in America” Week Initiative. It is an initiative to highlight the contributions of American workers and job creators.

Made in America brings to mind a combination of the American spirit of innovation and perseverance that is required to turn raw materials into manufactured goods.

I am proud of the contributions that my home State of Arkansas makes to the American economy. In Arkansas, 13 percent of the State’s workforce is employed in the manufacturing industry, which is the second highest percentage in the South and the third highest percentage in the Nation. Twenty-eight percent of those jobs in Arkansas are in the Fourth District.

In 2016, manufacturers contributed $2.2 trillion to the American economy. For every dollar spent in manufacturing, an additional $1.80 is added to another part of the economy.

With abundant resources, a strong infrastructure, and a second-to-none work ethic, Arkansas is working to train the next generation of technicians and visionaries so that manufacturers can expand, promoting better careers, stronger families, and thriving communities.

THANKING UNSUNG HEROES IN WAKE OF ILLINOIS FLOODING

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

Mr. SCHNEIDER. Mr. Speaker, this week, torrential rains caused record flooding in many parts of Illinois, and, in particular, in my district. I had the chance to visit some of the affected areas over the weekend, joined by my colleagues from Illinois, Mr. HULTGREN and Mr. ROSEK, as well as Senator DURBEN, Fox Lake Mayor Donny Schmit, and Lake County Chair Aaron Lawlor.

We spoke with residents and saw firsthand some of the many challenges these communities are facing.

I rise today, however, to recognize the many unsung heroes who have stepped up to help their neighbors, and often helped total strangers, in the wake of this disaster. This includes our first responders, dedicated government workers, and volunteers, many coming from towns far away and unaffected by these floods.

As the rains fell and then in the days after, these people worked tirelessly around the clock to lend a hand and try to hold off the rising waters. We are not out of the woods yet, and the people who serve our communities day in and day out in our local governments, our police and fire departments, and our emergency agencies are continuing to work with professionalism and quick coordination.

Mr. Speaker, I am pleased to use my time today to say “thank you” to these people working behind the scenes and to urge our leaders to represent the very best of our communities and our Nation and make us all very proud.
HONORING THE MEMORY OF DIETRICH SCHMIEMAN

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to honor the life and memory of a combat-wounded and distinguished soldier in our Nation’s Armed Services, U.S. Marine Corps Sergeant Dietrich Schmieman of Richland, Washington, who passed away on July 10, along with 15 of his fellow servicemen.

Sergeant Schmieman served honorably as part of an elite Marine raider battalion stationed at Camp Lejeune and was on his way to complete his predeployment training in Yuma, Arizona, before being deployed to the Middle East.

Our Nation owes a debt of gratitude to individuals like Dietrich who, through their service, have preserved the freedoms that form the cornerstone of our Nation.

Sergeant Schmieman’s death is a tragedy. The hole he leaves in the lives of his friends and his family can never be filled. I join the Nation in sending prayers to his family during this very difficult time.

Please join me in remembering Sergeant Schmieman and his dedication to selfless service to our Nation.

Again, our prayers are with his family and his loved ones.

REPEAL OF OBAMACARE STATISTICS

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

Mr. SOTO. Mr. Speaker, next week we will see consideration of the repeal of ObamaCare without a replacement. This would be a life-and-death issue for most Americans.

First, we would see skyrocketing uninsured rates: 18 million people would lose insurance next year; 32 million people would lose insurance by 2026.

We would also see skyrocketing premiums: 20 to 25 percent by next year, 50 percent by 2023, and 100 percent by 2026.

Seventy-five percent of Americans would lose in a place where there would be no marketplace insurer.

We know that for every 455 people who gain coverage across the United States, according to the New England Journal of Medicine, that at least one life is saved. So if we lose coverage for 20 million people next year, we would be losing at 43,000 to almost 41,000 avoidable deaths in the United States. That is why this is life and death.

TrumpCare has had its shot, and it has failed. It is time for the parties to come together now. It is time to have a bipartisan bill to fix the ACA. The American people deserve nothing less.

HONORING THE MEMORY OF OFFICER MIOSOTIS FAMILIA

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

Mr. FASO. Mr. Speaker, today I rise to honor the memory of Officer Miosotis Familia.

Officer Familia was a member of the New York City Police Department’s 46th Precinct in the Bronx who lost her life in the early hours of July 5. She was targeted by a deranged ex-convict who assassinated her in cold blood.

As New York City Police Commissioner O’Neill said at Officer Familia’s funeral: “Everything our government stands for—freedom of speech, freedom of worship, freedom from want, freedom from fear—everything starts with public safety. Miosotis knew this, and she wanted all of us to play our part.

“That is why violence against police and what we represent is a dishonor to civilized society.”

With a renewed dedication to law enforcement and to our communities they serve, we pledge to keep Officer Familia’s legacy alive.

Mr. Speaker, I include in the RECORD Commissioner O’Neill’s remarks.

REMARKS BY COMMISSIONER O’NEILL FOR OFFICER FAMILIA’S FUNERAL

Good morning everybody. Barbara [NYPD Chaplain Rev. Dr. Barbara Williams-Harris], I’m not sure if I’m ready to celebrate yet. I have to work on it. Members of the NYPD Chaplains Unit; Pastor Davidson and the staff and congregation of World Changers Church—I love the name; Mayor de Blasio; Admiral Antonakis; Ginnie, Peter; Lt. Inspector Phil Rivera and all the men and women of the 46 Precinct in the Bronx; law enforcement officers from all across our nation and the world, many of whom traveled great distances to support us in this time of incredible sorrow; and all other friends and family gathered here this morning.

On behalf of the entire New York City Police Department, I extend our most profound condolences.

Police Officer Miosotis Familia was a kind and authentic woman.

One of 10 children raised in Washington Heights before she and her family moved together to Kingsbridge, she was a young, sharp-witted. And though she was the youngest, her siblings say she was never spoiled. Miosotis was the glue that held her large family together. She would mediate any dispute, especially among her six feisty sisters. Known as a lovable goof, they playfully called her “La Loca,” or Crazy Girl.

And later, as a mother, she would teach her own children life lessons—like being kind to strangers, blessing others with a smile, and respecting those less fortunate. I’m told that on her daughter’s Day was her favorite holiday. She’d really go overboard with the hearts and the decorations in their Kingsbridge apartment, just so the kids could see all the love that was theirs.

Like every New Yorker, Miosotis just wanted to do her job, work hard, live without fear, improve her life, and the lives of her 86-year-old mother, her two daughters, and her son.

But she also wanted to do something else. She wanted to make a difference in other families, as well. When she made that decision 12 years ago to become an NYPD cop—a Bronx cop—she epitomized why many people choose to work in public service. We’re in the same place we were at the end of 2016, after our society agreed he should go away for the responsibility she embraced.

Today, we will continue to find our way forward in her honor. Because that’s what cops do. Cops are regular people who believe in the possibility of making this a safer world. It’s why we do what we do. It’s why we run toward, when others run away.

Your mom believed in the possibility of being part of something larger than herself. She accepted the vast responsibility that came with her decision knowing that it would be challenging, recognizing that someone has to do this job, and believing she was willing and able to fill that role. And she was right.

Miosotis wanted other people to know her, to work with her, and to help her make this a better city for all of us.

Officer Familia’s legacy stands for—freedom of speech, freedom of worship, freedom from want, freedom from fear—everything starts with public safety. Miosotis knew this, and she wanted all of us to play our part.

That is why violence against the police and what we represent is a dishonor to civilized society. We should be outraged that any single person had so little regard for your right to public safety.

On that day, our nation celebrated its independence, the coward who committed this atrocity did not walk down the street after midnight and shoot just anybody. He shot a cop.

Mental illness and medication may have played a part—I don’t know. What is certain, however, is that he hated the police. He saw us as the “bad guys” because countless times he heard it in conversation, saw it on television, read it in the newspapers. Combine that toxic blend with his special brand of evil, and you get . . . this funeral.

Hate has consequences. When we demonize a whole group of people—whether that group is defined by race, by religion, or by occupation—this is the result. It is not enough to know how else to say it: This was an act of hate, in this case, against police officers—the very people who stepped forward and made a promise to protect you, day and night.

This amazing woman, this mother, this daughter, this sister, this friend, this New York City police officer, was assassinated solely because of what she represented and for the responsibility she embraced.

All her killer could see was a uniform, even though Miosotis was so much more. He blamed the police for his own terrible choices in life. And for the way he emerged after our society agreed he should go away to prison for a while.

I’m told that’s a city, and as a country, I don’t believe we’re in the same place we were at the end of 2017, when Detectives Rafael Ramos and Wenjian Liu were assassinated under similar circumstances in Brooklyn. We are on firmer ground now, with police and communities working more effectively together.

But in mid-2017, there unquestionably is a creeping apathy among the public about the work and role of its dedicated police officers. I think of it this way: You don’t really notice the lights and sirens until they go out. If we do wrong, we are vilified. If we do right, we are ignored.

There is little attention paid to positive changes in policing. It takes an entire police department, in particular, no matter how effective they may be.
But the manner in which Miosotis was killed should remind everybody that the civility of our society balances on a knife's edge. And the 36,000 uniformed members of the NYPD are the people who keep that peace. It is a selfless decision to help maintain that balance.

There is nothing more human than a 48-year-old mother of three, living in the Bronx, who decided to swear an oath, put on a uniform, and live a life with meaning. Fighting crime and keeping people safe is not a responsibility that the police take lightly, and neither should the public.

While crime continues to go down, year after year, that provides little comfort when the fabric of our society, the blanket of public safety we provide, is torn by a senseless, direct threat to our protectors.

Here are the numbers we don't talk about nearly enough:

Since 1945, more than 840 New York City police officers have died in the line of duty. Miosotis is our seventh cop to be shot and killed in just the last five years. And because it was female officer ever to be murdered on the job.

Across our nation, 136 police officers were killed in the line of duty last year, the sharpest spike in five years. And just yesterday, New York State Trooper Joel Davis was killed in the line of duty while responding to a road-rage domestic dispute in upstate New York.

Each of these murdered officers has one thing in common: They lost their lives while protecting others. Some people might say: "Well, that's what cops signed up for, right? That's their job."

Let me tell you something: Regular people sign up to be cops. They sign up for this job of protecting strangers, knowing there are inherent risks. But not one of us ever agreed to be part of indefensible hate.

Not one of us signed up to never return to our family or loved ones.

So, where are the demonstrations for this single mom, who cared for her elderly mother and her own three children? There is anger and sorrow, but why is there no outrage? Because Miosotis was wearing a uniform?

I simply do not accept that.

Miosotis was targeted, ambushed, and assassinated. She wasn't given a chance to defend herself. That should matter to every single person who can hear my voice, in New York City and beyond.

We live in a world where—this world. That's why we need the police. But as New Yorkers, we can decide that people like Miosotis' killer will never win. He will not be a whisper apart.

We can decide to come together and make our city reflect the good inside all of us, the hopes and simple dreams we share.

I'm asking the public to make a commitment to support your police, to work with us. Commit to watching the backs of those you call when you're scared, those you call when you're in trouble.

NYPD cops answer about four-and-a-half million radio runs a year, and are flagged down thousands more times. And after that, many are injured or killed, only a tiny handful of our actions make the news. That tiny handful—some when things go right, others when things go wrong—because that's what sells newspapers—those are the ones that define us.

And the millions—literally millions—of our actions go unnoticed.

It's our obligation to continually drive down crime and keep people safe. That's what we're elected to do. And that's the work we vow to continue in her stead.

What we are left with are the memories, moments shared, lives touched, friendships forged. There is no making sense of what is truly senseless. There is no explaining the unexplainable. Words do not do it justice. We cannot fix the hurt. We have to put that in the hands of a higher power. And the higher power I'm talking about is you.

We need the public to take a more-active role in our city's safety. I'm asking you to connect with me. I want to listen to your words: Your police. We are yours. We're here to help. We're here to make things better.

But we need your assistance. We need it now, more than ever. We know what's going on a street, or a block, better than those who live and work there every day.

That's how your neighborhoods will keep getting better. And that's how we're going to continue to keep driving crime down and keep everybody safe. And that's how we'll find our way forward, together. That's Miosotis' legacy.

The pain we feel today will not soon pass, but we know she did not die in vain. Our anger can drive positive and effective change. Our sorrow can make us a better society.

We may never match the sacrifice made by Miosotis, but surely we can try to match her sense of service. If we cannot match her courage, we can strive to match her devotion.

In the last few days—the 46 Precinct, Police Plaza, all across New York—we've received many, many messages of hope and support. They tell us that people around the nation and around the world love our police very much, and mourn with us. They tell us they need us, and that they are proud of us. I, too, couldn't be more proud of our cops.

To the families of the NYPD who bravely put on that uniform every day—and they do, it takes courage—and to all those who have come before us: Thank you for your dedication, your leadership, and your powerful example.

And I also couldn't be more proud of—and thankful for—Miosotis, whom I promote today to Detective-First Grade. Please rise and applaud her life and service.

To Gennie, Peter, and Delilah: Here we are, today, literally surrounded by a sea of blue and white, who are the family, the friends, and the loved ones of Miosotis. And to the members of the NYPD: Do not ever forget why you chose to become a police officer. Be proud of who you are and what you do.

And to all the members of the NYPD: Do not ever forget why you chose to become a police officer. Be proud of who you are and what you do:

Always remember that Miosotis lived to protect all New Yorkers, and her legacy protects us still.

We pray that she now finds rest, and that her love and light will live on, and that the strength to live the lives their mothers fought to give them.

God bless Miosotis. God bless her family. God bless the New York City Police Department, who will forever carry on her most important work.

Thank you.

Mr. FASO. I also include in the RECORD my full statement. May God bless Officer Miosotis Familia's memory.

Mr. Speaker and my colleagues, today I rise to honor the memory of Officer Miosotis Familia. Officer Familia was a member of the New York Police Department's 46th Precinct in the Bronx who lost her life in the early hours of July 5th. She was targeted by a deranged ex-con who assassinated her in cold blood. All of New York was affected by this heinous act. Officer Familia devoted her life to helping others. Sadly, she becomes the third female NYPD officer to be murdered on the job; the first in New York since 9/11.

Officer Familia had two daughters and a son. She wanted to leave them a better future, a safer city. Every one of the 36,000 uniformed members of the NYPD goes to work every day for this vision. They sacrifice. They risk bodily harm, and worse. Too often they do so despite a hostile media and an indifferent public. In fact, New York City Police Commissioner James O'Neill said about her, and all law enforcement personnel, at Officer Familia's funeral: "Cops are regular people who believe in the possibility of making this a safer world. It's why we do what we do. It's why we run toward, when others run away." He remarked, furthermore, "Everything our government stands for—freedom of speech, freedom of worship, freedom from want, freedom from fear—everything starts with public safety. Miosotis knew this, and she wanted all of us to play our part. That is why violence against the police and what we represent is a dis-honor to civilized society. We should be outraged that any single person had so little regard for your right to public safety."

Through it all, Officer Miosotis Familia carried love in her heart: love for the Bronx neighborhood she patrolled; love for the people of her city and state; and love for the oath she swore all those years ago when she made the decision to enter law enforcement: To serve and protect.

Her killer—and I refuse to mention his name—was driven only by hate. This is the hate which in 2016 resulted in the sharpest spike in police killings in five years. It is the hate that robbed three children of their mother with a single gunshot on a dark Bronx street.

I want to share with this Chamber a recollection by Officer Familia's oldest daughter, delivered at her funeral. She said that Miosotis came into her room on July 4 before going to work, a regular person believing in the possibility of bringing about a safer world.

She said, "I'm going to work now. And I love you." She hugged her daughter twice, and left to join her fellow officers. Now Officer Familia joins those lost in the line of duty. With love in her heart, she kept us safe. With a renewed dedication to law enforcement and the communities they serve, we pledge here to keep Officer Miosotis Familia's legacy alive.
cellphone. The first thing on it was a notice that John McCain had brain cancer. I literally stopped in my steps and thought about John McCain and was saddened.

Senator John McCain is a true American hero who served our country in Vietnam and has served our country in this House of Representatives and the United States Senate.

When he ran for President, he had a bus called Straight Talk, and that wasn’t just a name on a bus. He is a straight shooter.

He has been a voice of reason and honesty, standing up and speaking truth to power during these last 6 months of this current Presidency, and somebody whom we need as a voice.

It seems that Arizona produces those voices. They produced it with Barry Goldwater, and they produced it with John McCain.

He is a nice guy, too. The few opportunities I had to interchange with John McCain or go up to him and say something to him about an issue, he was always very easygoing, very pleasant, a good human being.

I urge you, if there are people in your life that you think well of, that you care about, let them know it now, and keep John McCain in your prayers.

Again, congratulations to the Hall County Farm Bureau for their work and effort and Hall GROWS

REMEMBERING AND HONORING CONGRESSMAN MARK TAKAI

(Mrs. Gabbard asked and was given permission to address the House for 1 minute.)

Mrs. GABBARD. Mr. Speaker, 1 year ago today, we lost a brother, a friend, and a colleague, someone who made a great impact on my home State of Hawaii and this country.

My friend, Congressman Mark Takai, was someone who lived his entire life with a full heart committed to serving the people of Hawaii and his country. Always ready with a helping hand with creative new ideas and a hearty laugh, Mark was someone who was always on the move.

I had the honor of serving with Mark all the way back in the Hawaii State Legislature, through our time serving together in the Hawaii Army National Guard and then, again, here in Congress where we both served on the Armed Services Committee.

Mark, time and time again, made his decisions based on how best he could serve the people of Hawaii, and he took a lot of pictures along the way. Mark led by example with respect and with aloha understanding and passion building partnerships focused on seeing how he could get the job done.

So on this day commemorating Mark, my heart is with his family: his wife, Sami; his kids, Matthew and Kaila; his parents, Naomi and Erik; our entire National Guard “family.” “ohana,” and the people of Hawaii as we remember Mark and honor his entire life and legacy of service.

OBAMACARE

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

Mr. DESANTIS. Mr. Speaker, Republicans have promised for years to repeal and replace ObamaCare, and this effort has seemed to have stalled in the Senate.

The best way to restart the Obamacare repeal process is simple. Make Congress buy what they made.

The President can make this happen. ObamaCare included a provision dropping the congressional health plans for Members of Congress and diverting Members to the ObamaCare exchanges where they would have to pay their own premiums. Yet an Obama administration regulation gutted this provision and provided lucrative taxpayer subsidies for Members thereby creating an illegal exemption for Congress under ObamaCare.

Mr. President, cancel this regulatory exception. Make Members live under ObamaCare as written. If you make them live under ObamaCare, my guess is that they will vote to quickly repeal ObamaCare.

FREEDOM FROM BURDENSOME REGULATIONS

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

Mr. BIGGS. Mr. Speaker, last week, I started “Freedom Friday” to highlight freedom-killing regulations currently in effect.

Congress used the Congressional Review Act to overturn 14 regulations implemented in the waning days of the Obama administration. The repeal of these rules alone could save the economy millions of hours of paperwork—as much as $3.7 billion in regulatory costs to Federal agencies and up to $35 billion in compliance costs for industries. This is a nice start, but we are not done yet.

My main priority here in Congress is to restore the constitutional parameters of the Federal Government and end overregulation. The first regulation that I will be highlighting for “Freedom Friday” is an overly burdensome restriction on our trucking industry. California and the Ninth Circuit have imposed more stringent standards for truckers than those established by the Federal Motor Carrier Safety Administration.

There are some issues over which Congress has clear constitutional authority. This is one of them. We simply cannot allow our vital interstate commerce to fall victim to an incoherent patchwork of burdensome regulations. Our economic and national security depend on resisting this ominous trend.

ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. COomer). Under the Speaker’s announced policy of January 3, 2017, the gentleman from Texas (Mr. Gohmert) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I want to follow up on what my friend from Florida, Congressman Ron DeSantis, was saying: Under ObamaCare—that passed without a single Republican vote—Congress was expressly put under all of the conditions of ObamaCare, and it expressly took us out from the insurance that we liked, the insurance plans we had and liked, and 180 degrees contrary to what President Obama said and so many of our friends across the aisle.

Even though we liked our insurance and we wanted to keep it, it turns out that was not true what they had been saying for so many months. We didn’t get to keep our insurance. I know emails keep circulating that Members of Congress have some special “plug in the sky” health insurance, but, actually, it is exactly the same insurance options that every single Federal employee from—well, I started to say...
from the President down, but, actually, the President does have his own special healthcare. But I guess that is why ObamaCare seemed so appealing. It wouldn't affect the President and his family, or he might have looked at it a little bit differently. But since he has his own healthcare, he didn't have to pay because the provision was put in there. Although every single Federal employee had employer—which means Federal Government, which means taxpayer—assistance in paying the premiums for their health insurance, we had to pay part and the Federal Government paid part—taxpayers, in other words, paid part. That was pretty common across the country.

But in ObamaCare, for some reason, Speaker Pelosi and Majority Leader Harry Reid thought it was a good idea to stick it to Members of Congress that were not in leadership so that there would be no Federal supplement. No Federal employer was going to pay part of the cost of the insurance, health insurance, for Members of Congress. That is in the bill.

Originaly, we thought that meant every single Member of Congress would not get the employer part paid by the Federal Government. But it turns out the Speaker and certain of the leadership and leadership staff who must have helped draft the bill, that the way it was worded did not include the funds they were paid for them so they would continue to get the Federal portion paid by the government and taxpayers as that is.

But then Speaker Boehner, Majority Leader Reid, and President Obama got together, and they worked out a deal. Like my friend, Congressman DeSantis from Florida, pointed out, they made a deal to completely ignore what was in black and white print in ObamaCare that Members of Congress, other than the leadership, would not have the Federal Government paying any part of theirs. All the rest of the Federal employees in the country, yes, they would still have the Federal Government pay part of their insurance, only Members of Congress wouldn't.

They made a deal to specifically ignore what our Democratic friends put in the law. It was black and white expressly there, and so we had gotten so many calls and so much information.

Going all over east Texas, I've heard from so many people who have lost their insurance who now could not afford theirs. And now were forced into a network that did not have the doctor who was saving their lives or the medication that was saving their lives, didn't have Mayo Clinic and didn't have the certain cancer facility that I had been using to keep their lives going.

I had heard so many of those horror stories from constituents I just could not—I mean, I went and talked to the personnel here that are supposed to help us sign up for healthcare, and I just could not bring myself to sign up for ObamaCare that was being illegally interpreted. It is not even an interpretation; it is very clear. We didn't get the bill, Speaker Boehner agreed to do it despite what they put in the law and agreed to in the law. So I went without insurance at all for a few years and then have to pay extra to have insurance through my wife's employer.

But in order to get to that point. If we went ahead and enforced ObamaCare exactly the way it is written, the Speaker and the leaders would be taken care of in the House and Senate, but the rank-and-file Members of the House and Senate, I think, would more quickly have come to the conclusion: we have got to have a change, and we have got to have it quick.

Perhaps that is what President Obama was thinking when he agreed to have the Federal subsidy, and the huge part of the congressional health insurance that, gee, if he did that, then they wouldn't be as quick to want to overturn it.

I think it is very important as we hear friends across the aisle talk about how devastating it will be if we repeal ObamaCare. Yeah, what happens? Think about it. What happens if we repeal ObamaCare? We would go back to the way it was before ObamaCare passed. I didn't remember it being quite this high, but one of our friends mentioned this week, I remember the polls were saying 75 percent of Americans were satisfied with their health insurance before ObamaCare was shoved down every Americans' throat. So if we repealed ObamaCare, what would happen is we would go back to a health insurance—or a healthcare situation—where 75 percent of Americans were satisfied.

What room of us were saying, as we were in the minority on this side, we were begging our friends across the aisle, look, don't just throw out the entire healthcare system the way it is even though you have got people in the health insurance business and the big pharmaceuticals helping you write ObamaCare so they are making billions and billions more than they have ever made—yes, it is true, a lot of health insurers have gone out of business, but the big ones that helped write ObamaCare will make and sign on to it—happy to endorse it and embrace it—made record profits. So much for opposing crony capitalism. We see it at its best in ObamaCare.

So Americans should be a bit skeptical when they see some of the people who helped write ObamaCare and made billions and billions saying: oh, no, let's not throw it out.

Well, just remember, if we did that, if we just wanted to end ObamaCare and make sure the system exist as if ObamaCare had never passed, it would immediately put us into a situation where the vast majority of Americans were satisfied with their health insurance and with the healthcare they got.

I have noted over the years that one of the things that has helped with the acceptance by the minority that has accepted ObamaCare as being a good thing has been that politicians here in Washington have skewed the difference between health insurance and healthcare.

I know people have said: Oh, gosh, people were dying on the sidewalks. Actually, if you are on the sidewalk and you have got a health problem, you do not see people that you have seen in the emergency rooms done: they go to the emergency room. I am standing in line behind them, waiting to get care for one of my children.

So it wasn't a matter of not getting that healthcare. Those people did not have health insurance.

What good is ObamaCare insurance when your deductible is $7,000, $8,000, and you are paying $10,000, $12,000 a year for your insurance and you don't have enough to put aside in savings to even pay $1,000 to $2,000 of your deductible?

Yes, you have health insurance, but you sure don't have healthcare because now, because of ObamaCare, you cannot afford it.

Yes, from time to time I hear people say: Yeah, but the subsidy is working out so well, I am able to have insurance.

Well, what is your deductible? Well, it is pretty high, but I am satisfied with it.

You know what we keep finding? They are satisfied with it because they have got cheap health insurance and it works out fine until they have something catastrophic happen and they find out they don't have the money to cover what they have got to cover.

We have got to do something. I submit it wouldn't be so bad to go back to a system that a majority of Americans said they were satisfied with and then work from there.

Don't throw out the whole system again and make the Federal Government, Big Brother, have its fingers in every aspect of your supposed care. When the Federal Government has that role, whether you want to call them death panels or not, there are bureaucrats who will make decisions to decide what they are going to allow you to have and be paid for. That should never, ever be the role of the government.

Some say to go to a single-payer system, I despise that term because it masks just how evil the system is. It is socialized medicine, which is also another way of saying you have rationed care. Everybody is not going to get what they need, and the government will decide who they think has a life valuable enough to get a new knee or to get a new hip or to have back surgery or to have lifesaving surgery. The government will decide that.
That is the same reason I have heard from numerous seniors now. Before ObamaCare passed, they had Medicare as supplemental coverage. But even so, after ObamaCare passed, which cut $716 billion out of Medicare, they could not get timely surgeries that they needed before ObamaCare passed. If we don’t repeal ObamaCare, it will continue with those wait times that many seniors are now experiencing. Whereas, it used to be: When do you want to do this? Tomorrow? Next week? How about a year from now?

Now it is: I know you need it now, but it is going to be 2 or 3 months before we can work you in.

It is rationed care. That is what ObamaCare causes. There is going to be more and more of that unless we get ObamaCare repealed. I just don’t think that is an option. A majority of Americans did not want ObamaCare, and, after it passed, still didn’t want ObamaCare. They gave us the majority in the House, and now the Presidency on a promise that we would get rid of ObamaCare.

So we start from the premise that healthcare will be better and more affordable once ObamaCare is repealed. Then our reforms that we have got to start from the premise that you have to get rid of the system that is skewing and basically destroying the greatest healthcare system ever produced in the history of the world.

Moreover, as I noted before, have indicated there was probably some point in the early 1900s—it can be debated when that point may have occurred; some say around the protocols in the early 1900s, around World War I—or whenever it was, around 100 years ago, for the first time in human history, someone who needed healthcare had a better chance of getting better if they didn’t go see a doctor. That point was in the early 1900s. After that point, you started having a better chance of getting well if you went to see a doctor.

So you look at that time, whether it is 100 years, 120 years, and to think that just in the thousands of years of recorded history in our lifetimes, you have not only had a chance of getting well after seeing a doctor, but you have a great chance of being cured.

Think of all the diseases and conditions that we found cures for. We have so many. There will always be something else that needs to be researched and cured, because that is the state of this world. But we had a system here in America that produced more lifesaving medications and treatments and surgeries, more lifesaving and enhancing procedures of all kinds because, for one thing, we had competition, we had a free market system.

Our Founders so wisely put in the Constitution provisions for rewarding people, because of original thoughts or inventions, copyrights and patents. Congress has done a lot of damage to that system in recent years, but it still provides an incentive to create something that is lifesaving or life-enhancing.

We simply cannot build a healthcare system that helps people based on the foundation of ObamaCare. More and more—until it is complete, socialized medicine will be in place. With it, if we leave ObamaCare in place, there will be more and more rationed care, which means less and less care for individuals.

For 6 years, Republicans have been united in our support for fully repealing ObamaCare. Congress has voted—at least the House has—more than 60 times to repeal ObamaCare. So it is not the time to get timid. Now is the time to support the President’s efforts to get rid of ObamaCare.

If what we have to do is bring forth the bill that we passed in the last Congress and put it on the desk of the President to get rid of the thing that has, at least informally, President Obama’s name and that he says he is proud of—people are getting hurt, people are dying. But what have we got?

More and more are losing insurance. We are losing more and more insurance companies. I still continue to be quite concerned to just say there is a great panacea in buying insurance. They have got to start from the premise that is, unless we end the exemption from the monopoly laws, the antitrust laws, then we could very easily end up with only one or two insurance companies in the whole country instead of having on hundreds to choose from.

Far better it is to just end the exemption from antitrust laws, end the ability for a health insurance company to monopolize and have monopolistic tactics that keep entrepreneurs from developing new insurance companies, different ways of paying for healthcare. We have got to end that so that people that come up with new ways and better ways to provide healthcare end up doing well because of their great idea to provide more affordable healthcare. One thing in my mind that is absolutely certain: if we can just get rid of ObamaCare, then one of the steps we have got to take is to get back to a system that we had 50 years ago or so, when I was growing up in Mount Pleasant in east Texas, and you knew what things cost.

All the different times I had to be taken in for stitches because I got in trouble now because he is gone—a dear friend of the family that was a family physician at the time let my mother, since she was such a good seamstress, put in maybe three of my five stitches. Mother said: That is just basic sewing; I can do that. He said: You sure could. I have seen you sew. That is all it is.

I don’t encourage that kind of thing, but mother did a nice job, and he closed it up. She knew she was still going to pay the fee. Even though she put a couple of stitches in, she knew she was going to pay the fee. Anyway, he was shorthanded on nurses that day, and another woman was there, and it was a weekend and he came in special.

Anyway, you don’t see people anymore, like they did when I was young, who say: I am going to a different doctor because the other doctor raised his prices and that one is just as good. You don’t see that.

Nobody knows actually what the doctors are getting paid. I have asked for answers from wonderful healthcare providers that are actually trying to take care of people: How much is this? How much is that?

Well, LOUIE, I can’t really tell you. It depends.

Is it Medicare, Medicaid, cash, Blue Cross, Anthem, an HMO? You have got to tell me. And what is the diagnosis?

Sometimes it is a different charge, depending on what the disease is.

Why is that?

Because the government has put different payment schemes on these things.

We have got to get rid of a system where nobody knows what anything costs. You can’t have competition and spur healthcare and healthcare providers on to the very best they can possibly do by innovating new ways and better ways to treat people and to provide healthcare if we don’t have actual competition and people knowing what they are paying for. That is one of the things we have got to get back to.

I know there are some physicians who have said: Well, my contract with the insurance company doesn’t have that provision.

I have heard some do, but some have told me: Yes, my contract as a doctor with that insurance company said I specifically cannot let somebody who is paying cash pay as low an amount as I am taking as full payment from this insurance company.

Well, that shouldn’t be the case. But as long as an insurance company can monopolize, violate antitrust laws, then they will be able to do that kind of thing to keep people from being able to pay cash as readily as they could if they were one of the major insurance companies.

We ought to get out of that.

How do you get out of that?

Well, the first thing is you never ever wait as long as ObamaCare continues to be the law of the land.

So I am so proud we have a President that continues to push the idea of getting rid of ObamaCare so that we can have a better system providing healthcare. And I do use the word “healthcare” and not “health insurance.”

And it bothers the heck out of me that the CBO makes this grandiose
claim of how many people will lose their insurance, because they are too ignorant, under the models they create, to distinguish the difference between somebody who chooses not to buy a policy that costs them a fortune, has a deductible, and gets help under it and somebody who goes out and doesn’t help them when they need it, and someone who says: Gee, I want to keep this insurance, but I can’t afford it.

The CBO has made themselves—put themselves in such a blind position, they say, the difference. The CBO says, “Well, if somebody says, I am not paying for this insurance policy. The deductible is too high. The premiums are too high. I am going to put my money in a savings account, and I will have in 3 years $40,000 to cover healthcare problems, if I have some in the future, and that will keep growing,” well, they will say that poor person that now has a huge growing health savings account is like a poor homeowner, and the government yanked away their insurance.

No. They just chose to quit rewarding a health insurance company for not providing them insurance that they need. They took the difference between losing insurance and just refusing to buy insurance that is worthless.

I am hoping that we are moving closer to the day when we can get rid of this Democrat Congress contrived group called the Congressional Budget Office, CBO. I have been convinced for a number of years that we will never be able to get this country on sound footing with a driving economy, all boats being lifted, getting the country out of debt as long as the CBO is the official scorer for the bills in this building.

It seems clear to me. Yes, I understand. They have come to my office a couple of times. I get it. You create models, and then you feed this information in that you think is important to the models you created that hardly ever rely on actual historical performance. And then you just dutifully report what the model says the outcome is and what is going to happen as a result.

Try living with history and using absolute historical evidence of what happens instead of creating some goofy model that, as best it appears now, when they—well, first, I think $1.2 trillion, they estimated ObamaCare. And then after President Obama woodshedded Elmendorf, the director—and I know he doesn’t like that term—but whatever you want to call it, he called the congressional Budget Office, CBO. I have been convinced for a number of years that we will never be able to get this country on sound footing with a driving economy, all boats being lifted, getting the country out of debt as long as the CBO is the official scorer for the bills in this building.

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And in America, you know, they say, cumulatively, corporations are probably paying around 40 percent for corporate tax.

It is time to undercut the tax that China pays. Bring back our steel industry. Let’s get back to having Detroit—after all, some of the great Midwestern States had cities that were model cities, and people were working, and there weren’t the big slums because things were going great, that day can come back. But it will not come back to the extent it did with a 20 or 21 percent corporate tax.

But, oh, my goodness, if we cut our corporate tax to 15 percent, this United States economy will explode. This less than 2 percent that we had growth under President Obama, lowest for any 8 years in our history, that would end overnight.

Mr. Speaker, if I might ask how much time I have left?

The SPEAKER pro tempore. The gentleman from Texas has 23 minutes.

Mr. GOHMERT. Mr. Speaker, I want to direct attention to this ongoing narrative about collusion with Russia. We still desperately need an independent counsel to investigate the Mueller–Comey comparison relation.

It appears Mueller is on a tear and he is going to do everything he can to divert attention from his collusion with James Comey. They were buddies. They colluded about so much.

Comey got to see an independent counsel appointed. He was able—by leaking illegally, pulling these shenanigans, he consulted with Mueller even on his testimony. And Mueller is the guy who is supposed to judge the testimony. And under current Federal regulations, Mueller should have recused himself.

We got to have somebody investigate Mueller. It is getting out of hand.

In the meantime, the new developments seem to make clear to some of us that Donald Trump, Jr., seems like a nice guy, but he appears to have been the target of a Democratic action to try to take down the Trump campaign.

They point to this meeting between Donald Trump and Natalia Veselnitskaya, a Moscow attorney. Some of this is in an article written by Scott McKay, July 14, The American Spectator. She was trying to meet with Donald Trump, Jr., and when they actually had the meeting, she didn’t have anything to give him. She brought up about the bill that was passed that helped some extremely wealthy Russians with Putin, but, as this article points out, the evidence of collusion between Trump, Jr., and the Russians seems to be based on a timeline which included the WikiLeaks disclosures of hacked Democratic National Committee emails. And Trump’s request that the Russians make public the 30,000 emails of Clinton supposedly that she deleted from her illegal private server. But it is a smoking gun that Trump was the beneficiary of this Putin regime intelligence arm hacking the 2016 elections, so our friends across the aisle seem to say, but that doesn’t make sense. He got nothing out of the meeting.

At some point, everybody in this room had to run for election, and if they had an opponent, if somebody said, “Hey, you need to know this about your opponent,” you know, at some time or another, everybody in this room has listened to something, and many times it is just garbage, and you say, “I don’t want anything to do with that.”

And essentially that is what Donald Trump, Jr., did after he got lured into a meeting.

But when you think, wait a minute, what was this Moscow attorney even doing in this country? This article points out that her presence in the United States alone ought to be the source of suspicion, that not only is the Trump-Russia narrative a suspect, but the real inquiry ought to be whether the encounter was a small part of a larger attempt to trap the Trump campaign.

The Russian lawyer wasn’t even supposed to be in the United States. She had been denied a visa for entry into the United States in late 2015, but given a rather extraordinary parole by the Obama administration to assist preparation for a client subject to an asset forfeiture by the Justice Department.

She could not be in the United States unless someone who answered directly to the President of the United States said: We are going to let her in. She is working on something special, so we are going to let her in. Even though we knew previously she is not somebody we should let in, she is doing something special right now. We want her in.

And the story is that Loretta Lynch had to approve her coming in. So the client, Prevezon Holdings, that this Russian attorney was allowed to come in to help, was suspected of having paid some portion of $230 million stolen by Russian mobsters. When Sergei Magnitsky, a Russian lawyer representing a company that had been the victim of the theft, reported it to authorities in Moscow, he was promptly jailed and beaten to death by the Russians.

The American response to this atrocity was the 2012 Magnitsky Act, which sanctioned several individuals connected to human rights abuses. The Russian Government retaliated by preventing American adoptions of Russian children, but Putin didn’t care. Why would he care? He is making billions, he has got people like this Russian lawyer who Loretta Lynch let in.

So then we find out in June the Russian embassy is flying back to the U.S. to have the meeting with Trump, Jr., at Trump Tower, no less, and then ends up in the front row for a congressional hearing. She was sitting right there behind the Obama Ambassador.

In my experience, all the hearings I have seen, when you have somebody from the administration of the caliber of the Ambassador to Russia, you can be sure to make sure people behind him are those who can hand a note to help him answer a question. That is what is normal. Yet there she is, right behind Obama’s Ambassador to Russia.

Then she turns up in a film on the negative effects of the Magnitsky Act and later appeared at a dinner involving another couple of representatives, and she is now a lobbyist for the Russians overtly. Maybe she was then. The repeal of that legislation is a priority item for the Russians and a personal objective for Veselnitskaya, the Russian attorney.

So rather than any Clinton dirt, as was reportedly the primary subject brought forth at the White House against Donald Trump, it appears she was here with the approval of Loretta Lynch, with the approval of the Obama Department of Homeland Security.

They knew what she was about, just like they knew what was going on with Veselnitskaya. They were buddies. They worked on behalf of Prevezon, the company she was allowed in the country to come in to do that kind of important work, set up Donald Trump?

Well, anyway, turns out Veselnitskaya was connected to Fusion GPS. That is the Democrat opposition research firm, which employed a former British spy who used Russian contacts to produce the infamous and now debunked “urinary dossier” surrounding Trump. Veselnitskaya hired Fusion GPS head, Glenn Simpson, to work on behalf of Prevezon, the company she was allowed into the country to represent. Fusion then hired Christopher Steele, the British spy who drew on Russian sources to produce his dossier, and then they made him available for private briefings on the dossier with left-leaning media sources such as Mother Jones, The New York Times, The Washington Post, Yahoo, The New Yorker, CNN.

And, by the way, there is Veselnitskaya’s social media account, which is decidedly more aligned with the Fusion GPS side of the equation.
than with Trump. She was no friend of the Trumps. Every indication was she wanted the Trumps taken down.

Trump, Jr., met with her. It appears to be a setup.

I was guest hosting Patriot Tonight the other night and some people say: Why do you do this media?

One of my jobs is to not only be aware of what is going on here, try to vote properly, argue the right way on different bills, but it is also to make sure the American people know what is going on. And a guy called in, very interesting, but he seemed to have a pretty good grip on all of this. It is just amazing how many American citizens across the country—they are not confused by the smokescreen that we get from the mainstream media.

So if timelines are interesting to you, there is this: reportedly the Obama administration sought permission to electronically monitor Trump Tower in early June, and the FISA court granted it, but in October, they allowed it. Isn’t that something?

Once they set up Donald Trump, Jr., with this friend of the Obama administration, this Russian attorney who was using Obama’s own opposition research firm, she was helping them, they then convinced a judge: Go ahead and let us monitor everything going on in Trump Tower. When the judge initially refused to do that.

The article said: “So if you’d like to don your tinfoil hat and play the collusion game, try this on for size—when the Obama administration couldn’t get permission from the FISA court to surveil Trump, they allowed Veselnitskaya back in the country to take part in those Washington activities”—meeting up with Donald Trump. “... and in the meantime”—she used—“the administration’s pals at Fusion—GPS—with attempting to hook Trump, Jr.—into a basis for them getting a warrant.

There was nothing to that meeting, yet they used it, got a warrant to further monitor everything going on in the Trump Tower in October.

It just keeps pointing back to the fact we have got to get an independent counsel to investigate Mueller and his ties to Comey and Lynch and the Clintons, and get to the bottom of this mess. Yes, I want an investigation, because this is looking pretty lurid right now.

Just in the time left, I do need to mention, this continuing push by friends across the aisle and the Obama holdovers in our executive branch, they think net neutrality is something we have got to have. Maureen Collins in The Federalist has a great article on July 19, and she points out regarding net neutrality:

“The debate over net neutrality can easily turn into techie-jargon that one understands. Here is the basic gist: the internet is made up of bits. Proponents of net neutrality want to make sure these bits are all treated equally, meaning all web content appears on your computer at the same speed and with the same quality.

“That sounds like a good thing, right? Supporters say that net neutrality would make all content equal by ensuring that internet providers cannot charge for the quality of content. The free market, they say, is inherently unfair and only a third party—the government—can determine how content should be treated. But that sounds exactly like textbook New-Deal progressive fantasies, what is a good progressive to do?”

“Progressive” that term bothers me, kind of like “single payer.” Single payer means socialized medicine, government-run and rationed healthcare. What is a progressive to do? It is, actually is a throwback. It is socialism. Some socialists are even hardcore communists, not all are, but they want an Orwellian government where they watch and know everything going on, and they know better than Americans do. Let the government decide your future.

□ 1345

“The Bush FCC adopted principles for ‘preserving internet freedom’ in 2005, but did not go through a formal rulemaking process. In 2008, the FCC went after Comcast for going against these principles, only to get struck down by the D.C. Circuit, where bad administrative law goes to die.

“The entire process repeated itself under the Obama administration. In 2010, the FCC adopted an ‘Open Internet Order.’ Verizon Wireless sued the commission and, again, the commission lost at the D.C. Circuit.

“By now, it may seem that there must be something legally wrong with the FCC’s net neutrality regulations.” And that is exactly right.

“Under the U.S. Constitution, only Congress can give a specific power to an executive agency, like the FCC—usually through statute. Here’s the kicker: the FCC claimed Congress gave them the power to regulate the internet through the Communications Act of 1934. The observant reader will notice this law was passed a long time before the internet even existed, though the act did give the FCC power to regulate ‘common carriers’ like radio, wire communication, and telephone companies.

“But not the internet.

“Not only does net neutrality follow the New Deal’s progressive formula, it literally derives its power from a New Deal-era law. Right before the 2016 Presidential election, the Obama FCC created a third set of net neutrality rules.”

The bottom line is, if there is net neutrality, the government will decide what you get to see and hear on your computer. When I lived in China, I knew what it was to be censored and have the government deciding. You can’t learn anything negative about the government.

We cannot allow this pleasant sounding net neutrality to become a reality because, though it goes along perfectly with ObamaCare, with the government controlling our healthcare, shouldn’t they control what we get to see and hear on the internet?

And the bottom line is, this is the United States of America and it was created to control government, not to let the government control our free choices.

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

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

Motion was agreed to accordingly (at 1 o’clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, July 24, 2017, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

2021. A letter from the Acting Assistant Secretary, Acquisition, Technology, and Logistics, Department of the Army, transmitting a report on the use of the authority for Army industrial facility management in cooperative activities with non-Army entities for fiscal year 2016, pursuant to 10 U.S.C. 2344 note; Public Law 110-161, Sec. 328(b) (as amended by Public Law 114-290, Sec. 323(b))) (125 Stat. 1362); to the Committee on Armed Services.


2023. A letter from the Secretary, Department of the Interior, transmitting Progress Report No. 25 on the continuing studies of the quality of water in the Colorado River Basin, pursuant to 43 U.S.C. 220b; Apr. 11, 1956, ch. 203, Sec. 15; (70 Stat. 111); to the Committee on Natural Resources.

2024. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Airplanes [Docket No. FAA- 2014-AD-110; Docket ID: FAA-2014-AD-110-A; Director of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Airplanes [Docket No. FAA-2014-AD-110; Docket ID: FAA-2014-AD; Amendment 39-18037; AD 2017-13-07] (RIN: 2120-AA64) received July 19, 2017, pursuant to
H6144  CONGRESSIONAL RECORD — HOUSE  July 20, 2017

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. BISHOP of Utah: Committee on Natural Resources. H.R. 2797. A bill to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconvoyance (Rept. 115-236). 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. BUDD (for himself, Ms. SINEMA, and Mr. PEARCE):
H.R. 3321. A bill to require the establishment of a national strategy for combating terrorism and related financial crimes, and for other purposes; to the Committee on Financial Services.

H.R. 3322. A bill to amend the Internal Revenue Code of 1986 to require that States give preference in allocating low-income housing credit dollar amounts to projects which are committed to providing non-smoking buildings; to the Committee on Ways and Means.

By Mr. CARTWRIGHT (for himself, Mr. BARRON of Pennsylvania, Mr. CAPITO, Mr. CARSON of Indiana, Mr. COHEN, Ms. CLARK of New York, Mr. CONOVER, Mr. DELANEY, Mr. ELLISON, Mr. GAMAULDI, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON Lee, Mr. LOWNTHAL, Mr. LYNCH, Mr. MCGOVERN, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. PETERS, Mr. POCAH, Mr. RUSH, Mr. SWALWELL of California, Mr. TAKANO, Mr. VARGAS, Mr. YELIA, and Mr. YOHAI):
H.R. 3323. A bill to amend section 9A of the Social Security Act to promote testing of inpatient admissions for human immunodeficiency virus infection or acquired immunodeficiency syndrome; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, 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. CARVER of Georgia (for himself, Mr. ALLEN, Mr. CHABOT, Mr. COLE, Mr. ROUZER, Mr. AUSTIN SCOTT of Georgia, Mr. JOBY B. HICE of Georgia, Mr. BART, and Mr. BRUNN):
H.R. 3329. A bill to amend title XI of the Social Security Act to permit States to conduct substance abuse and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself, Mr. Matsuji):
H.R. 3330. A bill to amend title III of the Social Security Act to require the establishment of drug treatment programs in nursing homes; to the Committee on Education and the Workforce.

By Mr. ISSA (for himself, Mr. LARSEN of Washington, and Mr. BRADY of Texas):
H.R. 3331. A bill to include New Zealand in addition to the Committee on Agriculture, the Committee on Natural Resources, and the Committee on Education and the Workforce; to the Committee on Armed Services.

By Mr. ISHIBASHI (for himself, Ms. LEE of California, Mr. LEWANDOWSKI of New York, Ms. ESHO of Hawaii, Mr. REICHERT, and Ms. HERRERA BRUTLER):
H.R. 3332. A bill to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health plan or coordinating entity; to the Committee on Energy and Commerce.

By Mr. BARR:
H.R. 3333. A bill to require increases in accountability, combat corruption, and strengthen management effectiveness at the World Bank; to the Committee on Financial Services.

By Mr. JONES of California (for himself, Mr. YOUNG of Alaska, Mr. JONES, and Mr. MARSHALL):
H.R. 3337. A bill to require the Secretary of Defense to declassify certain documents related to incidents in which members of the Armed Forces were exposed to toxic substances; to the Committee on Armed Services.

By Mr. KATKO (for himself, Mr. MCCAGIL, and Mr. SIREN):
H.R. 3338. A report regarding security measures and equipment at Cuba's airports, to require the standardization of Federal Aviation Administration rules and regulations; to the Committee on Transportation and Infrastructure, 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. ROYCE of California (for himself and Mr. ENGLE):
H.R. 3339. A bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah and other entities of emanation; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, and in addition to the Committee on Armed Services, 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. CARTER of Georgia (for himself, Mr. ALLEN, Mr. CHABOT, Mr. COLE, Mr. ROUZER, Mr. AUSTIN SCOTT of Georgia, Mr. JOBY B. HICE of Georgia, Mr. BART, and Mr. BRUNN):
H.R. 3340. A bill to amend the Social Security Act to permit States to conduct substance abuse and targeted drug testing as a condition for the receipt of unemployment benefits, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself and Ms. Matsuji):
H.R. 3341. A bill to amend title XI of the Social Security Act to provide for the orderly disposal of certain Federal lands, to benefit education and other purposes through the sales of such lands, to consolidate Federal lands to improve management, to provide for the acquisition of lands for recreational and other purposes, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BRATTY (for herself, Mr. CLEVER, Mr. COHEN, Mr. CONVERSE, Ms. FURHMAN of Texas, Mr. JEFFRIES, Ms. KAPTUR, Ms. KELLY of Illinois, Ms. LEE, Ms. NORTON, Mr. RUSH, Mr. STIVERs, Mr. TAYLOR, and Mr. NOLAN):
H.R. 3342. A bill to posthumously award a Congressional gold medal to Maya Angelou in recognition of her contributions to American culture and the civil rights movement; to the Committee on Financial Services, and in addition to the Committee on House Administration, 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. BLILRAKIS (for himself and Mr. CUELLAR):
H.R. 3343. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to enter into contracts with qualified nonprofit organizations to provide service dogs to veterans who suffer from post-traumatic stress or traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CONYERS (for himself, Ms. WILSON of Florida, Mr. NORTON, Mr. CUMMINGS, Ms. JACKSON Lee, and Mr. EVANS):
H.R. 3344. A bill to provide for youth jobs, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DELAURA (for herself, Ms. SPEIZER, Ms. SLAUGHTER, Ms. PINGREE, Mr. JONES, Ms. CLARK of Massachusetts, Ms. HARRIS, and Ms. CLARKE of New York):
H.R. 3345. A bill to ban meat and poultry products processed in the absence of school lunch inspections; to the Committee on Education and the Workforce.

By Ms. DELAURA (for herself, Mr. WASHERMAN SCHULTZ, Ms. CLARKE of New York, Mr. COHEN, Mr. KHANNA, Mr. LARSEN of Washington, Mr. RUPPERSBERGER, Mrs. DINGELL, Mr. CONNOLLY, Mr. CARSON of California, Mr. MARGOLIS, Mr. BORDALLO, Ms. KAPTUR, Mr. POCAH, Mr. TAKANO, Mr. YARMUTH, Mr. PAYNE, Mr. SHARRAN, Mr. SCHIFF, Ms. NAPOLITANO, Mr. GRIJALVA, Ms. MELISSA LIJAN GRISHAM of New Mexico, Mr. NADLER, Mr. ENDEL, Mr. RYAN of Ohio, Mr. ROGERS of Texas, Mr. LANGEVIN, Mr. MCCOVERN, Mr. RUSH, Mr. CLYBURN, Mr. CARSON of Indiana, Ms. ROYBAL-ALLARD, Mr. CUILLINE, and Ms. JUDY CHU of California):
H.R. 3346. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, 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 Mrs. DINGELL (for herself, Ms. DELAURA, Mr. RYAN of Ohio, Ms. KAPTUR, Mr. RASKIN, Mr. ELLISON, Mr. GRIJALVA, Mr. CONYERS, Ms. SCHIAVENNO, Mr. BRUNER, Mr. DE SAULNIER, Mr. LIPINSKI, Ms. PINGREE, Mr. SHERRMAN, Mr. McGOVEN, and Mr. NOLAN):
H.R. 3347. A bill to extend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require the publication
of certain texts for trade agreements negotiated under that Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD:
H.R. 3341. A bill to amend title 18, United States Code, to regulate the use of cell-site simulators, and for other purposes; to the Committee on the Judiciary.

By Mr. GALLAGHER (for himself, Mr. SUOZZI, Mr. ROYCE of California, Mr. ROSKAM, and Mr. ENGEL):
H.R. 3342. A bill to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hezbollah of civilians as human shields, and for other purposes; to the Committee on Foreign Affairs, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIHUEN:
H.R. 3343. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to require States upon request to provide absent uniformed services voters and overseas voters who receive absentee ballots in an election for Federal office held in the State through the next regularly scheduled general election for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. LANGEVIN (for himself, Ms. BONAMICI, and Ms. STEFANIC):
H.R. 3344. A bill to amend the STEM Education Act of 2015 to require the National Science Foundation to promote the integration of art and design in STEM education, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. LAWSON of Florida (for himself, Ms. VELÁZQUEZ, Mr. HASTINGS, Mr. CASTOR, Mr. EVANS, Mr. PAYNE, Mr. BUTTERFIELD, Ms. BARRAGÁN, Mrs. WATSON COLEMAN, Mr. BISHOP of Georgia, Ms. BROWNLEY of California, Ms. MCINTOSH, Mr. BUCK, Ms. HANABUSA, Ms. ESPAILLAT, Ms. BEATTY, Ms. ADAMS, Ms. LEE, Ms. GABARD, Mr. FALLONE, Ms. CLARK of New York, Mr. CORREA, Mr. THOMPSON of California, Mr. SOTO, and Mr. VASSEY):
H.R. 3345. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans creating businesses in underserved communities; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, 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. FALLONE (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RUSH, Mr. GENE GREEN of Texas, Ms. DeLauro, Mr. DINGELL, Mr. MCMINNERY, Mr. WELCH, Ms. CLARK of New York, Mrs. DINGELL, and Mrs. NAPOLITANO):
H.R. 3347. A bill to establish an additional fund in the Treasury to ensure consumers do not lose access to over-the-air broadcast television as a result of the reorganization of the spectrum for cellular and broadcast purposes; to the Committee on Energy and Commerce.

By Mr. PETERS (for himself, Mr. BRENDAN P. BOYLE of Pennsylvania, Mr. MARSHALL, and Mr. ROTHFUS):
H.R. 3348. A bill to expand the tropical disease product priority review program to encourage treatments for the Middle East respiratory syndrome; to the Committee on Energy and Commerce.

By Ms. SÁNCHEZ (for herself, Mr. REED, Mr. Ryan of Ohio, and Mr. MEHANIAN):
H.R. 3349. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. CHABOT, Ms. DELBENE, and Mr. FARENTHOLD):
H.R. 3350. A bill to amend title 17, United States Code, to establish a database of non-dramatic music sound recordings to help entities that wish to publicly perform such works and recordings to identify and compensate the owners of rights in such works and recordings, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, and Mr. CARTER of Georgia):
H.R. 3351. A bill to amend the Immigration and Nationality Act to provide for the admission of certain health care workers as immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. TAKANO (for himself, Mr. VARGAS, and Ms. CASTOR of Florida):
H.R. 3352. A bill to amend the Immigration and Nationality Act to provide that an applicant for citizenship who served honorably in the Armed Forces of the United States is not automatically barred from becoming a citizen of the United States for having committed certain crimes, and for other purposes; to the Committee on the Judiciary.

By Mr. TROTTS (for himself, Mr. HESSARLING, Mr. KING of New York, Mr. ROYCE of California, Mr. LUCAS, Mr. MCHENRY, Mr. PRACE, Mr. POSEY of Florida, Mr. SMITHERS, Mr. HUZENG, Mr. DUFFY, Mr. STIVERES, Mr. HULTOREN, Mr. ROSS, Mr. FITTENGER, Mr. WAGNER, Mr. BARR, Mr. MESSER, Mr. TUPTON, Mr. WILLIAMS, Mr. POLIQUIN, Mrs. LOVER, Mr. HILL, Mr. EMMER, Mr. ZELDIN, Mr. TROTT, Mr. LOUDERMILK, Mr. MOONEY of West Virginia, Mr. MACARTHUR, Mr. DAVIDSON, Mr. BUDD, Mr. KUSTOFF of Tennessee, Mr. TENNEY, and Mr. HOLLINGSWORTH):
H.R. 3353. A bill to establish a loan program for congressional disaggregation under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements"; to the Committee on Financial Services.

By Mr. PERRY:
H.J. Res. 112. A joint resolution to authorize the use of United States Armed Forces against organizations that support Islamist extremism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHIFF (for himself, Ms. MCCOLLUM, Mr. KEATING, Ms. LEE, Mr. NORTON of California, Mrs. NAPOLITANO, Mr. GUTIÉRREZ, Mr. BLEMMEUR, Ms. SLAUGHTER, Mr. GARASINDI, Mr. WELCH, Mr. GUILALVA, Mr. COHEN, Mr. LYNCH, and Mr. BRIGA):
H.J. Res. 113. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns to encourage systems for such campaigns; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Mr. BRADY of Texas, Mr. RYAN of Ohio, Mr. POSEY, Mr. NUNES, Mrs. MIMI WALTERS of California, Mr. COOK, Mr. KNIGHT, Mr. ROHRABACHER, Mr. ROYCE of California, Mr. MOONEY of West Virginia, Mr. UPTON, Mr. BURGESS, Ms. TENNEY, Mr. LAMBORN, Mr. PERRY, Mr. HUNTER, Mr. VARGAS, Mr. CORREA, Mr. CURTILLAR, Mr. KAPTR, Mr. COLLINS of New York, Ms. STEFANIC, Mr. FLORES, Mr. MCCLINTOCK, Mr. MAST, Mr. POLIQUIN, Mr. DUNN, Mr. LAAMILFA, Mr. BAIN, Mr. HUZENG, Mr. FITTENGER, Mr. CHABOT, and Mr. DESJARLAIS):
H. Res. 70. Concurrent resolution recognizing and commending the leadership, patriotism, and contributions of veterans service organizations and for their commitment and sacrifice to ensure veterans are laid to rest with the honor and ceremony they earned through selfless service to the people of the United States in the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. ISSA (for himself, Mr. BRADY of Texas, Mr. RYAN of Ohio, Mr. POSEY, Mr. NUNES, Mrs. MIMI WALTERS of California, Mr. COOK, Mr. KNIGHT, Mr. ROHRABACHER, Mr. ROYCE of California, Mr. MOONEY of West Virginia, Mr. UPTON, Mr. BURGESS, Mr. PERRY, Ms. TENNEY, Mr. LAMBORN, Mr. HUNTER, Mr. VARGAS, Mr. CORREA, Mr. CURTILLAR, Mr. KAPTR, Mr. COLLINS of New York, Ms. STEFANIC, Mr. FLORES, Mr. MAST, Mr. MCCLINTOCK, Mr. POLIQUIN, Mr. DUNN, Mrs. BLACKBURN, Mr. LAAMILFA, Mr. BAIN, Mr. HUZENG, Mr. FITTENGER, Mr. CHABOT, and Mr. DESJARLAIS):
H. Res. 462. A resolution recognizing the patriotism, contributions, and values of veterans service organizations; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself, Mr. LEE, Mr. NORTON, Mrs. NAPOLITANO, Ms. BORDALLO, Ms. JUDY CHU of California, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. HASTINGS, Mr. PAYNE, Mr. EVANS, Mr. CLARKE of New York, Ms. KELLY of Illinois, Ms. BROWNLEY of California, Mr. MOLINOS, and Mr. LOE):
H. Res. 463. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SPEIER (for herself, Mr. SCHIFF, and Mr. KHANNA):
H. Res. 464. A resolution commending the week of July 17 through July 21, 2017, as "National Ectodermal Dysplasia Week" and
CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted by the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BUD: H.R. 3321. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1, of the United States Constitution.

By Mr. CARTWRIGHT: H.R. 3323. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3, of the United States Constitution.

By Mr. KIHUN: H.R. 3324. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3, of the United States Constitution.

By Mr. DOGGET: H.R. 3325. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 2, and Article I, Section 8, Clause 3, of the United States Constitution.

By Mr. BEATTY: H.R. 3326. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 3, of the United States Constitution.

By Mr. THOMPSON of California: H.R. 3327. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, of the United States Constitution.

By Mr. KATKO: H.R. 3328. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. ROYCE of California: H.R. 3329. 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. CARTER of Georgia: H.R. 3330. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, of the Constitution of the United States.

By Ms. JENKINS of Kansas: H.R. 3331. 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. CARTWRIGHT: H.R. 3332. 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. HARTZLER: H.R. 3333. 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. DOGGETT: H.R. 3334. 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. LANGevin: H.R. 3335. 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. LAWSON of Florida: H.R. 3336. 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. PETERS: H.R. 3337. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clause 3 of the United States Constitution.
DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS
Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:
H.R. 620: Mr. Suozzi.

PETITIONS, ETC.
Under clause 3 of rule XII,
59. The SPEAKER presented a petition of Lieutenant Governor Byron Mallott, Alaska, relative to House Joint Resolution 14, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.
The Senate met at 10 a.m. and was called to order by the Honorable Luther Strange, a Senator from the State of Alabama.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
O God, our shield, look with favor upon us. Lord, You have told us in James 4:2 that we have not because we ask not. We therefore continue to ask You to place Your healing hand on Senator John McCain. Astound us with Your power.

Today, we also pray that You would guide our lawmakers around the obstacles that hinder their progress, uniting them for the common good of this great land. Lord, enable them to go from strength to strength, as they fulfill Your purposes for their lives. Strive to please You, help them to stand firm in the faith, and guide our lawmakers around the obstacles that hinder their progress, uniting them for the common good of this great land. Lord, enable them to go from strength to strength, as they fulfill Your purposes for their lives.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE
The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Hatch).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

To the Senate:
Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Luther Strange, a Senator from the State of Alabama, to perform the duties of the Chair.

Orrin G. Hatch,
President pro tempore.

Mr. Strange thereupon assumed the Chair as Acting President pro tempore.

RECESS SUBJECT TO THE CALL OF THE CHAIR
The ACTING PRESIDENT pro tempore. In my capacity as a Senator from the State of Alabama, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 10:03 a.m., recessed subject to the call of the Chair and reassembled at 10:11 a.m. when called to order by the Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN
Mr. McConnell. Mr. President, Senator McCain is an American hero. He is a hero to our conference. He is a hero to our country. Here in the Senate, he is a friend to almost all of us. Our collective prayers are with him now. We are thinking of Cindy and the rest of his family as well, along with his staff and the people of Arizona.

Senator McCain, as we all know, has never shied away from a fight, and I assure you he isn’t going to back down now. I know the Senator from Arizona will confront this challenge with the same extraordinary courage that has characterized his entire life, and he should know that we are all in his corner, every single one of us.

We look forward to seeing our friend again soon, and we hope he will be back in the very near future.

HEALTHCARE
Mr. McConnell. Mr. President, I thank the President for having our conference over to the White House yesterday. The President and his administration understand the American people are hurting under ObamaCare. They have been long engaged in the effort to bring relief. Nobody could have been more involved in this effort than the President, the Vice President, and the entire team, with numerous phone calls and meetings. They have been all in, and I want the President and his entire team to know how much we appreciate their deep involvement in this and their commitment to getting an outcome.

Dealing with this issue is what is right for the country. The fight to move beyond the status quo of ObamaCare was certainly never going to be easy, but we have come a long way, and I look forward to continuing our work together to finally bring relief.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
CONCLUSION OF MORNING BUSINESS
The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bush nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Kenneth Bough, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for a few minutes as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HEALTHCARE

Mr. ENZI. Mr. President, my colleagues and I have been on this floor for the last 7 years talking about the problems with Obamacare and the need to address those issues.

In the early days, when Obamacare was still being cobbled together, we talked about individuals losing their coverage. Promises were made that if you liked the plan you had, you could keep it. That turned out to be a broken promise.

In 2009 and 2010, we talked about premiums skyrocketing. Today, we are still talking about it. Premiums are more than 100 percent higher in Wyoming today than they were when the law was passed. Our insurer has fortunately been more conservative in their approach. So premiums didn’t spike the way they did in other States.

I usually enjoy being right, but in this case, I am very sad to have watched the worst possible scenario play out. Time after time, President Obama was faced with problems in implementation and in outcomes, and he would dismiss them by saying: "It just needs more time," or, as this cartoon shows, "it just needs a tune up."

We and the American people gave it time and money—specifically, 7 years and hundreds of billions of dollars. We are now left trying to pick up the pieces of healthcare insurance markets all across the country.

You can see here that this ambulance is Obamacare. Behind it is its engine and other key components, and they have completely fallen apart. That is the private insurance market today. The part you don’t see here is that there is a patient in the back of this ambulance. This isn’t just about politics. This is about real people and whether they can afford an insurance premium that is in some cases higher than their rent or their mortgage payments each month.

Even before its passage, my Republican colleagues and I talked about the danger that Obamacare posed to private insurance markets.

Insurers have already left the market in droves. In Wyoming, we are down to one carrier. We lost the others to the economics of Obamacare, and we will be lucky to keep the one we have. I know many people in our country are going to be in the position of having no insurers offering plans in their county.

How could this happen? It has happened because of politics being put before the needs of ordinary Americans. I take on the hard task of fixing something that you have sold as the perfect solution.

I can tell you that healthcare isn’t a simple issue. It is incredibly complex and, really, there is no one right way to tackle it. I was the ranking member of the Health, Education, Labor, and Pensions Committee when Obamacare passed. We worked hard to find common ground. When it became clear that there was not a reciprocal commitment to address the issues on the other side of the aisle, we did work hard to try to stop it.

Now we are finally in a position to do so. We have a President in the White House who is committed to repealing and replacing Obamacare, will take better care before more irreparable harm is done. Republicans have been working on an approach that attempts to address both the short-term and long-term problems caused by Obamacare.

We have problems to solve right now. We are proposing to stabilize insurance markets in the short term and to get insurance costs on a more manageable trajectory over the longer term. We are striking at the heart of Obamacare by removing its mandates and taxes while putting Medicaid on a more sustainable footing.

Doing this isn’t easy. You may have read a little something about the challenges of moving a healthcare bill forward and replacing Obamacare. It is hard to do what our colleagues on the other side of the aisle have done for 7 years and watch Obamacare crater. We don’t think that is the right thing to do. We think we have an obligation, even if it is not an easy vote, to salvage our insurance system.

Getting something done in Washington isn’t always a pretty process, but I am proud to be working with the women and men in my conference who see that there is something larger at stake than themselves and who know that sitting this out means more harm and, perhaps, harm that can’t be undone later.

I will keep working. I am committed to passing the best product that we can deliver for the people of Wyoming and for our whole country. I look forward to continuing to work together to repeal Obamacare and replace it with policies that will truly improve healthcare in America. I hope my colleagues will join me in this worthy endeavor.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. McCONNELL. Mr. President, yesterday, several of my Democratic colleagues in opposition to the nomination of John Bush to serve on the Sixth Circuit Court of Appeals. They were particularly concerned about his activities outside of the courtroom, especially his personal blog posts. The comments of my friend, the junior Senator from Minnesota, were representative of their concern.

He reminded us that he has been serving on the Judiciary Committee for 8 years. He said that by confirming one to the bench, Mr. Bush, who has blogged about controversial political and policy matters, the Senate would be doing something unprecedented. Specifically, my friend from Minnesota—in angst—said, "I don’t think we have been here before.""...""

He said, I would encourage my friend to think a little harder about his tenure on the Judiciary Committee. Just a few years ago, the Senate considered President Obama’s nomination for a Federal judge in Missouri. Mr. Bough had been quite an active blogger himself. His blogging and online commentary were not simply confined to political satire and sarcasm. His blogging didn’t use merely flippant or intemperate language. His blogging demonstrated a real and palpable animus toward conservatives and Republicans in general, toward elected Republicans in particular, and by name—by name. He insulted and impugned people in opposition to him, such as Senators, his Governor, the President of the United States, and a Republican nominee for President, just to name a few.

Mr. Bough’s posts were truly mean-spirited. It wasn’t just that he called Republicans “knuckleheads”—which he did. That was when he was feeling especially kind. No, he said specific Republicans were “corrupt.” They had done “evil things”—“evil things.” I can go on and on about his corrosive rhetoric.

He approvingly posted an article describing how San Francisco was contemplating naming a sewage plant after President Bush as a suitable legacy for the President and posted another about someone to the Federal bench like Mr. Bough to serve on the Sixth Circuit Court of Appeals.

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For my Democratic colleagues who now profess to care about the judgment of judicial nominees who blog, I submit that impugning the integrity of the tribunal that has jurisdiction over their professional conduct and law license, as Mr. Bough did, is more than a few tweaks shy of exhibiting sound judgment.

Mr. Bough also implied that President Bush made his Supreme Court appointments as some sort of quid pro quo. He harshly criticized sitting Supreme Court Justices by name, and he claimed that the Republican nominee for President wanted only Federal judges who would disregard the law and rule in favor of the "religious right" and that he was "sucking up."

He made a crude comment about women that I will not repeat.

Now, some of our Democratic colleagues have criticized John Bush because he said that he would try hard to be impartial as a judge. By contrast, in one of his blog posts, Stephen Bough flat-out said that he, himself, "shouldn't be a judge." This is commentary on himself. But every one of our Democratic colleagues on the Judiciary Committee at the time, including our own Senator Bouch, clearly disagreed with his own judgment about himself. They all voted for him, which is especially curious in hindsight, given the superior weight our Democratic colleagues now place on blog posts. Only one Member of the Senate, Senator Thompson, who chaired the conference voted against Mr. Bough. These are many of the same Democrats, of course, who are supposedly aghast—aghast—at the Bush nomination. Mr. Bough is now Federal District Court Judge Stephen Bough.

Finally, I would like to set the record straight on the subject of the slur. Mr. Bush did not use the slur in a blog post, and he did not use it flippancy. In fact, he said he has never used this term and would not do so.

Rather, Mr. Bush quoted by name someone else—a prominent author who had used the slur. Mr. Bush quoted him to show how various authors had viewed our hometown of Louisville over time—both those who praised it and those who criticized it. In short, Mr. Bush said that he used it to show "the good, the bad, and the ugly."

So who was the author he quoted verbatim and by name? Why, it was noted liberal author. I agree that Mr. Thompson's use of the slur did not prevent liberals, including Democratic officeholders, from praising him. In fact, not one but two Democratic Presidential candidates went to his funeral—George McGovern and John Kerry.

The Senate has considered a judicial nominee who did use this slur in a blog posting, who actually did use the exact same slur, in fact. The judicial nominee who did not quoting any literary or published work, and this judicial nominee did not use the slur for any critical purpose. The judicial nominee used it flippantly and cavalierly. Who was the judicial nominee? It was President Obama's judicial nominee and current Federal District Court Judge Stephen Bough, who sits on the bench right now for life, after being confirmed by the votes of our Democratic colleagues.

I hope I have at least refreshed the memory of my friend from Minnesota and some of my other Democratic colleagues.

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. SCHUMER. Mr. 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.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. SCHUMER. Mr. President, first, on a sad note but one always of hope when it comes to Senator McCain, his cancer diagnosis sent a shock wave through the Senate last night. He is one of only a dear friend to many in this body, and from the bottom of my heart, I wish him and his family well. So does every Member of this Chamber. The respect that this man has is broad and deep, both based on his service and on what he has done here in this Chamber.

I agree with what the majority leader said earlier, in that John McCain is an American hero. There is no one who has done more to serve his country and this Chamber than Senator McCain. There is no one who is more passionate in the defense of our soldiers and in our defense than Senator McCain.

The same courage that he showed as a soldier he showed here. John McCain and I led the immigration reform. He had to take so many tough positions to do what was right. He was fearless. His word was good. He was good at compromising, and he was good at making his views known.

With that bill, which passed this body with 67 or 68 votes—a large number of Democrats and Republicans—had it become law, our country's economy would have been better, and our security would have been better because it was so tough on the border. We would have been in a better place for it had that bill passed.

The point I want to make is not with regard to the bill but to McCain—how we were in rooms for hours and hours, day after day, and we got to see the meteorite of the man. He, the more you knew him, the better he looked, and the better he was.

So we know that, against this new battle, Senator McCain will fight in the only way he knows how—with every fiber of his being. We wish him God’s peace in his journey to him and his family. We hope that he joins us very soon because this country needs John McCain now more than ever.

It was a horrible idea in January and was rejected, wisely, by our Republican colleagues. We were not involved. The door was closed on us on January 4. It is a horrible idea now.

So will that be the focus next week or will it be a new bill that has more money thrown in, as some have suggested—the same core bill of devastating cuts to Medicaid, tax breaks for the wealthy and the special interests, the cruel Cruz amendment, and an extra $2 billion slush fund? Is that going to be the bill?

We Democrats do not know what our Republican friends are planning to vote on next week. I will bet that many Republicans do not know yet either. What we do know is that a slush fund, tacked onto a bill that would gut Medicaid and other services by well over $1 trillion, is like putting an old bandaid on a bullet wound. The $200 billion in additional funding would only offset 17 percent of the bill's total cuts to coverage. It would not come anywhere close to covering the wound that the Republicans are inflicting on Medicaid, on Americans in nursing homes, on Americans in rural areas, on those who are suffering from opioid addiction. It just will not work, and repeal without replace is even worse. All of the options are horrible options for the Republican Party, but, more importantly, they are horrible options for the American people.

It is time to start over. It is time for our Republican colleagues to drop this failed approach and work with Democrats on actually improving our healthcare system. They closed the door on their January 4 in passing something called reconciliation, which basically says: We do not need the Democrats; we will do it ourselves. Let them open the door now that they have
seen that that failed approach does not work. I outlined three specific, nonideological proposals yesterday that we could work on together, right now, to stabilize the marketplaces and help bring down premiums. I believe they would work quickly. My Republican friends do not seem to know what to do. My suggestion is to drop these failed ideas and work with Democrats on the commonsense, nonideological solutions that we Democrats have offered.

Here is one more point. I have heard some of my colleagues say they may vote for the motion to proceed next week because they are in favor of debate. I will remind them that the rules under reconciliation only allow for 20 hours of debate to be equally divided between the parties and 1 minute of debate allowed per amendment. That is not debate. The idea that you would vote on the motion to proceed in order to have the debate is absurd.

If my colleagues want to debate healthcare, they should vote no on the motion to proceed and urge their leader to hold a real debate—in committees, in public hearings, on the floor, and in order, with regular order, with a real process that they have spurned for 7 months—not 10 hours for each party, with 1 minute per amendment, on such an important proposal. That is not a debate. It is the legislative equivalent of “Beat the Clock.” This is serious business—the health and welfare of the American people—not some game show.

TRADE AND OUTSOURCING

Mr. President, just as the administration is flailing and failing on healthcare, they are falling on trade and outsourcing as well.

I read today that the administration has failed to secure any concessions from China on its dumping of excess steel and aluminum in our markets, which is killing jobs in my State and in many others. As well, today, the Carrier plant at which President-Elect Trump tweeted about saving jobs just laid off 300 workers in Indiana and moved the positions to Mexico. It is exactly 6 months to the day since President Trump took office. It is a shame that we are losing these good-paying American jobs. Despite all of the President’s tough talk on trade and his Commerce Secretary’s “100 days of trade talks” plan, the loss of these jobs shows that, in 6 months, the Trump administration has been unable to actually take strong action, not go to one plant. You need policies that will protect millions of workers from the rapacious policies of China and other countries. Making America great again requires more than 140 characters per issue. The 338 jobs that are leaving Carrier today are just a starting point. When it comes to actual substance and policy, the Trump administration has done very little to change the game on trade to keep jobs in the United States—another broken promise to the American worker.

Mr. President, I reiterate my remarks from yesterday on the nomination of John Bush to the Sixth Circuit Court of Appeals. Many of my colleagues have been down on the floor and have expressed just how distressing and damaging this nomination will be.

His extreme record demonstrates that John Bush simply does not have the temperament to be an impartial Federal judge—the very least our system requires. I urge my colleagues to oppose his nomination.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senate is now in the hands of the Senator from New Hampshire.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Ms. HASSAN. Mr. President, I thank our leader, Senator SCHUMER, for his remarks.

I join with Senator SCHUMER and all of our colleagues in wishing the very best to our tough and resilient American hero and colleague, JOHN MCCAIN. Our thoughts and prayers are with him and his family. We need him back here as fast as he can get here.

I urge my colleagues on the other side of the aisle to vote down the motion to proceed, and have regular order, so that we can have regular order and so that we can hear from stakeholders and the American people about how changes in healthcare would impact them and what ideas they have for us to be able to lower costs and make sure that all Americans have access to truly affordable, high-quality care.

Mr. President, I also share Leader SCHUMER’s remarks and concerns about the current status of the healthcare bill as we understand it.

Mr. President, I also rise to oppose the nomination of Attorney John K. Bush to serve on the U.S. Court of Appeals for the Sixth Circuit.

An independent judiciary is critical to our democracy and to our march toward progress. Our Founders established our court system to serve as an independent arbiter that would protect the rights of every American and ensure equal justice under our laws. Unfortunately, it is clear that Mr. Bush lacks the impartiality and commitment to equal justice for every American that is needed to qualify for a lifetime appointment to the Sixth Circuit Court of Appeals.

President Trump’s nomination of Mr. Bush represents yet another attempt by this administration to undermine the rights of American women to make their own healthcare decisions and to control their own destinies. To fully participate not only in our economy but also in our democracy, women must be recognized for their capacity not only to bear a woman’s constitutionally protected right to have a safe and legal abortion. Hiding behind a pseudonym on an online blog, Mr. Bush has gone so far as to compare a woman’s right to make her own reproductive health decisions to slavery, saying they are “the two greatest tragedies in our country.” The fact that someone nominated for the bench would believe something like this is nothing short of appalling.

Mr. Bush has also criticized essential programs that women and their families depend on, referring to programs like the Women, Infants, and Children Program—otherwise known as WIC—and grants to combat violence against women as “wasteful.”

I urge my colleagues on the other side of the aisle to vote down the motion to proceed and urge their leader to hold a real debate—in committees, in public hearings, on the floor, and in order, with regular order, with a real process that they have spurned for 7 months—not 10 hours for each party, with 1 minute per amendment, on such an important proposal. That is not a debate. It is the legislative equivalent of “Beat the Clock.” This is serious business—the health and welfare of the American people—not some game show.

HEALTHCARE

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TRADE AND OUTSOURCING

Mr. President, just as the administration is flailing and failing on healthcare, they are falling on trade and outsourcing as well.

I read today that the administration has failed to secure any concessions from China on its dumping of excess steel and aluminum in our markets, which is killing jobs in my State and in many others. As well, today, the Carrier plant at which President-Elect Trump tweeted about saving jobs just laid off 300 workers in Indiana and moved the positions to Mexico. It is exactly 6 months to the day since President Trump took office. It is a shame that we are losing these good-paying American jobs. Despite all of the President’s tough talk on trade and his Commerce Secretary’s “100 days of trade talks” plan, the loss of these jobs shows that, in 6 months, the Trump administration has been unable to actually deliver results on trade, with the exception of the first U.S. beef shipment to China, which was the result of an agreement that President Obama helped to broker before the end of his term. The Trump administration has made few inroads in reducing our trade deficit or in making it easier for our companies to compete abroad.

It is all well and good to tweet about a few jobs saved at the Carrier plant, as the President-elect did last December—and I am glad he saved them—but as President, you have to
I. INTRODUCTION

The United States Chamber of Commerce is the largest lobbying organization in the country. OpenSecrets, a nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, making it twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent $35 million on lobbying expenditures (through super PACs, 501(c) organizations, and/or political party committees) that were “outside” or independent of candidates’ campaign committees.

The Chamber has used its considerable resources to fight legislation and government action on tobacco and climate change at home and abroad. A series of 2015 New York Times articles exposed the Chamber’s aggressive activities helping the tobacco industry fight international antismoking laws, regulations, and claims to represent the “interests of more than three million businesses of all sizes, sectors, and regions” when it interacts with Congress, its positions and actions on tobacco and climate, and yet its spending on lobbying has not declined.

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II. THE CHAMBER’S LOBBYING ON TOBACCO AND CLIMATE ISSUES

When the Chamber weighed in, many in Washington, D.C., listen. The Chamber is the largest lobbying organization in the country and claims to represent the “interests of more than three million businesses of all sizes, sectors, and regions” when it interacts with Congress. OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, making it twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent $35 million on lobbying expenditures (through super PACs, 501(c) organizations, and/or political party committees) that were “outside” or independent of candidates’ campaign committees.

The Chamber has used its considerable resources to fight legislation and government action on tobacco and climate change at home and abroad. A series of 2015 New York Times articles exposed the Chamber’s aggressive activities helping the tobacco industry fight international antismoking laws, regulations, and policies, and described the organization’s systematic efforts to undermine the Environmental Protection Agency’s work to address climate change and carbon pollution.

While the Chamber claims that it “reflects the grassroots views of the entire business community” and that it represents the “interests of more than three million businesses of all sizes, sectors, and regions” when it interacts with Congress, its positions and actions on tobacco and climate change do not appear to reflect or communicate the positions of many of its member companies. The following analysis shows that approximately half of the companies in the Chamber’s Board of Directors have publicly taken positions on tobacco and climate change that are in conflict with the Chamber’s actions and positions. This calls into question the Chamber’s allegedly transparent decision-making process, and suggests that the Chamber does not accurately represent the positions of its member companies.

Moreover, the Chamber’s lobbying is at odds with its own public positions. The organization strongly professes that it is anti-tobacco, saying that it “is not in the business of promoting cigarette smoking at home or abroad,” and to support efforts to reduce greenhouse gas emissions in the atmosphere, and calling for a “comprehensive climate change law.”

Plainly, there is a broad gap between the Chamber’s stated policies, its Board members’ positions, and its actual lobbying activities.

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The Chamber’s decision-making process and Board policy decisions are not transparent. Ten Chamber Board members re- vealed in their responses to the congressional inquiries, that they had no knowledge of or input into the Chamber’s lobbying activities on tobacco or climate issues. For example, Chamber Board member Edward Jones, Inc., indicated that the company “[w]as not advised of any campaigns... [and] is not aware of any processes” to develop those reports. It was reported that “the issues raised in [the] letter have not been discussed during the short time [it has] been a member of the organization.”

De- spite the Chamber’s assertions to the contrary, the Board did not discuss the Chamber’s policy-making process; one analyst concluded that “the Chamber is at odds with the interests of some, if not most, of its member companies.”

III. THE CHAMBER’S LOBBYING ON TOBACCO AND CLIMATE ISSUES
that were “outside” or independent of candi-

dates’ campaign committees.

The Chamber has attacked U.S. climate

policy with similar zeal. According to The

New York Times, in early 2014, a group of 50

corporate lawyers, coal lobbyists, and Re-
publican political strategists gathered at the

Chamber to develop strategies to dismantle

the President’s Clean Power Plan—before President Obama had

even introduced a draft proposal of it. The

Chamber has also been vocal about its oppo-
tion to climate action when testifying be-

fore Congress. For instance, the Chamber has

testified in opposition to the Paris Agree-

ment, claiming that the fact that many of its

Board member companies have pledged to

support the goals of the Agreement. Addi-
tionally, nearly all of Chamber campaign

contributions—94%—have reportedly gone to

cclimate change denier candidates.

V. FINDINGS

Based on the responses to the Tobacco

and Climate Letters and public positions and

policies of Board members, the report finds

that:

Approximately half of the companies on

the U.S. Commerce’s Board of

Directors have anti-tobacco and/or pro-

climate none.

None of the respondents to the Tobacco

and Climate Letter expressed explicit sup-

port for the Chamber’s activities, and nu-

merous Chamber Board members distanced

themselves from Chamber activities on to-

bacco and climate.

The Chamber’s decision-making process

lacks transparency, even with respect to its

Board members. A number of Board mem-

bers were unaware of key Chamber policymak-

ing and lobbying decisions on tobacco and cli-

mate.

Climate Change Findings

Almost half of the Chamber Board mem-

bers (52 of 106, 48%) have taken public posi-

tions supporting efforts to reduce carbon

emissions and address climate change, in-

cluding eight of the companies that re-

sponded to the Senate inquiry on Chamber

climate policies (see Appendix V). The re-

maining Board member companies appear to

have no public position on climate change as

a public health or environmental issue.

These 52 companies that support efforts to

address climate change, have undertaken their

own initiatives to reduce carbon emis-

sions, support the EPA’s work on climate

change, or have publicly committed to sup-

port of the Paris Agreement.

Indeed, some Chamber Board members are

national and international leaders on this

issue. For example:

Allstate is a member of the Ceres Company

Network, a group of companies that have

agreed to improve their environmental and

social performance, publicly report on their

sustainability practices, and continuously

improve their performance and disclosure on

sustainability issues. Allstate was also

named to the Climate Disclosure Leadership

Index in 2013 and 2014 for its efforts to

reduce its carbon footprint and trans-

parency on its climate change adaptation.

AT&T is one of more than 150 companies to

have signed on to the American Business Act

on Climate Pledge. AT&T has committed to

reduce its direct greenhouse emissions by 20

percent and reduce its electricity consump-

tion by 10%.

BMO Financial Group stated that it is “fo-
cused on reducing its environmental foot-

print, the goals and commitments it is main-

taining under EU carbon neutrality across our en-
tire enterprise.”

Las Vegas Sands was named to the CDP’s

“A list” in 2015 for its efforts to address and

disclose corporate climate change informa-

tion.

Ryder received the EPA SmartWay Excel-

ence Award in 2013 and 2014 in recognition of

its efforts to address carbon pollution and

emissions.

Sanofi strives to reduce [its] environ-

mental impact, so that [it] can contribute to

decreasing the effects of climate change.

Sanofi says that it has reduced its carbon footprint to re-

duce [its] carbon footprint and to combat
diseases directly correlated with climate change.”

Sanofi took bold steps to reduce its

transportation costs by 50 percent, and has a goal of re-

ducing its water consumption by 25 percent between

2010 and 2020.

3M is a member of the National Climate Coalition. In its 2015 Sustainability

Report, 3M touted its “history of proactive leadership in addressing both the challenges and opportunities presented by climate change and energy conservation.”

UPS stated it was “pleased to join 12 other firms at the White House on July 27, 2015, in launching the American Business Act on Cli-

mate Change . . . [W]e pledged first to re-
duce our carbon intensity by 20% by 2020, from a 2007 baseline. Second, we plan for our alternative fuel and technology fleet, which will number about 8,000 trucks by the end of the year, to have driven a cumulative 1 bil-

lion miles, as of 2020.”

No Chamber Board members that re-

sponded to the Senate letter explicitly sup-

ported the Chamber’s positions on cli-

mate policy. Seven respondents to the Cli-

mate Letter indicated that they do not agree with every action taken by trade associa-
tions of which they are a member, and three
companies declined to express a position.

Two of the eleven companies that responded to the Climate Letter (Citadel and HCSC) in-
dicated that they were involved in the Chamber’s climate-related activities, and the other nine did not indicate whether they were involved in the Chamber’s climate pol-
icy decision-making.

Despite the fact that nearly half of Cham-

ber Board members have acknowledged the risk of climate change or are actively work-
ing to address the risks of climate change,

the Chamber has opposed executive action on

climate and lobbed heavily in support of legis-

lation undermining climate action, ac-

cording to the New York Times. And nine of the 52

companies declined to express a position.

Two of the eleven companies that responded to the Climate Letter (Citadel and HCSC) in-
dicated that they were involved in the Chamber’s climate-related activities, and the other nine did not indicate whether they were involved in the Chamber’s climate pol-
icy decision-making. The Chamber claims that it “reflects the leadership in addressing both the challenges and opportunities presented by climate change and energy conservation.” Sanofi “strives to reduce [its] environ-

mental impact, so that [it] can contribute to
decreasing the effects of climate change.”

VI. CONCLUSION

The Chamber claims that it “reflects the
government views of the entire business com-

munity when the organization testifies be-

fore Congress or regulatory agencies, dis-

seminates reports or statements to the

media, or sends comments or letters to Cap-

itol Hill and to policymakers.” It states that “everyone involved in the process must help
develop positions that benefit the entire business community, rather than any given

interest . . . . The process must be open and al-

ternative.”

But this investigation finds these claims to be

plainly untrue. Despite its claims of a rep-

resentative policy-making process, the Cham-

ber does not speak for many of its

Board members on two of the most pressing

public health issues of our time. The discrep-

ancy between Chamber policy and the posi-

tions of which they are a member companies

oppose its stance because one third of its revenue comes from just 19

companies, many of them in the energy

industry.

Indeed, based on the responses of Chamber

Board member companies, the Chamber

seems to act at will, without broadly con-
sulting its leading members about funda-

mental policy positions on which it spends

millions of dollars in collected dues.

The Chamber’s failure to have dem-

onstrated leadership by disaffiliating them-

selves from the Chamber over fundamental

policy disagreements is further evidenced by

Sanofi and Pacifi

c Gas and Electric (PG&E), have left the

Chamber over its destructive climate poli-

cies. Nike left the Board for similar reasons,

and Starbucks, AT&T, Apple, Citigroup, John-

son, and Microsoft—publicly disagree with

and distance themselves from the Chamber’s position. And CVS Health withdrew its financial support last year due to the group’s tobacco lobbying.

Many Chamber members do good work to

address the risks of tobacco and climate change, but too many Chamber members quietly disapprove of the Chamber’s posi-
tions without taking action. As long as these

companies continue to lend their tacit support to an organization that spearheads systematic efforts against policies to limit tobacco and climate change, it is difficult to accept their claims that they are anti-tobacco or good on climate.

We encourage Chamber Board members to

stop looking the other way where there is
disagreement, and demonstrate Chamber

membership as supporting free speech. This

positioning makes it appear as though the Chamber’s interests are in dam-

ages their credibility and efforts in support

of positive action. These companies should take responsibility for the positions and ac-

tions of which they are a member companies declined to express a position.

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dicated that they were involved in the Chamber’s climate-related activities, and the other nine did not indicate whether they were involved in the Chamber’s climate pol-
icy decision-making. The Chamber claims that it “reflects the leadership in addressing both the challenges and opportunities presented by climate change and energy conservation.”

Mr. WHITEHOUSE. When President

Trump announced his withdrawal from the Paris Agreement, he used these al-
ternative facts from that chamber.

End of alternative facts quote.

This was another example of the Chamber,

compliance with the commitments put into place by the previous administra-
tion would cut production for the following sectors: paper down 12 percent; cement down 25 percent; iron and steel down 38 percent; coal—and I happen to love the coal miners—
down 86 percent; natural gas down 31 per-

cent. The cost to the economy at this time

would be close to $3 trillion in lost GDP and

6.5 million industrial jobs, while households

would have $7,000 less income and, in many

cases, much worse than that.

End quote of his alternative facts.

Countless reviewers, including PolitiFact, Scientific American—that

known crazy, phony, liberal publica-

tion, Scientific American—CNBC, and

Fortune magazine, fact-checked the President’s speech. It did not fare well.

PolitiFact warned us to “take these statistics with a grain of salt.” An

analysis of the underlying report was

done by Kenneth Gillingham, an eco-

nomics professor at Yale University.

He found out that the NERA study made up a hypothetical set of policy actions to reach those goals. Those policy actions may well never have been
taken by anyone to comply with the Paris Agreement, but that was what they used. Second, NERA only modeled the cost side.

You have heard the phrase “cost-benefit equation.” They only looked at the cost side. Look at the benefit side. This is phony accounting when you only look at one side of the ledger.

NERA, of course, has a history of producing misleading reports for its industry clients. In 2015, it released a report for the National Association of Manufacturers on the proposed ozone standard, claiming it would cost as much as $140 billion per year. On the cost side, EPA estimated it would cost a fraction of what NERA estimated, less than 12 percent. The economic consulting firm Synapse analyzed the NAM report and found it “grossly overstates compliance costs, due to major flaws, math errors, and unfounded assumptions... these assumptions and others led NERA to overstate compliance costs by more than 700 percent.”

That is just on the cost side. Once again, they didn’t even bother to look at the benefits. It is a one-side-of-the-ledger analysis. Of course, the chamber commissioned NERA to do the same thing for it on climate: overestimate the costs and ignore the benefits. In this world of climate denial, this is a classic maneuver.

Second, they cited the NERA report in his CNN op-ed urging President Trump to pull the United States out of the Paris Agreement a day before President Trump cited these stats in his withdrawal speech.

Cruz, Trump, and the chamber ignored more than 1,000 companies that supported the United States remaining in the Paris Agreement, including several chamber member companies. Some of these have publicly distanced themselves from the chamber as a result of the President’s decision. A recent Bloomberg news article was headlined, “Paris Pullout Pits Chamber Against Some of Its Biggest Members.”

Citigroup said: “We have been outspoken in our support for the Paris Agreement and have had a dialogue with the Chamber about how its views and advocacy on climate policy are inconsistent with Citi’s position.” Similar distancing came from Dow and Ford.

Over the weekend, the Washington Post ran a piece, “Is the most powerful lobbyist in Washington”—that is the so-called U.S. Chamber of Commerce—“losing its grip,” exploring this tension around climate in more detail. The article said, “(P)erhaps the most nettlesome issue for the Chamber has been climate change.” It calls out the chamber’s claims to be neutral on the Paris Agreement, while actually providing “ammunition for foes of the agreement.”

The article highlights the chamber’s climate denial efforts, including its 2009 proposal to hold a public trial on climate science—what it dubbed “the Scopes monkey trial of the 21st century.” New Mexico-based utility PNMs Resources actually quit the chamber because that idea was so preposterous.

The Washington Post identified 8 of the 10 CEOs that signed an ad in the New York Times supporting the Paris Agreement as chamber members, including GE, Microsoft, and Walt Disney. The CEOs of these companies publicly criticized President Trump’s decision.

Microsoft’s Brad Smith said: “We’re disappointed with the decision to exit the Paris Agreement. Microsoft remains committed to doing our part to achieve its goals.”

GE’s Jeff Immelt said: “Disappointed with today’s decision on the Paris Agreement. Climate change is real. Industry must now lead and not depend on government.”

Walt Disney’s Bob Iger said: “As a matter of principle, I’ve resigned from the President’s Council over the #Paris Agreement withdrawal.”

The chamber is out of step with its own members on climate change, maintaining a scientifically untenable position as every one of our state universities knows. Who is pulling the chamber’s chain? It is hard to tell since the chamber hides from the public who its donors are, but I suspect the answer is the same as to why the Republicans continued to revive the hated, zombie healthcare bill despite huge public disfavor for it.

Mr. President, that brings me to the nomination of John Bush to the U.S. Court of Appeals for the Sixth Circuit. The chamber’s rigid anti-climate stance is part of a fossil fuel political program that holds this Chamber in a state of intimidation and inaction on climate change. As Congress cowards before this fossil fuel political presence, we are now advancing the nomination of a climate denier to the Federal bench.

John Bush was not nominated because of any track record of distinguished performance or demonstrated commitment to public service. To the contrary, his most notable achievements seem to be a series of wildly offensive blog postings and public statements, denying that climate change is real and mocking it, comparing a woman’s right to choose to the evil of slavery, casually using vile slurs against gay people. On and on goes the list.

Bush has written a number of posts dealing with environmental issues in which he insists on placing the terms “global warming” and “climate change” in quotation marks, insinuating that they do not really exist. Tell that to your home State universities.

With this appalling track record, why was he nominated? It is not hard to figure that out. He is here because through his column and blog posts and by flaunting himself as a loyal climate denier, he signals himself as a willing foot soldier of the big special interests. These big special interests are intent on capturing our courts, just as they have captured so much of Congress.

Judicial nominees like Mr. Bush are exactly what these special interests want, to make sure they can, first, maintain their dark money influence. That is their most particular key. That is the mother ship off of which all the other special interest mischief they perform comes from and of course to see it that these big interests are never held accountable to the American people. That is the signal he sends.

Mr. Bush has flagged that he will rule the right way for the big special interests that fund the Republican Party, and the special interests’ big reward is his nomination and confirmation. He has shown that he is familiar with the recipes when it comes time to cook the decisions.

My Democratic colleagues and I respect any President’s desire and prerogative to fill the vacancies in the executive and judicial branches. Even though I understand we will not see eye to eye with our colleagues across the aisle on every nominee, Senate Democrats have given the President’s nominees a very fair shake. This is no normal nominee. This is a freak who lowers the bar on judicial nominees forever.

If Mr. Bush wants to exercise his Fourth Amendment right to spout offensive, ignorant, and hateful nonsense as some kind of nutty Breitbart blogger, he is free to do so, but that is not the measure—or has not until today been the measure of a Federal judge for the U.S. Court of Appeals.

Mr. Bush is patently unqualified for this position, well outside any version of the mainstream, and his appointment can reasonably be predicted to bring dishonor and preordained partiality to the judiciary. I regret we are at this point. I yield the floor.

The PRESIDING OFFICER (Mrs. Fischer). Under the previous order, all postcloture time has expired. The question is, Will the Senate advise and consent to the Bush nomination?

Mr. Sasse. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. There is no sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator from Arizona (Mr. McCaffrey). The following Senator from Michigan (Mr. Stabenow) is necessarily absent.

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

The result was announced—yeas 51, nays 47, as follows:
The nomination was confirmed.

Mr. ENZI. Madam President, 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 action.

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

EXECUTIVE CALENDAR

Mr. ENZI. Madam President, I ask unanimous consent that the Senate proceed to consider the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NEELSON. Madam President, I want to discuss this nomination. I am here to add my voice to those of my colleagues who oppose the nomination of David Bernhardt to be Deputy Secretary of the Interior. There are a host of reasons—from his history of censoring scientists to his denial of climate change—but I am going to limit my remarks to his allegiance to the oil industry and, specifically, his disregard for the importance of a moratorium on any drilling in the eastern Gulf of Mexico.

During his confirmation process, he gave some very troubling responses to questions about the moratorium from the ranking member, Senator CANTWELL. She asked: “Do you support the current moratorium in relation to offshore drilling in the Eastern Gulf of Mexico?”

He responded: “I am aware that, in response to the President’s recent Executive Order on the Outer Continental Shelf, Secretary Zinke issued a Secretarial Order 3550 directing the Bureau of Ocean Energy Management to review and develop a new five-year plan. I support the President’s and the Secretary’s actions to examine new leasing opportunities within the OCS in order to advance the Administration’s energy agenda.”

Then Senator CANTWELL asked him: “Do you support extending this moratorium?”

He responded: “I support the President’s and the Secretary’s actions aimed at increasing offshore production while balancing conservation objectives.”

First of all, when it comes to the eastern gulf, there is no good way to increase offshore production while balancing environmental concerns. The gulf—the eastern gulf is still recovering from the horrific 2010 Deepwater Horizon explosion, which fouled the gulf all the way east into the Panhandle of Florida.

Secondly, as I have explained time and again, it makes no sense to drill in an area that is critically important to the U.S. military and is the largest testing and training area for the U.S. military in the world, where we are testing our most sophisticated weapons systems and where we are sending our fighter pilots who need the open space to train. That is why they have the F-22 training at Tyndall Air Force Base. That is why they have training for pilots on the F-35 at Eglin Air Force Base. That is also why the Chief of Staff of the Air Force wrote in a letter just recently, “The moratorium is essential for developing and sustaining the Air Force’s future combat capabilities.”

I ask unanimous consent to have the two letters printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:


Hon. MATT GAETZ,
House of Representatives, Washington.

DEAR REPRESENTATIVE GAETZ: Thank you for your letter dated March 24, 2017, regarding maintaining the moratorium on oil and gas activities in the Gulf of Mexico beyond 2022. Since military readiness falls under my purview, I have been asked to respond to your letter on behalf of the Secretary of Defense. The Department of Defense (DoD) cannot overstate the vital importance of maintaining this moratorium.

National security and energy security are inextricably linked. The moratorium fully supports the development of our nation’s domestic energy resources in a manner that is compatible with military training, testing, and operations.

I am here to add my voice to those of my colleagues who oppose the nomination of David Bernhardt to be Deputy Secretary of the Interior. There are a host of reasons—from his history of censoring scientists to his denial of climate change—but I am going to limit my remarks to his allegiance to the oil industry and, specifically, his disregard for the importance of a moratorium on any drilling in the eastern Gulf of Mexico.

During his confirmation process, he gave some very troubling responses to questions about the moratorium from
Mr. NELSON. The letters—one from the Office of the Secretary of Defense and one from General Goldfein, the Chief of Staff of the Air Force—state they are needing to put a major investment of telemetry into the eastern gulf range for all of these sophisticated weapons systems, and they don’t want to go back in the future of the investment with the moratorium ending in the year 2022. They want to extend the moratorium for another 5 years, to 2027. That is a reasonable request by the Department of Defense and the Department of the Air Force.

For example, a test can start way down in the South, off of Key West, and a cruise missile could go all the way, 300 miles, because of the size of this test range, and then it could have a land impact on Eglin Air Force Base. That is part of our testing regime.

One could ask, Why couldn’t the cruise missile weave around oil rig activities? Well, look at the new miniature that are out there. It is not one, but a swarm, which takes up a big footprint that we are testing. This is just one example of a weapons system that needs a lot of open space. This is a national asset. We don’t want to give it up. That is why the top brass in the Pentagon is asking that we extend this moratorium so that those expensive investments in telemetry can be made.

We should not put someone in charge at the Department of the Interior if he has an open objection to what is obviously needed for national security and if he has demonstrated a history of sidestepping just with special interests. It would be a bad decision when it comes to the national security of this country.

I am going to open the nomination, but that is just one reason, one item, on an ever-growing list of concerns that this Senator has with the Department of the Interior these days.

On June 29, Secretary Zinke announced that the Department was seeking public comment on a new 5-year plan for offshore oil and gas leasing. In case anyone has forgotten, the current 5-year plan was just finalized 6 months ago. It is supposed to go through 2022. Why would the Department spend more taxpayer money to go through the whole process all over again? The only reason this Senator can see is that the oil industry wants more acreage. They are going after the eastern Gulf of Mexico, despite the fact that the Department of Defense is asking for exactly the opposite.

By the way, they ought to take from the very productive sections of the Gulf of Mexico off of Louisiana. There are almost no acres under lease, but of all those acres under lease, how many are actually drilled and/or in production? It is a small percentage of the acreage under lease that is actually drilled. So why don’t we take advantage of the existing leases, particularly in the central gulf, which is where the oil is? That is where all the sediments over millions of years came down the Mississippi River, settled in what is today the east flank of the crust, compacted it, and made it into oil. That is where the oil is.

Now, remember, also out there in the eastern gulf, this is the area that is off limits. This is the Egin Gulf Test and Training Range. The Air Force wants to extend that moratorium from 2022 by 5 years—out to 2027—in order to protect it for all of these reasons we have been discussing. It is all of that open space, and we ought not give it up.

I will give you another example of the short memories over at the Department of the Interior.

After the 2010 BP oilspill, it became clear that the relationship between the oil and gas industry was a problem so the Minerals Management Service was divided into two separate agencies in the Department of the Interior—the Bureau of Ocean Energy Management, which regulates leases, and the Bureau of Safety and Environmental, which is supposed to ensure that safety standards are followed. Less than a decade later, people seem to have forgotten all of that, and they want to put the two back together again. It is another example of what is wrong with the Department. The administration is trying to roll back the safety rules, like the well control rule that was finalized in November of last year. This long-overdue rule seeks to prevent what went so tragically wrong on the Deepwater Horizon rig from ever happening again.

Every day, it seems like the administration is coming up with a new way to put the gulf at risk and Florida’s coastline and tourism-driven economy at risk. It is not just the national security of the country by messing up the largest testing and training range for the U.S. military and the world. It is utilized by all branches of service. As a matter of fact, when they stopped the Atlantic fleet of the Navy from doing all of its training off of Puerto Rico on the Island of Vieques, all of that training came to the gulf. The Navy squadrons come down for 2 weeks at a time to the Naval Air Station Key West, with the airport actually being on the Key, and when they lift off on the runway, within 2 minutes, those F/A-18s are over restricted airspace so they do not have to spend a lot of time and fuel in getting to their training area.

I have heard from business owners, and I have heard from residents across the entire State of Florida. They do not want drilling in the eastern gulf. They have seen what can happen when the inevitable spill happens. We lose an entire season of tourism, and all of that revenue goes away, along with that loss. Why do they know that?
to the Secretary or in the Secretary’s absence. In virtually all matters, the Deputy Secretary has the authority of the Secretary. That is why I look at this position with such an important critique, because we know in past positions there have been conflicts, and we know that sometimes the inspector general was not able, after a short period of time, to make decisions in those areas.

So, as I said at his confirmation hearing—I’m not suggesting that just working for the private sector disqualifies someone, but when you have a wide range of issues that you have worked on in the private sector and now you are going to be on the other side of the table and be able, period of time, to make decisions in those areas.

The President of the United States traveled the country when he was campaigning and said he wanted to drain the swamp from special interests, and the challenges that dealing with conflicts of interest creates an appearance of a conflict of interest. Also, the nominee wants to lead the Department that he sued four times.

It is true that Mr. Bernhardt has considerable experience. We saw another nominee come to this same post in a past administration on the same basis. People told us he had a lot of experience in a lot of these cases, but he obviously didn’t follow the law and ended up going to jail because of his overreaching within the agency and organization.

So these are very important public policy issues, public lands issues—in interests that the American people need to make sure are aboveboard and no conflicts of interest.

Mr. Bernhardt served in the highest level of the Department of the Interior at a time when the inspector general called it “a culture of ethical failure.” I know that at the hearing he told us he tried to help change that failure of culture within the agency. The Inspector General also testified that “ethics failures on the part of senior department officials—taking the form of appearances of impropriety, favoritism and bias—have been routinely dismissed with a promise ‘not to do it again.’”

While Mr. Bernhardt has given testimony about the fact that he tried to help change and get away from that culture and realizes that his private sector client base poses a significant problem. The nominee’s extensive client base in the area, which falls under the jurisdiction of the Department of the Interior, creates at least an inherent appearance of conflict. He and his clients have lobbied extensively on such matters as the Cadiz pipeline in California, opening up the Arctic National Wildlife Refuge to oil exploration, and weakening the Endangered Species Act. He has advocated in favor of drilling offshore and lifting the moratorium in the Gulf after the Deepwater Horizon disaster. He also represented Westlands Water District, the Nation’s largest irrigation district, as a registered lobbyist. His law firm represented Westlands in four different lawsuits against the Department of the Interior.

In November 2016, he joined the Trump transition team, and Mr. Bernhardt deregistered as a lobbyist for Westlands yet continued to work for them in some capacity.

As the ranking member of the Energy and Natural Resources Committee, I raised concerns about these issues with the nominee during his confirmation hearing. He has submitted required financial disclosure and ethics forms, but there are specific questions we want to make sure are addressed.

He has declined to comment on recusing himself beyond just the 1-year period required by the ethics rules. I know Mr. Bernhardt says he will comply with whatever the organization and agency requires, but we don’t have the time, given the long list of conflicts of interest and given that past case representation, to constantly know every issue and every meeting and every oversight to make sure that undue influence is not being pressured at the Department of Interior.

The President of the United States, who the agency is supposed to be fighting for, told the Times just yesterday in a conversation about the Attorney General: “If he was going to recuse himself, he should have told me before he took the job and I would have picked someone else.” Well, I hope that is not the issue here. I hope the agency isn’t running fast toward somebody who just won’t recuse themselves in hopes that they will get some one who will do the bidding of these interests and not take into consideration the complexity, the legal structure, and the challenges that dealing with these issues takes.

In fact, as late as March of this year, Mr. Bernhardt’s firm was submitting invoices to Westlands for lobbying charges with itemized expenses. Documents show he was engaged in regular contact with congressional offices and working on legislation and efforts to inform administration policy at the same time he was serving on the Trump transition team.

Even the appearance that Mr. Bernhardt was still lobbying on behalf of clients that do business with the Department of the Interior at the same time he wants to help lead it validates some of the concerns we have been expressing.

I remain concerned about his record on behalf of these corporations at the expense of the environment and his tenure at the Department of the Interior and many other challenges. The Department’s responsibilities and jurisdictions are just too vast. They are too important to the American people to just green-light someone who I believe will be very entrenched in doing this job. So I urge my colleagues to oppose this nomination.

Just today, a complaint was filed with a U.S. Attorney about this nominee’s alleged lobbying activities based on new records available pursuant to California public records law. I want answers from the nominee. We are going to continue to ask questions.

In the meantime, I ask my colleagues to oppose this nomination. Make sure we get the answers we need before the nomination of David Bernhardt can continue.

I thank the Presiding Officer. I yield the floor.

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

Without objection, it is so ordered.

Mr. GARDNER. Madam President, it is my honor to come to the Senate floor today to talk in support of a fellow Coloradan’s nomination to be the Deputy Secretary of the Department of the Interior—David Bernhardt. I am very excited about his nomination, strongly support his nomination, and believe that my fellow Coloradan will do an absolutely incredible job for Colorado and our beautiful family there with him that day. I remember his oldest son Will about the connection that my family and our oldest child will always have with Will, because when my wife Jaime was working at the Department of the Interior, our oldest daughter Alyson spent some time at daycare with David Bernhardt’s son Will about the same daycare and the same work Jaime and David did at the Department of the Interior, working together.
all those years. But there is more than that. There are more connections I will share, between David Bernhardt and me, and one of the many reasons why I support him.

I have known him personally and professionally for nearly two decades. We both grew up in rural Colorado. I am from the Eastern Plains of Colorado, and Mr. Bernhardt is from the Western Slope. I am from the flatlands, and he is from the mountains. We share a lot of common interests in rural development and saving small towns.

We both began our public service 1 year apart, interning in the Colorado State Legislature for a member of the Colorado State Legislature named John Russell George, who would go on, eventually, to become the Colorado speaker of the house.

I will never forget when I began. It was in the second term of then-State Representative McInnis. I worked for him on Tuesdays and Thursdays in an internship through Colorado State University. He said: You should reach out and meet last year’s intern because I think he could help you with the ropes around here and what you should know about the internship. He gave me the phone number for David Bernhardt. So I followed in the footsteps of David Bernhardt at the capitol, and I am excited to see the work that he continues to do.

As I mentioned, Mr. Bernhardt worked with my wife Jaime at the Department of the Interior, and, at one point, we were just around the corner from one another. His personal background and public and private sector professional experiences prove that he is a strong voice for the West and extremely well-qualified for the nomination to be Deputy Secretary.

He has extensive insight on western water policy, natural resource policy, and Indian affairs, just to name a few. Those who have worked with Mr. Bernhardt commend him for his integrity and knowledge on the issues under the jurisdiction of the Department of the Interior.

In 2008, after the Department reached the largest Indian water rights settlement in the Nation’s history, Secretary Kempthorne personally acknowledged Mr. Bernhardt’s work as then-Solicitor and stated: ‘His effective coordination—both within Interior as well as with the local, tribal, state and congressional leaders—was essential to the success we celebrated today.’

The country will indeed benefit from having Mr. Bernhardt serve as Deputy Secretary, a position that is the second ranking official within the Department and the chief operating officer.

Along with Mr. Bernhardt’s professional career, I believe it is important to fully understand his background and the foundation of his interest in public lands, which further qualifies him for this very important role.

Mr. Bernhardt is originally from the outskirts of the small town of Rifle, CO, located on Colorado’s Western Slope. If you have driven through the Eisenhower Tunnel, the Veterans Memorial Tunnels, or if you go to Grand Junction, CO, you will have been right by and through Rifle, CO.

A few years later, David embody the spirit and mission of the agency he has been nominated to lead as Deputy Secretary. Growing up in rural Colorado instilled in David strong western values and interests, and, to this day, Mr. Bernhardt enjoys hunting, recreation, the outdoors, and rock climbing. Rifle was founded as a ranching community along the Colorado River, and it retains that heritage today, along with tremendous opportunities for world-class outdoor recreation, including fishing, hiking, skiing, rafting, and rock climbing. It also sits at the very edge of the Piceance Basin, an area in Colorado which has vast amounts of natural gas.

David grew up in the oil shale boom and bust and has said that the boom-and-bust cycle in Western Colorado has made him more sensitive to the potential benefits and the potential impacts—both environmental and social—of resources development.

In the 1980s, his hometown of Rifle was hit hard by the State’s oil shale crash, and he personally experienced some of the hard times the Nation’s rural communities often face. Much like the Department of the Interior itself, Rifle is a community that is a product of its public lands and the western heritage around it. It is centrally located, just a few miles away from the iconic Grand Mesa, the world’s largest flat top mountain. The flat top, the Book Cliffs, the Elk Range Plateau represent a home base among these public lands, with virtually unmatched access to world-class outdoor experiences, which is why Mr. Bernhardt has such a passion for these issues.

His background and outlook on public lands and water issues assisted him in his prior service at the Department of the Interior, including in the Solicitor’s office, and Mr. Bernhardt’s confirmation as Solicitor was confirmed by voice vote by the U.S. Senate in 2006. By voice vote, he was approved the last time he served at the Department of the Interior.

There have been other nominees—I think this has been a subject of debate on his nomination—considered by the Energy Committee and by this body who practiced private law from the time between their public service appointments at the Department of the Interior and the time they took their oath to return to public service. Mr. Bernhardt has taken the same steps these nominees did in order for his nomination to move forward today.

I think it is important to point out the Hayes-Schneider standard that was established for the Department of the Interior.

David Hayes, nominated for Deputy Secretary in the Obama administration, was confirmed by the Senate. He had previously served in the Clinton administration, and then he served in the Obama administration. In between that time, he had a private law practice.

Janice Schneider, nominated for Assistant Secretary under President Obama, served in the Clinton administration but in between served in a private law practice. What we see is another nominee who is a dedicated public servant, has gained experience in the private sector, and is willing to come back to public service to give back to our great country.

Mr. Bernhardt’s integrity and ability are two of his strongest qualities for his nomination. Public service requires certain sacrifices. I certainly appreciate Mr. Bernhardt’s and his family’s acceptance of the nomination that will be considered by this body today.

I hope the Senate process has not become a broken process, which disincentivizes qualified people—like Mr. Bernhardt, who is held in high professional regard—from serving and from returning to public service. That is why I hope his nomination today receives strong bipartisan support.

As the Senate takes up the vote on this nomination, I urge my colleagues to hold this nominee to the same practice, the same process to which we hold all nominees who are under consideration before the U.S. Senate.

There are a number of individuals and organizations that support David Bernhardt. The Southern Ute Indian Tribe in Colorado, the International Union of Operating Engineers, and the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination.

Why are these important? Because these are people who have worked with him throughout his career, from the time he was an intern for Russell George in the State legislature to the time that he worked with Scott McInnis, to the time he worked at a law firm, to the time he worked at the Department of the Interior, all the way up until today.

The National Congress of American Indians supports David Bernhardt as Deputy Secretary of the Interior. Ducks Unlimited applauds the nomination of David Bernhardt as Deputy Secretary of the Interior. The Boone and Crockett Club supports David Bernhardt’s nomination. The Boone and Crockett Club supports David Bernhardt’s nomination. The Boone and Crockett Club supports David Bernhardt’s nomination. The Boone and Crockett Club supports David Bernhardt’s nomination. The Boone and Crockett Club supports David Bernhardt’s nomination.

Here is a letter from a wide variety of organizations: the International
Snowmobile Manufacturers Association, the Recreational Vehicle Industry, environmental organizations that have done great work in conservation, the National Shooting Sports Foundation. These are groups, organizations—not partisan efforts, but organizations that rely on Democrats and Republicans.

The Indian Nation supports David Bernhardt’s nomination. These are Republicans, Democrats, and Independents across the country who believe David Bernhardt would do an incredible job at the Department of the Interior.

Here is a letter of support for David Bernhardt from the chief of the Penobscot Nation. The National Cattlemen’s Beef Association supports the nomination of David Bernhardt. The list goes on and on.

To my colleagues today, from those who know him best, I ask support for David Bernhardt, Deputy Secretary of the Department of the Interior, and stress the importance of a strong bipartisan vote today to show support for our western States that have so much need at the Department of the Interior.

The work needs to be done so that we can start once again getting to the work of the people.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICIAL. 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 nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.


The PRESIDING OFFICIAL. 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 David Bernhardt, of Virginia, to be Deputy Secretary of the Interior, shall be brought to a close?

The yeas and nays are necessary under the rule.

The clerk will call the roll.

The late Senator Daniel Patrick Moynihan said that you are entitled to your opinion, but not to your own facts. I would state, then, to let the confirmation facts do the talking.

President Trump and his three predecessors were each elected with the Senate controlled by his own political party. This is another illustration right here. At this point in the Clinton and George W. Bush administrations, the Senate had taken no cloture votes on nothing. As you can see, on nominations. We took just four nomination cloture votes at this point during the Obama administration. So far in the Trump administration, the Senate has taken 33 cloture votes on nominations. Think about that. If that isn’t obstruction, I don’t know what is. It is not even close.

There is one very important difference between cloture votes taken in the beginning of the Clinton, Bush, or Obama administrations and those taken this year. In November 2013, Democrats effectively abolished nomination filibusters by lowering the vote...
necessary to end debate from a super-majority of 60 to a simple majority. It now takes no more votes to end debate than it does to confirm a nomination. In other words, the Senate did not take cloture votes during previous administrations on the theory doing so could have prevented confirmation.

Today, Democrats are forcing the Senate to take dozens of cloture votes even though doing so cannot prevent confirmation. At least half of these useless cloture votes taken so far would have passed even under the higher 60-vote threshold.

Earlier this week, 88 Senators, including 41 Democrats, voted to end debate on President Trump's nominee to be Deputy Secretary of Defense. We have seen tallies of 67, 81, 89, and even 92 votes for ending debate. Meanwhile, these needless delays are creating critical gaps in the executive branch.

A clear example is the nomination of Makan Delrahim, a former Senate staffer whom everybody on both sides knows, is a wonderful guy, and who everybody knows is honest. But this clear example is the nomination of Delrahim to lead the Antitrust Division at the Department of Justice. Antitrust enforcement is a critical component of national economic policy. It protects consumers and businesses alike, and, without filling these important posts, uncertainty in the market reigns. This is a particular problem at a time of common mergers and acquisitions. Yet Mr. Delrahim, like dozens of others, has been caught in the maelstrom of delays. Mr. Delrahim was appointed out of the Judiciary Committee on a 19-to-1 vote. Everybody there knows how good he is, how decent he is, how honorable he is, and how bipartisan he has been. He is supremely qualified and enjoyed broad support throughout the Senate as a whole. Yet his nomination, like so many others, languishes on the floor because of Republican obstruction. Indeed, it has taken longer to get Mr. Delrahim confirmed than any Antitrust Division leader since the Carter administration. Keep in mind that this is a former staffer of ours who served both Democrats and Republicans.

Regarding the delay of Mr. Delrahim’s confirmation, I ask unanimous consent to have two news articles included in the RECORD.

There being no objection, the material is ordered to be printed in the RECORD, as follows:

[From www.wsj.com, July 12, 2017]

**SENATE FIGHT OVER TRUMP’S NOMINEES HEATS UP**

(By Brent Kendall and Natalie Andrews)

WASHINGTON—A congressional battle over President Donald Trump’s nominations for a range of influential positions is escalating and becoming more acrimonious, creating additional pressure on fragile Republican majorities in both chambers. The pressure could propel weak or vulnerable government vacancies might be filled.

Mr. Trump has been slower than recent presidents to roll out nominees. But for an array of Cabinet positions and some other key appointments that a new administration is eager to fill, Senate Democrats are using procedural tactics to slow the confirmation process to a crawl—at least in part to object to the lack of open hearings on health-care legislation, Democratic leaders say.

More than 30 nominees are sitting on the sidelines waiting for a final Senate confirmation vote. Those include several picks for the Justice and Treasury departments, as well as commissioners at a federal energy regulator that has been unable to conduct official business because of its vacancies.

If the current pattern holds, many of these people may not be confirmed for their jobs before the Senate takes a break in mid-August. Senate Minority Leader Chuck Schumer and his colleagues have been invoking Senate procedures to require up to 30 hours of debate per nominee, an amount of Senate floor time that means lawmakers can’t confirm more than a handful of nominees each week.

The minority party often waives a requirement for lengthy debate, but Democrats generally decline to do so. In response to GOP complaints, they cite what they call Republican obstructionism under President Obama as a top reason for their decision to hold a hearing or vote on Mr. Obama’s Supreme Court nominee, Merrick Garland.

In the current environment, even non-controversial nominees can take up several days of Senate time. For example, the Senate spent the better part of the week considering the nomination of David Nye to be a federal judge in Idaho. Mr. Nye was originally nominated by Mr. Obama and Mr. Trump renominated him after taking office. Senators took a procedural vote Monday on Mr. Nye, but he wasn’t confirmed until Wednesday afternoon, on a 100-0 vote.

Raw feelings of the aide erupted this week. Republicans accused Democrats of unprecedented obstruction, saying it would take the Senate more than 11 years at the current pace before Mr. Trump could fully staff a government.

White House legislative affairs director Marc Short, in a press briefing Monday, accused Mr. Schumer of being an irresponsible champion of the “resist” movement. Senate Majority Leader Mitch McConnell (R., Ky.) cited the issue as a top reason for his decision to push back the Senate’s planned August recess by two weeks.

On the Senate floor Wednesday, Mr. McConnell said senators were “bound and determined to impede the president from making appointments, and they’re willing to go to increasingly absurd lengths to further that goal.”

Democrats dismiss such characterizations given what they see as unprecedented Republican tactics toward Mr. Obama’s nominees, especially Judge Garland. In February 2016, Republican Senate leaders said they wouldn’t consider a Supreme Court nominee until after the election.

Democrats also note that Mr. Trump has yet to name people for hundreds of vacancies and say there have been paperwork problems with a number of them chosen. “Our Republican friends, when they’re worried about the slow pace of nominations, ought to look in the mirror,” Mr. Schumer said on the Senate floor on Tuesday. The GOP complaints about the pace of confirmations, he added, “goes to show how desperate our Republican leadership is to shift the blame and attention away from their healthcare bill.”

Mr. Schumer has said Democrats will generally vote on the Senate floor during the last 40 days of the current term for nominees until Republicans start using traditional Senate procedures for advancing their health legislation, including committee hearings.

Mr. McConnell has said Republicans have held numerous hearings on ACA issues in the past and it isn’t necessary to do so for the current legislation.

Unlike the political fights earlier in the year over some of Mr. Trump’s cabinet picks and his Supreme Court nominee, Neil Gorsuch, the current nominees at the head of the queue aren’t high-profile, and some have bipartisan support.

Among its current pending matters, the antitrust division is deep into its review of AT&T Inc.’s proposed $85 billion deal to acquire Time Warner Inc., a transaction announced in October.

Also pending are two picks for Republican seats on the Federal Energy Regulatory Commission, which usually has five members but currently has just one. Since February, the commission has lacked a quorum to conduct official business such as approving energy infrastructure projects. The nominees, Neil Chatterjee, a McConnell aide, and Robert Povolny, each were approved on a 20-3 vote by the Senate Energy and Natural Resources Committee last week.

Mr. Trump may have made a tactical misstep by not moving to fill an open Democratic FERC seat at the same time he announced the FERC nomination in May. For government commissions made up of members from both parties, usually look to pair Democratic and Republican nominees, with both sides giving both sides. The Trump administration has yet to name people for hundreds of vacancies, but he hasn’t done so yet.

Other pending nominees include Boeing executive Patrick Shanahan to be deputy secretary of defense, the No. 2 slot at the Pentagon, and Kevin Hassett to be the chairman of the Council of Economic Advisers.

Dozens of other nominees have been working their way through Senate committees and could be in line for full Senate consideration in the coming weeks. Those include Christopher Wray for FBI director as well as two nominees for the Nuclear Regulatory Commission.

[From Law360, New York, July 14, 2017]

**WAIT TO CONFIRM TRUMP’S ANTITRUST CHIEF LONGEST IN 40 YEARS**

(By Eric Kroh)

It has taken longer for the administration of President Donald Trump to get its top antitrust lawyer in place at the U.S. Department of Justice than any since President Jimmy Carter, leaving the division running at a limited clip some six months into Trump’s tenure.

As of Friday, it has been 175 days since Trump’s inauguration, and his nominee for assistant attorney general in charge of the DOJ’s antitrust division is still awaiting Senate confirmation. The nominee, Makan Delrahim, has yet to be approved by the full Senate despite pressing matters such as the government’s review of AT&T’s proposed $86 billion acquisition of Time Warner.

After taking office, Trump’s five predecessors had their nominees to head the antitrust division confirmed by June at the latest. Delrahim has taken longer to get his pick permanently installed after a change in administration. Carter nominated John H. Sununu to be the attorney general on July 7, 1977, and he was confirmed on Sept. 15 of that year.
On the rung below, only two of five deputy assistant attorney general positions are currently filled at the antitrust division. Though the division is largely staffed by career employees, it has been hamstrung under acting directors, the lack of a confirmed head and the vacancies at the deputy level could be a sign that the administration doesn’t prioritize antitrust matters, according to Christopher L Sagers of the Cleveland-Marshall College of Law at Cleveland State University. “It doesn’t seem like this particular White House has been as interested in the day-to-day administration of government as it has been in political issues,” Sagers said. “I don’t think that’s particularly well for antitrust enforcement.”

Trump did not take especially long to nominate Delrahim. It had been 66 days since his inauguration when Trump announced his choice on March 27. Former President Barack Obama was relatively speedy with his pick, naming Christine A. Varney to the position a mere two days after taking the oath of office. On average, though, the six presidents before Trump took about 72 days to announce their nominees.

However, it has taken an unusually long time for Delrahim to make it through the logjam of nominations in the Senate. As of Friday, more than 200 days since Trump announced Delrahim as his pick to lead the antitrust division, of the past six administrations, only President George W. Bush’s nominee took longer to confirm when the Senate approved Charles A. James on June 15, 2001, 120 days after he was nominated.

Popular wisdom holds that the antitrust division is too slow to launch any major merger challenges or cartel investigations when it is operating under an acting assistant attorney general, but that is largely a canard, Sagers said. It’s true that the division has been mainly focused on addressing litigation and deal reviews that were already ongoing when Trump took office and continuing probes begun under Obama. However, past acting assistant attorneys general have not been afraid to take aggressive enforcement actions, such as the DOJ’s challenge to AT&T’s acquisition of T-Mobile in 2011 under acting head Sharis A. Pozen, Sagers said.

Nevertheless, the lack of permanent leadership is likely being felt at the division, Sagers said. “At a minimum, it’s a burden on the agency’s ability to get all its work done.”

For example, the DOJ asked the Second Circuit on two occasions for more time to file its opening brief in a case involving the government’s interpretation of a decades-old antitrust consent decree that applies to the antitrust division. The court and police cartels until those seats are filled, Murino said.

While it’s preferable to have a full slate of officials as and when the antitrust division will continue to review deals, go to court and police cartels until those seats are filled, Murino said. “They’ve been through this before, maybe just not for this length of time,” she said. “There is a slew of really talented career people that do not change with the political administration.”

As long as those people are in place, they will keep the trains running on time.”

Mr. HATCH. Mr. President, Mr. Delrahim’s appointment is just one example among many. This particular example is a little vestige of the Senate’s agenda and hurt the President, but they are hurting the country, and they are hurting the Senate. They are hurting both sides.

I don’t want to see Republicans respond in kind when Democrats become the majority and when they have a President.

It won’t surprise anyone to hear that they are not limiting their obstruction campaign to executive branch nominees. In fact, looking at the judicial branch shows that this is part of a long-term obstruction strategy. In February 2001, just days after the previous Republican President took office, the Senate Democratic leader said they would use “any means necessary” to obstruct the President’s nominees. A few months later Democrats huddled in Florida where the New York Times described it, “change the ground rules” of the confirmation process. And change the ground rules is exactly what they did.

For two centuries, the confirmation ground rules called for restricting time-consuming rollcall votes for controversial nominees so that Senators could record their opposition. Nominations with little or no opposition were confirmed more efficiently by voice vote or unanimous consent. Democrats have literally turned the confirmation process inside out. Before 2001, the Senate used a rollcall vote to confirm just 4 percent—4 percent of judicial nominees and only 20 percent of those rollcall votes were unopposed nominees.

During the Bush Administration, after Democrats changed the ground rules, the Senate confirmed more than 60 percent of judicial nominees by rollcall vote, and more than 85 percent of those rollcall votes were on unopposed nominees.

Today, with a Republican President in office, Democrats are trying to change the confirmation ground rules. The confirmation last week of David Nye to be a U.S. district judge was a prime example. The vote to end debate on the Nye nomination was 97 to 0. In other words, every Senator, including every Democrat, voted to end the debate. Most people with common sense would be asking why the cloture vote was held at all and why the delay.

But Democrats did not stop there. Exit 2 hours, unanimous cloture vote, they insisted on the full 30 hours of postcloture debate time provided for under Senate rules. To top it off, the vote to confirm the nomination was 100 to 0.

I don’t want anyone to miss this. Democrats demanded a vote on ending a debate none of them wanted, and then they refused to end the debate they had just voted to terminate—all over a confirmation that every Democrat supported. That is changing the confirmation ground rules.

Only four of the previous 275 cloture votes on nominations had been unanimous. In every previous case, whatever the reason was for the cloture vote in the first place, the Senate proceeded promptly to a confirmation vote.

In 2010, for example, the Senate confirmed President Obama’s nomination of Barbara Keenan to the Fourth Circuit after unanimously voting to end debate.

In 2006 the Senate confirmed the nomination of Kent Jordan to the Third Circuit less than 3 hours after unanimously ending debate.

In 2002 the Senate confirmed by voice vote the nomination of Richard Carmona to be Surgeon General less than 1 hour after unanimously ending debate.

The Nye nomination was the first time the Senate unanimously invoked cloture on a U.S. district court nominee. This was the first time there was a unanimous vote to end debate on any nomination on which the minority refused to allow a prompt confirmation vote.

Here is another chart that shows the percent confirmed by rollcall vote during the Clinton administration, the George W. Bush administration, and the Trump administration. Here we have the Trump administration, and, as you can see, they are not confirming his nominees even if they are qualified and the Democrats admit it. No matter how my friends across the aisle try to spin the subject, these facts are facts.

While the Senate used time-consuming rollcall votes to confirm less
than 10 percent of the previous three Presidents' executive branch nominees, under President Trump, it is nearly 90 percent.

I admit the Democrats are bitter about the Trump win. I understand that everybody on their side expected Hillary Clinton to win. Many on our side expected her to win as well. But she didn’t. President Trump is now President, and he did win, and he is doing a good job of delivering people up here to the Senate for confirmation.

This is how the confirmation process is supposed to work.

The Constitution makes Senate confirmation a condition for Presidential appointments. This campaign of obstruction is exactly what the Senate Democrats once condemned. Further poisoning and politicizing the confirmation process only damages the Senate, distorts the separation of powers, and undermines the ability of the President to do what he was elected to do.

I hope our colleagues on the other side will wise up and realize that what they are doing is destructive to the Senate, harmful to the Senate, and it is a prelude to what can happen when they get the Presidency. I don’t want to see that happen on the Republican side.

**TAX REFORM**

Mr. President, to change the subject, I would like to speak about the effort to reform the Tax Code. Last week, I came to the floor to give what I promised would be the first in an ongoing series of statements about tax reform. Today, I would like to give the second speech on that subject in this series.

As I have said before, while there are tax reform discussions ongoing between congressional leaders and the administration, I expect there to be a robust and substantive tax reform process here in the Senate, one that will give interested Members—hopefully from both parties—an opportunity to contribute to the final product. I anticipate that, at the very least, the members of the Finance Committee will want to engage fully in this effort. I have been working to make the case for tax reform for the last 6 years, ever since I became the lead Republican on the Senate Finance Committee. This current round of floor statements is a continuation of that effort.

Last week, I spoke on the need to reduce the U.S. corporate tax rate in order to grow our economy, create jobs, and make American businesses more competitive. Today’s topic is closely related to that one. Today, I want to talk about the need to reform our international tax system.

Over the last couple of decades, we have enjoyed a rapid advancement in technology and communication, which has been a great benefit to everyone and has improved the quality of life for people all over the world. Unfortunately, our tax system has failed to evolve along with everything else.

For example, in the modern world, business assets have become increasingly more mobile. Assets like capital, intellectual property, and even labor can now be moved from one country to another with relative ease and simplicity. Those assets are relatively immobile—those that cannot be easily moved—are becoming increasingly rare. The Tax Code needs to change to reflect that fact.

Our current corporate tax system imposes a heavy burden on businesses’ assets, which creates an overwhelming incentive for companies to move their more mobile assets offshore, where income derived from the use of the assets is taxed at lower rates.

As I noted last week, there is no shortage of lower tax alternatives in the world for companies incorporated in the United States. It does not take a rocket scientist to understand this concept. If there are two countries that tax businesses at substantially different rates, companies in the country with higher tax rates will have a major incentive to move taxable assets to the country with the lower rate. That dynamic only moves in one direction, as there are not many companies that are looking to move to higher tax countries, like the United States, from lower tax jurisdictions. This is not just a theory; this has been happening for years.

An inversion, if you will recall, is a transaction in which two companies merge, and the resulting combined entity is incorporated offshore. Let me repeat something that I cited last week. In the 20 years between 1983 and 2003, there were just 29 corporate inversions out of the United States. In the 11 years between 2003 and 2014, there were 47 inversions, nearly doubling the number in half the time.

That number includes companies that are household names in the United States. This is happening in large part because of the perverse incentives embedded in our corporate tax system and the stupidity of us in the Congress to not solve this problem.

Keep in mind that I am only talking about inversions. There are also foreign takeovers of U.S. companies, not to mention arrangements that include earnings stripping and profit shifting. The collective result has been a massive erosion of the U.S. tax base and, perhaps more importantly, decreased economic activity here at home.

Make no mistake—our foreign competitors are fully aware of these incentives. They have recognized that lowering corporate tax rates can help them lure economic activity into their locations. Yet, in the face of this competition, our tax system has remained virtually frozen.

As I noted last week, reducing the corporate tax rate would help alleviate these problems, but more will be required, including reforms to our international tax system.

Currently, the United States uses what is generally referred to as a worldwide tax system for international tax, which means that U.S. multinationals pay the U.S. corporate tax on domestic earnings as well as on earnings acquired abroad. Taxes on those offshore earnings are generally deferred so long as the earnings are kept offshore and are only repatriated to the United States after accounting for foreign tax credits and the like.

Put simply, this type of system is antiquated. The vast majority of our foreign counterparts have already done away with worldwide taxation and have converted to a territorial system. Generally speaking, a territorial system is one in which multinational companies pay tax only on earnings derived from domestic sources.

By clinging to its worldwide tax system and a punitive high corporate tax rate, the United States has severely diminished the ability of its multinational companies to compete in the global marketplace. U.S.-based companies are subject to worldwide taxation while their global competitors are subject to territorial taxation systems. U.S. companies all too often end up having to pay more taxes than their foreign competitors, putting them at a distinct competitive disadvantage.

Generally speaking, foreign-based companies pay taxes only once at the tax rate of the country from which they derive the specific income. A U.S. multinational, on the other hand, generally pays taxes on offshore income at the rate set by the source country but then gets hit again—and at a punitive high rate—when it repatriates its earnings back to America. This is stupidity in its highest sense. This needs to change. It is not only Republicans who are saying that; many Democrats have recognized this issue as well. For example, I will cite the Pierson Committee’s working group on international tax, which is cochaired by Senators PORTMAN and SCHUMER, our ranking minority leader, which examined these issues thoroughly and produced a report in 2015. In that report, after noting that most industrialized countries have lower corporate rates and territorial systems, this bipartisan group of Senators said: “This means that no matter what jurisdiction a U.S. multinational is competing in, it is at a competitive disadvantage.”

The report by Senators PORTMAN and SCHUMER and the members of their working group also referred to something called the lock-out effect. Simply put, the lock-out effect refers to the incentives U.S. companies have to hold foreign earnings and make investments offshore in order to avoid the punitive U.S. corporate tax. This is not a dodge or a tax hustle on the part of these companies; they are simply doing what is right for their bottom lines. The Tax Code essentially tells U.S. companies: You can have $65 in Ireland, say, or you can have $65 in the United States.
Well, no surprise here—companies generally opt to have $100 in Ireland.

Currently, a huge amount of capital—as much as $2.5 trillion or maybe even more—that is held by U.S. multinational companies is effectively locked outside the United States and is unavailable for investment here at home. However, as Senators SCHUMER and PORTMAN and their colleagues on the international tax working group noted, these funds can easily be used to grow the economies of those foreign countries that have kept their tax codes up to date.

These are massive problems, and if we are going to put together an effective tax reform package and be competitive, we will have to find a way to tackle these issues. The most obvious way, of course, would be with a combination of reducing our corporate tax rates, transitioning to a territorial tax system, and ensuring protection of the U.S. tax base from things like earnings stripping and profit shifting. That approach, as it turns out, has bipartisan support.

These matters represent a significant portion of our tax reform efforts, and we already know it is one on which Republicans can agree, at least in concept. In other words, there is ample reason for our Democratic colleagues to join Republicans and for Republicans to join Democrats in the tax reform discussions.

Those of you who are not just important for faceless corporations or tax planners; they are important for American workers who are up and down the income scale. Anyone who is hoping to have a job and opportunities here in the United States and not somewhere else has an interest in reforming our international tax system. If we pass up this current opportunity to address these issues, people should expect to see more and more economic activity and investment that headquarter and supporting staff of more household-name companies moved outside the United States.

With bipartisan recognition of the need for reform and agreement on international concepts already having been displayed, we owe it to the American people to work together and fix this problem.

As I have said multiple times, I hope my friends on the other side of the aisle will be willing to work with us on tax reform. If they decline—and, sadly, we have seen some indication that they will—Republicans will need to be ready to take steps to fix these problems. I think we will be ready. Indeed, I think we are more than up to the challenge. I hope we do something about these important issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I thank the Senator from Georgia for the recognition.

Colleagues, the new CBO score is out on, I guess, version 4.5 or 5.5—it is hard to keep track of the bill to repeal the Affordable Care Act—and nothing has changed. This proposal, which is a moral and intellectual dumpster fire, is still a disaster.

Here is what the CBO says about the bill. The CBO is the only being worked behind closed doors by my Republican colleagues. The CBO says that, immediately, 15 million people would lose coverage by next year. That is a humanitarian catastrophe. It is something this country has never witnessed before, losing coverage in that short a period of time. Our emergency rooms would be overwhelmed as they would be unable to deal with the scope of that kind of humanitarian need. Ultimately, the number would rise to 22 million at the end of the 10-year window. We know it will be far bigger than that in the second 10 years because that is when the worst of the Medicaid cuts will happen, but 22 million is a lot of folks. It is no different than going down to their front porch, which was 23 million, or in the House’s bill, which somehow got a majority vote in that place despite 24 million people losing health insurance, according to the CBO.

Today, 88 percent of Americans are covered by health insurance. The CBO says that number will go all the way down to 82 percent. I have heard my friend Senator CORNYN complain on this floor year after year that the ACA will leave millions of Americans uncovered. This would make it even worse.

When you get down to look at what happens to individual Americans, it gets even more frightening. Let me give an example of how this bill would dramatically increase premiums on individuals who are currently insured through the private market.

A lot of the coverage losses happen because of this assault on Medicaid, which is the only program that those who have private coverage would not be able to afford it any longer. If you are a 64-year-old who is making, let’s say, $55,000, that is over three times the Federal poverty level. In a lot of places, you can live on $56,000. Today, that individual is paying about a $6,700 premium. Under the Republican healthcare bill, that individual would be paying $18,000 in premiums, that is an increase of 170 percent. That is just one individual.

The bottom line is that, if you are older and you are low income, you are going to be paying a whole lot more under this proposal.

Despite all of the guarantees made by Republicans and this President that under their plan, costs would go down, that deductibles would go down and premiums would go down, the CBO says the exact opposite. It says that, especially if you are sort of middle-income and are 50 or older, your premiums will go up dramatically.

This is a terrible bill. It does not solve a single problem that the Republicans said they were trying to fix. More people lose insurance, costs go up, and quality does not get better. This is a terrible piece of legislation.

We are at this very frightening time in the negotiations when changes are being made to this bill not to improve policy but to try to win individual votes that is what is happening as we speak. Behind closed doors, small changes are being made to this bill to try to win the votes of individual Senators, giving them specific amounts of money for their State, and their State alone, in order to win their vote. That is shameful, and it is easy to reorder one-fifth of the American economy. We are talking about 20 percent of the U.S. economy. And changes are being made to this bill right now that have nothing to do with good healthcare, that have only to do with winning individual votes to try to get to 50, because Republicans refuse to work with Democrats—refuse to work with us. So instead of building a product that could big bipartisan support, Republicans are now selling down to a handful of their Members and are trying to find ways to deliver amounts of money to those Members’ States in order to win their vote.

There is a special fund in the latest version of the bill for insurance companies in Alaska that was not in the previous version of the bill. Now, all of these provisions get written in a way that if you are an average, ordinary American who decides to take a couple of minutes of your day to look at the bill, you would never know that it was a specific fund for Alaska because it doesn’t say “Alaska.” It sets up a whole bunch of requirements that a State has to meet to get this special fund for insurance companies, and only one State fits that description, and it is Alaska.

There is a change in this bill from previous law that addresses States that were late Medicaid expanders, States that expanded into the Medicaid population allowed for under the Affordable Care Act but did it late in the process. The previous version didn’t give those States credit when establishing the baseline for the new Medicaid reductions, but miraculously this new bill has a specific provision to allow for two States that were late Medicaid expanders to be able to get billions of additional dollars sent to their State. Those States are Alaska and Louisiana.

There is a new provision in the latest version of the bill that makes a very curious change to the way in which DISH payments are sent to States—that is the Disproportionate Share Hospital Program that helps hospitals pay for the costs for people without insurance. Not coincidentally, it is a change that was advocated by one Senator from one State: Florida. The change will disproportionately benefit the State of Florida, and it is now in this new version.

These are not changes that help the American healthcare system. They are not changes that benefit my State or...
the State of the majority of Members here. Some of these changes don’t benefit 98 of us; they only benefit 2 of us. And they are in this version of the bill in order to win votes, not to make good policy.

We heard word this morning of a new fund that was invented in the middle of the night last evening that would supposedly help States that are Medicaid expansion States transition their citizens who are currently on Medicaid to the private market. Now there are reports that it is a $200 billion fund, and that is a lot of money. It sounds like a lot of money, and it is a lot of money, but it would represent 17 percent of the funds that are being cut to States, and it would only be a temporary bandaid on a much bigger problem. Why? Because CBO says definitively that the subsidies in this bill for people who want to buy private insurance are so meager that virtually no one who is kicked off of Medicaid will be able to afford those new premiums. That is why the numbers are so sweeping in their scale—22 million people losing healthcare insurance.

So even if you get a little bit of money to help a group of individuals in a hand-wringing transition where that money runs out—and it will—they are back in the same place. All they are doing is temporarily postponing the enormity of the pain that gets delivered. And once again, this provision being delivered to only States with Medicaid expansion populations is being targeted in order to win votes, not in order to improve the entirety of the healthcare system.

Senator CORKER called out his colleagues today. He said that he was willing to vote for the motion to proceed, but he was growing increasingly uncomfortable with a bill that was increasingly—I think his word was “incoherent.” That is what happens when you get to a point where you have a deeply unpopular bill that everybody in the country hates and you need to put amounts of money in it to get a handful of additional votes. It becomes incoherent. And this was an incoherent bill to begin with. It is hard to make this bill more incoherent, but that is what is happening when these individual funds are being set up for Alaskan, Louisiana, and Florida.

We could solve all of this if Republican Senators work with Democrats. If we set aside the big tax cuts for the wealthy and the pillorying of the Medicaid Program, if we try to fix the real problems Americans face today, we could do it on a bipartisan way. And wouldn’t that be great.

I get it that there is enormous political advantage for Democrats to sit on the sidelines and watch Republicans vote for a bill that has a 15-percent approval rating, just like there was political advantage for Republicans to sit on the sidelines and do anything to help Democrats provide insurance to 20 million more Americans. Healthcare is a very thorny political issue, but it doesn’t have to be that way. We could sit down together and own this problem and the solution together, and we could end healthcare being a permanent political cudgel that just gets used every 5 to 10 years by one side to beat the other side.

We are Senators too. We got elected just like our Republican friends did. Why won’t Republicans let Democrats into the room, especially after this bill has failed to win over 50 votes from Republicans? We don’t have a communicable disease. We aren’t going to physically hurt you if you let us into that room. We are not lying when we say we have a desire to compromise.

Democrats aren’t going to walk into a negotiating room and demand a single-payer healthcare system. We understand that we are going to have to give Republicans some of what they want; they could do that too. And they are in this version of the bill benefiting from design that is offered on these exchanges. But Republicans are going to have to give Democrats some of what we want, which is the end to this madness—an administration that is trying to sabotage the Affordable Care Act to destroy the healthcare our citizens get. But that could be a compromise. It is not illegal to meet with us. There are 48 of us; there are not 12 of us. My constituents in Connecticut deserve to have a voice in how one-fifth of the American economy is going to be transformed.

I know a lot of my Republican friends want to do this. I have talked with Republican Senators who say: Well, when this process falls apart, we want to work with you. It is failing apart, because the only way Republicans are going to get the 50 votes is by making these shameful changes—specific funding streams for specific States in order to get a handful of votes—and that is not how this place should work. Maybe that is how things happened here 100 years ago, but it is not how things should happen today.

So once again I will beg my Republican colleagues to stop this partisan closed-door exercise and come and work with Democrats. We can do this together. We can own it together. We will have plenty of other stuff left to fight about if we find a way to agree on a path forward for America’s healthcare system.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. Cassidy). The Senator from Oregon, Mr. WYDEN. Mr. President, before he leaves the floor, I want to commend my colleague from Connecticut for a very thoughtful speech. I think he has made the case that the challenge ahead is real, that we need to stop something that is especially ill advised, and second, to then move to a better way that really focuses on sunlight and bipartisanship. So I thank my colleague for his very thoughtful comments.

THINKING ABOUT SENATOR MCCAIN

Mr. President, I am here to speak about healthcare, but before I turn to that subject, I want to spend a few minutes talking about our wonderful colleague JOHN MCCAIN.

Some of the most satisfying moments I have had in public life have been serving with John McCain. When the U.S. Senate’s first new U.S. Senator in almost 30 years—I had the honor of being chosen to serve on the Senate Commerce Committee, which was chaired by John McCain. And what an exhilarating way to begin that first term, we tackled big, meaty, important issues of the future—the question of multiple and discriminatory taxes on internet commerce. We focused, for example, on Enron and what went wrong there here, so many of those were ripped off. We dug into consumer rights. John McCain was an early advocate for saying that if you rode on an airplane, it didn’t mean you ought to sacrifice basic consumer rights, and some of those issues are getting more attention today.

Then, of course, we built on this floor the Y2K measure. When everybody was so concerned about what would happen to some of the calamitous predictions about Y2K didn’t come to pass.

John McCain did some extraordinary work at that time. As a young U.S. Senator, what a thrill it was to be able to be involved with a real American hero on some of these first experiences I had in the Senate.

As we begin to absorb the news of last night, what struck me is that now we are counting on John McCain’s legendary strength to give cancer its toughest fight ever—toughest fight ever.

I just wanted to come to the floor today and say we are rooting for you, dear friend. We are rooting for you and Cindy and your wonderful family, and we are thinking about you this afternoon.

HEALTHCARE

Mr. President, it is my sense that if you thought the TrumpCare debate in the Senate had met its end on Tuesday, it is pretty obvious you ought to be thinking again. The zombie stirs once more.

The latest attempt by the majority to cobble together 50 votes, according to reports, comes down to a $200 billion slush fund in front of Senators from States that expanded Medicaid under the Affordable Care Act.

As the ranking Democrat on the Senate Finance Committee, I was very pleased that the President-Officer joined the committee this year. We have studied this one-time slush fund, and the theory, of course, is that it is supposed to be enticing enough for a Senator to vote for a bill that still slashes Medicaid to the bone.

Let’s be realistic about what the slush fund represents in the context of
the overall plan. Senate Republicans are steering tens of millions of Americans toward a cliff and are offering the world’s smallest pillow to break the fall.

Before I go further on the specifics of what the Senate is about to do, I want to step back and take a look at what the American people have been subjected to over the course of this debate. The reason I want to do this is that, even by Beltway standards here in Washington, this is the absolute worst of this city.

In the crusade to repeal the Affordable Care Act, the ACA, there has been the AHCA—the House TrumpCare bill. That is the one that earned the big victory ceremony with the President of the United States in the Rose Garden. Next, we had the BCRA—the Senate TrumpCare bill. Then, there was a second version of the BCRA. Then, along came something called the ORRA, the bill I have called “repeal and run,” which was put forward in May. This morning, the public got a look at a third version of the BCRA. My sense is, if you are having coffee in Coos Bay, OR, or in Roseburg over lunch or something like that, your head is going to be spinning as you hear this news.

I also want to make sure folks know about the strategy that has come out of the White House over the last few days. The President first endorsed the Senate’s TrumpCare bill, then it was put forth, while Senate Republicans watched the administration sabotage the Affordable Care Act, the President said that everybody ought to just sit back and watch what happens. Then it was back to calling for the Senate majority to pass TrumpCare.

Nobody in this Chamber, with the possible exception of Senate Majority Leader Mitch McConnell, can claim to really know what is coming down the pike on American healthcare. So with the health and well-being of hundreds of millions of Americans at stake, this shadowy, garbled, and wretched process really just leaves your jaw on the floor.

Senate Republicans seem to be speedying toward a vote on something. As I mentioned, there is the prospect of this $200 billion slush fund being dangled out there to help round up votes. My sense is that this slush fund is of zero consolation to the millions of Americans who live in States that didn’t expand Medicaid. Those States that expanded Medicaid. But the slush fund is going to run dry. That is a fact. State budgets are going to get hit like a wrecking ball. That is the reason so many Governors are so unhappy with what is on offer.

There is no escaping the consequences of whatever the Senate passes. If you had objections to insurance companies, you ought to be unhappy about this. If you were watching this, remember that figure the next time you hear that the Senate Republican bill lowers costs or puts the patient at the center of care. If this bill becomes law, that individual who breaks a leg, is hit by a car, is injured in an accident, is suffering from an illness that requires surgery, they will be on their own—no insurance. They don’t have pre-existing conditions. That is the reality.

A few hours ago, the nonpartisan Congressional Budget Office—for folks who don’t follow the lingo and CBO, those are our nonpartisan umpires. They put out an analysis of the third version of the Senate Republican healthcare bill. If you were hoping that was the charm, the news doesn’t exactly help your cause.

The CBO says that it is still going to send premiums through the roof. The new version is going to kick 22 million Americans off their healthcare. It is still going to make healthcare unaffordable for millions of Americans with preexisting conditions. That is especially crucial because I know the Presiding Officer is very interested in the policy foundations of these issues. Before the Presiding Officer came to this body, I worked with one of our former colleagues, and we put together what is called an comprehensive bipartisan health reform—seven Democrats, seven Republicans, that has been introduced in this body. One of the priorities that those Senators—and some of those colleagues on the other side of the aisle here; they were cosponsors of this bill, and many of the Democratic sponsors are still here. There was bipartisan agreement that there should be an airtight, loophole-free commitment to protecting people with preexisting conditions. As I said, seven Democrats, seven Republicans signed off on that bill. A number of them from both sides still serve in the U.S. Senate today.

Now what is being discussed is an approach that would make healthcare unaffordable for millions of people with preexisting conditions, really taking a big step back—and I have heard my colleague speak about this, commenting on TV shows and the like—toward the days when healthcare in America was for the healthy and the wealthy. That is what you get if you don’t have airtight protections for those with preexisting conditions. If you don’t have what we had in our original bill by seven Democrats, seven Republicans, loophole-free protections for those with preexisting conditions. If you don’t have it, you are marching back to the days when healthcare was for the healthy and the wealthy.

For those who care about the affordability of health coverage, there is a statistic that really leaves you without words. Under the Senate Republican bill, in 2026, a middle-aged American who brings home $26,500 annually will have his taxes cut by $800. If you are watching this, remember that figure the next time you hear that the Senate Republican bill lowers costs or puts the patient at the center of care. If this bill becomes law, that individual who breaks a leg, is hit by a car, is injured in an accident, is suffering from an illness that requires surgery, they will be on their own—no insurance. They don’t have pre-existing conditions. That is the reality.

The other option being put forward by Senate Republican leaders is a repeal-only strategy, and they claim it would have a 2-year transition. But the numbers from the Congressional Budget Office make clear that the idea of a 2-year transition after a repeal bill passes is a fantasy.

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The party’s leadership—spoke to a reporter about the Finance Committee and his fear about healthcare. Hillary Clinton—fear about healthcare won by Donald Trump, counties won by Trump. There ought to be room to work on these issues. The Affordable Care Act has really been a major factor in the reason that our people get hammered by escalating drug prices.

We have heard for so long that some of the middlemen they are called pharmaceutical benefit managers. They came into being a few years ago. They said: We will negotiate for businesses or States or labor unions. We will negotiate a better deal for the consumers.

Consumers said: Hey, we will see that in our pocketbook. At home we would see that at a pharmacy, at Fred Meyer or Rite Aid or Walgreens or any of our pharmacies. These are all big pharmaceutical companies around the country. We know, as of this afternoon, don’t know what these middlemen put in their pocket and what they put in our pocket.

There ought to be an opportunity to find common ground. I think there ought to be a chance for Democrats and Republicans to work together on approaches like my SPIKE bill, which says that when a big pharmaceutical company wants to drive up the prices, they should have to publicly justify why they are doing so.

There ought to be ways for Democrats and Republicans to work together and bring down prescription drug costs. There certainly is bipartisan interest in getting more competition and more consumers into the insurance markets. That means more predictability and certainty.

My view is, if you are serious about really helping to make the private insurance market robust, you have to stop this crusade to repeal the ACA. Insurers are making decisions right now. All eyes are on this body to bring certainty back to the marketplace.

The reality is, there is only a very short time with respect to 2018 premiums. I know there are Republican Senators who would like to tackle challenges on a bipartisan basis. The reality is, my colleagues and they are sending this message to Washington. If those folks in Washington will just give us the freedom, we can find better ways to cover people, hold down the costs, and make what works in Louisiana work for us, and folks in Oregon can pursue what works in Oregon.

I said, at the time, that every single bill that I would be part of in this debate about fixing American healthcare would have a provision that would respond to this argument that the States are the laboratories of democracy. We would have a provision that would allow considerable flexibility for States to take their own approaches.

I continue to feel very strongly about it. I wrote an entire section of my comprehensive bill to give States flexibility, and fortunately it was included in the Affordable Care Act. There ought to be room to work on these issues. The bipartisan approach known as the collaborative route and causing devastation in our healthcare system.

The Senate will take up, if the first procedural vote succeeds, is that both options have a special section which became law in the Affordable Care Act that in effect allows the President to work on 2018 provisions.

Frankly, their worry seems to be just as great in rural communities that President Trump won by large numbers or Hillary Clinton won by large numbers—one of those meetings has been dominated by the fears of Americans of all walks of life, of all political philosophies worried about what is going to happen to their healthcare.

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Frankly, their worry seems to be just as great in rural communities that President Trump won by large numbers or Hillary Clinton won by large numbers—one of those meetings has been dominated by the fears of Americans of all walks of life, of all political philosophies worried about what is going to happen to their healthcare.
Let us set aside this partisan our-way-or-the-highway approach, opt for the alternative, which is more sunshine and more bipartisanship. I will pledge to you everything in my power on the Senate Finance Committee to bring that about.

Mr. President, I yield the floor.

Suggested answer: Manufacturing

MR. BLUNT. 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. BLUNT. Mr. President, the White House started out this week with all kinds of activities on the White House grounds that were very much making us look like a country today, including more than we have ever had, that create stronger families and more jobs. And more bipartisanship. I will pledge to you everything in my power on the Senate Finance Committee to bring that about.

When we have an economy that focuses on making things and growing things, that has always been the strongest economy for working American families—an economy that competes, an economy that produces. Where the Presiding Officer and I live in Louisiana and in Missouri, in the middle of the country and close to that great transportation corridor and close to the resources of the country, we always particularly thrive when we are in an economy that is focused on making things.

With all of the other discussions this week, it would be a shame to not think about those products from every State that the President talked about this week about what they could make a living doing themselves and lots of other people, doing just that. In fact, manufacturing employs 12.3 million people in the country today, including more than 260,000 people in my State of Missouri. There is no doubt that we benefit from those kinds of jobs.

I was glad that in 2014 we were able to get the Revitalize American Manufacturing and Innovation Act signed into law, giving manufacturers a new opportunity for businesses to link with each other and to link with training facilities, maybe research universities. You have to have that kind of public partner, as well, to see what we could be to be even more competitive than we are. When we looked at Germany and other countries, they were not only doing this sort of thing, but they were doing it in a way that made it really hard for us sometimes to keep up with that level of interaction between innovation and manufacturing, innovation and labor.

Businesses are really very much impacted, jobs are very much impacted by the decisions that government ultimately sets the stage for. If you are going to make something in America today, the first two boxes I think you would have to check would be can you pay the utility bill and does the transportation system work with what you are trying to do. If you can’t check those two boxes, no matter how great that workforce and that location might be, you are not going to take those jobs there. So government, either as a regulator or as a provider, is going to be very involved in whether you can pay the utility bill.

That is why I was really glad to see the new director at the Environmental Protection Agency look at the power rule. The courts fortunately had already said you don’t have the authority to do that—only Congress can do what you want to do here—which is look at the power rule and look at States like many of our States in the middle of the country where, in my State, a new power rule would have doubled the utility bill for families and the places they work in about 10 or 12 years. By the way, nobody pays the utility bill for you. The utility bill is paid based on how many kilowatt-hours you use, not how many people you are using. If we do just exactly what we have been doing, we are going to get those standards, you of course have to keep paying for your car, but you also have to have a new car. That is what we are about to tell you competitive small businesses, that compete and go after jobs. And if you don’t think that would have had an impact on jobs, you are just not thinking about jobs.

There was a water rule, the waters of the United States, that would have done about the same thing. Both of those have been pushed back by the courts, and hopefully we are walking toward a more reasonable situation where we are thinking about how to accomplish the same goals in a way that lets families accomplish their dreams.

Then the second thing, the transportation issue: Does the transportation system work for what you want to make? Can you get the material where you need to get it? Can you get a product out in a way that continues to make you competitive? And the State and Federal Government and local governments are very, very much in charge of the decisions that make that environment whatever it is.

If we are thinking about “Made in America,” we have to think about those things. Then we have to think, with that infrastructure in place, what is the third and crucial piece of that puzzle coming together? It is a workforce that is competitive and prepared and an education system that is prepared to help with whatever comes next.

If we think we know what the average person, or any person, is going to be doing and how they are going to be doing it 20 years from now, I suspect none of us are quite that able to predict what 20 years from now is going to look like. In fact, if we had thought about the way we do most of the work over the past 20 years, we would have been amazed. Oh, it is just 20 years later, but we didn’t have the cell phone, we didn’t have an iPad, we didn’t have a computer. There was nothing at the factory that did that machine does right now. We have to have a workforce that is ready, and we have to do all we can to make that workforce ready.

On the infrastructure front, we need to look not only at the infrastructure we Finance Committee work with, but new ways to think. The BRIDGE Act is one way that we can get new tools we can put in the tool box. Senator WARNER and I reintroduced the BRIDGE Act to provide one more tool to create more incentive for private sector partnerships, to do things differently than we have done them before.

If we are about to tell utility users and see what you are going to do with your checks out of your paycheck, pay it one more time and see what you are going to do with the rest of your family’s money that month, which suddenly you can’t do because you are paying the utility bill twice.

There are ways—when we need to transition to some other kind of utility provider if we want to transition in fuels or sources or whatever—there are ways that is coming. That is to say that the next time you have to build something, the next time you have to borrow money that the utility users are going to pay back over 20 or 30 years, once you have paid for what you are doing now that has met all the requirements, you have to do it differently than what that silly rule would have said, because it would have said you have to pay for what you already have, but you have to also be paying for what you immediately had to replace it with.

This would have been like if you had the CAFE standards, the miles-per-gallon standards, if that same agency would have said: OK, we are going to have new miles-per-gallon standards and they are effective immediately, and if you have a car that doesn’t meet those standards, you of course have to keep paying for your car, but you also have to have a new car. That is what we are about to tell you competitive small businesses, that compete and go after jobs. And if you don’t think that would have had an impact on jobs, you are just not thinking about jobs.
this week without also thinking about those jobs, thinking about the 12.3 million Americans who work at making things, thinking about the more than a quarter of a million Missourians who do that. Think about the others who work, growing things, and how an economy that makes things and grows things is a stronger economy than an economy where people just trade services with each other. There is nothing wrong with trading services, but if you do that on top of a productive economy, you can get much better likelihood for everyone involved to serve the people who provide the services, as well as the people who are out there making things that are competitive in the world to have better opportunities.

I appreciate the President and Vice President this week calling attention to that important part of what we do as we move toward transportation and infrastructure and other things.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. President, while I am on the floor, I want to mention for just a minute our friend, JOHN MCCAIN. I know lots of prayers have been said for Senator McCain and his family. Lots of stories today have been told and traded, and a lot of stories to tell. When I was in the House for 14 years, I was often in brief meetings with Senator McCain. Frankly, I never grew to appreciate him anywhere near like I did when I had a chance to begin to work with him day by day. For me, at least, he was an acquired taste. It took time to really see his strength, his tenacity, and to understand that irascibility was just part of who he is and part of his determination to make the country and the Congress and the Senate better.

It would be hard to find anyone more determined or less fearful. In fact, someone in a recent debate in the last year or so said that Senator McCain had—Senator Warner said that Senator McCain had done something because he was afraid to do the other thing. When asked about it, Senator McCain said: Well, it has been a long time since I was afraid.

He is a man who served his country day after day after day, and still does: a believer in what we stand for; someone who has traveled all over the world, as I have had a chance to travel to dangerous spots and other places. Over the years, whenever I am up there, people would say: Here is what Senator McCain had to say when he was here. Here is what Senator McCain did when he was here. Senator McCain was here last week. He was there, always proud of the independence and determination and the transparency and freedom that he stands for.

We all know he is in a fight right now, but we all also know he is a fighter. He is not a man who surrenders. I know the prayers of not only the Senate he did as many people all over the country and, frankly, all over the world go out to help JOHN MCCAIN as he faces this fight.

With that, I yield the floor. I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll. Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. WARREN. Mr. President, I rise today to oppose the nomination of David Bernhardt as the next Deputy Secretary of the Interior.

Mr. Bernhardt is known that he is unwilling to fight for the long-term conservation of our public lands and the responsible use of our public resources. By his own admission, he intends to be a big business yes-man for the Trump administration’s extreme disregard for our environment and the human lives that are affected.

President Trump promised to drain the swamp of DC, but with each day of this administration, this Republican-controlled Senate adds yet another corporate insider to help out big business. The decision to nominate Mr. Bernhardt is no exception. He is another conflict-ridden, climate-dismissing Trump appointee who favors profits over people.

Let’s look at his record. Mr. Bernhardt has extensive political experience in the Department of the Interior under the Bush administration, but in the Department, he was, among other things, in charge of the ethics division, the Department was awash in ethical scandals and scientific misconduct.

And what did he do after he left government service? He scouted off to a lucrative lobbying firm to help Big Oil and other extraction companies maximize their profits by expanding offshore drilling and delaying air pollution limits on coal plants, regardless of the health and safety our children’s future.

Even Mr. Bernhardt isn’t proud of his own record. Prior to his nomination, his lobbying firm bio bragged about recently helping corporations fight against the Endangered Species Act, supporting corporate interests in offshore drilling and exploration for fossil fuels, and helping mining companies pursue public lands for development. He openly bragged about recently representing a “Federal Agency” and “entities accused of violating the Department of the Interior’s regulations.” He swaggered through Washington. That is, he swaggered right up until he was under consideration for the No. 2 spot at Interior. Now that he is in the public spotlight, he has scrubbed all those pro-industry, pro-pollution references from his bio. Now that the public is paying attention, he is putting out a clean image of a public servant who just has to please big corporations from time to time.

Beyond the lies Mr. Bernhardt still has to industry, I am alarmed by his willingness to serve as the corporate rubberstamp that President Trump wants. Mr. Bernhardt is a walking conflict of interest who has taken one spin through the revolving door, and now he is coming back around again for a second pass.

This week, the Deputy Secretary serves at the pleasure of the President. But a Deputy Secretary—the No. 2 at the Department—is, first and foremost, bound to serve the American people and the mission of the Department. No President is only served by yes-men, and Mr. Bernhardt’s yes-man mentality was on full display during his confirmation hearing.

When my colleague from Minnesota, Senator Al FRANKEN, questioned Mr. Bernhardt about climate change at his nomination hearing, he was all too willing to dismiss the urgency of climate change, and he pushed aside the responsibility of the Department of the Interior to act. In defiance of accepted climate science, he stated:

This President ran, he won on a particular policy perspective. That perspective’s not going to change to the extent we have the discretion under the law to follow it.

In other words, don’t bother me with the facts. Our planet is getting hotter. The last 16 years were all among the hottest 17 years on record, and our seas are rising at an alarming rate. Our coastlines are threatened by fierce storm surges that can sweep away homes and devastate even our largest cities. Our economically disadvantaged communities, too often situated in low-lying floodplains, are one bad storm away from destruction. Our naval bases are under attack—not by enemy ships but by rising seas. Our food supplies and forests are threatened by droughts and wildfires that are becoming so common across the country that they barely even make the evening news.

The effects of manmade climate change are all around us, and things will only continue to get worse at an accelerating pace if we don’t do something about it. We can act, and one important step is saying no to corporate raiders who are seeking to exploit public lands and gamble with our children’s future.

President Trump thinks leadership is having more management of our public lands to Big Oil and Big Coal executives who are looking to stuff their pockets while the getting is good. Mr. Bernhardt, a seasoned advocate for corporate interests, seems all too eager to please this President and corporate interests no matter the cost to the American people. If President Trump’s highest ranking agency officials are not brave enough to speak even a little truth to power about this President’s climate delusions, then, who will?

The American people deserve leadership at the Department of the Interior—leadership that is committed to ensuring that our public resources and
our public lands are preserved for future generations of Americans. The American people deserve leadership that fights back when the President seeks to cut thousands of jobs at the Department of the Interior or offers a budget that critically undermines the Department's mission and threatens our public lands.

The American people deserve leadership at the Department of the Interior—leadership that works for the people—and that is not David Bernhardt.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUNT). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

VOTE EXPLANATION

• Ms. STABENOw. Mr. President, due to a family related matter in Michigan, I was unable to attend today's rollcall vote on the nomination of John K. Bush to be a United States circuit judge for the Sixth Circuit. Had I been able to attend, I would have opposed his nomination.

I also was unable to attend today's rollcall vote on the nomination to a smoke cookbook in the nomination of David Bernhardt to be Deputy Secretary of the Interior. Had I been able to attend, I would have voted no on the cloture motion.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Mrs. MURRAY. Mr. President, July 22, 2017, marks the 30th anniversary of the enactment of the McKinney-Vento Homeless Assistance Act, our Nation's landmark law designed to prevent and address homelessness. Many communities in my home State of Washington and across the country are confronting a surge in homeless and housing-insecure individuals, and the resources brought to bear by McKinney-Vento are essential to continued progress.

The McKinney-Vento Act also marked the first time that Congress provided dedicated funding to ensure equal educational opportunities for children and youth who are experiencing homelessness. The law requires States and school districts to remove barriers that homeless children and youth face in receiving a high-quality education. In the years since the McKinney-Vento Act was enacted, hundreds of thousands of young people experiencing homelessness have received the supports they need in order to attend school, graduate, and secure a well-paying job that can provide for their families.

I am pleased to have introduced and seen enacted legislation to remove barriers and provide support to homeless children and youth, from early childhood through postsecondary education. Many of these laws have codified best practices pioneered by dedicated Washington State educators determined to make a difference for homeless children and youth.

I have fought and continue to fight for funding that makes a difference for homeless children, veterans and other adults, and families experiencing homelessness. I ask my colleagues to join me in celebrating the success of the McKinney-Vento Act and recognizing how far we still have to go in order to overcome this crisis and make sure that every child in our country has access to a quality education no matter where they live, how they learn, or how much money their parents make.

RECOGNIZING THOSE WHO SERVED ON WAKE ISLAND

Mr. CRAPO. Mr. President, today I wish to honor the servicemen and civilians who served on Wake Island in World War II. As the last gathering of Wake Island survivors and their families. I have been moved by the stories of individual courage and bravery that have been shared with me by many Wake Island survivors and their families.

These brave heroes endured exceedingly harsh conditions, serving as slave labor for the Japanese government in captivity. In 1981 the civilian MK employees were granted Veteran status in recognition of their service in the War of the Pacific.

Those who survived and returned home have enriched our communities. Thank you to those who served on Wake Island and their families for the immeasurable service given to our country and for your enduring examples of devotion and strength.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR RICHARD E. HAGNER

Mr. COCHRAN. Mr. President, I am pleased to commend MAJ Richard E. Hagner for his dedication to duty and service to the Nation as an Army congressional fellow and congressional liaison for the Assistant Secretary of the Army. Major Hagner was recently selected for the Army's prestigious Advanced Strategic Planning and Policy Program and will be transitioning from his present assignment to begin doctoral studies at Vanderbilt University.

A native of Milwaukee, WI, Major Hagner was commissioned as an infantry officer after his graduation from
North Georgia College and State University with a bachelor of science degree. He subsequently earned master’s degrees in joint information operations from the Naval Postgraduate School and legislative affairs from the George Washington University.

Major Hagner has served in a broad range of assignments during his Army career. He has served as a rifle platoon leader, communications officer, and network engineer, becoming instrumental to the success of his units from the battalion to brigade level. Notably, he has deployed to many levels in Mannheim, Germany, following a demanding combat deployment to Afghanistan. His leadership has brought great credit to the U.S. Army.

In 2015, Major Hagner was selected to be an Army congressional fellow, where he served in the offices of the late Congressman Alan Nunnelee of Mississippi and Congressman Steve Israel of New York. I have had the privilege of working with him in his role as a congressional budget liaison officer. In that role, Richard ensured the Army’s budgetary positions were well represented before the appropriations committees.

It has been a pleasure to have worked with MAJ Richard Hagner. His leadership, thoughtful judgment, and exemplary work have been a positive influence on his soldiers, peers, and superiors throughout his career. I am pleased to recognize and commend his dedication to our Nation and service to the U.S. Congress as an Army congressional liaison.

TRIBUTE TO JIM SINCLAIR

- Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Jim Sinclair of Plains for the leadership he has provided to his community in northwest Montana. As the senior pastor of his church, Jim has provided a helping hand to others for over four decades.

The people of Sanders County know Jim and his wife, Renee, for the admirable work their ministry has done to support those in need. Before becoming a pastor, Jim made a living harvesting timber, and those skills have been valuable with helping the most vulnerable members of their community stay warm during the cold Montana winters. In addition to distributing firewood, Jim’s church harnesses the talents of many volunteers in order to provide a food bank, soup kitchen, and clothing bank. Their approach to ministry has empowered his community to help each other overcome challenges.

Communities like Plains depend on folks like Jim and Renee, as well as the dozens of volunteers they have mentored over the years. I thank them for all they do and wish them the best as their ministry continues to grow in the service of others.

RECOGNIZING ST. PAUL AFRICAN METHODIST EPISCOPAL CHURCH

- Mr. MANCHIN. Mr. President, I am proud to stand before you this evening to celebrate the 125th anniversary of the founding of the St. Paul African Methodist Episcopal Church. First built on Court Street in Charleston, WV, St. Paul African Methodist Episcopal Church has served as a haven of faith since its founding in 1892.

With humble beginnings, St. Paul AME first organized in the basement of the old Charleston courthouse under the leadership of Rev. Lewis McGhee. Sr. One year after its construction on a permanent home, and in 1897, that home was completed.

The St. Paul African Methodist Episcopal Church has been a leader of the community for its entire existence. In the early 1900s, Rev. Francis Herman Gow formed the first African American Boy Scout troop in Charleston. Reverend Gow’s trailblazing did not just end there, and in 1915, Reverend Gow established the Mattie V. Lee Home to provide housing for African-American women who travelled to Charleston in search of work.

The Mattie V. Lee Home still stands today under the direction of the Prestera Center, where it serves as an addiction treatment facility. Just as the Mattie V. Lee Home continues to make a difference in the Charleston community so long after its founding date, so too does the St. Paul African Methodist Episcopal Church.

Today the St. Paul African Methodist Episcopal Church works to provide both healing and spiritual guidance in Charleston. Under the direction of Rev. John Sylvia, the church serves free weekly dinners for all interested, and associate pastor Rev. Roberta Smith was recently creating RESET, a group to foster positive dialogue between law enforcement, clergy, and community of Charleston, WV.

It is through these acts of positivity and spiritual guidance that St. Paul AME has flourished in the Charleston Community. I would like to thank Rev. John Sylvia and the entire congregation at St. Paul African Methodist Episcopal Church for their commitment to the Charleston community. I am proud of the work done by St. Paul AME, and I know that the church will continue to spread the Word of the Lord for many more years to come.

RECOGNIZING ROHINNI

- Mr. RISCH. Mr. President, today I would like to recognize Rohinni’s creative efforts have been recognized by several business and trade publications. As one of the founders of the Semiconductors Caucus, I recognize how these emerging technologies have on the advancement of our Nation’s scientific progress, as we continue to move towards manufacturing products that are simpler in design, more efficient, lighter in weight, and smaller in size. The innovation displayed by companies like Rohinni help to preserve our global competitive edge in the electronic, semiconductor, and memory industries.

It is my honor to recognize Cody Peterson and Andy Huska and the employees of Rohinni who have made lasting contributions to the electronics industry. You make our State proud, and I look forward to watching your continued growth and success.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.
EXECUTIVE MESSAGES REFERRED

In executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM 14

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 prior to 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 significant transnational criminal organizations declared in Executive Order 13581 on July 24, 2011, is to continue in effect beyond July 24, 2017. This notice supersedes the notice regarding this topic submitted to the Federal Register on July 19, 2017.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to con-

continued the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.


MESSAGES FROM THE HOUSE

At 10:13 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. 2883. An act to establish a more uniform, transparent, and modern process to au-

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EXECUTIVE AND OTHER COMMUNICATIONS

EC–2272. A communication from the Senior Official performing the duties of the Under Secretary of Defense for Acquisition, Technology and Logistics, transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities for Fiscal Year 2016; to the Committee on Armed Services.

EC–2273. A communication from the Acting Assistant Secretary of the Army (Acquisi-

EC–2276. 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: Illinois; NAAQS Updates” (FRL No. 9964-97-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.

EC–2277. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of
of Homeland Security, transmitting, pursuant to law, to the Board’s 2017 Annual Report; to the Committee on Finance.

EC–2281. 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 Education, Practice, Quality, and Retention Program" for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–2282. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act—Accountability and State Plans” ((RIN1810–AB27) (Docket No. ED–2016–OSEE–0032)) received in the Office of the President on the threshold of the 114th Congress; to the Committee on Health, Education, Labor, and Pensions.


EC–2285. A communication from the Chief of the Regulatory Coordination Division, Office of Policy and Strategy, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Exerc- ise of Time-Limited Authority to Increase the Fiscal Year 2017 Numerical Limitation for the H-2B Temporary Non-Seasonal Worker Program” (RIN1615–AC12) received in the Office of the President on July 18, 2017; to the Committee on the Judiciary.

EC–2286. A communication from the Chief Financial Officer and the Chief Operating Officer of the National Tropical Botanical Gar- den, transmitting, pursuant to law, a report relative to an audit of the Garden for the pe- riod from January 1, 2016, through December 31, 2016; to the Committee on the Judiciary.

EC–2287. A communication from the Attor- ney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, a report of a rule entitled “Safety Zone; Severn River, Sherwood For- est, MD” (RIN1625–AA00) (Docket No. USCG–2017–0468) received in the Office of the President on July 18, 2017; to the Committee on Commerce, Science, and Transportation.


PETITIONS AND MEMORIALS

The following petitions and memo- rials were laid before the Senate and were ordered to lie on the table as indicated:

POM–68. A joint resolution adopted by the Legislature of the State of Nevada urging the United States Congress not to repeal the Affordable Care Act or any of its important provisions; to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION NO. 9

Whereas, In 2010, the Patient Protection and Affordable Care Act, commonly known as the Affordable Care Act, was passed by Congress and signed into law by President Barack Obama; and

Whereas, The Affordable Care Act estab- lished a comprehensive series of health in- surance reforms designed to make universal, affordable health insurance coverage available to all Americans, which tests for persons of rising health care costs and ending certain common industry practices that limited access to health care; and

Whereas, The Affordable Care Act ex- panded access to health insurance coverage by creating health insurance marketplaces, allowing children to stay on a parent's health insurance plan until the age of 26, expanding Medicaid and establishing a system of tax credits and penalties designed to both encourage consumers to purchase in- dividual health insurance coverage and pro- vide incentives to businesses to encourage them to provide health insurance coverage to employees; and

Whereas, The Affordable Care Act pro- hibits an insurer from denying health insur- ance coverage to a person on the basis of a preexisting condition, prohibits an insurer from rescinding coverage, eliminates lifetime- and annual limits on coverage, requires all marketplace plans to provide coverage for 10 essential health benefits, including preventative care, establishes a mechanism for consumers to appeal determinations re- garding coverage and establishes a system to help assist consumers navigating the health in- surance marketplace; and

Whereas, The Affordable Care Act addi- tionally provides incentives to expand the number of primary health care providers and encourages them to serve in medically un- served areas, promotes alternative pay- ment methodologies designed to improve the value of care and encourages patients to use community-based resources and other serv- ices intended to reduce unnecessary hos- pitalizations and support appropriate emergency department use; and

Whereas, The Affordable Care Act further mandates health insurance coverage for coverage for non- smoking individuals who are between 50 and 75 years of age, mammograms annually for women who are over 40 years of age, and regular screenings of women for cervical cancer and the human papillomavirus vaccine to prevent cervical cancer; and

Whereas, The Affordable Care Act mand- ates health insurance coverage for immuni- zation vaccines for children, including, with- out limitation, diphtheria, tetanus, per- tussis, and hepatitis B vaccines; and

Whereas, A number of leaders have proposed repealing the Affordable Care Act during the 115th Congress without a plan to replace it with a measure which ade- quately protects the thousands of Neva- dians who benefit from or may not have access to health insurance coverage without the Affordable Care Act; and

Whereas, Repealing the Affordable Care Act without establishing mechanisms to pre- serve the significant improvements and pro- tections afforded by the law, and without ade- quately providing for those who stand to lose their health insurance coverage upon re- peal, will have significant detrimental ef- fects on individuals and their families, on the health care industry in general and on the overall economic well-being of both Ne- vada and the nation as a whole: Now, there- fore, be it

Resolved by the Assembly and Senate of the State of Nevada Jointly, That the members of the 79th Session of the Nevada Legislature urge the United States Congress to fully preserve the critical benefits afforded by the Affordable Care Act which many Nevadans have come to rely upon; and be it further

Resolved, That Congress should not repeal the Affordable Care Act so that these essen- tial programs remain available to future generations of Nevadans; and be it further

Resolved, That the Chief Clerk of the As- sembly prepare and transmit a copy of this resolution to the Vice President of the United States, as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes ef- fective upon passage.

POM–69. A resolution adopted by the House of Representatives of the State of Michigan supporting and encouraging the Inter- national Criminal Court to conduct an inde- pendent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; to the Com- mittee on Foreign Relations.

HOUSE RESOLUTION NO. 79

Whereas, A formal complaint has been filed with the International Criminal Court alleging horrific harms inflicted on gay men in the Chechen Republic of Russia. The com- plaint cites abuses stemming from both gov- ernmental actions as well as so-called “honor killings” by members of the men’s own families; and

Whereas, The Chechen Republic of Russia has denied that any abuses have occurred, and has further denied that gay men exist within the Chechen Republic; and Russia has begun an internal investigation into the al- leged abuses; and

Whereas, Every human being has the right to life and to be free from bodily integrity abuses by their government. These basic human rights include the right to be free from torture and other forms of cruel and unusual punishment; and

Whereas, The International Criminal Court should not stand idly by if severe violations of the human rights of gay men in the Chechen Republic of Russia: Now, there- fore, be it

Resolved, That the members of the House of Representatives of the State of Michigan

Resolved by the House of Representatives, That we support and encourage the International Criminal Court to conduct an independent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; and be it further Resolved, That copies of this resolution be transmitted to the President of the Inter-American Delegation of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-70. A resolution adopted by the House of Representatives of the State of Colorado relating to access to reproductive health care; to the Committee on Health, Education, Labor, and Pensions.

Whereas, Colorado has always been committed to a quality health care system and to creating policies that meet the health needs of women and families, including affordable reproductive health services; and

Whereas, Colorado was the first state to allow safe, legal abortion on a bipartisan basis in 1967; and

Whereas, The American College of Obstetricians and Gynecologists has stated that "[s]afe, legal abortion is a necessary component of women's health care', and health providers and associations affirm that good access to reproductive health care depends on and culturally appropriate training of health providers; Now, therefore, be it

Resolved, That copies of this resolution be sent to President Donald J. Trump; Vice President Mike Pence; Paul Ryan, Speaker of the United States House of Representatives; Orrin Hatch, President Pro Tempore of the United States Senate; Governor John W. Hickenlooper; Dr. Larry Walk, Executive Director, Colorado Department of Public Health and Environment; and the members of Colorado's Congressional Delegation.

POM-71. A resolution adopted by the House of Representatives of the State of Colorado relative to recognizing the importance of Colorado libraries; to the Committee on Health, Education, Labor, and Pensions.

Whereas, Low-income women and women of color face a higher rate of unintended pregnancy, so ensuring access to contraception is a critical part of helping to address health disparities in marginalized communities; and

Whereas, An inability or difficulty to conceive is not only emotionally difficult for people with infertility but can be prohibitively expensive, so we must do more to help people seeking to build their families, regardless of sexual orientation or gender identity; and

Whereas, There is a continued need to address inequities in health care access and ensure culturally and linguistically appropriate care of health providers; Now, therefore be it

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, That we, the members of the Colorado House of Representatives, find that:

(1) Colorado continues to be a state where all individuals' health remains a top priority, and Coloradans resist attempts to undermine the right to access reproductive health care; and

(2) Access to comprehensive and affordable reproductive health care is critical to ensure that people have the information and services to prevent unintended pregnancies, the knowledge and support to have healthy pregnancies and become parents when they are ready, and the ability to raise their children in a safe and healthy environment, and to help their families with dignity; and

(3) State, county, and city health departments shall promote policies to ensure access to comprehensive health care, including abortion, and eliminate disparities that prevent low-income women and women of color from seeking safe, high-quality care.

(4) Both public and private health insurance should cover the full range of reproductive health care, including abortion;

(5) Facilities and professionals providing reproductive health services shall not be subject to regulations that do not have a medical benefit and that are more burdensome than those imposed on other facilities or professionals; and

(6) Limiting access to reproductive health services shall not be subject to regulations that do not have a medical benefit and that are more burdensome than those imposed on other facilities or professionals.

POM-72. A resolution adopted by the House of Representatives of the State of Colorado recognizing the importance of libraries to the state and its communities; to the Committee on Health, Education, Labor, and Pensions.

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:

That we, the members of the Colorado House of Representatives:

(1) Declare our support and appreciation for Colorado libraries and staff; and

(2) Recognize that the invaluable public services and programs provided by Colorado libraries and staff cannot be sustained without the funding support of the federal Institute of Museum and Library Services; and

Resolved, That copies of this resolution be sent to President Donald Trump; Vice President Mike Pence; Paul Ryan, Speaker of the United States House of Representatives; Orrin Hatch, President Pro Tempore of the United States Senate; Governor John W. Hickenlooper; Dr. Larry Walk, Executive Director, Colorado Department of Public Health and Environment; and the members of Colorado’s Congressional Delegation.

Whereas, Early learning programs, such as One Book 4 Colorado, which gives away 75,000 books each year to 4-year-olds statewide; Storyblocks.org, an online tool to help parents teach their early learning skills; and the statewide Summer Reading Program that encourages children, teens, and adults to read and learn for fun, are all funded, in part, through the IMLS.

Whereas, The IMLS funds support professional development programs like the Career Online High School, which, when launched this month, will help more than 17,000 Colorado students to develop 21st century skills and meet academic standards; and

Whereas, Essential public resources and services, such as the Colorado Talking Book Library, Colorado’s historic newspaper collection, the state’s institutional libraries, state publications, and many others all receive funding support through the IMLS; and

Whereas, This vital funding from the IMLS allows every Coloradan to have access to these programs and ensures that Colorado’s rich diversity and culture is represented by libraries across the state, including the Blair-Caldwell African American Research Library in Denver, Points neighborhood that is devoted to preserving and showcasing the many contributions of African Americans to Colorado and the West; and

Resolved, That copies of this resolution be sent to Donald Trump, President of the United States; Mike Pence, Vice President of the United States; John Hickenlooper, Governor of Colorado; the Colorado Association of Libraries; the Colorado Department of Education; and the members of Colorado’s Congressional delegation.
(2) A terminally ill patient does not have the luxury of waiting for an investigational drug, product, or device to receive final approval from the U.S. Food and Drug Administration.

Whereas, this law (R.S. 40:1169.1 et seq.) provides that, subject to certain conditions, terminally ill patients in Louisiana are authorized to use drugs, biological products, and devices that have successfully completed one phase of an FDA-approved clinical trial but which remain under investigation in the clinical trial process and have not yet been approved by the FDA for general use; and

Whereas, the Trickett Wendler Right to Try Act of 2017 has been introduced in the One Hundred Fifteenth United States Congress as S. 204 and would codify in federal law the essential provisions of the Right to Try laws of Louisiana and other states; and

Whereas, a key function of this legislation is to bar the federal government from prohibiting or restricting the production, manufacture, distribution, prescribing, or dispensing of an experimental drug, biological product, or device that is intended to treat a terminally ill patient and is authorized by and in accordance with state law; and

Whereas, the Trickett Wendler Right to Try Act of 2017 and the Right to Try law of Louisiana affirm the fundamental right of a patient to have a criminal record, and the right to preserve his own life by accessing available investigational drugs, biological products, and devices; and that the decision to pursue such cure and treatment is one that rightfully should be made by a terminally ill patient in consultation with his physician, and not by the government: Now, therefore, be it

Resolved by the House of Representatives of the Congress of the United States of America, the Senate concurring herein:

(1) Designate April 2017 as “Second Chance Month”

(2) Honor the work of communities, governmental institutions, nonprofits, congregations, employers, and individuals in removing unnecessary legal and societal barriers that prevent individuals with a criminal record from becoming productive members of society; and

(3) Call upon the people of Colorado to observe “Second Chance Month” through actions and programs that promote awareness of the “second prison” and provide second chances for those who have paid their debt; and be it further

Resolved, That copies of this Joint Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–43. A joint resolution adopted by the General Assembly of the State of Colorado designating April 2017 as “Second Chance Month”” to the Committee on the Judiciary. 

HOUSE JOINT RESOLUTION 17–1026

Whereas, Every person is endowed with human dignity; and

Whereas, Redemption and second chances are American values; and

Whereas, An estimated 65 million American citizens have a criminal record; and

Whereas, Eighty-six thousand people are currently incarcerated or under the supervision of the Colorado Department of Corrections; and

Whereas, Individuals with a criminal record face second prison of significant barriers, also known as collateral consequences; and

Whereas, Many of these collateral consequences to the economy include any proven public safety benefit, are mandatory, and take effect automatically, regardless of the seriousness of the offense, the time passed since the offense, and the efforts of offenders to amend and earn back the public’s trust; and

Whereas, The inability to find gainful employment and other collateral consequences of conviction make it difficult for members of society to re-enter and contribute to recidivism, increase victimization, decrease public safety, and result in lost economic output for Colorado and the United States; and

Whereas, KBK Limited, BornFit, Denver Scrap Metal Recycling, and Haliciun Recovery, Inc. Incorporated From The Rut, the Hornbuckle Foundation, Prison Fellowship, Second Chances Denver, The Shores Treatment & Recovery, TRIBE Recovery Services, and the Colorado Tribe Recovery Services; Youth for Christ; Denver; The Shores Treatment & Recovery; Second Chances Denver; the Shores Treatment & Recovery; TRIBE Recovery Services; Youth for Christ; and the members of Colorado’s Congressional delegation.

POM–74. A resolution adopted by the House of Representatives of the State of Colorado concerning the commemoration of the birth of Senator Reverend Martin Luther King, Jr., to the Committee on the Judiciary.

HOUSE RESOLUTION 17–1004

Whereas, The Reverend Dr. Martin Luther King Jr., was born in Atlanta, Georgia, on January 15, 1929, graduated from Morehouse College with a Bachelor of Arts degree in 1948, graduated from Crozer Theological Seminary in 1951, and received a Ph.D. from Boston University in 1955; and

Whereas, Dr. King’s faith, resiliency, and commitment to justice became known worldwide through his speeches, writings, and actions; and

Whereas, Dr. King declared that the moral responsibility to aid the oppressed did not stop at the edge of his street, town, or state when he wrote, “I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere.”; and

Whereas, Rev. Dr. King led the Montgomery bus boycott, a 13-month protest beginning in 1955, against the segregated city bus lines; and

Whereas, The Montgomery bus boycott led to the integration of the Montgomery city bus system and is widely credited as the beginning of the civil rights movement in America; and

Whereas, In 1957, Rev. Dr. King was elected president of the Southern Christian Leadership Conference, an organization formed to provide leadership for the burgeoning civil rights movement; and

Whereas, Between 1957 and 1968, Rev. Dr. King spoke more than 2,500 times, wrote 5 books as well as numerous articles, led protests, helped register African American voters, was arrested more than 20 times, was the honorary doctoral Man of the Year by Time magazine, and became the symbolic leader of the African American community as well as a world figure; and

Whereas, On August 28, 1963, Dr. King directed the March on Washington, wherein more than 200,000 Americans gathered in the name of equality and civil rights and which culminated in Rev. Dr. King’s historic “I Have a Dream” speech; and

Whereas, The leadership of Rev. Dr. King was instrumental in bringing about landmark legislation, such as the “Civil Rights Act of 1964”, which prohibited segregation in public accommodations and facilities and banned disenfranchisement of African American voters; and

Whereas, In 1964, Rev. Dr. King was awarded the Nobel Peace Prize for his tireless and selfless work in the pursuit of justice for African Americans and other oppressed people in America; and

Whereas, Rev. Dr. King’s 13 years of nonviolent leadership ended abruptly and tragically, on April 4, 1968, when he was assassinated while standing on the balcony of the Lorraine Motel in Memphis, Tennessee; and

Whereas, Rev. Dr. King’s life and work continue to influence our lives as we strive to reach the lofty goal he set when he said, “Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our dear-drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.”; and

Whereas, Rev. Dr. King’s birthday is a federal holiday in the United States and a state holiday in the state of Colorado, which is celebrated each year on the third Monday in January; and

Whereas, On Monday, January 16, 2017, we celebrate the 31st anniversary of Rev. Dr. King’s holiday: Now, therefore, be it

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:

That we, the members of the Colorado General Assembly, hereby encourage appropriate observances, ceremonies, and activities to commemorate the federal and state legal holiday honoring the Rev. Dr. Martin Luther King Jr. throughout all 64 counties, school districts, and local governments within Colorado; and be it further

July 20, 2017

CONGRESSIONAL RECORD — SENATE
Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Honorable Governor John Hickenlooper, the Congressional Black Caucus, the National Black Caucus of Legislation, and the members of Colorado’s congressional delegation: Senators Michael Bennet and Cory Gardner and Representatives Diana DeGette, Jared Polis, Joe Neguse, Ken Buck, Doug Lamborn, Mike Coffman, and Ed Perlmutter.

POM–75. A resolution adopted by the City Council of the City of Oberlin, Ohio, to the President of the United States opposing the withdrawal of the United States from the Paris Climate Agreement; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Appropriations, without amendment:
S. 1603. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-131).

By Mr. ALEXANDER, from the Committee on Appropriations, without amendment:
S. 1609. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-132).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. MCCAIN for the Committee on Armed Services.

* David Joel Trachtenberg, of Virginia, to be a Principal Deputy Under Secretary of Defense.

* Charles Douglas Stimson, of Virginia, to be General Counsel of the Department of Defense.

* Owen West, of Connecticut, to be an Assistant Secretary of Defense.

* Ryan McCarthy, of Illinois, to be Under Secretary of the Army.

Air Force nomination of Lt. Gen. Steven L. Kwast, to be Lieutenant General.


Army nominations beginning with Col. John B. Dunlap III and ending with Col. Andrew M. Roman, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Col. Deborah Y. Howell, to be Brigadier General.


Army nomination of Maj. Gen. Edward M. Daly, to be Lieutenant General.

Army nomination of Col. Michelle M. Rose, to be Brigadier General.

Navy nomination of Capt. Daniel W. Dwyer, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (lh) Ross A. Myers, to be Rear Admiral.

Army nominations beginning with Ryan C. Agee and ending with D012118, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Scott J. Akelsey and ending with D002220, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with D012118, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Francis K. Agapong and ending with Sashi A. Zickefoose, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Major S. Clardy III, to be Lieutenant General.

Army nominations beginning with Douglas A. Allen and ending with Thomas K. Sarrof, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Charles E. Bane and ending with Matthew D. Wegner, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Bert M. Bouchard and ending with Maria R. S. Yates, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

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Army nominations beginning with Erik C. Alsien and ending with D013346, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Bradford A. Baumann and ending with Thomas B. Vaughn, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nomination of Jay A. Johannigman, to be Commander.

Navy nominations beginning with Cameron M. Balma and ending with Scott D. Ziegenhön, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Richard A. Ackerman and ending with Patricia R. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeremiah E. Chaplin and ending with Jeanette Sheets, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nomination of Linwood O. Lewis, to be Commander.

Navy nomination of Brian A. Evick, to be Commander.

Navy nominations beginning with Kristopher M. Brazil and ending with Sheree T. Williams, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Bryce D. Abbott and ending with Shane M. Zimmermann, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeremiah P. Anderson and ending with Ashley S. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Stacy J. G. Andrews and ending with Henry L. Thomason, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Kelly W. Bowman, Jr. and ending with Robert H. Vohrer, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Lara R. Bollinger and ending with Candice C. Tresh, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeffrey A. Alsup and ending with Terry N. Traweek, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nomination of Linda C. Seymour, to be Captain.

Navy nomination of Chad J. Trubilla, to be Commander.

Navy nominations beginning with Patrick R. Adams and ending with James T. Watters, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Navy nomination of Randall G. Schimpf, to be Lieutenant Commander.

By Mr. HATCH for the Committee on Finance.

*David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury.

By Mr. GRASSLEY for the Committee on the Judiciary.

By Mr. VORE for the Committee on Banking, Housing, and Urban Affairs.

By Mr. H. ROBISON for the Committee on Health, Education, Labor, and Pensions.
September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEE (for himself, Mr. LEAHY, Mr. DODD, Mr. JOHNSON, and Mr. CUIZIO)
S. 1601. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

By Mr. CASEY (for himself, Mr. MURRAY, Ms. CORTEZ MASTO, Ms. BLUMENTHAL, Ms. WARREN, Mrs. LANDRETH, and Mrs. FEINSTEIN)
S. 1605. A bill to improve the response to sexual assault and sexual harassment on board aircraft operated in passenger air transport service; and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself and Mr. FRANSEN)
S. 1606. A bill to authorize grants for the support of caregivers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH
S. 1607. A bill to establish a pilot program to transform the Federal-aid highway program to a performance- and outcome-based program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. PAUL, Ms. DOUGLAS, and Mr. MURPHY)
S. 1608. A bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to eligible survivors of United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on Rules and Administration.

By Mr. ALEXANDER
S. 1609. An original bill making appropriations for energy and water development and related matters; for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SCOTT (for himself and Mr. GRASSLEY)
S. 1610. A bill to require law enforcement agencies to report the use of lethal force, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Mr. DURbin)
S. 1611. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH
S. 1612. A bill to expand the definition of highway safety improvement project under section 148 of title 23, United States Code, to include education integrated into an approved State strategic highway safety plan, and for other purposes; to the Committee on Environment and Public Works.

By Mr. Risch
S. 1613. A bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes; to the Committee on Environment and Public Works.

By Ms. DUCKWORTH
S. 1614. A bill to permit the regulation of video visitation services and inmate calling services by the Federal Communications Commission generally, to establish criteria for the regulation of video visitation services by the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. DURbin, Mr. SCOTT, and Mr. SCHUMACHER)
S. 1615. A bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. PERDUE, Mr. TILLIS, Mr. COTTON, Mr. SCOTT, Mr. HELLER, Mr. ROY, Mr. TOOMEY, Mr. SHVELI, Mr. CORRELL, Mr. SASSER, Mr. MORAN, Ms. CAPITO, Mr. HATCH, Mr. ISAKSON, Mr. BARRASO, Mr. WICKER, Mr. ENZI, Mr. RUBIO, Mr. BLUMENTHAL, Mr. CAIN, Mr. LANKFORD, Mr. STRANGE, and Mr. COCHRAN)
S. J. Res. 47. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to “Arbitration Agreements”; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ENZI (for himself, Ms. HETTKAMP, Mr. CRAPO, Mr. ISHOPE, Mr. Risch, Mr. CORNYN, Mr. Tester, Mr. LATHAM, Mr. BARRASO, Mr. HENRICH, Mr. UDALL, Mr. THUNE, Mr. MERKLEY, and Mr. ROUNDS)
S. Res. 225. A resolution designating July 22, 2017, as “National Day of the American Cowboy”; to the Committee on the Judiciary.

By Ms. BALDWIN
S. Res. 226. A resolution designating the week of July 17 through July 21, 2017, as “National Ectodermal Dysplasias Week” and for other purposes; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Ms. DUCKWORTH, Mr. UDALL, Mr. DURHAN, and Mr. MORAN)
S. Res. 227. A resolution recognizing “National Youth Sports Week” and for other purposes; to the Committee on the Judiciary.

By Mr. MURPHY
S. Res. 228. A resolution calling for a credible, peaceful, free, and fair presidential election in Kenya in August 2017; to the Committee on Foreign Relations.

By Mr. ROUNDS
S. Con. Res. 22. A resolution expressing the sense of Congress on the use of the Intergovernmental Personnel Act Mobility Program and the Department of Defense Information Technology Exchange Program to obtain personnel with cyber skills and abilities for the Department of Defense; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 170, a bill to provide for non-preemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 431

At the request of Mr. THUNE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 563

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 563, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 609

At the request of Mr. MORAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a co- sponsor of S. 609, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 690

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 708

At the request of Mr. MARKEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 708, a bill to improve the availability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychotropic substances that are illegally imported into the United States, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors conduct local coverage determinations under the Medicare program, and for other purposes.
At the request of Ms. Warren, the name of the Senator from Oklahoma (Mr. Lankford) was added as a cosponsor of S. 952, a bill to increase the role of the financial industry in combating human trafficking.

At the request of Mrs. Feinstein, the name of the Senator from Oregon (Mr. Wyden) was added as a cosponsor of S. 1034, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes.

At the request of Mrs. Murray, the name of the Senator from New Jersey (Mr. Booker) was added as a cosponsor of S. 1122, a bill to amend the Occupational Safety and Health Act of 1970 to clarify when the time period for the issuance of citations under such Act begins and to require a rule to clarify that an employer’s duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

At the request of Mr. Young, the name of the Senator from Florida (Mr. Rubio) was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

At the request of Mr. Cornyn, the name of the Senator from Texas (Mr. Cruz) was added as a cosponsor of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

At the request of Mr. Cornyn, the name of the Senator from Maine (Mr. King) was added as a cosponsor of S. 1393, a bill to streamline the process by which active duty military, reservists, and veterans receive commercial driver’s licenses.

At the request of Mrs. Shaheen, the names of the Senator from Ohio (Mr. Brown) and the Senator from Missouri (Mrs. McCaskill) were added as cosponsors of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

At the request of Mr. Tester, the name of the Senator from Florida (Mr. Nelson) was added as a cosponsor of S. 1526, a bill to appropriate amounts to the Department of Veterans Affairs to improve the provision of health care to veterans, and for other purposes.

At the request of Mr. Grassley, the name of the Senator from Iowa (Mrs. Ernst) was added as a cosponsor of S. 1533, a bill to amend title XVIII of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

At the request of Mr. Warner, the name of the Senator from Indiana (Mr. Donnelly) was added as a cosponsor of S. 1546, a bill to amend the Patient Protection and Affordable Care Act to provide greater flexibility in offering health insurance coverage across State lines.

At the request of Mr. Flake, the name of the Senator from Florida (Mr. Rubio) was added as a cosponsor of S. 1552, a bill to amend the Internal Revenue Code of 1986 to allow individuals whose income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated.

At the request of Mr. Risch, the name of the Senator from Florida (Mr. Rubio) was added as a cosponsor of S. 1558, a bill to amend section 203 of Public Law 94–305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

At the request of Mr. Risch, the name of the Senator from Florida (Mr. Rubio) was added as a cosponsor of S. 1598, a bill to ensure a complete analysis of the potential impacts of rules on small entities.

At the request of Mr. Gardner, the name of the Senator from Arkansas (Mr. Boozman) was added as a cosponsor of S. 1562, a bill to impose sanctions with respect to the Government of the Democratic People’s Republic of Korea and any enablers of the activities of that Government, and for other purposes.

At the request of Mr. Cruz, the name of the Senator from Oregon (Mr. Merkley) was added as a cosponsor of S. 1587, a bill for the relief of Liu Xia.

At the request of Mr. Cardin, the names of the Senator from New York (Mr. Gillibrand) and the Senator from Oregon (Mr. Merkley) were added as cosponsors of S. 1588, a bill to secure Federal voting rights of persons when released from incarceration.

At the request of Mr. Cardin, the name of the Senator from Missouri (Mrs. McCaskill) was added as a cosponsor of S. 1589, 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.

At the request of Mr. Cornyn, the name of the Senator from Alabama (Mr. Strange) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1999A of the Social Security Act.

At the request of Ms. Warren, the name of the Senator from Wisconsin (Mr. Johnson) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing support for the designation of October 28, 2017, as “Honoring the Nation’s First Responders Day”.

At the request of Mr. Portman, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. Res. 75, a resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world.

At the request of Mr. Nelson, the name of the Senator from Connecticut (Mr. Blumenthal) was added as a cosponsor of S. Res. 160, a resolution honoring the service to United States Armed Forces provided by Military working dogs and contract working dogs, also known as “war dogs”.

At the request of Mr. Cruz, the name of the Senator from Florida (Mr. Rubio) was added as a cosponsor of S. Res. 223, a resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People’s Republic of China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Kaine (for himself and Mr. Portman):

S. 1599. A bill to require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement; to the Committee on Health, Education, Labor, and Pensions.

Mr. Kaine. Mr. President, the U.S. investment system is in critical need of an upgrade. The American Society of Civil Engineers recently graded the U.S. system a D+ given its capacity, condition, funding, future need, operation and maintenance, public safety, resilience and innovation. Any investment to improve our country’s infrastructure system would create millions of new jobs, requiring millions of skilled workers to fill them.

A recent study by the Center of Education and the Workforce at Georgetown University estimated that a $1 trillion infrastructure investment would create 11 million new jobs. Nearly half of these would require training
past the high school level. Even without a significant investment, though, infrastructure industries are already struggling to meet workforce demands. Workers in infrastructure industries are expected to retire at a 50% higher rate than the overall workforce. And historic inequities that have limited women and people of color from accessing these jobs have further constrained the pipeline of potential workers. To ensure infrastructure investments benefit businesses, workers and the economy, the U.S. must invest in the creation of a diverse pipeline of workers with skills necessary to access in-demand opportunities.

Industry and sector partnerships are a proven strategy for helping workers prepare for middle-skill jobs and helping businesses find skilled workers. Congress requires States and local areas to support the development of these partnerships under the Workforce Innovation and Opportunity Act (WIOA), but no dedicated funding has been provided for these activities. Work-based learning strategies, such as apprenticeships, are common pathways to skilled jobs in infrastructure industries. Many small and medium-sized businesses shy away from developing high-quality work-based learning programs, however, because of real or perceived costs associated with the strategy.

This is why I am pleased to introduce with my colleague, Senator PORTMAN, the Building U.S. Infrastructure by Leveraging Demands for Skills Act or BUILDS Act. The BUILDS Act creates a grant program that would support industry and sector partnerships working with local businesses, industry associations and organizations, labor organizations, State and local workforce boards, economic development agencies and other partners engaged in their communities to encourage industry growth, competitiveness and collaboration to improve worker training, retention and advancement in targeted infrastructure clusters.

Specifically, the bipartisan BUILDS Act would leverage sector partnerships to engage businesses in work-based learning programs. Businesses and industries would be incentivized to work with the greater community to create on-the-job training programs to fill the jobs necessary to expand the Country’s infrastructure system. Additionally, businesses and education providers would be connected to develop classroom curriculum to complement on-the-job learning. Workers on the other hand, would receive support services such as mentoring and career counseling to ensure they are successful from the pre-employment to placement in a full-time position.

Our Country desperately needs improvements to critical infrastructure like our roads and bridges, homes, and does that work we must have a trained workforce that’s ready to fill these good-paying jobs. Virginia businesses in the transportation, construction, energy, and information technology industries continue to tell me they have trouble finding job applicants with the necessary skills. This bill will help workers get the job training they need to be hired. I hope that my colleagues on both sides of the aisle consider the BUILDS Act as a necessary component to any investment in our Nation’s infrastructure.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 225—DESIGNATING JULY 22, 2017, AS “NATIONAL DAY OF THE AMERICAN COWBOY”

Mr. ENZI (for himself, Ms. HEITKAMP, Mr. CRAPO, Mr. INHOFE, Mr. RISCH, Mr. CORNYN, Mr. Tester, Mr. LANKFORD, Mr. HOBYEN, Mr. BACHMANN, Mr. HEINEN, Mr. UDALL, Mr. THUNE, Mr. MERKLEY, and Mr. Rounds) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 225

Whereas pioneering men and women, recognized as “cowboys”, helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture that the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making them some of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encourage; Now, therefore, be it

Resolved, That the Senate—

(1) designates July 22, 2017, as “National Day of the American Cowboy”; and

(2) encourages the President of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 226—DESIGNATING THE WEEK OF JULY 17 THROUGH JULY 21, 2017, AS “NATIONAL ECTODERMAL DYSPLASIAS WEEK” AND SUPPORTING THE GOALS AND OBJECTIVES OF NATIONAL ECTODERMAL DYSPLASIAS WEEK TO RAISE AWARENESS AND UNDERSTANDING OF ECTODERMAL DYSPLASIAS

Ms. BALDWIN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 226

Whereas ectodermal dysplasias is a congenital disorder that causes defects to the skin, hair, nails, teeth, and glands of an individual and can also cause harm to other body parts of an individual, such as the eyes, ears, and throat;

Whereas ectodermal dysplasias is a genetic disorder that is passed from parent to child;

Whereas a child may be the first individual in a family to be affected by ectodermal dysplasias and can then pass the condition on to the next generation;

Whereas ectodermal dysplasias is a rare disorder that affects fewer than 200,000 people in the United States;

Whereas symptoms of ectodermal dysplasias in an individual can include—

(1) the inability to perspire;

(2) lack of tears in the eyes;

(3) cleft lip and palate;

(4) sparse saliva;

(5) missing fingers or toes; and

(6) absence or malformation of some or all teeth, known as anodontia and hypodontia, respectively;

Whereas there are more than 180 different types of ectodermal dysplasias and a specific diagnosis depends on the combination of symptoms that an individual experiences;

Whereas there is no cure for ectodermal dysplasias;

Whereas the treatment for ectodermal dysplasias varies depending on the severity of the disease, which can range from mild symptoms to extensive health issues that require advanced care;

Whereas many types of ectodermal dysplasias affect the teeth and the nature of dental and oral symptoms—

(1) are specific to each syndrome; and

(2) can include severe hypodontia and anodontia that require complex care;

Whereas an individual who suffers from ectodermal dysplasias can expect to spend approximately $150,000 on dental care alone during the lifetime of the individual;

Whereas most insurance companies provide coverage for the treatment of a congenital disease or anomaly;

Whereas most States require coverage for any partial or restoration of body parts for a congenital disease like ectodermal dysplasias;

Whereas coverage for complex and medically necessary dental services relating to ectodermal dysplasias varies across the United States;

Whereas gaps in ectodermal dysplasias coverage have serious consequences for patients and their families and may lead to severe limits on proper oral function and the ability to eat or speak;

Whereas scientists across the United States are conducting research projects and
clinical trials and are hopeful that breakthroughs in ectodermal dysplasias research and treatment are forthcoming; and

Whereas the Senate is an institution that can help raise awareness about ectodermal dysplasias to the general public and the medical community; Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of July 17 through July 21, 2017, as “National Ectodermal Dysplasias Week”;

(2) supports the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias;

(3) encourages the people of the United States to become more informed about—

(A) ectodermal dysplasias; and

(B) the role of comprehensive treatment for all symptoms of ectodermal dysplasias, including dental malposition, in improving quality of life; and

(4) respectfully requests that the Secretary of the Senate transmit an enclosed copy of this resolution to the National Foundation for Ectodermal Dysplasias, a nonprofit organization dedicated to improving the lives of individuals affected by ectodermal dysplasias.

SENATE RESOLUTION 227—RECOGNIZING “NATIONAL YOUTH SPORTS WEEK” AND THE EFFORTS BY PARENTS, VOLUNTEERS, AND NATIONAL ORGANIZATIONS IN THEIR EFForts TO PROMOTE HEALTHY LIVING AND YOUTH DEVELOPMENT

Mrs. CAPITO (for herself, Ms. DUCKWORTH, Mr. UDALL, Mr. DURBIN, and Mr. MORAN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:—

S. Res. 227

Whereas July 16 through 22 is “National Youth Sports Week”, a celebration of youth sports participation and all of the benefits youth derive from engagement in sports;

Whereas a primary goal in youth sports is to encourage active participation by all youth in healthy physical activities according to their abilities, and; abilities;

Whereas the relationship between sports skills and life skills provide young athletes with fundamental values, compassion, and the grit needed to succeed both on and off the playing field;

Whereas, in 2008, the National Council of Youth Sports (“NYS”) reported that there are more than 60,000,000 registered participants in organized amateur youth sports programs;

Whereas youth sports offer a multitude of positive benefits to participants that extend far beyond the playing field, including—

(1) improved academic performance, such as increased school attendance, lower dropout rates, and higher high school graduation rates, and higher grade point averages;

(2) increased health and positive physical behaviors, such as improved health factors, and prevention of obesity, chronic diseases, and other health problems;

(3) social well-being, such as character development, and exposure to positive role models; and

(4) improved psychological health, such as decreased likelihood of substance abuse, reduced instances of behavioral misconduct, and high self-esteem; and

Whereas National Youth Sports Week highlights the many ways that—

(1) promoting physical activity in all segments of the community;

(2) living healthy;

(3) making access to physical activities easier by removing barriers to creating youth development activities;

(4) encouraging youth development activities and outcomes; and

(5) improving the safety of participating in physical activities; Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of July 17 through July 21, 2017, as “National Ectodermal Dysplasias Week”;  

(2) requests Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY) to be a Co-Sponsor;  

(3) encourages the people of the United States to become more informed about—

(A) ectodermal dysplasias; and

(B) the role of comprehensive treatment for all symptoms of ectodermal dysplasias, including dental malposition, in improving quality of life; and

(4) respectfully requests that the Secretary of the Senate transmit an enclosed copy of this resolution to the National Foundation for Ectodermal Dysplasias, a nonprofit organization dedicated to improving the lives of individuals affected by ectodermal dysplasias.

SENATE RESOLUTION 228—CALLING FOR A CREDIBLE, PEACEFUL, FREE, AND FAIR PRESIDENTIAL ELECTION IN KENYA IN AUGUST 2017

Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:—

S. Res. 228

Whereas the United States has deep interests in Kenya’s democratic stability and regional leadership; and

Whereas Kenya holds regional significance as an example for other African countries with elections scheduled in the near future;

Whereas Kenya has general elections scheduled for August 8, 2017;

Whereas electoral violence in 2007 and 2008 resulted in the deaths of at least 1,300 people and the displacement of 600,000 in Kenya, effectively paralyzing the country and the wider region for more than two months before the creation of a power-sharing government;

Whereas the people of Kenya adopted a new constitution in 2010 that sought to devolve power to 47 counties and their elected governors and local representatives;

Whereas the public confidence in the electoral process is critical both to continued democratic progress in Kenya and to ensuring transparency in electoral operations that is vital for the success of the August 8, 2017, elections;

Whereas, despite having a permissible legal environment, Kenya has taken actions to limit democratic space for civil society and media organizations, which could adversely affect their contributions to a credible, peaceful election and broader democratic consolidation;

Whereas there have been deeply concerning instances of hate speech by all sides in Kenya, inciting supporters to ethnic violence as a means by which to gain electoral advantage, intimidate electoral rivals, or suppress voter turnout; and

Whereas the political parties, monitoring groups, and the media in Kenya have the legal authority to record polling station results and tallies at the constituency and national levels in order to ensure that the process is perceived as honest and transparent: Now, therefore, be it

Resolved, That the Senate—

(1) calls upon the Government of Kenya and opposition parties in Kenya—

(A) to hold credible, peaceful, free, and fair presidential elections in August 2017 in order to advance democratic consolidation in Kenya and promote stability in the broader region; and

(B) to condemn in the strongest terms the use of political violence or the incitement of violence by political candidates, the media, or any Kenyan citizens;

(2) calls upon Kenyan citizens to fully and peacefully participate in the general elections and seek to resolve any disputes over results through the legal system;

(3) calls upon all Kenyan candidates to the national, county, and local levels to respect the Electoral Code of Conduct and the Political Party Code of Conduct;

(4) encourages political candidates, civil society, and the media in Kenya to act responsibly with their parallel vote tabulations so as not to usurp the role of the electoral commission as the official source for declaring official election results;

(5) encourages civil society organizations in Kenya to continue providing critical early warning and response mechanisms to mitigate election-related violence and further strengthen democratic processes; and

(6) commends the key role the faith-based community has played in ensuring a peaceful pre- and post-election environment through periodically convening the Multi-Sectoral Forum to deliberate on matters of governance, election management, and looming insecurity;

(7) supports efforts by the Department of State and the United States Agency for International Development (USAID), including the Bureau of Conflict and Stabilization Operations, the Bureau of Democracy, Human Rights, and Labor, and the Bureau of African Affairs, to support election-related preparations in Kenya, including programs focused on conflict mitigation;

(8) strongly encourages the President to appoint an Assistant Secretary of State for African Affairs in order to bolster diplomatic engagement with the Government of Kenya, the opposition, and the donor community, which has historically been critical during Kenya’s elections; and

(9) calls upon the United States Government and other international partners, especially election-focused international organizations, to continue to support Kenya’s efforts to address the remaining electoral preparation challenges and identify gaps in which additional resources or diplomatic engagement could make important contributions to the conduct of the elections.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF CONGRESS ON USE OF INTER-GOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND THE DEPARTMENT OF DEFENSE INFORMATION EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE

Mr. ROUNDS submitted the following concurrent resolution; which was referred to the Committee on Armed Services:—

S. Con. Res. 22

Resolved by the Senate (the House of Representatives concurring), that the sense of Congress be and is expressed that—

SECTION 1. SHORT TITLE. This concurrent resolution may be cited as the “Whole of Society Cyber Personnel Cooperation Resolution of 2017”.

SEC. 2. SENSE OF CONGRESS ON USE OF INTER-GOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that—
(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and
(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

AMENDMENTS SUBMITTED AND PROPOSED

SA 260. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 261. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1519, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 260. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XVI, add the following:

SEC. 1630C. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM (IPAMP) AND DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM (ITEP) TO OBTAIN CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that—
(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and
(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

SA 261. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title F, add the following:

SEC. 1273. STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.

(a) In General.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to improve the security sector in Nigeria that includes policies and plans to fully use such programs to obtain such personnel for the Department.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) An assessment of efforts by the Government of Nigeria to improve the security of civilians in the country, including a plan to undertake tangible measures to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(3) A description of international and United States diplomatic, development, intelligence, military, and economic resources available to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(4) An assessment of the efforts undertaken to enhance the security forces of the Government of Nigeria to improve the protection of civilians in the country, including a plan to undertake tangible measures to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(5) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in recent years to determine whether efforts to ensure youth who are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Accountability Act of 2008 (Public Law 110-340).

(6) An assessment of the options for the Government of Nigeria to eventually incorporate the Civilian Joint Task Force into Nigeria’s military or law enforcement agencies or reintegrate its members into civilian life.

(7) A plan for the United States Government to work with the Nigerian military and judiciary to transparently investigate human rights violations committed by the security forces of the Government of Nigeria and other security forces of Nigeria that have involved civilian casualties, including a plan to undertake tangible measures of accountability following such investigations in order to break the cycle of conflict.

(8) A plan for the United States Government to work with the Nigerian defense institutions and security sector forces to improve detainee conditions.

(9) A plan for the United States Government to work with the Nigerian military, international nongovernmental, and nongovernmental organizations to demilitarize the humanitarian response to the food insecurity and population displacement in northeastern Nigeria.

(10) Any other matters the President considers appropriate.

(c) UPDATES.—Not later than 1 year after the date on which the report required under subsection (a) is submitted to the appropriate congressional committees, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees an update of the report containing updated assessments and evaluations on progress made on the plans described in the report, including—

(1) updated assessments on the information described in paragraphs (2), (4), and (6) of subsection (a); and
(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), and (10) of subsection (a), as well as of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

(d) FORM.—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;
(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and
(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 9 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 Thursday, July 20, 2017, at 9:30 a.m., to conduct a hearing entitled, “Housing Finance Reform: Maintaining Access for Small Lenders.”

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a nomination hearing on Thursday, July 20, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider favorably reporting the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury, vice Mark J. Mazur.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 9:30 a.m., to hold a hearing entitled “Nomination.”

COMMITTEE ON JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 20, 2017, at 9:30 a.m., in SD–226 of
the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to hold a business meeting during the session of the Senate on Thursday, July 20, 2017, off the senate floor and in conjunction with afternoon votes, to consider pending nominations.

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, July 20, 2017 from 2 p.m., in Room SH–219 of the Senate Hart Office Building, to conduct a hearing entitled, “Innovative Financing and Funding: Addressing America’s Crumbling Water Infrastructure.”

ORDERS FOR MONDAY, JULY 24, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, July 24, 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, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bernhardt nomination; finally, that the postcloture time on the Bernhardt nomination expire at 5:30 p.m., Monday, July 24.

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

ADJOURNMENT UNTIL MONDAY, JULY 24, 2017, AT 4 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:11 p.m., adjourned until Monday, July 24, 2017, at 4 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

JON M. HUNTSMAN, JR., OF UTAH, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

DEPARTMENT OF JUSTICE

BART M. DAVIS, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO FOR THE TERM OF FIVE YEARS. VIC WENDY J. OLSON, RESIGNED. JOSHUA J. MINKLER, OF INDIANA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS. VIC JOSIAH H. HOGGETT, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

To be commander

BENJAMIN C. ROBBINSON
ELIZABETH M. ROCHE
JACOB W. ROMMELHAUSER
IAN SANTITCOLA
RYAN SANTITCOLA
LISA M. SENAY
DAVID M. SEWELL
CHRISTOPHER C. SWAIN
CHAD S. TREDWALL
SEAN M. THOMPSON
CHRISTOPHER P. TOSCANO
GABRIEL M. WINEGARD
MATTHEW J. WOOTEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

To be commander

CLEMIA ANDERSON
JOHNFRITZ E. ANTOINE
JANETTE A. ARRIENTHA
STEFANIE M. BLIGHTON
JON D. CAMPBELL
SHAWNA M. CHER
JANISE A. CRICKLEY
LESLEY B. CROWELL
WILLIAM T. CUDLER
FRANK B. DOWDAR
SCOTT D. DUNN
MARI A. ENSAN
JASON M. ESPINAL
ROMMEL D. FLORES
MONICA E. GONZALEZ
BRADY B. KOTTO
KIOWA A. KUBOTA
MELISSA J. KARIN
SCOTT A. RABELO
SAMUEL H. SAVIS
JASON M. JONES
PAMELA M. KLEPEELTUS
CODY L. LATTAIN
AUSTIN W. LATOR
SAMUEL Y. LEBIN
CRAIG E. LONG, JR.
DAVID M. LOOMIS II
KIRK J. LYN
VENANCIO M. MACANALD
SEAN M. McCARTHY
BERNARD C. MCNALDON
KRITON P. MCMULLEN
JOSHUA A. MILLER
NAUSEEN M. MOORE
JASON M. MURPHY
JULIA A. NERZYK
MARGARET M. PARKS
DARRIN W. PETER
JOHN W. PRICE
MATT D. RANDOLPH
ELIZABETH C. RAPHAEL
CHAD J. REESE
ALBERT RICARDI III
JUAN R. ROSSADO
NATHAN L. SEAMAN
DOUGLAS A. SEARS
ERIN M. SIMMINS
ELIZABETH G. SKOREY
JON G. SOLICIT
KRITON L. STARKY
CHRISTOPHER T. STEKIR
LEEDJIA A. SYK
JARED B. TAYLOR
GEOBRIE V. VANCIL
BRAD J. WAGNER, JR.
MARK D. WAREFELDT
STACY J. WASHINGTON
MICHAEL A. RUNDIN
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

To be commander

ERIC P. BAUMAN
ROBIN C. BENNET
KITTITNA BOOSHEHRSMIRK
MARK A. BUCKNER
LAURA N. CAELE
JOSHUA E. COHEN
CAREY B. COLLINSHEDESLEY
DIERK T. FEDIN
EDWARD J. GIVENS, JR.
BENJAMIN M. GRAY
JASON B. HUBER
DAMON T. HENDERSON
DAVID Z. LU
BRYNN C. LHI
JASON W. MATHYS
JENNIFER A. MONNEPBRAHMAN
CALEB J. NOOGDMANS
MILANIE A. PERRY
RABEY R. PETERSON
BRYAN P. RASMUSSEN
SHAUN D. RUSCH
FRILLI P. SINTMONS
JOSCEPH C. TOSCHEN
LESLEE R. TRIPPE
WAJTER B. VONDSKE
EVAN R. WHTBECK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624.

To be commander

THOMAS R. ABLEMAN
VATER C. AGAL
ARIEL E. ATIENZA

S4121

CONGRESSIONAL RECORD — SENATE

July 20, 2017
To be commander

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

CHRISTOPHER L. ALMOND
BRIEROC W. BARRIE
PETE H. BERNET
BLAER L. HURLEY
BRANDON M. CARPENTER
JUAN CHAVIRA
ANDREW T. DREXEL
ROBERT B. HAGEL
JACOB W. SEGALL
WILLIAM R. PITCAIRN IV
FEDERICO PEREZ-ROMERO
BRYAN M. PARNELL
ANDREW W. OLSEN
ANGELIQUE N. MCBRIDE
ANDREW W. OZECK
LEOPOLDO OCHOA, JR

The following nomination confirmed by the Senate July 20, 2017:

THE JUDICIARY

JOHN KENNETH BUSH, OF KENTUCKY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.
EXTENSIONS OF REMARKS

RECOGNIZING THE OUTSTANDING SERVICE OF COLONEL JOHN G. BUCK, DISTRICT COMMANDER FOR THE SEATTLE DISTRICT, U.S. ARMY CORPS OF ENGINEERS

HON. DEREK KILMER
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. KILMER. Mr. Speaker, I rise today to commemorate the 26 year service record of Colonel John G. Buck, District Commander for the Seattle District of the U.S. Army Corps of Engineers, and I am proud to offer my sincere congratulations on his upcoming retirement.

Col. Buck received his U.S. Army commission in 1991 from the United States Military Academy. He has served in various leadership positions throughout the United States, Europe, and the Middle East.

In 2005, he was awarded the Bronze Order of the de Fleury Medal for his outstanding performance of duty. He then served as commander of the 14th Engineer Battalion at Joint Base Lewis McChord, where he effectively trained a battalion for deployment to Afghanistan. His successful training methods served as a model for other engineering units.

Throughout his career, Col. Buck has demonstrated strong dedication and leadership that have been an asset in every position he has held, exemplifying the values and ideals of the U.S. Army and the Corps of Engineers. I have had the honor of knowing and working with Col. Buck over the past three years while he served as Commander of the Seattle District where he spearheaded the advancement of a number of key projects for the State of Washington.

During his tenure, the Seattle District successfully completed their first two favorable reports in nearly a decade. Thanks to his direction, the Puget Sound Nearshore Restoration Project and the Skokomish River Ecosystem Restoration Project were approved and congressionally authorized in 2016. Collectively these projects represent roughly half a billion dollars in new authority to complete over 2,000 acres of aquatic ecosystem restoration in our state. This is an enormous accomplishment.

I am also especially grateful for his hard work and dedication to resolving a difficult and complicated permitting issue and providing some much needed regulatory clarity to shellfish growers in our region. Thanks to his efforts, more people will have more economic opportunity.

Mr. Speaker, it is truly an honor to represent a man of this caliber here in our nation’s capital. I am humbled to be able to speak in recognition of his impressive career and service record today in the United States’ Congress, and I am grateful for the many contributions he has made to our country as well as the State of Washington.

In recognition of 26th Congressional District Athletic Teams

HON. MICHAEL C. BURGESS
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that the Argyle High School boy’s golf team has claimed the title of state champions this spring.

The Argyle High School boy’s golf team attained their third straight title by thirteen strokes. The Eagles three-peat performance in the UIL Class 4A state tournament was led by Coach Brady Bell. Also of note, Luke Griggs took fifth place in individual performance at the state tournament. The team has won its local district tournament for six consecutive years, and continues to excel in this area of athletics. The team effort displayed by Argyle’s High School golf team in the state tournament demonstrates the continued success and dedication in District 26.

It is my honor to represent Argyle High School boy’s golf team in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI SOLDIER ARMY STAFF SERGEANT (SSG) JORGE LUIS PENA-ROMERO, JR.

HON. TREN T KELLY
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen soldier Army Staff Sergeant (SSG) Jorge Luis Pena-Romero Jr. who gave his life while in service to our nation on July 16, 2005, during Operation Iraqi Freedom. SSG Pena-Romero was killed when an improvised explosive device detonated near his military vehicle in Baghdad.

SSG Pena-Romero was assigned to the 1st Squadron, 11th Armored Cavalry Regiment, Fort Irwin, Texas, which was attached to the 155th Armored Brigade Combat Team from Mississippi.

According to the Los Angeles Times, SSG Pena-Romero, a Guadalajara, Mexico native, moved with his family to the United States when he was 2. He loved to draw and build model planes and cars. He also loved anything military-related. He collected newspaper clippings, according to his wife, Melissa.

SSG Pena-Romero joined the Army in 1995 after graduating from Fallbrook High School. He played football, basketball and baseball. While stationed in Fort Hood, he met his wife on a double date with his roommate. Melissa recalls that date.

“My sister and his roommate didn’t last,” Melissa said. “We did.”

The article also states that SSG Pena-Romero served tours in Korea and Kosovo. He became a U.S. citizen in 2003, the same year that he was assigned to Ft. Irwin.

SSG Pena-Romero was known in the Army for being generous and compassionate. He provided personal equipment if a soldier was missing a canteen or a first aid pouch.

In his personal life, SSG Pena-Romero preferred to spend time with his family. He played soccer with his daughter, Alexis. He played football with his sons, Jorge Ill and Adrian.

SSG Pena-Romero is survived by his wife, Melissa; parents, Jorge Sr. and Maria Pena; three children, Alexis Jorge Ill, and Adrian; and four siblings.

SSG Pena-Romero became a citizen of the United States to live the American dream and defend the freedoms we all enjoy. His service will always be remembered.

RECOGNIZING GREG ELLIOT FOR RECEIVING THE JOE WARNER PATIENT ADVOCACY AWARD

HON. ALEXANDER X. MOONEY
OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to recognize a truly outstanding constituent in the field of health care, Greg Elliot of Charleston, West Virginia. Mr. Elliot has been selected this year as one of the recipients of the prestigious Joe Warner Patient Advocacy Award.

The National Center for Assisted Living, a branch of the American Healthcare Association (AHCA/NCAL), is the nation’s largest association of professional long term health providers. They bestow this annual award on Association members who have worked diligently to educate Members of Congress about the needs of long term care patients, and to advance quality in the long term and post-acute care community.

These members share the same passion and commitment to progressing long term and post-acute care as the late Joe Warner of Illinois-based Heritage Enterprises, for whom the award is named. All the recipients share a compassionate and caring view of our nation’s frail, elderly, and disabled.

Greg Elliot’s commitment to improving long-term care continues today as the Vice President of American Medical Facilities Management in West Virginia. Mr. Elliot is a second-generation owner of AMFM, which operates 17 long-term care, skilled nursing and rehabilitation centers throughout West Virginia.

Three of these centers are located in my congressional district including the Braxton Health Care and Rehabilitation Center in Sutton, Clay Health Care Center in Irvydale and the E.A. Hawse Nursing and Rehabilitation Center in Baker.
AMFM Nursing and Rehabilitation Centers employ more than 1,700 West Virginians, provides care for more than 1,100 patients, and is the largest privately held-multi-facility nursing home company in West Virginia.

Greg is frequently in Washington visiting my Congressional office advocating on behalf of West Virginia. He always appreciates the ideas and insight into health care issues and I look forward to many more meetings in the future. With Greg Elliot’s leadership, AMFM has received countless awards such as the Silver Achievement in Quality Award from the American Healthcare Association. He also received Administrator of the Year Award from West Virginia Health Care Association. The third-party research institute, My Inner View, has ranked AMFM facilities in the top 10 percent in the nation 46 times for customer or employee satisfaction.

Mr. Elliot is currently on the board for the Charleston Area Alliance & Chamber of Commerce, and is an At-Large Representative on the American Healthcare Association Board of Governors.

Greg Elliot has been very involved in charities throughout West Virginia. In fact, to date the AMFM Charitable Foundation has donated more than $500,000 for charitable organizations throughout West Virginia including food pantries, local volunteer fire departments, libraries and women’s shelters.

Mr. Elliot founded The AMFM Grill Team, a group of employee volunteers that band together to provide great BBQ to the AMFM centers and surrounding communities. In 2016 following the devastating flooding in our state, the team went to two flooded communities and prepared hundreds of meals for the affected residents.

Greg Elliot resides in Charleston, WV with his wife Jennifer of 16 years, his 10-year-old daughter Elizabeth and their two dogs. Greg enjoys the outdoors, cooking out, and all things electronic, especially building robots with his daughter.

Mr. Speaker, please join me in thanking Greg Elliot for his years of dedication and care to our nation’s frail, elderly and disabled. His career and life accomplishments truly reflect the ideals embodied in the Joe Warner Patient Advocacy Award.

In recognition of 26th Congressional District Athletic Teams

HON. ANDY BARR
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. BARR. Mr. Speaker, I rise to honor a very special organization, the Garden Club of Lexington as they celebrate their 100th anniversary.

The Garden Club of Lexington was formed in 1917, and in 1924, they were invited to join the Garden Club of America. For their first large civic project, members planted trees along Richmond Road. This provided an attractive and lasting entrance to the city of Lexington.

One of the major undertakings of the Garden Club of Lexington was the establishment of public gardens at Ashland, the historic home of the renowned Henry Clay. Clay represented Kentucky in the United States Senate and in the House of Representatives, where he served three terms as Speaker. Club members over the years raised funds, designed, and established beautiful garden areas at Ashland, including the Saundra Peony Garden. The award winning gardens are enjoyed by countless citizens and visitors to Central Kentucky.

The Garden Club of Lexington organizes many other civic projects designed to beautify Lexington and to provide the public with wonderful opportunities to enjoy nature. As this outstanding organization celebrates its first 100 years, I applaud them for past accomplishments and wish them a bright future.

It is my honor to recognize the Garden Club of Lexington before the United States House of Representatives.

In Recognition of the Life of Fallen Mississippi Navy Petty Officer First Class (PO1) Stacy Oredia Johnson

HON. TRENT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Navy Petty Officer First Class (PO1) Stacy Oredia Johnson who paid the ultimate sacrifice while defending our great nation on July 18, 2011, during Operation Enduring Freedom. PO1 Johnson was killed in a motorcycle crash in Manama, Bahrain.

PO1 Johnson was assigned to Naval Security Force Bahrain in September 2010 after spending a year at Region Southwest Security Detachment, San Diego.

While PO1 Johnson was stationed in San Diego, he met and married his wife, Randa. The couple has three children together: Dallas, Jordy, and Nashira. Randa recalled her husband’s service in an online tribute. She said PO1 Johnson served his country for nearly 18 years and he was fortunate to have traveled the world and connected with many people with whom he developed lasting friendships.

PO1 Johnson is survived by his wife, Randa Johnson; children, Dallas Johnson, Jordy Johnson, Nashira Johnson, and stepson, Demonte Fagan. He was preceded in death by his father, Ernest Lee Johnson; and his mother, Lillie Mae Johnson.

PO1 Johnson’s service to our nation will not be forgotten.

In Recognition of 26th Congressional District Athletic Teams

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that the Keller High School softball team, coached by Bryan Poehler, this season earned its second consecutive UIL Class 6A state championship. Also of note, Keller’s second baseman Camryn Woodall was named most valuable player of the championship game.

The Keller High School Indians softball team, which was coached by Bryan Poehler, this season earned its second consecutive UIL Class 6A state championship. Also of note, Keller’s second baseman Camryn Woodall was named most valuable player of the championship game. This is the fourth title earned by the Keller Indians in school history. This team put forth great effort in securing the 6A division state title, persevering through two weather delays in their path to championship victory.

It is my honor to represent the Keller High School softball team in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

Recongizing the Employees of Aerojet Ordnance Tennessee

HON. DAVID P. ROE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. ROE of Tennessee. Mr. Speaker, today I am honored to recognize Aerojet Ordnance Tennessee (AOT) and their 81 employees in Jonesborough, Tennessee, on the delivery of their seven millionth M67 Hand Grenade body assembly in May 2017.

Awarded its first M67 Hand Grenade body assembly contract from the Joint Munitions Coordination Center at Rock Island Arsenal in 2001, when it became the sole supplier of the M67 grenade body for the U.S. and Canadian governments, AOT has been producing the M67 at a high rate. Over the past 16 years, AOT
has been producing almost 500,000 grenade body assemblies annually on average to support our warfighters.

On the occasion of this milestone, I am proud to recognize the dedicated, hardworking employees of AOT and their achievements so far. These Tennesseans are working hard to ensure our men and women in uniform have the resources they need to carry out their missions effectively, and they deserve our sincere appreciation.

RECOGNIZING THE FREEPORT BOYS TRACK AND FIELD TEAM FOR THEIR CLASS 2A STATE TITLE

HON. CHERI BUSTOS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate the Freeport High School Boys Track and Field team for earning the Class 2A Illinois State Championship.

The Freeport Boys Track and Field team scored 37 points and defeated over seventy other teams to win the title. Their dedication and passion for their sport meant that they were determined to win gold. As a former athlete, I understand the amount of hard work and commitment to be awarded such a title. The Freeport Track and Field team is an example of the importance of dedication and hard work, and I am proud that there is such young talent in our community, and to see them represent Freeport throughout the state.

Mr. Speaker, I would like to again formally congratulate the Freeport Boys Track and Field team on their title, and I join the rest of the community in wishing them every success in the future.

IN RECOGNITION OF 26TH CONGRESSIONAL DISTRICT ATHLETIC TEAMS

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. BURGESS. Mr. Speaker, I rise today to recognize recent athletic victories within my district. I am proud to announce that Krum High School Softball has claimed the title of state champions this spring.

The Krum High School softball team made its first appearance in a state championship this season, led by Coach Bryan Chaney. The Krum High School softball team put forth a great effort throughout its 4A state title run. Junior pitcher and championship game MVP Krum’s Tristan Bridges, led Krum’s softball team in a narrow victory. This display of success has set a winning precedent for future teams in the 26th District of Texas. It is my honor to represent the Krum High School in the U.S. House of Representatives. These dedicated student athletes and their coaches have represented the 26th District well, and our community looks forward to more successful seasons to come.

RUSSIAN HACKING AND THE NEED FOR TRANSPARENCY

HON. TERRI A. SEWELL
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Ms. SEWELL of Alabama. Mr. Speaker, governmental transparency is a cornerstone of our democracy, and the American people deserve nothing less than the full disclosure of the Trump campaign’s Russian contacts. It seems like every week, we find out more information about meetings between Russian contacts and individuals within President Trump’s inner circle. Advisors in President Trump’s White House have been forced to revise applications for security clearance because of repeated failures to report meetings with officials connected to the Kremlin.

In addition, the Trump Administration’s refusal to acknowledge the vast scope of Russian interference in the 2016 election is leaving the United States vulnerable and exposed, opening the doors for future Russian attacks against our electoral system. The CIA, the FBI, the Director of National Intelligence, the NSA, and the other intelligence agencies in the intelligence community all agree that the Russians directed the hacking of the 2016 election. It is time that the Trump Administration unequivocally denounces the Russian government’s meddling in our electoral process. The longer they delay standing up to Putin, the longer our country remains susceptible to further cyber-attacks.

The integrity of our elections is at stake. It is time for the Administration to stop pretending that the hacking did not happen, and start working to ensure that it does not happen again. Many Americans had to traverse a long, arduous path in their fight to secure the right to vote. I represent the 7th Congressional District of Alabama, the home to some of the greatest battlefields of the Civil Rights and Voting Rights Movement: Birmingham, Selma, and Montgomery. My constituents overcame insurmountable adversity in order to secure their right to vote. They shed blood and sacrificed their lives so that future generations would never be turned away from the ballot box or denied their sacred, constitutional right to vote. We are doing them a gross injustice if we do not take action against the Russian government’s blatant interference in our election.

The American people deserve to know the truth, and they deserve the assurance that their government is working on their behalf to remove barriers to the ballot box. We cannot afford to sacrifice the integrity of our elections, nor impugn the veracity of our intelligence community and our law enforcement agencies.

I urge the Trump Administration to accept the facts in front of them so we can begin to move forward and ensure that no foreign entity ever has the ability to attack our democracy again.

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Patrick Downton, Jr. Patrick is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 692, and is earning the most prestigious award of Eagle Scout.

Patrick has been very active with his troop, participating in many scout activities. Over the many years Patrick has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Patrick has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Patrick Downton, Jr., for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE LIFE OF THE FALLEN SOLDIER ARMY SERGEANT (SGT) TRAVIS S. COOPER

HON. TREVNT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi soldier Army Sergeant (SGT) Travis S. Cooper who paid the ultimate sacrifice while defending our nation on July 16, 2005, during Operation Iraqi Freedom. SGT Cooper was killed when an improvised explosive device hit his convoy in Baghdad.

SGT Cooper was assigned to the 2nd Battalion, 114th Field Artillery Regiment, 155th Brigade Combat Team headquartered in Starkville, Mississippi.

SGT Cooper, a Macon, Mississippi native, was 24 years old at the time of death. He attended Noxubee High School in Macon, Mississippi. According to his brother, Antwan Cooper, he left school a year early and took his General Educational Development (GED) test. In September 2000, he joined the National Guard.

According to the Associated Press, Governor Haley Barbour said, “Our hearts and prayers go out to the Cooper family and friends, and Marsha and I honor this brave man’s service, and we deeply regret this incident.”

SGT Cooper was awarded the Bronze Star Medal, Purple Heart, Mississippi Medal of Valor, Army Commendation Medal, Army Achievement Medal ( sendo Leaf Clusters), Army Good Conduct Medal, National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Iraqi Campaign Medal, and the Combat Action Badge.

SGT Cooper’s funeral was held at Mill’s Chapel Missionary Baptist Church. He was buried at Oddfellows Cemetery in Macon, Mississippi.

SGT Cooper’s service and sacrifice will always be remembered.
SAUDI ARABIA

HON. TED POE OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. POE of Texas. Mr. Speaker, Saudi Arabia is a crucial ally in the fight against terrorism. Many of the same terrorist organizations that threaten the United States also desire to overthrow the Saudi government and break our partnership.

It’s a key member of the coalition to fight ISIS, with its pilots flying alongside Americans since day one of the campaign in Syria. Last year, Riyadh adopted strict laws prohibiting fundraising for terrorism, jointly designating support networks for al-Qaeda and the Taliban.

Saudi intelligence has assisted in preventing terrorist plots targeting the U.S. In 2010 Saudi assistance helped foil an attempt by al-Qaeda to conceal bombs on a cargo plane en route to the United States. The Saudis are also battling Iranian-backed rebels in Yemen. These rebels not only threaten the Kingdom but also targeted our warships and destabilize the Red Sea trade routes.

The current diplomatic standoff between Saudi Arabia and Qatar demonstrates that Riyadh is willing to take a stand against state sponsorship of terrorism in the region. This is all encouraging. However, the Saudis still have much more they need to do at home to counter the sources of extremism in the region.

The battle against terrorism will ultimately have to be fought and won on the battlefield of ideas. Saudi Arabia has simply not done enough to defeat extremist ideology.

The Kingdom is playing the role of both arsonist and firefighter when it comes to Islamic extremism.

Nowhere is this more evident than the textbooks Saudi Arabia produces to teach its youth. For far too long Saudi Arabia’s education curriculum has inspired the very ideology that is at the root of many terrorist organizations like ISIS and al-Qaeda.

Saudi textbooks are full of anti-Semitism, conspiracy theories, and calls to violence that have incited students both at home and across the world. This poisonous ideology has provided the groundwork for generations of radicalization and extremism.

In fact, ISIS adopted official Saudi textbooks for its schools in 2015 until the terrorist group could publish its own. Moreover, its export of hateful material through Saudi-funded schools abroad has helped spread the toxic ideology to more tolerant and open Muslim communities in countries such as Kosovo and Indonesia.

While the Kingdom has repeatedly pledged to remove extremist content from its curriculum, troubling language remains in many of the most recent editions of Saudi textbooks. In 2006 the Saudis committed to eliminate all passages that promoted hatred towards any religion by 2008.

Yet even today textbooks include content that discourages befriending “infidels,” claims the goal of Zionism is world domination, and encourages “fighting” any polytheist or infidel who refuses to submit to the supremacy of Islam. This intolerance is unacceptable and directly contributes to the widespread persecution of religious minorities that plagues the Middle East.

Another passage in a current Saudi textbook for middle school students states that “the mujahideen who are doing good deeds for the sake of Allah . . . should be given transportation, weapons, food and anything else they may need to continue their jihad.” Messages such as this undermine the Saudis own counterterrorism efforts.

By indoctrinating children into the belief that people of other faiths are inferior or are a threat to Islam, Saudi Arabia is ensuring future generations of extremists that will join the ranks of terrorist groups. This is not to ignore that some positive steps have been taken. In recent years the Kingdom has introduced passages that denounce terrorism and encourage dialogue with other faiths.

But these steps only send mixed messages to easily influenced young minds so long as the more extreme messages remain. The State Department and previous administrations have also failed to hold their Saudi counterparts to past pledges.

The State Department has even refused to publish reports that shed light on these troubling textbooks for fear of embarrassing our Saudi partners. While we appreciate Riyadh’s contribution to our overall counterterrorism efforts in the region, we must hold them accountable for their role in fueling the very extremism we are trying to combat. It is in both our countries’ interest.

In the fight against terrorism, we all need to be on the same page.

And that’s just the way it is.

HONORING MATTHEW PARR

HON. SAM GRAVES OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I rise today to commend Matthew Parr for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.
Joel Davis had an older brother, Josh, who is a member of the Watertown City Police Department. Josh cites his brother as one of the most important role models in his life, and the reason he chose a career in law enforcement. Though Joel was considered the more serious of the two brothers, he also loved a good joke and to laugh—he loved to dance to music and have fun.

Trooper Davis also loved sports and grew up playing every sport imaginable with his family and friends. In his spare time, he volunteered as a coach and commissioner of a youth baseball team, and has had a lasting impact on the lives of the many young athletes he worked with.

This past Saturday, thousands of officers attended the services for Trooper Joel Davis. We will not forget Trooper Davis and the ultimate sacrifice he made. Our hearts are with his family, friends, and the entire law enforcement community.

IN RECOGNITION OF ANTHONY COLACCHIO

HON. WILLIAM R. KEATING
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. KEATING. Mr. Speaker, I rise today in sincere recognition of Anthony Colacchio and his commendable dedication in starting a wheelchair curling program at the Cape Cod Curling Club, as well as his dedication to serving wheelchair athletes.

Anthony has always been passionate about volunteering his time, money, and efforts to helping those who are differently-abled. He is a nationally-certified wheelchair trainer, has convened the Grand National Curling Committee to set aside money to assist wheelchair curlers, accompanied the United States Paralympic Team to the Paralympic Games in Sochi, Russia in 2014, and will be accompanying the team again during the 2018 Games in Pyeong Chang, South Korea. Anthony and his wife, Mary, have also been invaluable in the ongoing expansion to make the Cape Cod Curling Club in Falmouth, Massachusetts handicap accessible.

Anthony’s renowned work with the wheelchair curling community has roots much closer to home. After seeing his brother, who was in a wheelchair, sidelined from sport, Anthony saw curling as a golden opportunity to bring together all athletes in a common arena as equals. Anthony’s work has come with sacrifice—dedicating so much of his time to the sport, he has missed special occasions with family but they have remained supportive throughout his tireless work.

Anthony’s volunteerism does not end at the edge of the ice. He is involved in Neighborhood Falmouth, a local chapter of a national movement that promotes community residence for older Americans. Anthony regularly takes seniors to their doctors’ appointments, providing vital transportation so they can access the health services they need. Additionally, he is on the board of directors for USS Donner Reunion, an organization that provides information and reunions for former shipmates of the USS Donner, a dock landing ship that served in the U.S. Navy from 1945 to 1970.

Anthony and Mary host an annual banquet in July known as the International Bonspiel. This year marks the 48th year of the banquet, and attendees will include veterans of the wheelchair curling community from South Korea, Slovakia, Canada, and the United States. Anthony’s selfless commitment to both the sport and the community of curling has touched innumerable lives in the United States and around the world. For these efforts he is being recognized this year at the Bonspiel dinner.

Mr. Speaker, I am proud to honor Anthony Colacchio for his dedication to the sport of curling and creating an equal playing field for people of all abilities. I ask that my colleagues join me in thanking him for his work and wishing him all the best as he continues his important efforts.

HONORING NATHAN PAUL RAWSON

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly ask you to join me in commending Nathan Paul Rawson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in congratulating Dr. Wiley J. Dobbs of Idaho in the House of Representatives.

HON. MICHAEL K. SIMPSON
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. SIMPSON. Mr. Speaker, I rise today to congratulate Dr. Wiley J. Dobbs for 33 years of distinguished service educating Idahoans on the impact of his retirement from his current position as Superintendent of Twin Falls School District.

Dr. Dobbs’ career as an educator is marked by a stalwart commitment to students across Idaho, particularly in Twin Falls. After serving as a high school teacher in Montpelier, Idaho, Dr. Dobbs returned to his hometown of Twin Falls to serve as an educator in both junior high schools and high schools, as well as a stint at the University of Idaho as an education instructor. After years in the classroom, Dr. Dobbs transitioned to the Twin Falls School District as Director of Operations in 2000. By 2003, he had accepted the position that would carry him to retirement: Superintendent of Twin Falls School District.

Throughout his career, Dr. Dobbs has demonstrated a superior dedication to the lives of the students and families he serves. In fact, Dr. Dobbs spent much of his career creating opportunities for students outside the classroom by volunteering as an advisor to the Congressional Award Program. With his help, the city of Twin Falls has garnered national recognition for the quality and quantity of students who earn their Congressional Award for an outstanding commitment to setting and achieving their goals.

Mr. Speaker, I sincerely thank Dr. Dobbs for his service and commitment to education in Idaho. On behalf of a grateful state, I wish him well in the next chapter of his life.

HONORING THE ALLIED CLEAN FUELS PLAZA

HON. MIKE THOMPSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, July 20, 2017

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the Allied Clean Fuels Plaza upon the occasion of their Grand Opening Celebration. This fuel service center is the first business in Northern California to specialize in offering clean fuel options for all types of vehicles.

In addition to the traditional three grades of unleaded and diesel gasoline offered by most service stations throughout the country, the Plaza offers a broad range of fuels and energies which address the ecological issues of the twenty-first century. These include E-85 ethanol, diesel exhaust fluid (DEF), renewable hydrocarbon diesel, Propane Autogas and six fast-fill compressed natural gas (CNG) dispensers. The Plaza also features the option to recharge electric cars with a state of the art Tesla Supercharger Station. The Supercharger is capable of charging, eight Tesla vehicles simultaneously in just 20 minutes.

The Allied Clean Fuels Plaza is addressing the serious issue of climate change by making cleaner sources of energy available to our community. The station is already equipped to offer Liquefied Natural Gas (LNG) and Hydrogen to meet the demands of our community as these fuels become more popular. The Plaza represents the first of the types of businesses we will need to protect the vitality of our environment for future generations. While the Plaza is looking toward the future, they are firmly rooted in the history and values of our community. They are affiliated with Allied Propane Service, which has been operating in Northern California for 50 years. Their emphasis on clean fuel reflects the desires of members of our community to be responsible consumers. Their full service Circle K convenience store sells sandwiches, soups and regional cheeses from local vendors, and they offer premium wines from Napa and Sonoma, the best wines in the world.

Mr. Speaker, the Allied Clean Fuels Plaza is an innovative, responsible and impressive new service station in my community. Stan Teaderman is the driving force behind the Plaza and is an important member of our community who works hard to benefit the environment and support charitable causes. Therefore, it is fitting and proper that we honor them here today and wish them the best of success.
SEVEN LAKES SENIOR SELECTED FOR INTERNATIONAL OLYMPIAD

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Thomas Xiong of Katy, TX, for being chosen to join Team USA at the International Biology Olympiad.

Thomas, a Seven Lakes High senior, was selected as a gold medalist in the 15th annual USA Biology Olympiad (USABO), qualifying him to represent the U.S. at the International Biology Olympiad this July in the U.K. He was picked out of 20 USABO National Finalists. To be chosen, he had to take practical and theoretical tests that followed 10 days of intensive biology instruction at Marymount University in Arlington, VA. The finalists studied with U.S. experts in the fields of cellular and molecular biology, plant anatomy and physiology, animal anatomy and physiology, genetics and evolution, ecology, ethology, and biosystematics.

Thomas will represent the U.S. at the International Biology Olympiad. We know he will be a great asset to Team USA and will make TX proud. Good luck.

HONORING PARKER SWAGGERTY

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Parker Swaggerty. Parker is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America. His efforts have earned him the highest distinction of Eagle Scout. Keith has been very active with his troop, participating in many scout activities. Over the many years Keith has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Keith has contributed to his community through his Eagle Scout project. Keith refurbished a council ring and fire pit at Immacolata Manor in Liberty, Missouri, rebuilding the trail to the ring, repairing the fire pit and constructing benches around the fire pit.

Mr. Speaker, I proudly ask you to join me in commending Keith Andrew Williamson, II, for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING MAJOR PATRICK W. MILLER

HON. TOM REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. REED. Mr. Speaker, I rise today to recognize Major Patrick W. Miller for his outstanding acts of heroism and his dedicated military service. Major Miller received his commission into the Medical Service Corps in 2003 from St. Bonaventure University and continued his service as Medical Platoon Leader for the 1st Cavalry Division in Texas. His battlefield was soon deployed to Baghdad, Iraq, where he served for 13 months. Major Miller was promoted to Battalion Assistant Operations Officer and spent another 15 months in Iraq before returning home.

In 2011, Major Miller was assigned as Chief of Resource Management for U.S. Army Medical Activity at Fort Drum. He remained there until moving back to Fort Hood to act as Brigade Comptroller for the 1st Medical Brigade. It was there that on April 2nd, 2014, Major Miller heard gunfire outside his office. Miller faced the attacker and was injured while trying to impede the rampage.

Major Miller was able to get to safety and call 911, sounding the alarm on the attack. Despite the horrific circumstances, Major Miller continued to maintain his composure and conduct himself professionally, all the while remaining cognizant of the well-being of those around him.

I ask my colleagues to join me in commending Major Patrick W. Miller for his heroic actions and the dedication and honor with which he serves our country.
PERSONAL EXPLANATION

HON. CLAUDIA TENNEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Ms. TENNEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “Nay” on Roll Call No. 395, and “Nay” on Roll Call No. 396.

SUGAR LAND NATIVE NAMED A 2017 NASA ASTRONAUT CANDIDATE

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 20, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Loral O’Hara of Sugar Land, TX, a Clements High School Ranger, for being selected by NASA to join the 2017 Astronaut Candidate Class.

Currently working as a Research Engineer for the Woods Hole Oceanographic Institution, Loral has an exceptional professional history, including working as a design engineer, mechanical technician and as a project engineer. She has a Bachelor of Science degree in Aerospace Engineering from the University of Kansas and a Master of Science degree in Aeronautics and Astronautics from Purdue University. Loral will report for duty this August, where she will begin her two years of training as an Astronaut Candidate. Once done, she will be assigned technical duties in the Astronaut Office while she awaits a flight assignment.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Loral for being selected as a NASA Astronaut Candidate. We are very proud of her and look forward to her representing TX-22 in space.

IMPORTANT ISSUES OF THE DAY

SPRACH OF

HON. THOMAS A. GARRETT, JR.
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 19, 2017

Mr. GARRETT. Mr. Speaker, I hadn’t intended to but I’ll begin my remarks by addressing his remarks. And I’ll do something that I rarely do and that is to quote a French historian, politician, scientist and diplomat, and that is Alexis de Tocqueville, who stated, “The American Republic will endure until the day that Congress discovers that it can bribe the public with the public’s own money. The previous administration was led by an individual who on the campaign trail said that $7 trillion dollars in debt was “unpatriotic.” Now we sit at the precipice of $20 trillion dollars in debt after two terms and I would submit that perhaps that’s unpatriotic multiplied by three, or nearly that, and echo the sentiment of Mr. SCHWEIKERT that it is absolutely, positively unsustainable. Now there are ways that we could certainly deal with runaway debt. One way would be to completely devalue the currency. If you really want to step away from the hyperbolic barbs that are thrown by my colleagues across the aisle as it relates to the motives for the legislation that we carry and find out who would really be harming seniors and children, it would be those who would continue to spend until the only way to cover the tab was to turn over the very monies set aside to care for those least able to care for themselves. And so I thank Congressman SCHWEIKERT, not only for his wise remarks but also for reminding me just how much I miss being a member of the state house in the Commonwealth of Virginia where there is actual back and forth debate on the merits of issues, wherein those small percent-age of individuals who choose to inform them-selves might shape their opinion based on a discourse rather than people standing at this microphone unchekked.

Which leads me to my next point, which is also not on the subject that I originally intended to address and that is, the statement of my distinguished colleague from Maryland, Mr. RASKIN, who spoke on this floor about 45 minutes ago on a subject that’s important not just to him, and not just to me, but to America, and that is on the subject of asset forfeiture. His comments were indicative of the tone that this body has devolved into. One of the many Democrats who I admire, Daniel Patrick Moynihan, who Vanity Fair described as a fervent Democrat who saw the value of working with Republicans (where is he today?), once said, “You’re entitled to your own opinions, but you’re not entitled your own facts.” Mr. RASKIN said the Trump Administration was burdening an American future pol- icy and he cited the case of a Chinese res- taurant and an entrepreneur he who had amassed 25,000 dollars so that he could buy a building, but he was going over the speed limit so he was pulled over by police so with-out cause they took his money and it took 7 years according to my colleague to recoup his money and the opportunity was lost and that’s what’s wrong with Mr. Trump’s policy. Wow. And he implored listeners to please look up this case, so I did. In fact there was a man who had saved money to open up a Chinese restaurant who was going 10 miles an hour over the speed limit who was pulled over by law enforcement who had not 25 but 75,000 dollars forfeited and it took him not 7 years but 10 months to get it back and it happened in 2014 and I’m not terribly sure who was presi-dent then and I’m not terribly sure who was president then but I don’t think it was Donald Trump! So I will join my colleague in sug- gesting that we need asset forfeiture review and refer in this country, but please, you’re entitled to your own opinions, you’re not enti-tled to your own facts.

Now why am I hear tonight? Golly ned why am I hear at all? Who are we as a nation? I tell my children if you want to know what’s the right thing to do in life when you’re confronted with challenges, when you have a dilemma, ask yourself who do I want to be, not who am I, but who do I want to be, because I hope I never reach my aspirational goals, but I keep trying as long as I am here. I don’t think that if you reach all your goals for who you want to be that you’ve aimed high enough. And if you ask yourself who I want to be when you face a significant challenge, always then come up with the right answer when you answer what the person you want to be, would do. And so I grew up with a father who actu-ally had a name for the belt that he wore around his waist, it was the enforcer. I had a mother who thought I could do anything I wanted to do and a father who would kick my tail if I didn’t give it my best effort. I spent nearly ten years as a prosecutor and I can’t tell you how many times I locked down the dais at the criminal defendant and thought, I wonder but there for the grace of God, go I. But for the fact that I was blessed with amaz-ing parents who encouraged me who loved me and disciplined me and told me the things I had to do and not to do to make it as an office today who garner votes and support by telling people what they can’t do, what they need done for them.

By gosh this country was built on a govern-ment dependent upon people, not a people dependent upon government. And that’s who we are. Now, who are we going to be? Where are we going? A wiser person than I once said, “If you want to know where you’re going, you should look where you’ve been.” It’s a rel-atively humbling thing to do representing the fifth district of Virginia because the fifth district of Virginia was first represented by in this in-stitution by James Madison. I tell people those are some very small, big shoes to fill. Very small, big shoes to fill. James Madison won the congressional seat when he ran in an election against a pillar of a foreign policy named Monroe. They were so collegial during the campaign that they often traveled together and when Madison was elected to Congress, prior to the Seventeenth Amend-ment, he went to the Virginia Assembly, the longest serving, democratically elected legis-lative body on the planet Earth, and suggested that James Monroe should be the Senator, and indeed he was made the Senator. So we have Madison, we have Monroe. The drafter of the Declaration of Independence, Thomas Jefferson, lived in Virginia’s fifth district. The arbiter of the power of the Article III branch of government, the Supreme Court, John Mar-shall, retired in Virginia’s fifth district. Patrick Henry retired in Virginia’s fifth district. Lee and Grant sat at a table at Appomattox Court-house at the end of the Civil War in the fifth district of Virginia. And a young woman named Barbara Johns stood up in the face of possible injury or death to start the Vir-ginia Civil Rights movement in the fifth district. So it’s pretty humbling and it gives me a good lesson in who we are. So many on my side of the aisle criticized President Obama when he said, you know if you have a business, you didn’t do that, somebody else did dit for you. I’ll defend him, I’ll defend him. You did it, with blood and sweat and tears and hardwork and persistence and willingness to stand up time and time after failing. Be you the person up at the microphone representing the Virginia, the state of Virginia, the lives of the average person in the state of Virginia, that we are going to be? Where are we going? A wiser person than I once said, “If you want to know where you’re going, you should look where you’ve been.”

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and look at the headaches because I can promise you there's piles of folks buried there that thought the world just couldn't go on without them. And the band played on. The fifth district of Virginia was here before I got here and it'll be here when I leave. I'm not here to perpetuate your name or my own, or their names or any sort of power. I'm here to make sure that everything I do is pointed towards giving the posterity that will follow us, my children, Schweikert's children, and your children, every bit as good, if not better opportunities than those which we had. I believe there are two fundamental elements to birth of Americanism. First, you are entitled to opportunity. We should always strive to make that opportunity equal opportunity. But in a world where if your last name is Clinton or Trump or Obama or Bush, you probably have a better chance of getting into Harvard, we're not there yet. But everyone, everyone is entitled to an opportunity. And everyone within the Jeffersonian Construct of Liberty, that is my freedom extends to the point where yours starts, so long that you don't harm another, you should be free to make decisions for yourself.

Everyone is entitled to an opportunity and everyone within the Jeffersonian construct of liberty that is my freedom extends to the point where yours starts, so long as you don't harm another you should be free to make decisions for yourself. If you wanna be the world's best bee keeper, go the world's best bee keeper. If you wanna be a great stay at home dad, by golly be a great stay at home dad. If you'd like to work to cure cancer, please do. If you wanna be a member of this body and try to perpetuate opportunity for our posterity, please do. If you wanna be a member of This body and try to perpetuate your own power or your own legacy, please don't. And so this brings me to the point of why I stand here today. I've been here 6 months not terribly long. Thank god, I've been unable to shake my citizen world view in favor a legislator world view. So as I walk into this chamber as I stand next to these women and men on both sides of the aisle I'm a little humbled. When I walk down the staircase on the edge of the original house chamber that's been worn by time by the footsteps of the likes of Kennedy, and Madison, and Monroe, and Eisenhower and Lincoln, I'm humbled. But I would revert back to the words that elitists observed over 150 years ago, and that is we will thrive until we attempt to begin to bribe the tax payers with their own money. And at some point things become unsustainable and at some point we need to recognize that we are about freedom of individuals to venture and fail and learn and that the government of this nation whose government should depend upon people, and not whose people should depend upon government. An hour and a half ago I stood on this very floor and I dropped at the clerks desk, HRS 458, house resolution 458 is a vehicle that would move to discharge past the normal process and procedures house resolution 1436, HR 1436 is a bill that was voted for by every republican member of this body in 2015 which would provide for a repeal of the broken promises that are the affordable care act. Just yesterday, in a conference hearing a polling and predict that the American people trusted republicans more on national defense, border security, jobs in the economy, but were kinda sketchy on healthcare, right? We can read a poll but I came here to do what I think is right I came here to do what I said I would do, and this plan that I think could reasonably be called the managed healthcare bailout program, the health insurance industry profit enhancement act, and I hold working americans and that paradigm under which we have debated it has failed to be an honest one. But if I'm here not to enhance myself, or my legacy and if I'm here to do what I think is right, what I said I would do when I ran for office, then I need to stand up and let me be clear about this too, I'm gonna do that when I ran for office, and that was to ensure that the decisions of Americans were left to Americans that we minimize the interference In individuals lives by the government, and that we recognize and ill paraphrase the Mr. Jefferson who was correct when he said the fruits of the working class are safest when the legislators not in session. Hm, I believe it was Roy Rogers who said that the only certain thing in life are death and taxes but death doesn't get worse every time congress meets. Thank heaven for the Affordable Care Act the day I ran for office.

When I walk down the staircase on the edge of the other chamber that were willing to act if they're willing to act and maybe embolden them. I wanna let the president know that we haven't quit on him but most importantly I wanna send a message to the American people that some people in this chamber do care about the livelihood of other people, and really want to help, because by gosh we can score political points. If we are doing this to score political points. We oughta be doing this to make sure that the fundamental birth right of Americanism, opportunity is perpetuated for perpetuity and that it doesn't die in the hands of political class people who said well this will get me points at home. People told me not to do that it might not help you, your districts not that safe, I don't rightly care, I'm gonna do the right thing I've never had a job in my life that I wasn't willing to lose if it meant doing the right thing. So what are the goals of this? Rather, rash, they're humble I want the leadership of this chamber to understand that the ranking file members support them, that we got their backs, that we thank them for their efforts and that we don't wanna quit this fight. Thank you for what you do. Let's keep going and keep that damn promise I got a feelin that if you keep you promise if you're worried about elections, your reward will come when people realize there's somebody in this town that has some integrity so I wanna support you people that some people say Woah. There have been dozens of votes for repeal by members who knew that the repeal would never happen because it had to cross the desk of the person for whom the bill was named. Right? It was a theoretical abstact, sure, I support it. Were playing with live ammunition folks lets see who meant what they said come to this desk and if you're watching this at home, contact your member and tell them to come to this desk and sign on to the discharge position HRS 458. Or maybe you didn't mean it, or you did or who knows what it means. Hm. Dozen of votes for repeal and let me be clear about this too, I'm not siting here trying to pull the rug out from under people, and the bill that would be discharged by this solution would not immediately end Obamacare, and instead it would give us a two year window, a two year window, and I'll bet you that if we repealed and had a two year window to bai a replacement that we might get some input from people.

I know to a metaphysical certainty that no side has a monopoly on good ideas. I would hope that we could have some input and that some members who say well I don't believe the federal government should have a large role. There will be other members that say we should have single payer. Well, right now we are stuck in a broken system because of political gamesmanship. And it'll be meaningless when I was on the outside and it burns me on the inside. What are the facts? What are the real facts? The average individual premium according to E Health in May 3rd, 2017 has gone up 39% in the last two years. The average family plan has gone up 49%. That is why that premium was a $1000 a month its now $1330 or there roughly a month. I'm doing math on the fly in my head. If you are a family and you are
paying $500 a month than its $740ish a month. That's in two years.

The average individual plan is up 147% from 2008. The average family plan is up 177%. Folks, Americans income hasn't increased at that rate. The average is up 25% in the last year and that is according to the Department of Health and Human Services report of October of 2016. That means if you were paying $2000 a year ago, you are paying $2500 now. 25% in 1 year. And candidly all the disingenuous arguments on the other side about how many people will die, if we move to a system that allows individuals choices, is not only hollow and disingenuous and beneath the dignity of this body by virtue of their disingenuity but also false. Folks, for the first time in nearly a generation mortality rate rose in 2015. U.S. life expectancy dropped from 2014 to 2015 for the first time since the 1990s. And ironically it dropped more in states that expanded Medicaid.

So, I’m not only disgusted with and sick of such harsh rhetoric, but I think it’s not been proven demonstrably false. We talk about who will be kicked off their plan. According to the CBO, 10 million people have lost their employer plans. Those are the plans that they like they can keep. And roughly 15 million of the people who are now insured, by virtue of an individual mandate, that we have forcefully compelled American citizens to purchase a good or service at the risk of forfeiture of their money or their freedom. We live in a country where you can choose in many places to buy marijuana, you can choose to bungee jump, you can choose to sky dive. Heck, in some places you can choose to visit a prostitute. But you can’t choose a healthcare plan that doesn’t carry coverage for mental health or for maternity. You can’t do that. That’s against the law.

This is about choice. I served in the United States Army as a fire support officer. And when I left the army, I made the egregious error of law school, just kidding. And when I did that, I chose not to have healthcare because as I looked at what I was able to do on a limited amount of money that my family had, and did a cost benefit analysis, and the fact that I was in relatively good shape and young, I determined that my best interests were served by not spending the money. It was a crazy, brazen risk that I think paid off, but it should certainly be in the prevue of decisions Americans are allowed to make. And right now, it’s not.

I’m frustrated, but I’m fighting. A lot of people are frustrated, but they are fighting. I want to see our leadership succeed. I want to see this nation be, unequivocally, the greatest experiment in freedom that the earth has ever known. But, if we continue to try and parlay largesse and failed programs into political power, we won’t, we won’t. And the time to measure things based not on intentions, but results is nigh. In Oregon, they spent hundreds of millions of dollars to create a website for the Obamacare exchange that failed to enroll a single individual—and nobody was fired and nobody went to prison. I was a prosecutor for a long time. And I’ll tell you that if you waste or defraud people of one hundred or two hundred or three hundred million dollars, you usually either lose your job or go to prison. But, if you’re in politics in Oregon, you’re rewarded because by gosh you had great intentions.

Let’s judge these things not by their intentions but by their outcomes. Let’s not argue about who has coverage but who has access to affordable care. Let’s support revision that drives down premiums and down deductibles. And let’s trumpet our victories based on who we actually helped, not who we intended to help. In stand untied with the bulk of my colleagues. I know there are some who said we’d do one thing and now do another. This is an avenue by which we might find out who they are. But I don’t for a moment question the individual motives of members. I think they have an opportunity to distinguish themselves by virtue of signing on to this resolution. I ask you again if your watching at home to contact your member if you agree with what we said. And ask them if they’ll come to this bar, when we’re in session, and sign their name to House Resolution 458 and demonstrate their willing to do the exact same thing now, when it counts, that they did dozens and dozens of times under the previous administration when they knew that they’re actions would be met with a veto pen. And I don’t do this to score political points. And I don’t do this to make my name bigger. I don’t do this to because it feels good. I do this because we owe it to the giants who’s shoulders we stand upon, to Patrick Henry and Thomas Jefferson and Martin Luther King and Abraham Lincoln and Barbara Johns and John Kennedy and Ronald Reagan, the people who gave us the opportunity to be as successful and great as we are. Don’t piddle it away. Don’t piddle it away. Be responsible. Be willing to say no when no is the appropriate answer. And do what’s right.

Mr. Speaker, with that I yield back my time and I’d ask unanimous consent that all members have five legislative days to revise and extend their remarks and include extraneous materials on the topic of this special order.
Chamber Action

Routine Proceedings, pages S4087–S4122

Measures Introduced: Twenty-four bills and six resolutions were introduced, as follows: S. 1592–1615, S.J. Res. 47, S. Res. 225–228, and S. Con. Res. 22.

Measures Reported:

S. 1603, An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018. (S. Rept. No. 115–131)

S. 1609, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018. (S. Rept. No. 115–132)

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–14)

Bernhardt Nomination—Agreement: Senate resumed consideration of the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior. During consideration of this nomination today, Senate also took the following action:

By 56 yeas to 39 nays (Vote No. 165), Senate agreed to the motion to close further debate on the nomination.

A unanimous-consent agreement was reached providing that at approximately 4 p.m., on Monday, July 24, 2017, Senate resume consideration of the nomination, post-cloture; and that the post-cloture time on the nomination expire at 5:30 p.m.

Nomination Confirmed: Senate confirmed the following nomination:

By 51 yeas to 47 nays (Vote No. EX. 164), John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Nominations Received: Senate received the following nominations:

Jon M. Huntsman, Jr., of Utah, to be Ambassador to the Russian Federation.

Bart M. Davis, of Idaho, to be United States Attorney for the District of Idaho for the term of four years.

Joshua J. Minkler, of Indiana, to be United States Attorney for the Southern District of Indiana for the term of four years vice Joseph H. Hogsett, resigned.

Routine lists in the Navy.

Messages from the House:

Measures Referred:

Executive Communications:

Petitions and Memorials:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Record Votes: Two record votes were taken today. (Total—165)

Adjournment: Senate convened at 10 a.m. and adjourned at 5:11 p.m., until 4 p.m. on Monday, July 24, 2017. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S4121.)
Committee Meetings

(Businesses not listed did not meet)

Business Meeting

Committee on Appropriations: Committee ordered favorably the report of the following business items:

- An original bill (S. 1609) entitled “Energy and Water Development Appropriations Act, 2018”;
- An original bill (S. 1603) entitled “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018”.

Business Meeting

Committee on Armed Services: Committee ordered favorably the following business items:

The nominations of General Paul J. Selva, USAF, for reappointment to the grade of general and reappointment to be Vice Chairman of the Joint Chiefs of Staff, David Joel Trachtenberg, of Virginia, to be a Principal Deputy Under Secretary, Owen West, of Connecticut, to be an Assistant Secretary, Ryan McCarthy, of Illinois, to be Under Secretary of the Army, and Charles Douglas Stimson, of Virginia, to be General Counsel of the Department of the Navy, all of the Department of Defense; and

3,878 nominations in the Army, Navy, Air Force, and Marine Corps.

Housing Finance Reform

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine housing finance reform, focusing on maintaining access for small lenders, after receiving testimony from Brenda Hughes, First Federal Savings, Twin Falls, Idaho, on behalf of the American Bankers Association; Tim Mislansky, Wright-Patt Credit Union, Dayton, Ohio, on behalf of the Credit Union National Association; Jack E. Hopkins, CorTrust Bank, Sioux Falls, South Dakota, on behalf of the Independent Community Bankers of America; Chuck Purvis, Coastal Federal Credit Union, Raleigh, North Carolina, on behalf of the National Association of Federally-Insured Credit Unions; Wes Hunt, Community Mortgage Lenders of America, Gainesville, Georgia; and William Giambrone, Platinum Home Mortgage, Grayslake, Illinois, on behalf of the Community Home Lenders Association.

Firstnet

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, Innovation, and the Internet concluded a hearing to examine an update on FirstNet, after receiving testimony from Mark L. Goldstein, Director, Physical Infrastructure Issues, Government Accountability Office; Curtis Brown, Virginia Deputy Secretary of Home-land Security and Public Safety, Richmond; Michael Poth, First Responder Network Authority (FirstNet), Reston, Virginia; Chris Sambar, AT&T Inc., Dallas, Texas; and Damon Allen Darsey, University of Mississippi Medical Center Center for Emergency Services, Jackson.

Nominations

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Brenda Burman, of Arizona, to be Commissioner of Reclamation, who was introduced by Senator Flake, and Susan Combs, of Texas, who was introduced by Senator Cornyn, and Douglas W. Domenech, of Virginia, who was introduced by Representative Radewagen, both to be an Assistant Secretary, all of the Department of the Interior, and Paul Dabbar, of New York, to be Under Secretary for Science, David S. Jonas, of Virginia, to be General Counsel, and Mark Wesley Menezes, of Virginia, to be Under Secretary, who was introduced by Senator Cassidy, all of the Department of Energy, after the nominees testified and answered questions in their own behalf.

America’s Crumbling Water Infrastructure

Committee on Environment and Public Works: Subcommittee on Fisheries, Water, and Wildlife concluded a hearing to examine innovative financing and funding, focusing on addressing America’s crumbling water infrastructure, after receiving testimony from Andrew Kricun, Camden County Municipal Utilities Authority, Camden, New Jersey, on behalf of the National Association of Clean Water Agencies; Josh Ellis, Metropolitan Planning Council, Chicago, Illinois; and Mike Frazier, Rogers, Arkansas.

Business Meeting

Committee on Finance: Committee ordered favorably the report of the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury.

Nominations

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Kay Bailey Hutchison, of Texas, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, who was introduced by Senators Cornyn and Cruz, Kelly Knight Craft, of Kentucky, to be Ambassador to Canada, who was introduced by Senator McConnell, Robert Wood Johnson IV, of New York, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, who was introduced by Senator Corker, Lewis M. Eisenberg, of Florida, to be Ambassador to the Italian Republic, and to serve concurrently and without additional
compensation as Ambassador to the Republic of San Marino, who was introduced by Senator Rubio, and Kathleen Troia McFarland, of New York, to be Ambassador to the Republic of Singapore, who was introduced by former Senator Lieberman, all of the Department of State, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation, Beth Ann Williams, of New Jersey, to be an Assistant Attorney General, John W. Huber, to be United States Attorney for the District of Utah, Justin E. Herdman, to be United States Attorney for the Northern District of Ohio, and John E. Town, to be United States Attorney for the Northern District of Alabama, all of the Department of Justice, and Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of Thomas G. Bowman, of Florida, to be Deputy Secretary, Brooks D. Tucker, of Maryland, to be an Assistant Secretary (Congressional and Legislative Affairs), and James Byrne, of Virginia, to be General Counsel, all of the Department of Veterans Affairs, and Michael P. Allen, of Florida, Amanda L. Meredith, of Virginia, and Joseph L. Toth, of Wisconsin, each to be a Judge of the United States Court of Appeals for Veterans Claims.

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: 32 public bills, H.R. 3321–3325; and 10 resolutions, H.J. Res. 111–113; H. Con. Res. 70; and H. Res. 462–467, were introduced.

Additional Cosponsors:

Report Filed: A report was filed today as follows:

H.R. 2370, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance (H. Rept. 115–236).

Suspensions: The House agreed to suspend the rules and pass the following measure:


Rejected the Garamendi motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by voice vote.

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–27 shall be considered as an original bill for the purpose of amendment under the five-minute rule.

Agreed to:

Young (AK) amendment (No. 2 printed in part C of H. Rept. 115–235) that amends section 7 to conform the text of H.R. 218 with the Senate text, S. 101.

Rejected:

Tsongas amendment (No. 1 printed in part C of H. Rept. 115–235) that sought to require mitigation measures, previously adopted in Public Law 111–11, to ensure that impacts to migratory birds, wildlife, and wetlands are minimized (by a recorded vote of 190 ayes to 234 noes, Roll No. 404); and

Grijalva amendment (No. 3 printed in part C of H. Rept. 115–235) that sought to prohibit the Act from taking effect until $20 million in federal funds...
given to Alaska for transportation purposes in King Cove is repaid to the Federal Government (by a recorded vote of 167 ayes to 260 noes, Roll No. 405).

H. Res. 454, the rule providing for consideration of the bills (H.R. 2910), (H.R. 2883), and (H.R. 218) was agreed to yesterday, July 19th.

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12 noon on Monday, July 24th for Morning Hour debate.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H6128, H6129, H6129–30, and H6131. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:48 p.m.

Committee Meetings

EXAMINING BIPARTISAN LEGISLATION TO IMPROVE THE MEDICARE PROGRAM

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “Examining Bipartisan Legislation to Improve the Medicare Program”. Testimony was heard from public witnesses.

MONETARY POLICY V. FISCAL POLICY: RISKS TO PRICE STABILITY AND THE ECONOMY

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled “Monetary Policy v. Fiscal Policy: Risks to Price Stability and the Economy”. Testimony was heard from public witnesses.

GANGS IN OUR COMMUNITIES: DRUGS, HUMAN TRAFFICKING, AND VIOLENCE

Committee on the Judiciary: Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing entitled “Gangs in Our Communities: Drugs, Human Trafficking, and Violence”. Testimony was heard from Kenneth Blanco, Acting Assistant Attorney General, Criminal Division, Department of Justice; Chris Marks, Los Angeles County Sheriff’s Department; and public witnesses.

SEEKING INNOVATIVE SOLUTIONS FOR THE FUTURE OF HARDROCK MINING

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled “Seeking Innovative Solutions for the Future of Hardrock Mining”. Testimony was heard from Bret Parke, Deputy Director, Arizona Department of Environmental Quality; Murray Hitzman, Associate Director for Energy and Minerals, U.S. Geological Survey; and public witnesses.

21ST CENTURY MEDICINE: HOW TELEHEALTH CAN HELP RURAL COMMUNITIES

Committee on Small Business: Subcommittee on Agriculture, Energy, and Trade; and Subcommittee on Health and Technology held a joint hearing entitled “21st Century Medicine: How Telehealth Can Help Rural Communities”. Testimony was heard from A. Nicole Clowers, Managing Director, Health Care Team, Government Accountability Office; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY,
JULY 24, 2017

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Rules, Full Committee, hearing on H.J. Res. 111, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to “Arbitration Agreements”; and H.R. 3219, the “Department of Defense Appropriations Act, 2018”, 5 p.m., H–313 Capitol.
Next Meeting of the SENATE
4 p.m., Monday, July 24

Senate Chamber
Program for Monday: Senate will resume consideration of the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior, post-cloture, and vote on confirmation of the nomination at 5:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
12 p.m., Monday, July 24

House Chamber
Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE
Barr, Andy, Ky., E1026
Burgess, Michael C., Tex., E1025, E1026, E1026, E1027
Bustos, Cheri, Ill., E1027
Garrett, Thomas A., Jr., Va., E1031
Gomez, Jimmy, Calif., E1030
Graves, Sam, Mo., E1027, E1028, E1029, E1030, E1030

Keating, William R., Mass., E1029
Kelly, Trent, Miss., E1025, E1026, E1027
Kilmer, Derek, Wash., E1025
Mooney, Alexander X., W.Va., E1025
Olson, Pete, Tex., E1026, E1030, E1031
Poc. Ted, Tex., E1026
Reed, Tom, N.Y., E1030
Roe, David P., Tenn., E1026

Sewell, Terri A., Ala., E1027
Simpson, Michael K., Idaho, E1029
Stefanik, Elise M., N.Y., E1028
Tenney, Claudia, N.Y., E1031
Thompson, Mike, Calif., E1029
Wilson, Joe, S.C., E1030