The Senate met at 10 a.m. and was called to order by the Honorable Tom Cotton, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Eternal Father, You lead us like a shepherd, for we desperately need Your tender care. We thank You for life’s clouds and storms that position us to receive Your deliverance and assurance. Thank You also for refusing to move our mountains but instead giving us strength to climb them.

Today, bless our Senators and each member of their staffs, who routinely deliver excellence in the midst of frenetic activity. May these faithful servants never forget Your promise to always be with them. Guide them today with fresh insights on abundant living, as You supply all their needs out of the riches of Your celestial bounty.

We pray in Your generous Name.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable Tom Cotton 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,
Washington, DC, August 22, 2018.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Tom Cotton, a Senator from the State of Arkansas, to perform the duties of the Chair.

OREN G. HATCH,
President pro tempore.

Mr. Cotton thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

Mr. Cotton is recognized.

ECONOMIC GROWTH

Mr. McConnell, Mr. President, this week, I have been highlighting some of the examples of the strength of the U.S. economy. The people of West Virginia, where President Trump visited yesterday evening, are no exception to this national trend.

During the Obama years, West Virginia’s economy was hit hard. Manufacturing employment shrunk by 13 percent. Coal and logging employment shrunk by 38 percent. But today things are different. The State’s unemployment rate has been lowered during each of the past 19 months under this United Republican government than it was during any month of the Obama administration. Coal jobs are surging back, and according to one industry estimate, in 2017, West Virginia saw faster growth in construction jobs than any other State.

As Senator Capito explained in a recent op-ed, figures like these are more evidence that Republican policies are helping her State and the entire country write a new chapter. Senator Carper recently shared with me that in Wheeling, WV, the owners of Warwood Tool are creating a new line of products thanks to the new flexibility brought about by tax reform. In Wellsburg, Eagle Manufacturing is buying new machinery. In Jane Lew, Doss Enterprises is planning to hire up to 30 new workers. It is really amazing when we remember that only one of West Virginia’s Senators voted for the tax reform policies that helped make all of this good news possible.

As Senator Capito notes, recent months’ promising economic numbers and all the new opportunities they represent are only the beginning. Tax reform will also help strengthen our economic foundation for the long term.

In particular, one provision of the tax rewrite will specifically help the most depressed communities in our Nation. It will turn these areas into opportunity zones that are especially attractive for investment. The Treasury Department has already certified zones in every State, including 55 in West Virginia and 144 in my home State of Kentucky. Nearly 35 million Americans live in communities within the newly designated opportunity zones. Together, they have an average poverty
rate of around 32 percent. This program is just one of so many ways that Re-
publican policies are providing a boost to the very communities that Demo-
cratic policies systematically left be-
hind.

The opportunity zones, by the way, were the idea of Senator Tim Scott from South Carolina, who was able to insert them into the pay raise—into the tax reform bill.

So there are bonuses, pay raises, and tax cuts for middle-class families today and the foundation for more investment and more jobs tomorrow.

APPROPRIATIONS

Mr. MCCONNELL. Mr. President, on a related matter, I am proud that on this Congress’s watch, our economy has produced so many job opportuni-
ties for the American people.

Here was the AP’s headline a few weeks ago: “Employment outpaces US unemploy-
ed for 3rd straight month.” But that growth and prosperity needs to reach all families and all communi-
ties. That means expanding Americans’ opportunities to invest in their own human capital by building new skills and transitioning into growing industries. That is why the appropria-
tions legislation the Senate is cur-
rently considering provides billions of dollars for training and employment services. It includes $100 million for app-
rentices, $220 million for dislocated workers, with a special $30 million emphasis on displaced workers in rural communities like those I rep-
resent in Eastern and Western Ken-
tucky, and just under $100 million to integrate ex-offenders back into pro-
ductive society.

These are just a few of the important items that our appropriation for Labor, Health and Human Services, and Educa-
tion will fund.

It provides the resources to continue investing in college affordability through Pell grants, Federal work-
study programs, and programs specifi-
cally aimed at low-income and first-
generation students.

It contains a $2 billion funding in-
crease for the National Institutes of Health, paving the way for important research and, we hope, new medical breakthoughs.

Crucially, it will supply more re-
sources for treatment, prevention, and recovery programs pertaining to the opioid epidemic. State opioid response grants put States in the driver’s seat so local responses can be tailored to local challenges. This legislation funds them to the tune of $1.5 billion. In addition, there are hundreds of millions of dol-
ars for community health centers, hundreds of millions for prevention and public awareness, and more for re-
search into the nature of this addiction and alternatives for managing pain. There is also $250 million to provide help for rural communities, like those in Kentucky, which continue to bear the brunt of this national crisis.

I was proud to secure $5 million for a brandnew Centers for Disease Control initiative to help prevent the spread of infectious diseases like HIV and hep-
tatitis B and C, which are a consequence of the opioid epidemic. The CDC is di-
ricted to prioritize high-risk areas, in-
cluding 54 counties in Kentucky.

This legislation also contains provi-
sions from my CAREER Act, which would dedicate new Federal funds to career and training services so that re-
covering substance abuse patients can transition back into the workforce and begin to rebuild their lives.

In sum, the appropriations measures we are considering this week invest in human capital from all angles. They will put new tools in the hands of dis-
tressed communities, of workers who need new skills, and of families who need help defeating drug addiction.

I thank the subcommittee chairman, Senator BLUNT, and the ranking mem-
ber, Senator MURRAY, for their bipart-
tisan work on the Labor-HHS title. I look forward to support of this legislation, along with the vital funding for the Department of Defense, in the coming days.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tem-
pore. Under the previous order, the leadership time is reserved.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tem-
pore. The clerk will call the roll.

The senior assistant 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 ACTING PRESIDENT pro tem-
pore. Without objection, it is so or-
dered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tem-
pore. The Democratic leader is recog-
nized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, yes-
yesterday I met with President Trump’s nominee for the Supreme Court, Judge Brett Kavanaugh. Our conversation covered many different topics. Unfortu-
nately, Judge Kavanaugh refused to answer even the most basic questions about his jurisprudence.

He refused to say if he believed Roe was correctly decided. He refused to say if he believed Casey was correctly decided. He could not name for me a re-
striction on a woman’s right to choose that he would consider an undue bur-
den. He asked him if a ban on abortion after only 4 to 6 weeks would be an undue burden, he said he couldn’t answer that.

He could not tell me if he believed the Affordable Care Act was constitu-
tional. Nor would he answer or recall his level of involvement in a number of controversiess during his time in the Bush White House, a portion of his record the Senate has been accoun-
table to by the Republican majority.

Now, I understand the imperative all judges face not to bias themselves by commenting on cases that could come before their court, but these are some questions that have been decided cases. Furthermore, I told Judge Kavanau-
gh that he is in a different place than others.

President Trump has said that he will only appoint nominees who will undo Roe v. Wade. President Trump has said he will only appoint nominees who will declare the ACA unconstitu-
tional. Judge Kavanaugh is under a burden to refute that.

So here is Justice Kavanaugh’s si-
ence or refusal to commit to even the most common things that should be
said. He said he would say Brown was correctly decided. Why can’t he say Roe was correctly decided? There is his silence, especially given his recent praises of dissent in Roe and Casey. In 2016 and 2017, Justice Rehnquist and Justice Scalia’s views that Casey and Roe were decided wrongly. What is anyone supposed to reasonably believe?

Given that President Trump said that he will only choose people who will repeal Roe and declare ACA unconstitu-
tional, given that he has praised the dissents in Roe and Casey, the fact that he was unwilling to refute any of that in any way or to even say that a lived undue burden should raise real ques-
tions for any American who believes in choice and who believes in the con-
stitutionality of government helping with healthcare, including preexisting conditions.

Then, there is one issue we discussed yesterday that took on a whole new light mere minutes after our discussion concluded. I asked Judge Kavanaugh about his remarkable views on executive authority. As context, Judge Kavanaugh has said that Presi-
dents should not be subject to criminal or civil investigations while in office. He said the only remedy for a Presi-
dent who commits a serious crime is impeachement by Congress.

So I asked Judge Kavanaugh a more basic question: Does he believe that a sitting President must comply with a subpoena or testify or provide records?

He refused to say that the President must comply with a subpoena.

I asked him that in the most extreme situa-

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against a sitting President, where our national security is at stake, could the investigator subpoena the President? He wouldn’t say he would.

Now, that was before the news that broke late yesterday. During our meeting, actually, the news broke that President Trump’s former personal attorney, Michael Cohen, implicated the President in a violation of campaign finance laws.

The sequence of those two events—Kavanaugh’s appointment to a position where a President must comply with a duly issued subpoena and Michael Cohen’s implication of the President in a Federal crime—makes the danger of Brett Kavanaugh’s nomination to the Supreme Court abundantly clear. It is a game changer. It should be.

The President, identified as an unindicted coconspirator of a Federal crime—an accusation made not by a political enemy but by the closest of his own confidants—is on the verge of making his own appointment to the Supreme Court, a court that may well determine the extent of the President’s legal jeopardy.

In my view, the Senate Judiciary Committee should immediately pause the consideration of the Kavanaugh nomination.

The majority of the Senate has still not seen the bulk of Judge Kavanaugh’s record. At the very least—the very least—it is unseemly for the President of the United States to be picking a Supreme Court Justice who could soon be, effectively, a juror in a case involving the President himself.

In light of these facts, I believe Chairman Grassley has scheduled a hearing for Judge Kavanaugh too soon, and I am calling on him to delay the hearing.

I know that Chairman Grassley and Leader McConnell hold all the cards in telling the Senate to set aside the plain facts of the case and compel them to the same conclusion I have reached—that the Judiciary Committee should postpone Judge Kavanaugh’s hearings.

At this moment in our Nation’s history, the Senate should not confirm a man to the bench who believes that Presidents are virtually beyond accountability, even in criminal cases, and a man who believes that Presidents are virtually above the law and that only Congress can check a President’s power.

Over the past year, despite numerous abuses of Presidential authority, despite numerous encroachments on the separation of powers, despite numerous attacks on the rule of law, this Republican Congress has done almost nothing—nothing—to check this President. If Congress can be captured by one party’s deference to the President, we cannot allow the Supreme Court to be captured as well.

The doubts about Judge Kavanaugh’s fitness for the bench were just magnified by Mr. Cohen’s plea agreement.

The prospect of the President being implicated in some criminal case is no longer a hypothetical that can be dismissed. It is very real.

If Judge Kavanaugh truly believes that no sitting President, including President Trump, must answer for crimes he may or may not have committed, then he should not become Justice Kavanaugh with the power to make those views manifest in our books of law.

More broadly, yesterday’s news has blackened an already dark cloud hanging over this administration. In addition to Mr. Cohen’s implication of the President, Paul Manafort was convicted of violating Federal law on eight different counts in this trial, his first of two trials.

To take a step back, President Trump’s campaign manager was convicted of Federal crimes. President Trump’s former National Security Advisor pled guilty to Federal crimes. President Trump’s first National Security Advisor pled guilty to Federal crimes. A foreign policy advisor to his campaign pled guilty to Federal crimes, and more trials are coming.

Cabinet officials have been forced to resign for flagrant graft and profligacy funded by the American taxpayer. That is to say nothing of the fact that the first two congressional endorsements of President Trump’s campaign came from two Congressmen who have recently been indicted on counts of insider trading and campaign finance violations—what a swamp, what a swamp.

Already there have been four guilty pleas or verdicts and dozens of indictments. The idea of calling Special Counsel Mueller’s investigation a witch hunt was already absurd and laughable, and it becomes even more so today.

Yesterday’s news leads me to make two points. First, Special Counsel Mueller’s investigation is clearly doing what it was constituted to do and finding criminal activity in the process. Already there have been four guilty pleas or verdicts and dozens of indictments. The idea of calling Special Counsel Mueller’s investigation a witch hunt was already absurd and laughable, and it becomes even more so today.

Second, the President should not even consider pardoning Mr. Manafort or Mr. Cohen at any point in the future. To pardon is to commit the most flagrant abuse of pardon power and a clear obstruction of justice.

The Rosenstein-Mueller investigation must be permitted to conclude its work, and the President must resist the impulse to interfere with pardons, dismissals, or any other action that prevents the work of the Justice Department from going forward.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6157, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

Pending: Shelby amendment No. 3695, in the nature of a substitute.

McConnell (for Shelby) amendment No. 3699 (to amendment No. 3696), of a perfecting nature.

The PRESIDING OFFICER (Mr. Sullivan). The Senator from Maine.

Ms. Collins. Thank you, Mr. President.

It has been 11 years since a Labor, Health and Human Services, and Education appropriations bill has been considered on the Senate floor, so let me begin my remarks this morning by commending the chairman and ranking member of the full Appropriations Committee, Senators Shelby and Leahy, for their determination to report each and every one of the appropriations bills so they can be considered, fully debated, and amended in the regular order. I also commend the subcommittee chairman, Senator Blunt, and the ranking member, Senator Murray, for their leadership in creating a bipartisan bill.

This bill will make critical investments in medical research, opioid abuse prevention and treatment, the education of our students, and strengthening America’s workforce. I appreciate so much that the subcommittee accommodated so many of my priorities in crafting this bill. It has my very strong support. I am particularly pleased that the bill includes another $2 billion increase for the National Institutes of Health. Robust investments in biomedical research will pay dividends for many American families struggling with disease and disability, just as such research has enabled us to prevent, treat, or cure other serious illnesses.

Notably, this year, for the first time, the bill reaches the milestone of providing at least $2 billion a year for Alzheimer’s disease research—the amount that the advisory council to the National Plan to Combat Alzheimer’s Disease has calculated is needed to find an effective treatment for this disease by the year 2025. Tomorrow, I will join Senator Blunt and others of my colleagues delivering separate remarks dedicated to this milestone achievement, but I did want to briefly highlight that investment now.
As founder and the cochair of the Senate Diabetes Caucus, I am also pleased this bill continues to recognize the importance of investing in diabetes research. Since founding the caucus in 1997, funding for diabetes has increased more than 70% from $2 billion in 1997 to $3.5 billion in 2018, and that is only appropriate. We know treating and caring for older people with diabetes consumes approximately one out of three Medicare dollars, so this is a very expensive disease as well as one that causes a great deal of heartache and damage to those who are diagnosed with type 2 diabetes later in life. I have also worked very hard with the Juvenile Research Diabetes Foundation on type 1 diabetes, which is usually diagnosed in childhood and is a lifelong disease. The investments we have made have helped us make real breakthroughs in diabetes treatment. The bill provides a $50 million increase for the National Institute of Diabetes and Digestive and Kidney Disorders at NIH. As the NIH’s lead agency for diabetes research, this continued investment is critical to preventing diabetes, improving the lives of more than 30 million Americans, including 12 million seniors already living with the disease, as well as providing the foundation to ultimately discover a cure for type 1 diabetes.

This bill provides $3.7 billion in the fight against the opioid epidemic that is growing rapidly. Sadly, I represent a rural state. Maine, the crisis has actually worsened with drug-related overdoses claiming the lives of 407 people in Maine last year, according to the new statistics from the Centers for Disease Prevention and Control.

The crisis in Maine shows no signs of abating. Indeed, the contamination of heroin with fentanyl has made this crisis even worse, taking the lives of even more who are in the grips of addiction. While historical technology packages put together by the Senate HELP Committee, to which many of us contributed in the weeks ahead, it is imperative that the funds provided in this appropriations bill reach our communities without delay.

This legislation also funds key priorities for vulnerable seniors, including the Low Income Home Energy Assistance Program, which I know is of interest to the ranking member. As he represents the State of Alaska, and that program is critical there, as it is in the State of Maine. It funds the State Health Insurance Program, Meals on Wheels, and other essential programs that make such a difference to our rural communities.

As chair of the Senate Committee on Aging, I am particularly delighted that this bill provides a $300,000 increase to the administration for community living for the establishment of the family caregivers advisory council. This council was created by a bipartisan bill that I introduced with Senator Baldewin, the RAISE Family Caregivers Act, and it will help develop a coordinated strategic plan to leverage our resources, promote best practices, and expand services and training for our Nation’s caregivers.

I am sure everyone here has had the experience of a parent who is already older taking care of a disabled spouse—perhaps someone with Alzheimer’s disease, which is 24/7 for that caregiver. Caregivers need more support and assistance. They need to know where to go. We need to expand respite care, which is the No. 1 concern I hear from caregivers. Respite care in rural areas is extremely difficult to find. The hearings we have held in the Aging Committee have also put a spotlight on the mobility challenges that many seniors face as they age, such as difficulty climbing steep staircases that can lead to devastating falls, performing routine household chores, taking care of themselves, or being able to drive. This bill provides an increase for the creation of a new aging and technology program to support the development of assistive technology for seniors with disabilities in rural areas. The University of Maine Center on Aging is doing such interesting work in this area. The assistance we can provide in rural living facilities and talking directly to older Americans to find out what they need. Sometimes it is merely a matter of renovating a bathroom or putting up grab bars, installing sensors to make sure doors are being opened regularly so you know the older American is eating properly. Sometimes it is more complicated than that. This center will help us explore how technology can allow more of our seniors to age in place and stay in the comfort, security, and privacy of their own homes, where many of them long to be.

Maintaining access to care in rural areas is essential, and, thus, I also support the Senate’s bill to increase funding for the Rural Health Care Services Outreach Grant Program. This bill also calls on the Federal Government to remove arbitrary barriers around collaboration between rural and nonrural health providers that could inadvertently close off opportunities. We have seen that happen in my State, where a community health center that is located in Bangor, ME, is trying to help a very rural community. Jackman, in a rural area of Maine, has only lost its nursing home and was using the local hospital for assistance. We need to have more collaboration and not let arbitrary bureaucratic rules prevent that kind of cooperation. It is paramount that we do not discourage innovative approaches in healthcare.

On a related note, I also applaud the inclusion of increased funding to support community health centers, which serve approximately 27 million Americans, including upward of 186,000 individuals in the State of Maine. Community health centers will only continue to play a larger role in healthcare delivery as we seek to reduce overall healthcare costs, as well as provide greater access to behavioral health and substance use disorder prevention and treatment services.

In addition to key health and aging priorities, this bill also supports essential programs at the Department of Education. Notably, this bill provides increased investments in title I, which helps our public schools serve low-income students. The student support in academic enrichment programs, which help to provide students with well-rounded education, is an important program that brings art, music, and technology to our rural community schools. I also strongly support the increased investment in the Individuals with Disabilities Education Act, IDEA, which has provided opportunities to children with disabilities and helped many of them reach their full potential. Across the State of Maine, superintendents serve all students, including those living in urban and suburban communities. REAP has helped to provide equity for small rural schools in Maine and across the country. It has helped to support an array of activities, such as new technology in classrooms, distance learning opportunities, and professional development.

Here is a great example. REAP funding has helped Maine’s small island schools connect together to create an island reading program using a video conference technology that this program made affordable. In other parts of Maine, REAP has helped schools acquire new technology hardware, software, and to expand teacher training. Having worked at a Maine college before I came to the Senate—Husson University—I know firsthand this bill’s important investments in higher education, including Pell Grants and the TRIO programs. The Opportunity of Maine is one of those institutions that has a great TRIO Program. It will help low-income and first-generation students access college education. TRIO often makes the difference in a student’s ability to attend and complete a college education.

Funding for apprenticeships and workforce development programs are
also key priorities that will strengthen Maine's workforce, preparing people with the skills and experience they need to succeed.

I could go on and on, but there are many others seeking recognition. Let me just be urging my colleagues to support the fiscal year 2019 Labor, Health and Human Services, and Education appropriations bill. It is good and much needed legislation.

Thank you.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, before I talk about what I came here to talk about, let me add my congratulations once again to the vice chairman of the Appropriations Committee, Senator LEAHY, and to Senator COLLINS, both of whom are critical members of the Appropriations Committee. They have gotten us much further than we have gotten in the last 15 years when it comes to appropriations.

I am optimistic that we will be able to wrap this up tomorrow. If we do, the Senate will have voted to fund 87 percent of discretionary spending. The last time we sent him an appropriations bill, the President told us: Don't send me another Omnibus. He is exactly right. Omnibus appropriations bills are the worst way to do business; maybe close behind that is a continuing resolution.

I would just congratulate all the members of the Appropriations Committee—Chairman SHELBY and all of the committee—for their good work.

ARMY FUTURES COMMAND

Mr. President, tomorrow I will be heading back home to Austin where, on Friday, I will be attending the activation ceremony for the new Army Futures Command. The establishment of this command, which began operations last month, is the most significant Army reorganization since 1973. Its new headquarters is in the capital of Texas—Austin. It will make that the headquarters is in the capital of a military city. We know Camp Mabry is there, the headquarters of the Texas Army and Air National Guards, and the Texas State Guard. Not far away is the "Great Place" called Fort Hood, as well as Joint Base San Antonio to the south.

The first of those trains and prepares combat-ready soldiers. The second is essentially the Army's architect. It recruits, designs, and builds the Army. And the third sustains the Army by providing the necessary equipment.

Now the new fourth command will modernize the Army by integrating technology as it is developed in research labs and other facilities. When staffed at full capacity, the Austin headquarters will be home to 100 soldiers and 400 Department of the Army civilians. That is just a start.

Leading them will be GEN John Murray, who was nominated and confirmed just 2 nights ago to be the commanding general of the Futures Command. My friend and our colleague, Senator Cruz, said it well. He said: "Austin is the Army's hub of innovation, and what the Army wants to build or improve—for example, next-generation combat vehicles, soldiery, infrastructure, or cloud and network capabilities."

The next question I want to answer is, Why is it necessary? I think the only answer is because our country's future military readiness depends on it. That is why it is necessary. Our ultimate goal here is to increase the Army's lethality against near-peer competitors in the global conflicts that could arise at some point down the road.

So the Army Futures Command is really the hub of modernization efforts for the Army. It takes new concepts from the realm of the abstract, and it takes them to use the form of real-world technology that the Army can acquire for its own purposes. Then it helps the warfighters implement and use these new tools in the field.

There is a rough consensus in Congress that the Army's acquisition machinery needs to operate faster and more efficiently—certainly, more cost effectively. It is my hope that the many entrepreneurs, the college graduates, and the military reservists collaborating with the Army Futures Command in Austin will provide innovative ideas to help remedy these problems. The Futures Command could redefine and speed up the process of making decisions or changing quickly, particularly ones involving the purchase or upgrade of equipment and systems.

In a world still marred by conflicts in Iraq and Afghanistan, strained by escalating cyber security threats, and threatened by the increased belligerence of China and Russia, the U.S. military must keep pace with evolving technologies in order to maintain our strategic advantage and to maintain the peace.

Modernization is the key to deterring aggression, promoting peace, and projecting American strength around the globe. Secretary of Defense Mattis has made it clear that this ranks among his top priorities.

In closing, let me say that the Army Futures Command is aptly named. When it comes to our national defense, we should always be looking toward the future. It is incredible to think that starting in just under 3 weeks, young people born in the aftermath of 9/11 will be eligible to enlist in the Army with their parents' consent. That is an amazing statistic. That tells you something about the rapid pace of modern life and some of the transitions that are occurring right before our eyes.

These young people born right after the terrible events of 9/11 have grown up in a world that sees new forms of conflict, as well as terrorism, the likes of which the Founders of this great Nation could never have imagined. It is imperative, as brave men and women continue to answer the call to service, even in such harrowing times as ours, that we do our part to give them the tools they need to be successful. The Army's Futures Command, therefore, is most definitely a step in the right direction.

I yielding the floor.

The PRESIDING OFFICER. The Senator from Vermont.
Mr. LEAHY. Mr. President, I thank the Senator from Texas for his remarks. I do appreciate the encouragement he has given both Senator Shelby and me in getting the appropriations bills through. He has been here long enough. He knows this is the way we should work. We have done it in a bipartisan way, and we are way ahead of where we have been at any time in the past 2 years.

I also want to applaud the senior Senator for Vermont. She sits on the Appropriations Committee. We have served together there throughout our careers, and she is a valuable member of that committee. She is one who has helped put together, with her Democratic counterpart, good legislation that is included. In fact, there was nearly a unanimous vote in the Appropriations Committee. Most of this has been either unanimous or virtually unanimous. I say that because some have felt that, in the Senate lately, it has not been either unanimous or virtually a unanimous vote in the Appropriations Committee. Most of this has included. In fact, there was nearly a unanimous vote in the Appropriations Committee. Most of this has been either unanimous or virtually unanimous. I say that because some have felt that, in the Senate lately, it has not been either unanimous or virtually a unanimous vote in the Appropriations Committee. Most of this has included.

Mr. President, I take the floor in my role as vice chairman of Appropriations in managing this bill, but I am going to digress, as others have, for a few minutes and speak about something else.

We are 2 weeks away from Judge Kavanaugh’s confirmation hearing before the Senate Judiciary Committee. We are 2 weeks away, and according to the National Archives, the committee has received only 6 percent of his total White House records. This is virtually unprecedented—6 percent of his records and not a single one of the records we have received has been provided by the National Archives. That is because the Archives will not complete the review of the limited number of records requested by Chairman Grassley until October, which is a month after the majority leader intends to hold a final vote on Judge Kavanaugh.

Actually, to date, every single record that we have received from the Judiciary Committee has been hand selected by a political lawyer representing President George W. Bush. He is a partisan lawyer who reported directly to Judge Kavanaugh in the Bush White House, a lawyer who represents White House Counsel Don McGahn, Steve Bannon, and Reince Priebus in the Russia investigation. I mention this because he has been very selective in the very few things we have been allowed to see.

I mention this because this is in stark contrast to past precedent. Let me talk about the vetting of Justice Kagan, who, like Judge Kavanaugh, had served in the White House prior to her nomination. I was chairman of the Judiciary Committee at that time. I worked hand in hand with then-Ranking Member Jeff Sessions to ensure that we received every document of interest to the committee. Certainly, on behalf of the Republicans, Senator Sessions demanded an awful lot of records, and I worked with him to get them. In fact, when we were 12 days away from Justice Kagan’s hearing, we had already reached more than 99 percent of her White House records—99 percent.

I mention that because now, at the same time with Judge Kavanaugh, we are at 6 percent. The Republicans have allowed 6 percent, and the Democratic allowed 99 percent. Does this make the confirmation hearing a partisan joke?

In fact, every single one of Justice Kagan’s records was provided by the nonpartisan National Archives. The 6 percent of Judge Kavanaugh’s records has been provided by a political, partisan, hyperconflicted attorney. I mean that just on the face of it, it does not pass the giggle test. The Democrats provided from the nonpartisan National Archives 99 percent of Justice Kagan’s records, but not the 6 percent. Just look at the contrast. Just look at the contrast.

The superficial vetting of Judge Kavanaugh is all the more troubling because there are still serious concerns about the last time he testified before the Senate. During his 2006 nomination hearing for the DC Circuit Court of Appeals, Judge Kavanaugh minimized his responsibilities to the White House, including on detainee treatment and warrants wire-tapping. It is now clear that we will only know the full truth if we get his full record. With anything less, we will be, simply, rushing to a verdict before the trial.

Based on the very limited documents they have allowed us to see, there is an additional reason to be concerned. The committee has received new evidence that the statement of Judge Kavanaugh was truthful while under oath in 2006. Unfortunately, I cannot even describe these documents because they have kept them in a classified or confidential forum, and the American people cannot see them. That is because nearly two-thirds of the documents the Judiciary Committee has received have been designated as “committee confidential” by Chairman Grassley, following the request of the majority leader. He is relying to do the job of the nonpartisan National Archives. To date, that means that two percent of Judge Kavanaugh’s White House records have been made available to the American people—2 percent, compared to 99 percent for Justice Kagan, and they have selected what that 2 percent is. Golly, what is in the other 98 percent they don’t want us to see?

I have served in this body for 44 years. I have been here for every Supreme Court nomination since John Paul Stevens. I have voted for a lot of Republicans and Democrats on the Supreme Court. For 20 years, I served as the chairman or as the ranking member of the Senate Judiciary Committee. In those 44 years, I can tell you, frankly, that the vetting of Judge Kavanaugh has been the most incomplete, most partisan, and least transparent of any Supreme Court nominee since the confirmations of a Democratic or a Republican President. It has not been even close. I have taken the experience I have had here with Democrats and Republicans as President. In 44 years, I have never seen such incomplete, partisan, or nontransparent vetting.

Yesterday, I met with Judge Kavanaugh—a very pleasant man. I had the opportunity to ask him about many issues, including about his work in the Bush White House. Following our meeting, I believe even more strongly that the documents he authored or contributed to during his 3 years as White House Staff Secretary should be released and made public. This is not just about the way it should be, and I have agreed with that every single time. Yet never, never have I seen something like this. Never, never have I seen one’s record hidden the way this one has been. It is undeniable that documents of clear public interest are being hidden from the American people—documents that will shed light on both his views and on his fitness to serve on our Nation’s highest Court.

I fear that the blinders in this moment is fundamentally incompatible with our constitutional obligation to provide advice and informed consent. The Senate is supposed to be the conscience of the Nation. It is a sad conscience.

The Federal judiciary stands alone. Unlike in any other branch of our government, the Justices, for good reason, never face the scrutiny of the electorate. Once a Supreme Court Justice is confirmed, he or she will serve for life. Barring impeachment, which has happened just once in our Nation’s history, they essentially serve with no oversight.

The Senate has no second chance when it comes to vetting a nominee. We have to get this right. We can’t have a vote now and 2 months from now get the records and say: Oh, golly gee, if we had known this, we would have voted differently.

We have to have all of the records now and then vote. There is no other way to do it. The Senate must not be focused on getting Judge Kavanaugh confirmed by October 1—some artificial deadline. Instead, the Senate should be focused
on doing its job. That requires allowing the National Archives to complete its review of Judge Kavanaugh’s record as required by the Presidential Records Act.

At a time when the President is facing the specter of legal jeopardy, not doing so would be an extraordinary disservice to the American people to break all precede
dence and confirm his selection to the Supreme Court without there being an actual review.

I have the review. Then, every Senator—he or she—can make up his mind on how he is going to vote. Don’t vote blindly without having all of the mate
tial. The fact that Judge Kavanaugh has a longer record than prior Supreme Court nominees—something the Presi
dent was keenly aware of when he se
tected him—does not excuse the Senate from doing its job, because, if con

Ph, he is going to shape the lives of all Americans for generations to come.

If, the National Archives com
mpletes its review in October we learn that we did not get it right, it will fall squarely on the shoulders of this body. If the Senators rush this and find out later that there was material there they should have seen, they will have absol
tely no choice but to vote on the floor for court they will have incurred in the rushing. We should set this partisan vetting aside. We should work to
ger, as we have in the past, to actu

ably vet Judge Kavanaugh’s record in a way that honors our constitution’s ob
ligation—the job the American people sent us here to do.

I feel honored to be here as a U.S. Senator from the State of Vermont. I do strongly believe, as I did when I first came here, that this body can be the conscience of the Nation. We aren’t following our conscience if we don’t do the real work to find out what we are voting on. We have voted on a lot of things. Some have been routine. This is not. This is to vote for a person who will ser
ve on the U.S. Supreme Court long after most of us will have left this body. We owe it to all Americans—I don’t care what their politics are or where they are from—to get it right. That is what our oath calls for. That is why we are here.

I have voted more than all but three or four people in the history of this country. Every time I vote, I am hop

ing I am doing it right, and I try to do it in informed way.

I know we are going to go back next to the appropriations bills, but here is a case in which I think we have done things right. Senator SHELEY is the chairman, and I am the vice chairman. It is one of only three committees that has a vice chairman. We have worked very closely together, and we have done it in a way to get bills through in a bipartisan fashion. We actually work the way the Senate did when I first came here, which is the way the Senate has worked for leaders on both the Democratic side, like Mike Mansfield, or on the Republican side, like Howard Baker, and we have gotten things done.

I am proud of the Appropriations Committee, but I am concerned about the Judiciary Committee. I have had the privilege of serving on it for over 40 years and have had the privilege of being chairman and ranking member. Yet I have to say that it is not doing its job as it should. I want all of the material to be here. On the Appropriations Committee, Senator SHELEY and I work to make sure that everybody is heard and everybody has the material. We should be doing the same thing on the Judicial Committee.

I see the chairman of the committee is on the floor, and I have spoken on the matter on which I wanted to speak. I yield the floor.

The PRESIDING OFFICER. The Sen
ator from Connecticut.

Mr. MURPHY. Mr. President, Sen
ator BOOZMAN is here and is scheduled to speak before me. So I yield the floor to him and will speak after he is done.

The PRESIDING OFFICER. The Sen
ator from Connecticut.

Mr. BOOZMAN. Mr. President, I yield to the Senator from Connecticut.

The PRESIDING OFFICER. The Sen
ator from Connecticut. 

UNANIMOUS CONSENT REQUEST—AMENDMENT

NO. 3793

Mr. MURPHY. Mr. President, in
cluded in the underlying appropriation

bills are funds to continue the U.S. support for the Saudi-led bombing campaign inside Yemen. I will speak about an amendment I have that would stop the U.S. support for this campaign pending a determination by the admin
istration that we are in compliance with U.S., international, and humani
tarian law regarding the targeting of civilians.

At this point, I ask unanimous consent to set aside the pending amend
ment and call up amendment No. 3793. The PRESIDING OFFICER. Is there objection?

The Senator from Alabama.

Mr. SHELEY. Mr. President, I object. The PRESIDING OFFICER. The ob
jection is heard.

Mr. SHELEY. Mr. President, I just say that the Senator from Connecticut has a worthy amendment. We are all concerned about what is going on in Yemen. I would have hoped that we would not do it on this bill because we are trying to keep out a lot of riders and things, but this is something we are going to have to do. I and others on both sides of the aisle would like to work with him because what has been going on in Yemen is atrocious. I object, though, at this point in time.

The PRESIDING OFFICER. The objec
tion is heard.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, of
course, I am disappointed by the chair
man’s objection, but I take his com
mitment to work on this issue to heart and I look forward to doing that. I would like to speak for a moment about the amendment and the reason I was very hopeful, and remain hopeful, that we may get the chance to vote on this before the consideration of this bill is passed because in this legislation is substantial funding in order to per
petuate a bombing campaign inside Yemen that is making this country less safe. I argue that since this bill is related to it, the Appropriations Committee, some horrifying, new in
formation has come to light that should cause us to reconsider whether this is something that is so urgent, we need to deal with it now, this week, this year.

Unfortunately, these pictures are a dime a dozen. You could find any num
ber of them every single day coming out of this theater. This picture, in particular, is of a community center that was bombed by the Saudi and UAE-led coalition that the United States finances and supports.

Inside this community center, a fu
neral was occurring when it was osten
sibly targeted and bombed by the United States, the Saudis, and the UAE. This is a horrifying scene, in and of itself, but to know a funeral was oc
curring there makes it even worse.

What we now know is, the targeting of civilians inside Yemen is getting more and more catastrophic. On June 11, a Doctors Without Bor
ders cholera treatment facility, located in the center of a humanitarian com
 pound, with no military value, was hit. There is no way this is a mistake. Ev
eryone knew about this humanitarian compound with a cholera treatment fa

cility inside of it, and the Saudi coali
tion bombed it anyway. There is no way that is a mistake. There is no way that is a military target. That is an in
entional bombing of a cholera treat

ment facility.

Two weeks later, on July 24, a UNICEF water treatment facility was hit. I will talk a little bit about the cholera epidemic in Yemen in a mo

ment, but the reason there is a cholera epidemic, the biggest in recorded his
to, is because of treatment facilities that are being taken down by the Saudi-led coalition—another one hit on the 28th.

On July 28, a water main supply for Yemen’s most important port city was hit, and then on August 9, as I men
tioned, there was the schoolbus full of children—kids 6 years old to 11 years old. Forty-four children died, and many
more were left without arms, legs, or had other injuries.

There was a video and photos of the wreckage. The coalition initially denied there were any children on the bus, and they still claim it was a legitimate target.

The United States is a key player in this bombing campaign. The United States has personnel who sit in the targeting center when decisions are made as to what sites on the ground will be bombed. This means the United States pays to put planes in the air to refuel the fighter jets flown by the Saudis and the Emirates, and the United States sells the coalition the bombs that are used.

In fact, in this Congress, we have authorized, have taken votes on several sales of precision-guided missiles. We sell them PGMs because we believe they will make fewer mistakes. That probably is right. They are probably making fewer mistakes with the PGMs. But the problem is, their targets are schools, water treatment facilities, and water mains. They can more effectively hit their civilian targets with the bombs we are selling.

My amendment, which was objected to, would simply say we should not continue to fund this bombing campaign until we have a certification from the administration that the campaign complies with international and U.S. humanitarian laws, humanitarian laws that the United States has signed on to.

These laws effectively say, bombing campaigns such as this need to be proportionate to the threat, but, most importantly, they need to refrain from targeting civilian populations.

At some point, we need to believe our eyes rather than the reports we get from the administration that the targeting is getting better and that without the United States in these targeting centers, without the PGMs, and without our missions, the targeting would be worse; that the civilian casualties would be worse.

It is hard to imagine it being any worse than it is today. It is hard to imagine anything worse than school buses and water treatment facilities and cholera treatment centers being targeted by this coalition. At some point, we have to believe what we are seeing rather than what we are being told by the administration.

The 57-percent increase in civilian casualties from airstrikes in 2018 compared to 2017. Seventy percent of the civilian deaths inside Yemen are caused by these coalition airstrikes.

I can spend time talking to you about the atrocities the Houthis, who are on the other side of this civil war, have committed, but the fact is, the majority of the civilian casualties are caused by the side we are supporting—that we are supporting.

Lastly, let me make the case to you about why if you don’t buy the unconscionable nature of targeting civilians with U.S. support, this bombing campaign is making the United States less safe every single day. What we know is, AQAP is the most lethal arm of al-Qaeda. It has the greatest capacity to hit the American homeland. It has gotten nothing but stronger inside of Yemen since this civil war started. There are new reports that our coalition partners, the UAE, have been cutting secret deals with these terrorist organizations. They are not killing or defeating them, but they are just cutting deals with them to push them out of the way.

There are new reports that the UAE is aligning itself with radical Salafi militias inside Yemen. They are maybe not groups that are technically labeled “ISIS” or “AQAP,” but they are groups that essentially trade fighters back and forth with these groups that are aligned with the UAE, aligned with the Saudi coalition on the ground. The very people who want to kill us are getting stronger every single day inside Yemen—every single day that this war goes on.

We have been told by the Saudis and the UAE that if we just keep on backing their play here, eventually, there will be a political settlement. We are getting further and further away from a political settlement. We are making fewer mistakes with the PGMs. They are probably right. They are probably selling them PGMs because we believe that we thought moved the ball forward.

Let me tell you, the Houthis are going to fight to the end to protect Hodeidah, never mind if there is an eventual assault on Sanaa. It is not expediting a political end; it is simply prolonging the misery and giving more opportunity for our mortal enemies there, those terrorist groups, to get stronger and stronger.

Lastly, the rationale we are given is that we have an interest here because the Iranians are backing the Houthis. There is no doubt—no doubt—that the Iranians are backing the Houthis. There is no doubt we have an interest in targeting them. But strengthening Iranian influence in the region, but every single day we participate in this campaign, the Iranians go in harder, the Iranians go in stronger.

The military campaign, which postpones the political settlement, is just making the Iranian presence in Yemen worse. They now have more advanced weapons than ever before inside Yemen, including short-range ballistic missiles, because they are readying to defend Hodeidah, and they are readying to defend Sanaa.

Just remember that when things like this happen, it is not that the Yemenis who survive blame the Saudis or the Emirates; they blame the United States. The world blames the United States. We are the ones supplying a generation of Yemeni children against us, and that will have implications for U.S. national security for years to come.

Twenty-two million people inside Yemen today require humanitarian assistance. Seventy-five percent of the country cannot live without humanitarian assistance. Eighty million people are on the brink of starvation, meaning they get one meal a day—one meal a day—and 1 million have been affected by cholera.

By the way, according to the WHO, we are on the brink of the third cholera outbreak in that country in the last year and a half because we continue to bomb water treatment facilities.

The bombing, the humanitarian catastrophe, it just shouldn’t be on our conscience as a nation to be part of this, but it is making our country less safe every single day. Every single day that we continue this unchecked, unconditional support for this Saudi-led bombing campaign, we are making Iran stronger in the region, we are postponing a political settlement, and we are radicalizing Yemenis against us, driving them to AQAP, driving them into ISIS.

I am going to continue to try to convince my colleagues to allow us to take a vote on this amendment. Again, I just reiterate what this amendment does. It actually stops support for this campaign. If I were King, I would cut off American support for this bombing campaign—I would—but I understand that is not where all of my colleagues are, so I am offering an approach that simply requires the administration to certify that civilians aren’t intentionally getting targeted, in contravention of U.S. law, before we continue to support this funding.

I truly think that if we took a vote on this, we would get the majority of the body to support the idea that a certification that civilians are not being targeted is a worthwhile precondition to continuing funding for this brutal military campaign.

I will continue to press this. I appreciate the support I have gotten from many Republicans. A growing number of Republicans are supporting the idea that as the facts change, we need to change our approach.

Before I wrap up, I will finally note that we had come together on an amendment to the authorization bill that we thought moved the ball forward. In the authorization bill, we actually did require that the administration make some of these basic certifications before continuing to fund the refueling missions.

In the President’s signing statement, he effectively told us he would ignore the condition of the authorization bill because he did not think it was in the empowering power of the U.S. Congress to put those conditions on the refueling missions. I disagree. I think that is clearly within our empowering power, but there is no way the President or the administration can object to conditions on appropriations because appropriations are unequivocally in the power of the U.S. Congress.

Given the fact that we all came together on these conditions under the leadership of Senator REDD, Senator CORKER, and Senator SHAHEEN, amongst others, this is simply reiterating what we did in the authorizing
Mr. BOOZMAN. Madam President, I rise to pay tribute to our Nation’s Purple Heart recipients. The Purple Heart is one of the most recognizable medals of our country and of our service to our Nation. The military decoration, a heart-shaped medal featuring a bust of George Washington and his coat of arms, is bestowed upon the men and women in our military who are wounded or killed in action. This is a powerful symbol of the sacrifice made by our Nation’s military servicemembers.

This month, we recognized Purple Heart Day, which is observed annually on August 7. This day commemorates the anniversary of the Badge for Military Merit, the precursor to the Purple Heart created by George Washington. Purple Heart Day recognizes those men and women who have borne the ruins of battle, and paying tribute to the recipients of our Nation’s oldest military medal demonstrates our respect and gratitude for their sacrifices.

I have also been working on new ways to honor and acknowledge the men and women who put themselves in harm’s way in the defense of our Nation. In July, Senator SCHÁTZ and I introduced the Purple Heart and Disabled Veterans Equal Access Act of 2018 to expand commissary eligibility to Purple Heart recipients and other deserving groups of veterans. I am pleased that the recently passed National Defense Authorization Act included this language that opens access to Purple Heart recipients.

Additionally, last year Congress passed the revised GI bill. At the beginning of August, several provisions took effect, including the eligibility for post-9/11 Purple Heart recipients to receive full education benefits for up to 3 years.

An estimated 1.8 million Purple Hearts have been awarded in our Nation’s history, and it is symbolic of the price our men and women who serve in uniform are willing to pay and the debt of gratitude we owe them for their selfless sacrifice. Although they often are not seeking out recognition, awards, honors, or things of that nature, they certainly deserve nothing less than our public and our private displays of appreciation.

The Purple Heart symbolizes the valor, service, and commitment in defense of a grateful nation. It is a fitting tribute to those whose own hearts overflow with a fierce love for their country and who are willing to defend it with their lives.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Madam President, I rise today to provide an update about the Land and Water Conservation Fund.

Today we have only 39 days until September 30, which is the expiration of the current authorization for the Land and Water Conservation Fund. I am committed more than ever to getting LWCF reauthorized or the authorization across the finish line. I have been waiting to get a vote for the entire 115th Congress. I have been told to wait, and I was patient for a while. The last time I was on the floor, I offered an amendment that would have set up for disapproval, can eliminate the automatic reauthorization.

This is a permanent authorization of LWCF, but every 3 years, the Senate as a body can vote to disapprove the automatic reauthorization, and, in fact, they would essentially bring an end to the program. The provision gives Congress the chance to take a look at the program every couple of years, which seems to be in line with a number of what my colleagues currently want, given the short-period options that I have been offered in the past few years.

Let me talk about the reason this is permanent, because when LWCF was created in the 1960s, its original authorization was for 25 years, and when it came up for reauthorization in 1989, we reauthorized it for another 25 years. It has been 3 years ago, when it was up for reauthorization, that all of a sudden the Senate, in their infinite wisdom, decided: Well, we are only
going to do this in 3-year increments. And even as late as a month ago, we were offered a 1-year reauthorization. What does a 1-year reauthorization say to the conservation community, which plans for generations what programs they work with? It was only in 2015—after LWCF expired—that I might add—that Congress chose a short-term extension.

I believe that to embrace what the creators of this program believed, we have to get back to a longer term reauthorization. I am proposing that we pass an unanimous consent request that it be permanent, with a 3-year review and the ability to pass a disapproval of that authorization. It is a responsible proposal.

This Chamber agreed to pass these reforms on a bipartisan basis, and I am offering even more opportunity to appeal to the concerns of my colleagues than we have ever done. I would urge my colleagues to allow me to get this bipartisan amendment passed so that we can concentrate on other pressing matters.

I think it is important, and I can never miss an opportunity to talk about what LWCF is. It is a popular and successful bipartisan program. There is a House companion bill, which has 233 cosponsors. Let me say that again: It has 233 cosponsors.

LWCF is a dedicated means for the conservation and protection of America’s irreplaceable natural, historic, cultural, and outdoor landmarks. Over the 50-plus years of its history, the Land and Water Conservation Fund has conserved iconic landscapes in every State and is responsible for more than $22,000 State and local outdoor recreation projects. It is far and away the Nation’s most important conservation program.

LWCF has protected places like the Great Smoky Mountains National Park, Cape Lookout National Seashore, and the Blue Ridge Parkway through the Federal programs and places like Whitehurst Forest, Camden Community Park, and Four Mile Creek Greenway in Mecklenburg County through State and local programs.

LWCF is already paid for by using a very small percentage of receipts off of oil drilling revenues. Let me put that in layman’s terms that every Member of Congress can understand. It requires no taxpayer money. We use a percentage of royalties that we collect off of exploration, and that funds the Land and Water Conservation Trust.

I might add that this doesn’t bypass appropriators. I will remind everybody that I am not here amending an appropriation bill. This requires appropriators on an annual basis to appropriate money. The pot, though, is accrued based upon the royalties off of exploration, so not a dime of taxpayer money is used.

I might also add that the current account balance for the Land and Water Conservation Fund is $21 billion. This year, the Congress of the United States will appropriate roughly $450 million. So if we were to appropriate the same thing and never increase the size of the trust fund, this program would run well over 30 years on the existing money that is in the fund, assuming that there was no increase in the fund’s balance because of money it might make off of it.

LWCF helps make access for outdoorsmen easier by purchasing inholdings and edge holdings. With changing land use and ownership patterns with large acreages, these areas can be cut off or blocked in many areas. Tententimes, vast expanses of public land are separated from roads and towns by narrow strips that are privately held, necessitating a long drive to access hunting or fishing grounds only a few miles away.

America’s growing population needs more outdoor recreation and more access opportunities, not fewer. If we want our children and grandchildren to enjoy America’s campgrounds, hiking, and paddling opportunities we enjoy today, protection of habitat and watersheds must keep pace with the growing population and development pressures. This program is widely supported by the outdoor recreation industry, conservationists, hunters, anglers, birdwatchers, and all who appreciate access to America’s unparalleled public assets. The U.S. outdoor recreation economy generates $887 billion in consumer spending and $65 billion in tax revenue.

North Carolina has received approximately $246.7 million in LWCF funding over the past five decades. This is a newsletter I got in the mail over the weekend from the Blue Ridge Parkway Foundation. I want to highlight a few things in this because this is all about the program.

The first one is the “Community of Stewards” thanking Project Parkway Nature, where 200 volunteers devoted their time to cleanup projects along the Blue Ridge Parkway.

“High Pass Boogie riders”:

“This spring’s High Pass Boogie motorcycle event was a hit! Riders enjoyed a weekend of fun and raised $13,000 for the Parkway.

“Happy Camper Memories.” Here is an individual who, as a child, actually spent her summers camping in the Blue Ridge Parkway, and this is her story of what it meant to her. Talk about a generational impact. It is right there.

“Overlooks get a clear perspective.” Some of my colleagues say this empowers the Park Service—or somebody—and they limit access. I just talked about how we are using this to expand access. But here is one where the Park Service took on the opportunity, with private funding, to begin to clear the view over overlooks so that people who ride down the Blue Ridge Parkway can stop at the overlook and actually see that picturesque land that is out there, where it had been encroached by scrub trees. Some of my colleagues would never think that the Park Service would go in and actually cut down something. Not only did they do it, they did it with money that was donated to them by people who use the park.

“A Fresh Face for Flat Top.” Flat Top is a property that, when the Parkway was created in the 1950s under the jobs program, was a residence that was absorbed into the park property. Hopefully, the restoration on this will let this property last for another 100 years—all driven with volunteer dollars. We know the backlog we have with maintenance needs on our parks.

The last one: “Leave Your Mark on the Mountains: Where there’s a will, there’s a way.” This basically says give to the Blue Ridge Parkway Foundation.

I say to my colleagues, this makes such common sense to me. Across this country, we have individual Americans who give of their own money, not just to protect but to maintain these valuable pieces of land. Here, we have an opportunity to use money that was designed over 50 years ago, authorized, that we accumulate in a pot, and we use that to leverage the private donations. Maybe this is a model for us to look at as to how we do park maintenance, where we might be able to leverage more private sector dollars to help with park maintenance because, in essence, is maintenance, but it is also preservation of national treasures.

The program has been so successful that just a decade after its original enactment, Congress, in 1977, decided to triple its authorization level to $900 million—the level it remains at today. Let me just point out for my colleagues, it is authorized to be appropriated, $900 million a year; it has $21 billion in its fund, and it will appropriate about $455 million. I am not here to fight an appropriations battle. I will save that for when we have permanent reauthorization because I think it is high on the passion list of many Members.

As of March 30, about $21.5 billion is in the LWCF fund. From 1965 through 2018, about $39.8 billion was credited to LWCF. Less than half that amount, $18.4, has been appropriated.

I want every Member to understand what I am asking today. I am going to ask unanimous consent that the Senate take up a bill with an hour debate.
and an up-or-down vote that does this: It permanently authorizes the Land and Water Conservation Fund. It does not appropriate. It still leaves up to appropriators the annual amount that is appropriated. The language of this bill is a negotiated, bipartisan reform package led by the chairman of the Energy Committee. Most importantly, to those who have been uncomfortable with the extension of reauthorization in the past, every 3 years the Congress is given the ability to pass a dis- appropriate. Senator BURR has said precisely what Senator BURR has. We are all conservationists.

I am not sure that we have left any concerns that have been raised over the past year and a half out of the equation in this bill. I thank the chairman of the Energy Committee for her diligent work at negotiating the bipartisan language and her willingness to be supportive of the reauthorization. I firmly believe that she will have to object because that is your job when you chair a committee. But before I make my unanimous consent request, I want to make a promise to all the Members: If I have to come down here and do this morning and afterward, I will do it. I have enough iterations of this bill that I can accommodate the concerns anyone may have and find a way to get permanent authorization. It is not because I want it; it is because the American people want it. It is because the next generation deserves for us to do this. For some unknown reason, a small number of people will not even allow a vote to happen.

UNANIMOUS CONSENT REQUEST—LWCF

Madam President, at this time, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to consideration of my bill, which is at the desk, in relation to LWCF, that there be 1 hour of consultation with the Democratic leader, the Energy Committee, I will be objecting at this time. But I want to acknowledge not only the work of the Senator from North Carolina but the passion with which he has put himself into this issue, which is something I think all of us—whether we are from North Carolina or Alaska or points in between, coastal, inland—care about. We care about our Nation’s environment. We care about the land that supports us. In our hearts, I think we are all conservationists.

When you think about the purposes for which the Land and Water Conservation Fund was established, it is to do just exactly what Senator BURR has outlined. Some of the good work we see in North Carolina; some of the good work we see with state-side LWCF. In my State, and in all of our States, I think we have seen that role.

What the Senator has laid out here today I think is very, very right. It is a very popular program. We have had individuals look at it and see the concrete benefits in the places they love. It does have good support in both bodies. I think, when you look at the cosponsorship, particularly on the House side. Sometimes it is a little bit difficult over there to get those strong numbers.

The Senator rightly points out that the language he has used was part of an Energy bill that enjoyed strong, strong support on this floor—45 to 12—a year or so ago, and the language he has utilized in his proposed bill is language that we had included, for the most part, in July. A part of what he has suggested, with the opportunity every 3 years to revisit this. So it takes a good core of a bill that has already passed and kind of stood the test of fire, if you will. I think it is important to note, with that Energy bill, that LWCF piece was part of a negotiated package that did include other components. I think we would still like to see those other components moving through. I am certainly committed to working to advance them and have told the Senator from North Carolina that is my intention.

I also believe Senator BURR when he says that he will continue with this effort—that he will continue to bring this issue to the fore—because he believes it is the right thing to do. Permanent reauthorization is timely. I will note to colleagues that while this authorization does expire September 30, it is important to remember that the outlays from the LWCF will continue. So the appropriations he has referenced—$450 million for this particular year—still go out. But he raises a very valid point that we have an authorization. As it is coming due at the end of this next month, this is an opportunity for us to act. It seems that we act best when there is a little pressure from behind or with a timeline, and my commitment to him this morning is to continue this work and continue this effort.

I appreciate what he has done to address some of the concerns. I think we both know our outstanding issues that we have with some colleagues. In an effort to not only move this across the Senate floor but allow it to get to the point at which it is successfully implemented into law—I want to work hard to achieve that. But at this point in time, I reluctantly will object to the request of the Senator from North Carolina.

The PRESIDING OFFICER. Objection is heard.

Mr. DONELLY. Madam President, as a parent, I know there is nothing more important than the health and safety of our children. It is the most basic desire of any mom or dad to watch their child grow up happy and healthy and to achieve his or her God-given potentials. Sadly, for too many children in this country, the chance at a healthy life and a bright future is stunted by external environmental factors beyond their control.

In some communities, in States like my home State of Indiana, with a long history of commercial and industrial pollution, the potential for exposure to hazardous contamination is a reality that must be constantly monitored and carefully managed. For that reason, I would like to talk about why our work on this appropriations bill that would fund agencies, including the Department of Labor, as well as Health and Human Services, is so important.

Last week, the Agency for Toxic Substances and Disease Registry, also known as ATSDR, held a community meeting in East Chicago to discuss the ongoing impacts of lead exposure in particular neighborhoods built over an old U.S. Steel lead smelter.

At the meeting, ATSDR released a report which indicated that in these neighborhoods 30 percent of children tested between 2005 and 2015 had blood lead levels above the CDC’s reference level. That is 12 times higher than the national average of 2.5 percent.

The impacts of lead exposure are dangerous and irreversible. Even low levels of lead have been shown to affect a child’s I.Q., the ability to pay attention, and academic achievement. Think about what that means for these children, for their families, for the community, and for our country.

In East Chicago, the fight to combat lead exposure is a team effort, and it also includes partners from the city, the State department of health, and IDEM, as well as the Environmental Protection Agency, Department of Housing and Urban Development and Health and Human Services at the Federal level.

It is critical that our Federal partners continue to support these efforts by providing the best science, research, and resources to help identify and remediate contamination, as well as educate our impacted communities. That is why I am pleased that this appropriations bill more than doubles the current level of funding for efforts to reduce childhood lead poisoning. This funding is critical for lowering blood lead levels and preventing future harm. It also helps educate healthcare providers and the public about lead poisoning, monitor childhood blood lead levels, and provide funding to States for childhood lead-poisoning prevention.

Another important tool we have to protect the health and safety of our communities is the Toxic Substances Control Act. Authoritative and my good friend Senator Mike CRAPO and passed as part of the bipartisan Frank Launtenberg Chemical Safety for the 21st Century Act in 2016,
Trevor's Law was designed to provide Federal agencies with the authority to help conduct investigations and to take the necessary actions to help address factors that may contribute to the creation of cancer clusters. Additionally, the law is intended to better enable Federal agencies to cooperate with State and local agencies and the public in investigating and addressing potential cancer clusters. It is the type of commonsense support and coordination Americans expect when they face the health care challenge of putting the health and the safety of their community and their beloved children at risk.

For the community of Franklin, IN, in Johnson County, Trevor’s Law is the type of Federal support they need today as they work with the State to seek answers to reports that nearly 50 children have been diagnosed with various types of cancers in the last 8 years. Unfortunately for these families, many of whom had the privilege and opportunity to get to know, Trevor’s Law has not yet been implemented. That is why I am offering a simple amendment. It provides $1 million to fund the implementation of Trevor’s Law. It can leverage the talent, bit of knowledge, research, expertise, and ingenuity to make sure our communities are safe places to raise our families.

We are blessed to live in a great country, founded on the idea that our children can grow up to be anything they dream of. Our job is to keep that promise for future generations and to give young people every chance there is to succeed. I urge my colleagues to join me and Senator Schumer in taking this important step to ensure that we employ the very best scientific research, knowledge, response, and coordination to ensure that our communities remain safe places to raise our children.

Mr. WICKER. Madam President, I yield back.

The PRESIDING OFFICER. The Senator from Mississippi.

NOMINATION OF BRETT KAVANAUGH

Mr. WICKER. Madam President, I rise today to support Judge Brett Kavanaugh and to join the chorus of Members of the Senate and millions of Americans who are coming to the conclusion, as I have, that Judge Kavanaugh will be an excellent addition to the U.S. Supreme Court. He has outstanding qualifications for the Court, but some of my friends on the other side of the aisle are desperately seeking to find an argument—any argument—to derail his nomination.

The latest attempt by my friends on the other side of the aisle is to claim they simply do not have enough information about him to make an informed opinion. Yesterday, the distinguished minority leader of the Senate came to the floor and suggested that Republicans and Judge Kavanaugh are hiding something. He raises the same question: How much can you hide about a distinguished judge who has been issuing opinions for 12 straight years on the circuit court of appeals? How much can you hide about that person’s legal philosophy?

In the past, my friend Senator SCHUMER has asserted that the best way to evaluate judicial nominees was to review their judicial record. Perhaps he should follow that advice this year, 2018, in our approach to Judge Kavanaugh. In 2009, when considering Judge Sotomayor’s nomination to the High Court, my friend the senior Senator from New York encouraged this body to focus on the nominee’s 17-year record as a judge rather than engage in what he called fishing expeditions.

To supplement Judge Kavanaugh’s 12-year record of judicial opinions, the Senate is receiving a lot of documents—more than 1 million documents so far, the largest volume of records ever reviewed for any Supreme Court nominee. It is the largest volume of records ever. If our Democratic friends want documents, we have them for our Democratic nominee.

In addition, Judge Kavanaugh has submitted more than 17,000 pages in response to the Senate Judiciary Committee’s questions. The documents that have been turned in from his time on the circuit court of appeals total more than 238,000 pages. Most of these were already available to the public. In comparison, Judge Gorsuch made available 182,000 pages. Justice Kagan, when she was being confirmed, made available 170,000 pages for review. In comparison, Judge Kavanaugh’s number is 238,000 pages.

What has changed? I think the American people know what is happening in this debate. The Senate should not be distracted by these stall-and-delay tactics. Instead, let’s focus on the fact that Judge Kavanaugh brings with him a respected reputation and legal record. He has written some 300 published legal opinions. Let’s use the Schumers and judge him on those legal opinions.

Judge Kavanaugh’s positions have already been adopted by the Supreme Court. No fewer than 13 times, the Supreme Court has adopted for the law of the land an opinion put forth at the circuit court level by Brett Kavanaugh. I will admit that on one occasion, the Supreme Court partially reversed Judge Kavanaugh. To me, it is better than a 13-to-1 record of being adopted and upheld by the U.S. Supreme Court.

Judge Kavanaugh has earned positive attention and praise for being a good mentor, producing a number of clerks who have been promoted to work for the U.S. Supreme Court itself. One of his former clerks was recently quoted as saying, ‘‘No court-of-appeals judge in the nation has a stronger, more consistent record than Judge Brett Kavanaugh.’’ Indeed, Judge Kavanaugh is known for being thoughtful, principled, and a jurist who will defend our Constitution and uphold the sanctity of the Constitution. That is exactly what the American people want. It is exactly what the American people have voted for.

Recently, I had the opportunity to meet with Judge Kavanaugh, like many of my colleagues. I found him to be just as his reputation and record suggested—smart, genuine, approachable, and well qualified to serve on the highest Court of the land. What I have come to know from talking with Judge Kavanaugh’s qualifications is any indication that he is radical or outside the judicial mainstream, as some of my colleagues might contend.

It is disappointing to see that negative assumptions and political attacks on Judge Kavanaugh were reached almost immediately after his nomination or even before the nomination took place, well before lawmakers could meet with him or take a serious look at his background. One activist group hastily sent out a press release opposing Judge Kavanaugh before filling in his name. It is clear that the message would have been the same no matter whom President Trump chose—just fill in the blank: Oppose President Trump’s nomination of Judge Kavanaugh. Inside and outside the judicial mainstream.

The American people understand this. The American people also chose President Trump in large part, because of the exceptional jurist he appointed to the Court. I think the American people understand that Judge Kavanaugh should not deter the Senate from upholding its constitutional duty to provide advice and consent on judicial nominees. Frankly, we need to get this done before the first Monday in October, when the new session of the Supreme Court will meet. If we follow the precedence of the last two confirmation processes, we will indeed have plenty of time to do that.

I look forward to our consideration next month of Judge Kavanaugh. I look forward to the hearings, which will deal with his many qualifications for the Supreme Court. I think the American people will be watching, and they will see that he is a jurist capable and willing to do what is right and fair under the law.

A former professor summed it up very well in writing about Judge Kavanaugh for the New York Times. Professor Akhil Reed Amar said this: ‘‘Good appellate judges faithfully follow the Supreme Court; great ones influence and help steer it.’’ As a circuit judge, Judge Kavanaugh has influenced the Supreme Court, has steered the Supreme Court. It is now time for him to be elevated to the highest Court in the land, and I support his confirmation.

Madam President, I yield the floor.

What is the pending business?

The PRESIDING OFFICER. H. R. 6157.

Mr. WICKER. Thank you.

The PRESIDING OFFICER. The Senator from Texas.
Mr. CRUZ. Madam President, I rise today to recognize the first anniversary of Hurricane Harvey's destruction along the Texas gulf coast. This Saturday, August 25, marks 1 year since the most destructive storm in Texas history made landfall.

Hurricane Harvey is now considered the second most costly hurricane in U.S. history, second only to Hurricane Katrina in 2005. More importantly and more tragically, Hurricane Harvey took many, many precious lives. Harvey started out as a category 4 storm hitting South Texas, making landfall at Corpus Christi, Victoria, Port Aransas, Rockport, Aransas Pass, and Refugio, doing devastating damages with 135-mile-an-hour winds. It took down powerlines. It stopped fresh water. It clogged sewage systems. It devastated people's homes and people's lives.

I visited each of those communities many, many times in the weeks and months that followed Hurricane Harvey, and I have seen the transition those communities have undergone in dealing with the disaster and then rebuilding.

But Harvey wasn't done after making landfall. Then, it moved north and east, parking over the city of Houston and jewelry there—rather, in a spirit of triumph. There were many bright lights that cut through the darkness of the storm. There were the police and first responders who led thousands of families to safety. Some, like Sergeant Perez of the Houston Police Department, made the ultimate sacrifice while protecting his community.

There were over 17,000 national guardsmen who answered the call from Texas and from all around the country. Federal and state law enforcement agencies and firefighters rescued 11,622 people and 1,384 pets during the storm. There were countless acts of heroism from folks next door, from church basements offering shelter to neighbors, people making human chains, plucking one person after another from the floodwaters, and from our countrymen in the Cajun Navy, who boldly answered the call with memories of Katrina still fresh and vivid, to business owners like my friend Mattress Mack, who threw open the doors to give entire communities shelter, warmth, and comfort.

I have never been prouder to be a Texan than I was in the days during and after Hurricane Harvey, when you saw ordinary Texans risking their lives to save each other. There were no party lines. There were no Republicans and Democrats. There wasn't Black, White, Hispanic, or Asian. We were simply Texans helping Texans, standing as a symbol of hope and answered the call.

I remember one gentleman I met. It was at the George R. Brown Convention Center, which had been stood up as a shelter for the many who had lost their homes. I was there one morning volunteering, serving oatmeal. Next to me, someone else was volunteering, serving oatmeal as well, and I said to him, as I tried to say to many, many people throughout that tragedy: Thank you. Thank you for making. Thank you for helping out your fellow Texans. Thank you for being here.

I remember he laughed, and he said: Well, I have to be here. My home is underwater. I don't have another place to sleep.

Even though he had gone to seek shelter, once he got there, he wasn't just utilizing the aid and assistance. He wanted to help out. That was the spirit and the community that we saw all up and down the gulf coast.

I remember visiting with two young boys. They were 8 and 10 years old. They were in their home when water rose to waist level, and they had to be rescued by boat. I remember visiting with these boys and saying: Was that scary? How are you doing?

Both boys started laughing, and they said: Are you kidding? We got to swim in our living room.

That kind of joy suffused dealing with the tragedy.

Since the flood waters have receded, many, many families have returned to their homes in new surroundings, and the long, important work of rebuilding has continued. One year ago, you could take a boat through city streets. I still remember riding on a boat down Clay Road, a road in northwest Houston. I became a Christian at Clay Road Baptist Church. Clay Road was under 8 to 10 feet of water, and I remember taking a boat over cars, over trucks, going right down the middle of Clay Road.

Today, our communities are coming back stronger than ever. Our businesses are once more a part of the Texas booming economy. Our neighborhoods ring with laughter, lawnmowers, and barbecue grills.

I am humbled and grateful to say that the amazing success of recovery has been helped by the willingness of Congress to recognize the extraordinary crisis caused by Harvey and to step up in a bipartisan manner to address it. Since Harvey made landfall, Congress has appropriated over $140 billion in emergency funding to respond to the 2017 hurricane season and to the California wildfires. Over three separate bills, we came together and made it possible to clean debris, to open schools, to rebuild homes for families, and to give entire towns a new start.

My colleague Senator CORNYN and I have worked hand in hand on each of these relief bills, as well as for funding the funds available to hurricane victims from those that originally had come over from the House, increasing the overall amount of funding for the U.S. Army Corps of Engineers for flood protection projects; those bills for funding other mitigation activities under the Community Development Block Grant Program and the Disaster Recovery Program.

Last month, as part of this funding, the Army Corps announced that Texas would receive nearly $5 billion for projects in the State as part of its disaster supplemental funding plan—projects dealing with long-term flood mitigation to prevent this sort of tragedy from occurring again and to rebuild our way the house is a little more resilient and that protects homes and businesses and families. This means that roughly half of the relevant Army Corps construction funds will go to projects in Texas intended to help to prevent future flooding.

The Department of Housing and Urban Development has awarded over $10 billion in community development block grant disaster recovery funds to Texas. These crucial funds will go a long way and already have to meet the needs of Texans who are continuing to repair and to rebuild from Harvey.

We also joined together to pass an emergency tax relief bill. I joined with Senator CORNYN and Senator RUSSELL, and together the Cruz-Cornyn-Rubio emergency tax relief bill granted over $5 billion in emergency tax relief to those who had been impacted by these hurricanes, allowing people who had lost their homes or had seen devastating damage to their homes to deduct those losses from their taxes and allowing people to take money from their retirement savings—their IRAs and their 401(k)s—and to use those losses to rebuild their homes without paying the ordinary 10 percent early withdrawal fee. It also gave a tax credit to employers—the many, many small businesses who kept the paycheck coming even as the businesses may have been underwater and even as the employees couldn't come into work because their homes and cars were flooded.

Until recently, houses of worship had been excluded from Federal disaster assistance just for being faith based. That policy was wrong. It was discriminatory. Many religious institutions and congregations, introducing legislation to fix this problem. A few months later, FEMA announced a critical reversal in their policy so that houses of worship
would no longer be discriminated against and would be eligible for the same relief funds as everybody else. Then, in February, our legislation codified FEMA’s decision into law, ensuring that religious institutions were not discriminated against. We protected the civil rights and religious freedom of our churches, our temples, and our synagogues, which had suffered so greatly in Harvey and contributed so much to the relief efforts.

That was one of the striking things—how many people who were helping themselves had been damaged.

Just over a week ago, I visited Ellington Base, meeting with the Coast Guardsmen, the swimmers and pilots who had gone into harm’s way. For many of them, their own homes were underwater. I visited with one Coast Guard pilot who had to walk through waist-high water to get to a parking lot where a helicopter could go and pick them up so they could fly and save others.

That story, over and over, was the story of Harvey.

One year after Harvey’s devastation, the work continues. The Texas gulf coast continues to recover, and it will take time to rebuild it complete, but as the Lone Star State rebuilds stronger than ever, we will keep moving forward.

May we never forget the tragic days that Harvey hit our shores, but may we always remember the heroes who triumphed in the midst of the darkness, the brave men and women who were a light to their country. They are the best of America. They are the best of Texas. God bless them all, and may God continue to bless the great State of Texas.

I yield the floor.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Rhode Island.

THE MILITARY LENDING ACT
Mr. REED. Madam President, I rise today to support the Senator from Florida, my dear friend Senator BILL NELSON, and to thank him for his leadership in working on a bipartisan basis to enact the Military Lending Act in 2006, which caps the annual interest rate for an extension of consumer credit to a servicemember or his or her dependents at 36 percent.

Because of his efforts, servicemembers and their families have had stronger consumer protections that defend them against unscrupulous lenders who unapologetically, in my view, prey upon these young men and women while they are selflessly and valiantly serving this Nation.

It is my honor to work with the Senator from Florida in enacting, protecting, and strengthening the Military Lending Act since 2006.

I must say that my experience is not just as a legislator. I had the privilege of commanding a parachute company in the 82nd Airborne Division, and before that I was the executive officer. I spent many, many hours with young soldiers who had been taken advantage of by—not all businessmen, but, in fact, very few—unscrupulous operators who would prey on them, who would leave them in a financial condition that ruined their careers and their lives. Because Senator NELSON’s efforts in passing the Military Lending Act, we took some steps to protect these young men and women who are protecting, and strengthening the Military Lending Act since 2006.

Indeed, DOD has stated that losing a servicemember due to personnel issues, such as financial instability, cost taxpayers and DOD more than $58,000 for each separated servicemember. Again, recalling my service, dealing with young men—and at that time paratroopers were all males in the 82nd—dealing with these young men, their whole lives were ruined.

Let me be clear. The CFPB has all the authority it needs, and it should not be abandoning its duty to protect our servicemembers and their families and ensure that they continue to receive all their MLA protections.

The CFPB’s website says it has ‘helped return hundreds of millions into the pockets of servicemembers affected by harmful practices.’ The CFPB, through the Office of Servicemember Affairs, has returned hundreds of millions of dollars to men and women in uniform who were being victimized by unscrupulous operators, and we are going to stop that? We are going to walk away from success? As I said before, are we going to turn our backs on people who turn their backs and retreat on this Nation? That is why it is frustrating, and it is inexplicable that the Trump administration would tout its dedication to servicemembers in one breath and roll back military consumer protections with the next.

In an April 2018 DOD letter I received, the Department of Defense stated: ‘Initial indications are the new MLA rules . . . are having their intended outcomes. The use of high-cost credit products and associated readiness problems appear to be decreasing.’

We are making progress under Senator NELSON’s MLA and under the leadership of the Consumer Financial Protection Bureau to protect servicemen and servicewomen. Why would we turn our backs and retreat? Servicemembers would no longer turn their backs and retreat. Why is Director Mulvaney suggesting we do that?

Indeed, DOD has stated that losing a servicemember due to personnel issues, such as financial instability, cost taxpayers and DOD more than $58,000 for each separated servicemember. Again, recalling my service, dealing with young men—and at that time paratroopers were all males in the 82nd—dealing with these young men, their whole lives were ruined. They were reported for being late for formations or missing formations because their car had been repossessed or they were so overwhelmed by debt they didn’t realize they were accumulating, they couldn’t function. They could lose their security clearances because one factor of maintaining a security clearance is having no credit problems.

May we never forget the tragic days that Harvey hit our shores, but may we always remember the heroes who triumphed in the midst of the darkness, the brave men and women who were a light to their country. They are the best of America. They are the best of Texas. God bless them all, and may God continue to bless the great State of Texas.
Mr. REED. Madam President, you can't say it any better than how the Senator from Rhode Island has said it. He is a West Point graduate, was a company commander, was the executive officer of a brigade—he just told us, the 82nd Airborne.

As a former 82nd Airborne member, the Senator from Rhode Island has just shared his personal experience of what has happened to these young troops. They get their pay, they go outside the gates, there are folks who want to give loans to them, and then they run up rates as much as 100 percent and 150 percent. That is why we passed the Military Lending Act back in 2006, to cap those rates at 36 percent. That is high enough, but it is a lot less than the 150-percent rates given to these poor, unsuspecting troops who are being taken advantage of.

As a former 82nd Airborne member, the Senator from Rhode Island has just shared his personal experience of what would happen. Troops would not show up for muster because suddenly their car had been repossessed or they had people hounding them. What has happened over the years since 2006, when we passed the bill, is, in fact, they found ways to get around it. Now commanders are receiving harassment calls. They found a way to get around the 36 percent.

What we want to do is lower it down to 24 percent. If someone cannot do well in business when getting a return of 24 percent on what they are loaning out, it doesn't make any sense to have less, and especially they shouldn't be in business to take advantage of our U.S. military troops.

That is why I have introduced the Military Lending Improvement Act of 2018. That is why it goes into more specifics. It not only lowers the interest rate but ensures that auto loans are covered by the Military Lending Act. Let's remove any ambiguity there—to prohibit creditors from calling service members' commanding officers or property actions under the Uniform Code of Military Justice to collect a debt from a U.S. military servicemember. It is common sense. It will show members of our military that the law will protect them and will go after these shady lenders.

I urge all of our colleagues to support it. Obviously, this doesn't have anything to do with partisanship. This is supporting the troops. I urge our fellow Members of the Senate to work with Senator REED and me to get the CFPB leadership off the dime to protect our bravest from financial scams. It is just mind-boggling that the Consumer Financial Protection Bureau that is set up to prevent us from predatory lenders would now turn a blind eye to protecting some of the most vulnerable who almost everybody in America would say we want to protect. That is because there are the unscrupulous lenders.

We saw a lot of this in the early years of the wars of Afghanistan and Iraq. When a servicemember was overseas in Operation Enduring Freedom and Operation Iraqi Freedom, they were being scammed by the payday, title loan, and other kinds of lenders, and they were being charged those exorbitant rates. It is just morally wrong. That is what brought the law in 2006, and now we need to update that law.

Back in 2006, there was a Department of Defense report that told the story of one young servicemember who was charged $100 to take out a $500 loan. Using the CFPB’s formula, that equals an interest rate of 520 percent. That servicemember was forced to take out other loans. He had to do multiple rollovers to pay off the initial $500. It snowballed into a cost of $15,000 when it was all said and done. The servicemember couldn’t pay that. So the law was passed in 2006, but now we need to update it, and before we update it in law, we need to get the Consumer Financial Protection Bureau to act and to protect the consumer.

The law says the law “may not impose an interest rate higher than 36 percent,” and it says that specifically on servicemembers. There is no ambiguity there. So the CFPB ought to enforce that law until we update it with this new one. When you have to force a member of the military to have to be concerned and harassed and taken away from his duties and to file a complaint with the CFPB, it just ignores the law. What is there to protect the very people we want to protect?

Indeed, this is a matter of right and wrong. Indeed, this is a moral reason. Let’s get the administration to enforce the existing law, and then let’s update that existing law with even tighter restrictions on the lenders that are taking advantage of the very people we want to honor and help, the people in uniform who are protecting this country.

I yield the floor.
healthcare, environmental protections, and workers’ rights. You don’t have to take my word for that; President Trump was very explicit on the campaign trail in saying that he would only choose from this list of extreme nominees for the Supreme Court. Without real advice and consent, there is no counterbalance and no real voice for Americans who don’t want to see the country unrecognizably changed forever by his ultraconservative Court-packing agenda.

We have been asked to go through the motions of a broken and partisan confirmation process for a nominee with a troubling and dangerous track record. If confirmed, a Justice Brett Kavanaugh would be a deciding vote on so many important issues that I have no doubt will come before the Supreme Court. Would a confirmation process in which both parties had a real seat at the table, produce a nominee who believes that polluters should be able to poison our air and water unchecked; a nominee who does not believe women have the right to make decisions about their own private healthcare needs; a nominee who has ruled against well-established rights of privacy? No. And that is precisely the point.

Judge Kavanaugh’s hyperpartisan opinions formed over a lifetime as a Republican DC operative will influence his decisions from the Bench. He is out of touch with consensus views held by the American people, and his extreme views could drastically alter our daily lives.

Judge Kavanaugh is exactly the type of ideologue and politically motivated nominee we can expect to see not just for this seat but for all Supreme Court seats moving forward if we allow the Senate rules for providing advice and consent to be taken in hand. I worry that by rushing this through on a completely party-line vote, we are enabling an even greater threat to our democratic institutions and to our Republic itself, and that is because, from what we do record about his judicial record, work experience, and writings, Judge Kavanaugh believes in giving a disturbing amount of deference to the executive branch and to the President of the United States.

Judge Kavanaugh has written and delivered very clear statements saying that he believes a sitting President should not have to face prosecution, criminal investigation, subpoena, or civil litigation. To be clear, this judge believes the President is above the law. This is the United States of America. No one—I repeat, no one—is above the law.

It really makes you wonder why President Trump would pick him for a potentially deciding vote on the Supreme Court, doesn’t it? Do I need to remind you that our President and members of his campaign team remain under Federal investigation for coordinating with the Russian Government’s interference in our election?

Just yesterday, the President’s long-time attorney and his campaign chair-

man were each declared guilty in eight separate Federal crimes. In his guilty plea for campaign finance violations, the President’s former attorney, Michael Cohen, implicated the President himself in coordinating payoffs to women for alleged affairs in an effort to influence the election.

Look, combine all of President Trump’s ongoing legal troubles with his unbalanced and impulsive style of governing, and there are many plausible and believable questions about the scope of the executive branch’s authority that could come before the Supreme Court. Especially after yesterday’s major developments, this is no longer purely hypothetical. We don’t know enough about how Judge Kavanaugh might rule on these questions, but what we do know is deeply concerning.

Judge Kavanaugh has questioned whether Presidents should be forced to answer criminal investigations, or questions from a prosecutor while they are in office. That, to me, is unbelievable. In another example before he became a judge, Kavanaugh said that he thought the Supreme Court had made an “erroneous decision” when it unanimously ruled that President Nixon needed to turn over White House tapes that ultimately proved the role that he played in covering up the Watergate scandal. Kavanaugh has also stated that he opposed the Independent Counsel law and implied that nothing limits the President’s authority to terminate a special counsel with or without cause.

It is easy to see how Judge Kavanaugh’s views on Executive power are especially dangerous in the current times. This view of an executive branch untethered from the checks and balances that form the very norms of our political system should terrify Senator Grassley and the Senators who believe that the separation of powers is a cornerstone of our American democracy.

On top of this, we need to know more about Judge Kavanaugh’s actions when he was in the executive branch. As a high-ranking official in the George W. Bush White House, Judge Kavanaugh served on the legal team and as Staff Secretary to President Bush during controversial abuses of Executive power. Kavanaugh has so far obstructed requests to review all of the records that would show what role Kavanaugh played in determining the legality of President Bush’s policies. What side did he take as the Bush administration’s CIA used illegal torture techniques, such as waterboarding? Was he aware of the Bush administration’s warrantless mass surveillance of Americans’ phone and internet records? These are unanswered questions until we are able to review records.

There are other things to consider. Is a President entitled—by the same types of reviews we have been able to do for past nominees when there was real advice and consent.

The National Archives told Senator Grassley, the chairman of the Judiciary Committee, that it cannot physically process all of the relevant records until October. Yet Senate Republicans have scheduled confirmation hearings and then likely confirmation votes for Judge Kavanaugh to begin in early September.

We should never proceed on a confirmation vote for a lifetime appointment to the Supreme Court until we have done our due diligence in reviewing any relevant record on a nominee’s record. We should not proceed on Judge Kavanaugh’s nomination until we have clear answers to highly important questions about his actions in the Bush White House. Under a functioning confirmation process, the need to review these records would not even be up for debate. It is just plain common sense and part of our constitutional duty to carefully, methodically review the qualifications of nominees as part of providing advice and consent.

Unfortunately, as is obvious to anyone watching this process unfold, the United States is no longer operating under rules that ensure a fair process. Instead, Republicans are rushing to push this nomination through at a breakneck pace so that they can confirm Judge Kavanaugh before this fall’s election regardless of legitimate questions about his record, regardless of the dangerous consequences of his extreme views on so many issues.

At a time when our democratic institutions themselves are under attack—from undermining the free press to there being foreign influence in our elections—we should be very careful in weighing who sits on this, the Nation’s highest Court.

Once again, I plead with my colleagues that we can do better than this. We must restore advice and consent. The Senate must confirm any nominee who will be tainted by this partisan, broken system. I call on each of us to work together to create a better system and to restore a bipartisan process on which we can build consensus to see us through these politically turbulent times. Until we restore a fair confirmation process, I will fight alongside the American people, who are demanding that we do our jobs that they elected us to do and with the seriousness required to get this right.

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. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MANAPORT AND COHEN TRIALS

Mr. LEAHY. Madam President, there have been a number of headline-grabbing days during the first 18 months of the Trump administration, and I think yesterday is going to rank among the
The President of the United States was effectively identified by his longtime lawyer and confidant as an unqualified or unqualified contributor in the effort to commit criminal campaign finance violations. If what they are saying is true, what his confidant is pleading guilty to is that then-Candidate Trump arranged payments to two women he had affairs with, in violation of Federal law, in order to keep those affairs hidden from the American people at a most critical time, days before the election.

Further, last night, the lawyer for Mr. Cohen claimed that his client also has information relevant to whether President Trump had advance knowledge—and even supported—the hacking of Democratic electronic files. We know that he gave a speech at one point saying that if Russia is listening, they should listen. That criminal, that we know was committed at the direction of Russian President Vladimir Putin, serves as a basis for Special Counsel Robert Mueller’s investigation.

Also yesterday, within minutes of Mr. Cohen’s entering his guilty plea, a jury found the President’s former campaign manager guilty of numerous tax and bank fraud charges. Paul Manafort will now face a separate trial concerning his work for a Putin-connected oligarch both in Ukraine and here at home. In this second trial, scheduled to begin next month, Mr. Manafort has been charged with conspiracy to defraud the United States, failing to register as a foreign agent, and money laundering, among other charges.

The clouds of criminal conduct surrounding those close to the President are darkening. Directly or indirectly, his campaign manager, personal attorney, and multiple aides have now been swept up in the Special Counsel’s investigation. This probe has resulted in numerous guilty pleas and 34 criminal indictments. And it is not complete.

I have watched, both as a Senator and as a former prosecutor, and it is so troubling. I know one thing: It is crucial that the special counsel be permitted to complete his investigation and to do so without the daily—often hourly—interference from the President. After my four decades in the Senate, I have never before seen an investigation led by career, apolitical law enforcement officials so personally and publicly maligned by a politician—let alone by the President of the United States. No one is above the law, and the President should stop acting as though he is.

I would also urge the Majority Leader to immediately bring the bipartisan legislation to protect the Special Counsel to the floor. We passed this legislation of the Senate Judiciary Committee with a bipartisan vote. Anyone who says that the President can be trusted not to undermine the Special Counsel has clearly not been paying attention. Think of all of the tweets he sent as the Manafort trial was going on. Do you think those weren’t seen directly or indirectly by those involved in the trial? We know that the judge made clear his opposition to the prosecution’s action, and he also had to listen to the President’s tweets. Just think of what that does.

It is equally critical that the Senate reassert its oversight responsibility over the Executive Branch, for which we have advocated. If these were normal times, the Senate Judiciary Committee would immediately pursue an investigation.

Indeed, the Judiciary Committee is uniquely situated to investigate the allegations raised by Mr. Cohen. The Committee has jurisdiction over our criminal laws, including our campaign finance laws. Mr. Cohen’s lawyer has indicated that he is willing to testify before Congress without being granted immunity. I reiterate: It is difficult to reconcile the Judiciary Committee’s inaction here with one of the most critical constitutional crises we have seen—certainly since I have been in the Senate, and I have been here many years.

It is difficult to reconcile the Judiciary Committee’s inaction with its race to confirm President Trump’s nominee to the Supreme Court. In fact, the timeline the Republicans are pursuing is so aggressive that it will sideline the nonpartisan review of the nominee’s record performed by the National Archives. That has occurred for every Supreme Court nominee since Watergate, whether Republican or Democratic.

I mentioned earlier today that when I was chairman, Justice Kagan was up, and the Republicans asked for her records. We got 99 percent of them. I went to the Archives. I joined with the Bolsonaro at the Republican, Jeff Sessions, to request them. We got 99 percent of those records before the hearing. We have 6 percent of Judge Kavanaugh’s records. And those were handpicked by a lawyer whose clients include, among others, Stephen Bannon and other very partisan clients.

The Russia investigation is the most pressing national security investigation of our time. Here we have a powerful, highly-qualified, handpicked by a lawyer whose clients are like it.

With this important measure, we are advancing the deployment and the development of the next ground-based strategic deterrent. This bill achieves that goal by replacing Montana’s current Minuteman Missile, as well as the UH-1N replacement helicopter that services our missile fields. It also recognizes the important work Montana’s university researchers and small businesses do in support of our Nation’s military readiness.

Montanans are quite proud of the critical role our State plays in defending this great Nation. This bill strengthens and enhances that role.

As a member of the Defense Appropriations Subcommittee, I am pleased to note that it makes substantial investments in emerging technologies, such as hypersonics, directed energy, artificial intelligence, and cyber security. In particular, we are providing additional funding for new cyber units within the National Guard that will be available to the States under title 32 authority.

I worked with my colleagues here in the Senate to secure these additional funds. I believe the National Guard will play an important role in defending our Nation against government-backed cyber attacks from nations like China, Russia,
North Korea, and Iran. These nations target critical civilian networks like schools, hospitals, or private businesses, where the military’s authority is limited. Only the National Guard has the unique ability to provide assistance on request to the Governor.

The new units will fill a critical need and increase the effectiveness of our military’s existing cyber defense forces. They will also bring in new skill sets and new perspectives from citizen soldiers who work in cyber-related professions.

In closing, I wish to urge my colleagues to support the measure before us today to empower our servicemen and our servicewomen and ensure that our Nation’s military capabilities are unmatched by our adversaries.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, Boy Scouts should get a merit badge for telling the truth, and U.S. Senators shouldn’t get an award for passing appropriations bills. That is what we are expected to do. That is what we are here for. That is our most basic responsibility. It is an American tradition of good government, especially since the distinguished vice chairman of the Appropriations Committee is still on the floor, that this is the largest number of appropriations bills passed before August since the Senate has already done that with seven bills, and it is very possible this week, as I expect we will be, in passing the third package of appropriations bills, we will have passed in the Senate annual appropriations bills that account for nearly 90 percent of the discretionary Federal Government spending. That is the part of the government spending that is not automatic—we call that the mandatory spending. It is the part of the government spending that is under control.

For years, this basic 30 percent of the Federal budget that we call discretionary spending that we appropriate every year—that has been going up at about the rate of inflation, and over the next 10 years, according to the Congressional Budget Office, it will go up at just a little more than the rate of inflation. So this money we are spending on behalf of our taxpayers, we are spending in a budgeted, responsible way, and we are spending it on time—if we complete this progress making—which makes it easier for our military, our National Laboratories, and our agencies to plan and spend money more wisely.

Nothing is more wasteful—almost nothing is more wasteful—than the failure of the U.S. Congress to appropriate or decide the amount of money that is to be spent every year before the year begins. Too often over the last several years, it has been the middle of the year before agency managers knew what they could spend that year, and that is a wasteful practice. In a military sense, our leaders in the Department of Defense tell us it is a dangerous practice in terms of what we can count on for our national security.

I would like to pause for just a moment and reflect on what the Appropriations Committee is doing, what the U.S. Senate is doing and doing properly—not because we deserve an award or a merit badge for doing our most basic responsibility but because it is worth noting when we do it because it hasn’t been done for so long.

The following are the seven appropriations bills that have already passed the Senate. One is the Energy and Water Development legislation. I am chairman of that committee and of the conference that is working on that. I am working with Chairman MIKE SIMPSON in the House, Senator FEINSTEIN, and Representative KAPRUR. We are working together. We hope to have that bill—which has already passed the Senate and has already passed the House—we hope to come together and have a conference immediately after Labor to select the bill and send it to the President for his signature. That is one of the appropriations bills. Others are Military Construction, Veterans Affairs, and Related Agencies—we passed that one; the Legislative Branch that one; and Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, and that passed.

In past years, Interior, Environment, and Related Agencies has been very difficult to pass. There are some controversial issues there, but Senator SHELBY and Senator LEAHY have led us, along with Senator SCHUMER and Senator MCCONNELL, to say: We are not going to try to solve every controversial issue that we can think of on the appropriations bills, because we have learned in the past that practice will sink them. So we have tabled a few bills—a few amendments that have come before us because they would have kept the negotiations bills from proceeding. We can deal with those more controversial ideas and amendments at another time.

Transportation, Housing and Urban Development, and Related Agencies has been passed. Financial Services and General Government has also been passed.

So there are seven. That is the largest number of appropriations bills the Senate has passed before August since the Senate has already done that with seven bills, and if we are successful this week, as I expect we will be, in passing the third package of appropriations bills, we will have passed in the Senate annual appropriations bills that account for nearly 90 percent of the discretionary Federal Government spending. That is the part of the government spending that is not automatic—we call that the mandatory spending. It is the part of the government spending that is under control.

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the transplant surgeons out of business; the creation of a safe and effective artificial pancreas, making life easier and healthier for the millions of Americans with diabetes; development of new vaccines, Dr. Collins said, including for Zika, for HIV/AIDS, and a universal flu vaccine that can better tailor treatments to patients; and new treatments for cancer patients. Those are just some of the new treatments, cures, and miracles we might expect, Dr. Collins said, in the next 10 years.

This bill we are talking about also provides $37 billion to help those on the frontlines of the opioid crisis and help bring an end to opioid abuse. Senator Murray and I, as well as about 60 Members of this body, have put together comprehensive opioid utilization bill, which we hope to be able to present to the full Senate at the end of next week, or shortly after Labor Day, that can be put together with the House to address this crisis. But this is the money for the opioids initiative; it is in this bill. $15 billion for State Opioid Response Grants, state grants originally authorized by the 21st Century Cures Act; $500 million to develop non-addictive painkillers; funding for more substance abuse and mental health treatment services at Community Health Centers.

The other funding bill included in this minibus appropriations bill is the Defense Appropriations bill. The Senator from Illinois is on the floor. He is the ranking Democrat on that committee. He has also been one of the foremost leaders of the effort to increase the biomedical research I just mentioned. Chairman Shelby and Senator Durbin worked together to produce a bill that provides a total of $675 billion to make sure our troops have the resources they need to maintain our national defense. The funding included in this bill will provide the largest pay increase since 2010 for the men and women serving in the military, including those who serve at Fort Campbell in Tennessee and Kentucky. Also, $28 billion is provided for basic research at the Department of Defense. This is the largest Defense Department research and development budget in history.

It is hard to think of a major technological development since World War II in this country that wasn’t supported in some way by federally sponsored research. Funding basic research at the Department of Defense will give the United States an advantage over our adversaries and allow us to maintain the strongest military in the world.

I urge my colleagues to support these bills because passing these bills means the continued investment at National Institutes of Health for treatments and cures; more federal help for states and communities struggling to combat the opioid crisis; the largest Department of Defense research budget in history; and pay raises for our military and women who serve in our military.

Let me say again what I said a little earlier. This funding that we are talking about—this record funding for science, technology, basic research, supercomputers, the bill—the need for our national defense—all of this is within the part of the Federal budget that is under control. Over the last 10 years, this discretionary part of the budget—roughly one-third or a little less than one-third of the budget—has grown at about the rate of inflation, and over the next 10 years, according to the Congressional Budget Office, it is expected to grow at just a little more than the rate of inflation.

So this is real spending that is causing the big Federal deficit. This is spending for national defense, national parks, the National Institutes of Health, and national laboratories. This is the core of what we need to do in the United States of America. We need resolve and courage in a bipartisan way, and the President needs to join us, in dealing with the part of the budget that is running up a big deficit; that is, Medicare, Medicaid, Social Security, and other entitlements. Nobody wants to touch that. That is a separate question. But it is important for people to know that there is no need to beat your chest and put yourself on the back when you cut funding for the military, when you cut funding for the National Institutes of Health, when you make our national laboratories work less, or when the National Parks can’t maintain themselves.

We went to the opposite direction here: record funding for national laboratories; we are considering more maintenance for National Parks; record funding for supercomputing; record funding for biomedical research, all within the budget limits, all within our priorities. That is what we need to do.

As I said when I started, Senators don’t deserve a merit badge for passing appropriations bills any more than Boy Scouts deserve a merit badge for telling the truth. That is what we are supposed to do. But when we do it and do it properly, as we are doing this year, it deserves to be noticed.

I congratulate Senator Durbin, Senator Leahy, Senator McConnell, and Senator Shelby for their roles and their leadership in this. I thank the President. I yield the floor.
The cost of insulin at $1,300 is incredible to me. This is a drug that has been available for decades, and that it would go up in cost so dramatically that he would be unable to afford it and lose his life is scandalous in this country.

I know the senator refers to this as well, and believes, as I do, that we want pharmaceutical companies to be profitable, we want them to do research, and we want them to invest in new drugs. But we cannot step back and ignore when their pricing is out of control, and in many instances that is the case.

I have said before on the floor—I have asked the people who gathered here to follow our speeches: How many of you have never seen an ad on television for a drug? If you held up your hand, I know one thing for sure: You don’t own a television because the average American sees nine drug ads a day—a day.

What do pharmaceutical companies buy nine drug ads a day for every American to consume at $6 billion a year? So that, eventually, we will become so familiar with the names of their drugs that we will ask our doctors to prescribe them, and doctors do prescribe them in the patient’s best interest. Sometimes the patient may not need that drug. The patient may be able to deal with a generic drug that is much cheaper, but the pharmaceutical companies want us to reach the point at which we know those drugs by name and ask for them, and the doctors prescribe them.

The most heavily prescribed drug in America today—here is a name you are familiar with: HUMIRA. Of course, if you turn on the television, you see HUMIRA, which was originally designed to deal with rheumatoid arthritis and is now being advertised as a cure for psoriasis. What they don’t tell you is the information we put at the bottom of this display: HUMIRA costs $5,500 a month. Did you know that? You would never know it, listening to their ads because they don’t disclose it.

I have an amendment here that is bipartisan, which Senator Chuck Grassley and I have offered, to say that on all the drug ads, they have to put the price of the drug. It is pretty simple, right? If you knew HUMIRA cost $5,500 a month, you might not even consider it for that little red patch of psoriasis on your elbow. If you knew that some of these drugs are talking about, like XARELTO—it took about 10 times for me to figure out how to pronounce it and spell it, but they keep coming at you. It is a blood thinner, and it costs $500 or $600 a month. All of these disclosures made to consumers would give them more information to make a decision and perhaps think twice before they ask for a very expensive prescription drug.

So I urge this bipartisan amendment pending on this bill, which would say to the Trump administration and the Department of Health and Human Services: Develop the rules for putting prices of these drugs on the ads. The Trump administration supports it. How about that? Republican Senator Grassley, Democratic Senator Durbin, and the Trump administration support it. It sounds like a pretty good deal, doesn’t it? It sounds just like the kind of thing that happens in the ordinary course of business in the Senate. But, unfortunately, it ran into a problem. The problem? Pharma. The pharmaceutical companies don’t want to tell us how much these drugs cost, so they are trying to stop this amendment.

They are trying to stop this amendment. They have one Senator who has created many obstacles for me to bring this to the floor. We have had everybody on Earth calling him, and we are not getting anywhere. It seems that pharma is not ready for putting the cost of the drug on their ad.

It means that when it comes down to it, not only will the American Medical Association, not only will the American Association of Retired People, which supports our amendment, and the 76 percent of Americans—despite all of the support—we are going to have a tough time passing it. Pharma is hard to beat. Pharma is hard to beat.

When we talk about the increasing cost of Medicare and the cost of healthcare across America, Blue Cross Blue Shield tells me it is the driver of the increase in healthcare costs, prescription drugs.

Blue Cross Blue Shield in Illinois told me they spend more money on prescription drugs each year than they spend on inpatient hospital care. Think about that—more money than inpatient hospital care.

If we are going to do something about it, we ought to do the basics. The basics would be disclosing to the American people how much these drugs cost. You have heard the last of it when it comes to this amendment.

If Pharma is successful in stopping us from offering this amendment, and even getting a vote on it, I will be back. I am going to continue to return because I think it is important that consumers across America get full disclosure of information on these drug ads.

Incidentally, you know how many countries in the world advertise drugs like we do in the United States? When the patient is asked, the patient is not getting anywhere. It seems that Pharma is not ready for putting the cost of a drug on their ad. There would be different ways to do it. I asked him to take a few weeks to help us talk that out. He did that. I think he has come to a conclusion that deserves support. I support the bill.

I am chairman of the authorizing committee, the Health Committee, in the Senate. This is going to happen one way or another. I think we have to find a way to go ahead and do it now because if the President supports it and you have bipartisan support in the Health Committee and bipartisan support in the Labor and Health Appropriations Subcommittee, it is going to become law. It makes good sense.

The cost of healthcare is a major issue we need to address, and we can’t do it all at once. Prescription drugs are a part of it. Prescription drugs are 10 percent of the cost of healthcare. They are 17 percent—we have had testimony before our committee—if you include all the drugs that are administered in hospitals. There are other factors as well.

Complexity is a big factor. Administrative burden is a big factor. Electronic healthcare records and their inadequate operation and lack of interoperability are big factors. Overutilization is a big factor.

Through the Chair, I wish to say to the Senator of Illinois, we have had excellent witnesses through our committee from the Institute of Medicine—one of the most distinguished witnesses we could have in the country—who tell us that as much as 30 percent to 50 percent of all that the United States spends on healthcare is unnecessary, wasted.

We spend 17 or 18 percent of our entire gross domestic product on healthcare. We are the richest country in the world. We produce about 24 percent of all money in the world, and we spend 18 percent of that on healthcare, much more than similar countries do, and our own experts tell us much of it is unnecessary.

We can’t deal with it all at once, but one way to deal with it is competition and transparency and letting patients know the cost of what they are buying, whether it is doctors’ services or it is a prescription drug.

I believe Senator Durbin and Senator Grassley are correct. The President believes they are correct. The Secretary of Health and Human Services supports their bill, and we should pass
it. Consumers should know, when they see a television ad about a prescription drug, what the cost of that drug is.

My hope for the Senator from Illinois is that he is ultimately successful with his proposal, and if he is not, I hope he continues his quest with all the energy and passion that the people responsible for it should embrace. We have been in prison since 2016. And the course of about a year. He was in a cell that was designed for 8 people but had 21 people in it. I don’t believe any of the others even spoke English. He was then transferred to another prison where he was kept in a cell with one other person, given virtually no access to the outside world.

He has experienced medical challenges, as anyone would expect when you are in prison without charges, and we found out the charges were bogus. That would weigh on you mentally.

Let’s start by saying that the act of trying to first let Pastor Brunson know we knew about him and that I, as a Senator from North Carolina, cared about him. I cared enough to go to Turkey to visit him in prison several months ago. I told him I wanted to assure him face-to-face that as long as he is in prison, I will be working for his release. As a matter of fact, we have more than 70 Senators who have signed on to a letter which share my concern that he is illegally in prison.

What have we done? We actually put a provision in the National Defense Authorization Act that holds Turkey accountable. They are a partner in developing the Joint Strike Fighter. It is a capability I sincerely hope someday Turkey will be able to use on the Earth we should transfer that technology to Turkey as long as they are not implementing Pastor Brunson and others whom I will talk about shortly.

We did make some progress in the case. And I actually attended one earlier in the spring. I was in that courtroom for almost 12 hours. I heard some of the most absurd claims you can imagine. As a basis for keeping somebody in prison overnight, let alone 2 years in October.

We are working with the administration. And I want to give the President a lot of credit for making this a priority. If you have read the newspapers recently, it would be hard for you not to hear about the Presbyterian minister, Pastor Brunson, and the difference of opinion between Turkey and the United States on what should be done.

When I talk to a lot of the Turkish officials, they say you have to respect our justice system; this has to play out, no matter how absurd the claims may be. Those are my words. But they are sincere. They are sincere.

Several months ago, President Erdogan, the President of Turkey, made a public statement saying: How about this? We will give you your pastor if you give us our pastor.

There is a person living in the United States named Gulen who they believe may have had something to do with the coup. We have an extradition treaty with Turkey.

We said: Honor the requirements of the extradition treaty, present credible evidence that Gulen is guilty of having conspired, and then we will let our process take its course.

Let me tell you what is interesting about making that offer in the context of the other elected officials, including Erdogan, saying: We have to let our legal process play out.

On the one hand, how can you say your hands are tied if, on the other hand make a hostage swap request—or what they would consider to be a hostage swap request.

Maybe he just misspoke. Presidents do that from time to time.

Let’s take a look at what we are dealing with now. A week ago, instead of offering Pastor Brunson for Mr. Gulen, now there is a new exchange on the table: If we drop a case against a Turkish bank, which has risen to our current primer jurisdiction, if they have filed a lawsuit against them are going to have to go through the legal process. Apparently, their judicial system does allow you to say: Well, if you drop that case in the gold standard for judicial systems—which is the U.S. judicial system—then, we will release Pastor Brunson.

Clearly, Turkey has the authority to release Pastor Brunson. Turkey has the authority to release a NASA scientist who happened to be visiting his family, who has been in prison for almost 3 years now, and has a 7-year sentence or another 4 years ahead of him. They had the authority to release him. The only thing he seems to be guilty of is having been in Turkey visiting relatives when the coup attempt occurred.

They have the authority to release a DEA agent who they said was involved in the coup attempt. They have the authority to release a number of Turks against them are going to have to go through the legal process. Apparently, their judicial system does allow you to say: Well, if you drop that case in the gold standard for judicial systems—which is the U.S. judicial system—then, we release Pastor Brunson.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the absence of a quorum be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, I have come to the floor every week for the past several months to draw attention to a matter that I think should be important to anybody who travels overseas, anywhere who does missionary work, anybody who can go to a country and potentially get detained for false charges and imprisoned for nearly 2 years.

I am talking about a Presbyterian minister from North Carolina who happened to be in Turkey for the better part of 20 years. He was a missionary that entire time. He created a church in Izmir and has lived there peacefully and lawfully for two decades.

In October of 2016, after the coup attempt—an illegal coup attempt, and the people responsible for it should actually have to answer to the Turkish justice system—they swept Pastor Brunson and thousands of other people into the Turkish justice system, and he has been in prison since 2016.

He was in prison for nearly 19 months before he was ever charged with anything. In fact, he lost 50 pounds over the course of about a year. He was in a cell that was designed for 8 people but had 21 people in it. I don’t believe any of the others even spoke English. He was then transferred to another prison where he was kept in a cell with one other person, given virtually no access to the outside world.

He has experienced medical challenges, as anyone would expect when you are in prison without charges, and we found out the charges were bogus. That would weigh on you mentally.

Let’s start by saying that the act of trying to first let Pastor Brunson know we knew about him and that I, as a Senator from North Carolina, cared about him. I cared enough to go to Turkey to visit him in prison several months ago. I told him I wanted to assure him face-to-face that as long as he is in prison, I will be working for his release. As a matter of fact, we have more than 70 Senators who have signed on to a letter which share my concern that he is illegally in prison.

What have we done? We actually put a provision in the National Defense Authorization Act that holds Turkey accountable. They are a partner in developing the Joint Strike Fighter. It is a capability I sincerely hope someday Turkey will be able to use on the Earth we should transfer that technology to Turkey as long as they are not implementing Pastor Brunson and others whom I will talk about shortly.

We did make some positive progress a few weeks ago. After he had been in prison for nearly 20 months, a little over, he was released on house arrest. At least he is now in his apartment near Izmir. He has an ankle bracelet on and is not allowed to go out of his house.

He has had several hearings. I actually attended one earlier in the spring. I was in that courtroom for almost 12 hours. I heard some of the most absurd claims you can imagine. As a basis for keeping somebody in prison overnight, let alone 2 years in October.

We are working with the administration, and I want to give the President a lot of credit for making this a priority. If you have read the newspapers recently, it would be hard for you not to hear about the Presbyterian minister, Pastor Brunson, and the difference of opinion between Turkey and the United States on what should be done.

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I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

Thank you again for the opportunity for me to come to the floor and make sure the American people understand what is at stake.

Turkey is a NATO ally. No NATO ally in the history of the alliance has ever illegally detained a citizen from one of their partner countries, but that is exactly what has happened here since October of 2016.

So I hope this is the last time I have to come to this floor to talk about releasing Pastor Brunson, because next week I am coming to the floor thanking the Turkish leadership for doing the right thing, thanking them for letting Pastor Brunson and his wife Norine come back to the United States, and advocating for a great relationship with Turkey as a NATO partner, which is very important. But none of that can happen as long as Pastor Brunson and the others that I have mentioned are illegally in prison.

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. WYDEN. 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.

HEALTHCARE

Mr. WYDEN. Mr. President, what the Trump administration is doing is to sabotage healthcare in our country is a monumental scandal in slow motion.

What the President promised was better care for all Americans at lower cost. What he and his officials have delivered is special deals for special interests and rewards for rip-offs.

It is almost as if you took the clock above the Chamber and turned it back. What Americans want—and I heard it at townhall meetings last weekend at home in Oregon—is to move forward on healthcare. They want, for example, to have strong measures, not empty rhetoric, to hold the cost of their medicines—lifting the restrictions so that Medicare can bargain and hold down the cost of medicine and use the smart principles of negotiating power that the private sector uses all the time to move forward on healthcare, not backward.

There is no clearer example of the administration’s trying to take the country back on healthcare than its efforts to give a green light to junk health insurance. They represent all of the unsavory insurance industry tricks and abuses that the Affordable Care Act sought to eliminate.

Junk plans exist, literally and figuratively, so that companies can prey on the vulnerable and the people with preexisting conditions, such as if you have asthma or diabetes, or prey on women, prey on older people, or prey on the least fortunate. They certainly don’t exist to cover the healthcare that Americans actually need but because that is where they always fall short.

The centerpiece of the Affordable Care Act was an ironclad, loophole-free guarantee that no American would ever face discrimination over a preexisting condition.

I note that my friend, the President of the Senate, has joined the Chamber. He knows this pretty well because he worked with me on our bipartisan effort to ensure that there would be loophole-protection for Americans from discrimination against those with a preexisting condition.

For all practical purposes, we got what we worked on in a bipartisan way, when we had eight Democrats and eight Republicans. We got that into the Affordable Care Act. Essentially, now what the Trump administration seeks to do is to undo that guarantee of air-tight, loophole-free protection for people who have these preexisting conditions.

For all practical purposes, we got what we had, when we had eight Democrats and eight Republicans—I said: "When my colleague from Tennessee and I other Democrats and Republicans got together and did something that really was a monumental step forward, protecting millions of people with preexisting conditions—now we are going backward.

What are those Americans going to hear in their time of need when their cancer comes back or when they face another bout of medical illness? What they are going to hear, with policies like the one I just described, is the fraudsters who conned them into buying the junk insurance basically saying: You are on your own. And those Americans are going to be buried under mountains of medical debt.

By the way, we are talking about medical debt. I think my friend from Tennessee and I have talked about this over the years. Healthcare is the great equalizer. For example, in a discussion Democrats ran on yesterday on healthcare, we had a gentleman who did everything right. He worked hard. He was a professional. He was constantly trying to better himself and contribute—not just supporting his family but the community. He got Parkinson’s. All of a sudden, he wasn’t able to pay his bills. So healthcare is the great equalizer in America.

When I read about the junk plans, I have to tell you, it takes me back to the old days when these scam artists got into the seniors—needed insurance coverage above and beyond what they got from traditional Medicare.

Mr. President and colleagues, this is something that is very personal to me. When I was a young man, I was co-director of the Oregon Gray Panthers. I would go and visit seniors in their homes—very often they would have a small apartment or something—and they would go in the back, and they would pull out full of Medigap policies. These were policies that insurance salesmen sold them that the salesmen said would fill in the gaps in Medicare. Frequently, a senior would spend thousands of dollars—this was a number of years ago—on these policies that were worth little more than the paper they were written on. They often contained—we saw this at our legal aid program for seniors—what were called subrogation clauses, which essentially meant that if you had another policy that covered it, the first one didn’t have to cover it. The two of them canceled each other out. So vulnerable seniors with serious medical
conditions would get conned into buying these plans that were essentially worthless.  

After years of effort—we began in Oregon in the State insurance commission office. I had the honor of getting elected to represent Oregon in the U.S. House of Representatives. We began there and continued it in the Senate. We acted in a bipartisan fashion to eliminate the junk plans. We did that literally decades ago. We drained the swamp, to use the lingo of today. We really drained the swamp as it related to these rip-off Medigap policies. We got it down to a handful.  

I would be willing to bet that the Senator from Tennessee, the Senator from Ohio, and my other colleagues on the floor don’t have folks at home coming up to them any longer and telling them that they have rip-off Medigap insurance. I haven’t had a complaint about that for years and years. Now the Trump administration is trying to bring this junk insurance for seniors to a larger portion of the American people—more people than just the seniors.  

The bad news with these junk policies doesn’t begin and end with discrimination and debt. The Trump administration is trying to bring this junk insurance for seniors to that larger portion of the American people—more people than just the seniors.

According to one recent study, half of each premium dollar and sometimes as much as two-thirds gets wasted on overhead, administrative costs, and profits. The Affordable Care Act had a rule that banned that kind of waste. The Trump administration threw it out so that the rip-off artists can once again pocket unsuspecting Americans’ premium dollars.

What the Trump administration is doing to undermine healthcare is not only playing out in what is called the individual insurance market, the harm that is a threat to the 167 million Americans who get their insurance through their jobs as well.

Worse healthcare at a higher cost—a far cry from what people were promised a few years ago—is clearly a growing problem. Worse healthcare, Higher costs. A forced march back to the days when healthcare in America, as I have said—and it has really been my reference point as much as anything—I said: Let’s not turn back the clock to the days when healthcare was for the healthy and wealthy. This junk insurance is unquestionably the kickoff of this administration’s formal effort to do just that.

There was an effort in the Affordable Care Act to build a functional market that didn’t trample all over typical Americans and their families. The President and his allies in Congress have done everything they can—starting with an Executive order on day one—to empower the scam artists and powerful special interests to make healthcare worse and rip off our people. That has been the story from day one of this administration. As I said a few minutes ago, it is a monumental scandal in slow motion.  

On behalf of those Americans who are hurting, who are not being taken care of, many of us are going to do everything we can to make sure—for those who do not have the means to afford these kinds of practices, we are going to keep this front and center of the American people until we end this consumer scourge.

I yield the floor.

The PRESIDING OFFICER (Mr. CORKER). The Senator from Ohio.

NOMINATION OF BRETT KAVANAUGH

Mr. PORTMAN. Mr. President, today I want to talk about a huge responsibility we have here in the Senate and a great opportunity that lies before us. The Senate is asked to confirm nominees both for executive branch appointments and for judicial branch appointments. We have heard a lot of great debate over the last 1 1/2 years on some of these nominees. We were able to confirm Justice Neil Gorsuch to the Supreme Court, who I believe is doing a superb job. That was quite a debate here in the Senate. In the meantime, we have to confirm a number of circuit court judges, some district court judges, and executive branch appointments.

That is all important, but once again, we are asked to do something that is perhaps our most important task, and that is to fill yet another opening on the U.S. Supreme Court. There are only nine of these Justices, and this is a lifetime appointment. What the Senate and the circuit court do—it all comes up to one this Court. Our Founders created this Court in order to have a place where people could get a fair hearing and where we could have a dispassionate look at whether what we pass here fits within the Constitution and whether laws are being properly interpreted. These are hard and tough issues, and we want the right people there to do it. Once again, because of an opening that has occurred on the Court, we have the opportunity and responsibility to step up as a body and do that.

In this case, we are asked to fill the seat of Justice Kennedy, who is viewed by many as being an important player in the legislature, the swing vote. It is a thoughtful guy. I think we are very fortunate in that one of Justice Kennedy’s law clerks has been nominated by the President and has agreed to step forward for this confirmation process to be an Associate Justice on the Supreme Court and to fill that ninth spot. My hope is that this can be done in a way where we have honest and spirited but fact-driven debate in the Senate.

I have to tell you that I am probably a little biased in this case because I know this nominee personally. I think a lot of him, not just as a judge, where he has an amazing record on the second highest court in the land, but also as a person. This is the third time I have come to the Senate floor to talk about him because I feel so strongly and I want to be sure that he gets a fair shake. I think that as the American people get to know him better, he will see a lot of support around the country for his confirmation because people will see that he is the kind of person they would want as a judge to hear their cases, their family, and their children on the Supreme Court.

I worked with him in the George W. Bush White House. He had a job there, where he will talk to his second.  

Mr. PORTMAN. Mr. President, today I want to talk about a huge responsibility we have here in the Senate and a great opportunity that lies before us. The Senate is asked to confirm nominees both for executive branch appointments and for judicial branch appointments. We have heard a lot of great debate over the last 1 1/2 years on some of these nominees. We were able to confirm Justice Neil Gorsuch to the Supreme Court, who I believe is doing a superb job. That was quite a debate here. In the meantime, we have to confirm a number of circuit court judges, some district court judges, and executive branch appointments.

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I worked with him in the George W. Bush White House. He had a job there, where he will talk to his second.
Some have said that this is going too fast. I will tell you that the amount of time between when he was nominated and when his hearing will be—which is scheduled now for the week of September 4—is more than twice the amount of time it took to review the previous few Supreme Court nominations—Justice Kagan, Justice Sotomayor, and Neil Gorsuch, about whom I talked a minute ago. There has been adequate time here relative to other confirmations.

Second, some of my colleagues on the other side of the aisle are saying they want more documents to review his nomination. I would just make this point: More documents have been produced with regard to Judge Kavanaugh than any other Supreme Court nomination in history. That is what I am told by the Judiciary Committee. Some Democrats have suggested they need to review the literally millions of documents here. I am sure the President will and passed through his office when he held the job we talked about earlier as Staff Secretary for President George W. Bush.

Again this is a job that is sort of like the traffic cop. It is not to be substantively giving the President the documents from an agency, department, or other White House office, but rather to provide the documents to the President in a timely way so to be sure the President is seeing the right documents and to be sure there is coordination. It is the flow of the documents.

I think seeing all those documents are not relevant, frankly, to the confirmation process because they don’t relate to him. What they do relate to, obviously, are a lot of things that have to do with President George W. Bush, which I am sure were very personal documents where the President would write in the margin and so on. That would be interesting for people to look at. People could probably write a book about those things. That is not the purpose here. And that is why I think it is a fish story to say: There are millions of documents that passed through this guy’s desk, particularly in the context of a confirmation where more documents are being provided than any previous confirmation.

I was told by the Judiciary Committee this morning that 430,000 pages of documents are being produced. I don’t know how many of my colleagues are going to read through 430,000 pages of documents, but they are free to do so. By the way, this compares to 170,000 pages of documents that were produced with regard to former Solicitor General Elena Kagan’s confirmation. Think about that: 430,000 versus 170,000.

Elena Kagan also served as senior aide in the White House. She worked for President Clinton. She had a senior position there—a substantive position, actually—in domestic policy. She also, of course, was the Solicitor General of the United States—yet 430,000 versus 170,000. I just hope people keep that in mind when they hear about the documents.

What is really relevant to me is what he has done as a judge. He has spent 12 years on the DC Circuit Court, which is viewed by most as being the second highest court in the land. He has a lot of documents that are related to that. Some 30 published opinions. Clearly, these opinions are relevant. By the way, more than a dozen of his opinions on the Circuit Court have been endorsed by the Supreme Court, which is an unusually high number and a testament to his outstanding judicial record.

In addition to the more than 10,000 pages of published opinions authored or joined, out of the 430,000 pages of documents I mentioned, the Judiciary Committee tells me they have release more than 176,000 pages of appropriate documents from Judge Kavanaugh’s time in the executive branch. So there are plenty of documents to look at. I encourage my colleagues to do so.

As I said earlier, based on the traditions that we have here and on the amount of time spent between nomination and confirmation and based on the number of documents that have been produced, I think it has been an appropriate and transparent process. I am glad Chairman Grassley has made it so.

My hope is that from his time on the bench and his time in the executive branch, both of these documents will be reviewed—the appropriate ones.

Brett Kavanaugh is very well respected as a judge. He is the thought leader among his peers. I am sure you have heard a lot about that. There have been op-eds written about him from Democrats and Republicans alike saying: I know the guy. I clerked with the guy. I worked with the guy. I was one of his students. He is smart. He is thoughtful.

He has said very clearly that he will be guided by the Constitution and the rule of law. He understands that the proper role of the Court is not to legislate from the bench. He has respect for precedent. He actually wrote the book, meaning he is one of the coeditors of this book looking at legal precedent and what they call stare decisis. He is someone who is very much in the mainstream of legal thought and very well regarded.

His former colleagues, his current colleagues, his former students, and legal experts on both sides of the aisle have come out to say this about him. I have been very impressed by how exactly the right qualifications, extensive experience, and a judicial philosophy that most Americans agree with and would want in a judge.

Again, as important as that is to me, he is also a good person. He is compassionate. He is humble. He is someone who has a big heart. Maybe, most importantly, he has the humility to be able to listen, to hear people out. As I said earlier, there is no more important a quality in a Supreme Court Justice given the incredibly important issues they have before them.

So, as his confirmation process continues, I hope my colleagues and the American people will get to know the Brett Kavanaugh that I know. I hope he is soon able to continue his lifetime of distinguished service as a member of the highest Court in the land. I am proud to strongly support his nomination for this important position.

I yield back my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, when Justice Kagan was up for nomination, I was chairman of the Senate Judiciary Committee. I, along with then ranking Member Jeff Sessions, sent a letter saying that we needed all of her White House records. We received 99 percent of those records.

Now for Judge Kavanaugh’s nomination we are told, after being carefully selected, that we can only have 3 percent of his records. It is an interesting standard. Republicans want all of it when there is a Democratic President, for a woman who was nominated by a Democrat. Now, when the Republicans nominate this man, they say: We will selectively give you 3 percent. It is an interesting double standard. It makes one wonder what there is to hide in there. Why not take the time to see it all?

If I am going to vote on a lifetime appointment—I voted for a lot of Republican nominees for the Supreme Court and other courts—of the whole record. I don’t want, a month after I voted, more to come out in the record and to think: Whoops, who knew about that? We had this happen with one judge already after they were confirmed to a lifetime appointment. The final records came out, and we found out what they did with issues of torture and other things. It was bad.

AMENDMENT NO. 393 TO AMENDMENT NO. 3699

Mr. President, I have an amendment at the desk, and I ask unanimous consent that it be reported by a Member.

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

The clerk will report the amendment.

The legislative clerk read as follows:

"The Senator from Vermont [Mr. Lugar] proposes an amendment numbered 3933 to amendment No. 3699.

In lieu of the matter proposed to be inserted, insert the following: "$8,503,001.'"

The amendment is as follows:

"In lieu of the matter proposed to be inserted, insert the following: "$8,503,001'."

MANAFORT AND COHEN TRIALS

Mr. LEAHY. Mr. President, earlier I talked about what has happened on the Manafort and Cohen matters yesterday. I want to strongly support the great amount of consternation there is at the other end of Pennsylvania Avenue. Having been a prosecutor, I can understand why there is consternation.

I note for my colleagues that we passed in the Senate Judiciary Committee a bipartisan bill—Republican and Democrats voted for the bill—to protect the special prosecutor. There
are those of us who are old enough to remember when Richard Nixon fired the special prosecutor in the Watergate matter and the great constitutional problems that followed. It was something the country suffered over for years, and we want to make sure we don’t see anything like we did in the Watergate matter. So we wrote this bill. Again, Republicans and Democrats voted for it. It could be brought up anytime by the leadership, if they wished. I am hoping that it will be brought up. I am hoping we can bring it to the floor and we can have a vote. I know we had a good debate—again, Republicans and Democrats—in the Judiciary Committee, and I would like to see it voted on.

I notice we are at the hour of 3:30, and I know the Presiding Officer has a ruling to make, so I will withhold.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2019—Continued

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4:30 p.m.

Thereupon, the Senate, at 3:30 p.m., recessed until 4:33 p.m. and reassembled when called to order by the Presiding Officer (Mr. GARDNER).

Mr. BROWN. Mr. President, the work that reporters do as members of a free and independent press is vital to our country and to our communities.

It is why, last week, in an unprecedented action, nearly 300 newspapers all over the country—a dozen or so in my State—came together to stand up for the free press and defend the First Amendment. There were 300 newspapers that wrote editorials—all independently written, of course, with all different takes on this—to advocate for a free press and to defend the First Amendment.

The Chagrin Valley Times, which is not far from where I live in Northeast Ohio, wrote:

We are indeed your lens into your community. We are not your enemy.

Clearly, this was a takeoff on the President’s comments that the media are the enemies of the people.

The Athens NEWS, from Southeast Ohio, wrote: “Good reporting often succeeds in righting wrongs and making things better for people.”

The Akron Beacon Journal, one of the great newspapers in this State, wrote:

Power . . . belongs to the people. The press thus received extraordinary protection because of its capacity to inform readers and check the powerful.

It is shameful that journalists have to defend their First Amendment rights, our First Amendment rights, our Nation’s First Amendment rights just so they can do their jobs. As these community papers show us, nothing could be further from the truth. That is why I want to highlight yet another story by an Ohio paper, informing the public, that has been reported by a journalist in my community.

CityBeat Cincinnati describes itself as having been “a voice in Greater Cincinnati for nearly a quarter of a century now, publishing a print edition weekly, and producing regular content throughout the year to try to help keep you informed of what is happening in your city.”

A great example of that content was in a story last week that was reported by Malia Zummo on the Black Family Reunion that took place in Cincinnati and its celebrating its 50th year. The event was founded in 1969 by the iconic Dr. Dorothy Height, who served as President of the National Council of Negro Women for more than 50 years.

As Ms. Zummo reported, the festival brings together community groups, performers, and small businesses to “celebrate the values and strengths of the black family.” Ms. Zummo’s reporting informed Cincinnati readers about the festival this weekend, including a parade, festival, church service, and other community activities.

That kind of reporting is what journalists do every day, every week, every month across Ohio and around the country. They serve their readers, their viewers, and their communities. They deserve our respect. They don’t deserve a President who calls reporters, journalists, and all kinds of people in this business the enemies of the people.

Again, reporters serve their viewers, their readers, and their communities. They serve all of us. They deserve our respect.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REMEMBERING MOLLIE TIBBETTS

Mr. GRASSLEY. Mr. President, I come to the floor to speak about a recent tragedy that impacted my home State of Iowa and I think all of the country because cable television is well aware of this.

Yesterday, authorities announced they found the remains of a 24-year-old University of Iowa sophomore, Mollie Tibbetts, of Brooklyn, IA. After searching tirelessly for months, State and local law enforcement announced the unthinkable, Mollie was murdered in cold blood.

I wholeheartedly commend the efforts of all who were involved in searching for this remarkable young woman, including the Iowa Division of Criminal Investigation, the FBI, Homeland Security, and the individual members of the community who volunteered tirelessly to find Mollie.

Americans watched the news every night, all of us, holding out hope that Mollie would soon be found and returned to her family. I extend my sincerest condolences to Rob Tibbetts, Mollie’s father, and Laura Calderwood, Mollie’s mother. They spent the last month and a half searching the State for their missing daughter. Rob and Laura traveled across the State, raised awareness on TV, and handed out buttons, T-shirts, and missing person fliers at the Iowa State Fair. Both Rob and Laura showed remarkable bravery in the face of tragedy.

I know that our thoughts and prayers are with you and your family during this difficult time.

For those of us in Washington, we ought to try to learn something from Mollie’s character and example she set. Mollie’s neighbor Jack said, “She’s not just a missing person flyer.” Mollie was an avid reader who enjoyed the choir, theater, and writing. Mollie loved her friends and had a natural ability working with children. Her neighbors say she had a gift for making everyone feel like the most important person in the room. There is no doubt her nurturing character and her ability to be everyone’s counselor—as a friend put it—led her to the University of Iowa to study psychology. While there, Mollie spent her summers taking classes and working at a day camp with the Grinnell Regional Medical Center, where she mentored children. It is no surprise that when Mollie went missing, over 200 people showed up for a vigil in her honor.

While we mourn the loss of Mollie Tibbetts, it is the duty of this Senator and every other Senator to act to prevent further tragedies such as this one from devasting a family and an entire community.

We now know that Mollie was murdered by a 24-year-old, undocumented immigrant who has been in the United States illegally for 4 to 7 years. That is right. For 4 to 7 years, this man was here undetected and unaccounted for. This raises questions about his immigration history, employment, and criminal history, and we must receive answers.

So, today, I sent a letter to the Department of Homeland and Security seeking any immigration history on this man and a briefing to better understand how he was able to get to and stay in Iowa. This isn’t too different from what I have done in many cases with some undocumented person, particularly those who had been deported and returned, asking for answers when there was a tragedy such as what happened to Mollie. I think of recent cases, maybe within the last 2 years, of murder in Northern Virginia and in Maryland. The Tibbetts are a part of the people of Iowa as well, and I hope all of the American public feel they deserve answers.
Based on the information I do have, it seems this murder was preventable. Stricter border security measures, including increased personnel, enhanced technology, and modernized infrastructure could have prevented this man from crossing the border—in other words, by ICE.

Stronger interior enforcement and addressing weaknesses in E-Verify could have prevented this individual from working and would have allowed immigration enforcement authority to investigate proceedings years before.

Earlier this week, President Trump invited officers and agents of Customs and Border Protection and Immigration and Customs Enforcement to the White House to thank them and the people under them for all they do on a daily basis to protect Americans. Recent events are a stark reminder as to how much we need these hard-working men and women.

Amidst cries from the radical far left to abolish law enforcement agencies, such as ICE, I am proud to stand in support of the brave men and women of that agency. Customs and Border Protection and Immigration and Customs Enforcement are tasked with protecting the homeland, a duty they willingly accepted on behalf of all Americans and, of course, the No. 1 responsibility, the Federal Government.

Every day, men and women of the Border Patrol and ICE, or Immigration and Customs Enforcement, put themselves in harm's way because Congress tasked them with this great responsibility.

So to my colleagues on the other side of the aisle who call for abolishing immigration enforcement, I urge caution. We have heard a lot of that lately about abolishing immigration enforcement.

Scapegoating our uniformed officers, who are simply executing the law, to launch a presidential campaign only moves us further away from one another and further away from a last- ing solution.

To put their efforts into perspective, let's take a look at some data. During fiscal year 2017, ICE arrested more than 127,000 aliens with criminal convictions or charges. ICE made 5,225 administrative arrests of suspected gang members. Last year, the criminal aliens arrested by ICE were responsible for more than 50,000 drug offenses, 48,000 assault offenses, 11,000 weapon offenses, 5,000 sexual offenses, 2,000 kidnapping offenses, and 1,800 homicide offenses. Those statistics are just for ICE Enforcement and Removal Operations.

Last year, ICE Homeland Security Investigations made over 4,800 gang-related arrests. ICE also targets illicit drug flows, human trafficking operations, and transnational criminal and terrorist organizations.

ICE is part of our broader national security apparatus and often works hand in hand with their partners at the Department of Justice, including the Drug Enforcement Administration, FBI, and hundreds of Federal prosecutors.

In 2017, ICE identified or rescued 904 sexually exploited children and 518 victims of human trafficking. ICE seized more than 500 pounds of heroin just last year, including 2,370 pounds of fentanyl and almost 7,000 pounds of heroin.

To my colleagues who have spoken strongly about combating the moral and humanitarian crisis of the opioid epidemic gripping our country, I ask: How is ICE anything but an indispensable in the fight? How can we expect to combat the flow of lethal narcotics without the brave men and women of the Border Patrol and ICE?

Just last week, I sent a letter to Secretaries Nielsen and Pompeo about an Iraqi national who lied about his active membership in ISIS and al-Qaeda in Iraq so he could claim refugee status and settle safely in Sacramento, CA. ICE played a very vital role in his arrest.

This weekend, ICE deported a Nazi prison guard who was living in Queens, NY, and whom we immediately there on the scene in Brooklyn, LA, when State and local authorities determined the suspect was a foreign national.

Congress has been dancing around the issue of securing our borders and strengthening interior enforcement for far too long. We have told voters we will fix the problem, but we don't seem to get the bills passed. Stories like those of Kate Steinle, Sarah Root, Kayla Cuevas, and now Mollie Tibbetts continue to appear in the news, and we ought to come to the conclusion that enough is enough.

**SARAH'S LAW**

Mr. President, I urge the Senate to partisanship aside and support Sarah’s Law. That is a bill that some of us from the Midwest have introduced, but we also would like to see justice for Kate Steinle’s murderer because people who have been deported, coming back to the United States to do this killing—just for coming back and violating our law over and over and over by crossing into the country without papers, they should have mandatory sentences.

Sarah’s Law is a bill I introduced with Senator Ernst in honor of a fellow Iowan, Sarah Root, who was killed by an undocumented immigrant driving drunk and was three times over the legal limit.

Sarah’s Law is a commonsense bill that requires the Federal Government to take custody of anyone who entered the country illegally, violated the terms of their immigration status, and had their visas revoked and is thereafter charged with killing or seriously harming another person. It also requires ICE to make every possible effort to identify and provide relevant information to crime victims and their families.

I end thinking about Mollie’s death, but you can continue to think about Sarah Root, Kate Steinle, and others. We haven’t responded to it very well. We can and we must do better.

**NOMINATION OF BRETT KAVANAUGH**

Mr. President, if I may, I want to continue to speak but on another subject.

Over the past day, several of my colleagues issued statements calling for Judge Kavanaugh’s confirmation hearing to be delayed. A lot of these colleagues have written me very personal letters calling for Judge Kavanaugh’s hearing to be delayed. Some of them have written me very personal letters about coverups or hiding or handling documents in ways they perceive to be different from what other committee chairmen have done. In regard to the delay of the hearing, they claim that it is because President Trump’s former lawyer, recently pleaded guilty to criminal violations of federal election finance law, alleged at President Trump’s direction.

I am not going to delay Judge Kavanaugh’s nomination hearing. There is no precedent for doing a hearing in these circumstances. In fact, it is just the opposite. There is clear precedent pointing in the other direction. I will give my colleagues at least one.

In 1994, President Clinton nominated Justice Breyer to the Supreme Court. At that time, President Clinton was under investigation by Independent Counsel Robert Fiske in connection with the Whitewater land deal. Indeed, President Clinton’s own records were under grand jury subpoena. Yet the Senate confirmed Justice Breyer by a vote of 87 to 9 during all of that.

In fact, President Clinton was under investigation for much of his Presidency and was even impeached for committing perjury. Obviously, he wasn’t convicted. But through all of this, the Senate didn’t stop confirming his lifetime appointments to the bench. President Trump has chosen to be in the same legal situation as President Clinton, but obviously some people around here think he is.

So my colleagues’ plea to delay the hearing rings very false considering the precedent the President just gave, and maybe historians can give us more precedents.

So I want to tell my colleagues why liberal outside groups and Senate Democratic leaders decided to oppose the President’s Supreme Court nominee by any means necessary. They even said so. Some even announced their opposition before Judge Kavanaugh was nominated. The minority leader said he would fight Judge Kavanaugh with everything he has.

Members of the Judiciary Committee announced their opposition before giving Judge Kavanaugh any consideration whatsoever. One Member said that we know Judge Kavanaugh is “complicit in evil.” Another Member said that Judge Kavanaugh threatens “destruction of the Constitution of the United States.”
The goal has always been the same: to delay the confirmation process as much as possible and hope that the Democrats take over the U.S. Senate in the midterm elections.

The Ranking Member’s hometown newspaper reported on this strategy recently, and the headline called it an attempt to stall. The strategies may change, but the goal to obstruct the confirmation process remains unchanged. First, Democratic leaders tried to apply the Biden rule, which bars the repeated use of Presidential nominations and which many Democrats previously said doesn’t even exist. They tried to apply it even to midterm elections. When they used it, it was applied just to Presidential elections.

Now, when this strategy failed, because it was completely and flatly false, they changed strategies. They tried pushing for an unprecedented disclosure of Judge Kavanaugh’s executive branch documents, even though we have already received more pages of such documents than any previous Supreme Court nominee. This is on top of Judge Kavanaugh’s 12-year judicial track record and other more relevant publicly available materials.

Now we are going to latch on to the legal troubles of President Trump’s former associates, but, as I just explained, there is no precedent or logical reason for the Senate to decline to proceed on Judge Kavanaugh’s nomination in these circumstances. It is just another attempt to block Judge Kavanaugh’s confirmation by any means necessary.

On a related note, we are working to make available as many of the documents relevant to Judge Kavanaugh’s nomination to the Supreme Court when we receive them—to make them publicly available as soon as possible.

It is common practice—I hope everyone knows—to receive documents with a restriction called “Committee Confidential” until we can assure ourselves that we will not disclose sensitive, confidential information to the public in violation of the Presidential Records Act. Chairman Leahy, who is here on the floor with me, did so during Justice Kagan’s confirmation process, and I am doing the same. This gives Judiciary Committee members a jump start on reviewing documents because, otherwise, if you had to wait until they were all cleared, you wouldn’t even be reading them yet.

The goal is to make as many publicly available as possible as soon as possible.

I have promised to work with President Bush and President Trump to waive committee confidentiality, when the law requires it, for specific documents that my colleagues would like to use at the confirmation hearings. This is also consistent with how the Judiciary Committee has handled this issue in the past, and my Senate colleagues are welcome to review committee-confidential documents at their convenience. Simply get in touch with my staff. The staff there will make sure that they have full access to the range of committee-confidential documents.

One of my colleagues tweeted, and I am not going to name this colleague because there is no point in embarrassing anybody to make a very strong point here about how ridiculous some of this argument has become. This is the tweet:

Chairman Grassley unilaterally deemed Kavanaugh records Committee Confidential. Penalty for release could include ‘expulsion’ from the Senate, which hasn’t happened since the Civil War, for disloyalty to the Union. GOP is going that far to keep them secret.

I hope all of my colleagues see the absurdity of that tweet.

Now, that person is kind of acting like the Senate has never received judicial branch documents relevant to Judge Kavanaugh’s confirmation process. This is common practice, and it has happened in previous Supreme Court nominations, even under Democratic chairmen.

So to sum up, it is so regrettable that some of my colleagues on the other side of the aisle have politicized this process so much, but also, at the same time, they have short memories. I yield the floor.

The PRESIDING OFFICER (Mr. Lee). The Senator from Colorado.

Mr. GARDNER. Mr. President, I rise today to speak about the Defense Appropriations bill that we are now debating. I congratulate Senator HARKIN and Senator Moran and other Senators for working together in a cooperative manner to fashion and advance this important legislation.

For my home State of Colorado, this legislation means critical funding for our men and women in uniform at installations such as Peterson, Buckley, and Schriever Air Force Bases, the Air Force Academy, and Fort Carson in Colorado Springs, and beyond.

This bill provides the first significant pay raise for Federal employees—soldiers, sailors, airmen, and marines for close to 10 years, and it is well deserved and long overdue.

As the chair of the Senate Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, I want to highlight several provisions related to these areas. The bill provides $356 million in additional funding to expand and accelerate cyber research across the Department of Defense, including $117 million for Army cyber security research efforts and $116 million in Missile Defense Agency cyber security enhancements.

This legislation will support critical cyber security programs, including CyberWorx at the Air Force Academy, DIUx in Silicon Valley, and the Army Futures Command in Austin, TX.

The bill focuses on our ability to modernize not only what we might use in conflict but also to understand how conflict might be waged through technology.

Through a fully funded and equipped Cyber Command, we will be armed not only with new funded capability and technology but with new titles and authorities to be able to downgrade, disrupt, and destroy cyber attacks on our infrastructure and economy.

As our force evolves and changes, the Cyber Command will continue to be a vital stakeholder in our defense communities.

I am also pleased that the legislation supports the administration’s concept of “free and open Indo-Pacific” by fully funding our military activities in the Indo-Pacific region, including U.S. Pacific Command theater cooperation activities with partner nations.

I am also pleased that the bill specifically includes funds to support activity with the Pacific Island nations, including Palau. These nations are at risk of falling under more and more Chinese influence, and it is important for the United States to exert an active leadership role to keep these allies engaged.

Countering China’s rise represents a grave challenge for U.S. national security, but it is a challenge that we must address and rise to the challenge. To this end, I support the “National Security Strategy,” released in December of just last year, “for decades, U.S. policy was rooted in the belief that support for China’s rise and for its integration into the post-World War II international order would liberalize China. Contrary to our hopes, China expanded its power at the expense of the sovereignty of others.”

According to the 2018 “National Defense Strategy,” “it is increasingly clear that China and Russia want to shape a world consistent with their authoritarian model—gaining veto authority over other nations’ economic, diplomatic, and security decisions.”

According to the annual “Department of Defense Report on Chinese Military Power,” released just last week, “China’s military modernization targets capabilities with the potential to degrade core U.S. operational and technological assets, and to support this modernization, China uses a variety of methods to acquire foreign military and dual-use technologies, including targeted foreign direct investment, cyber theft, and exploitation of private China nationals’ access to these technologies.”

I am pleased that both the administration and Congress are now recognizing this reality and taking steps to rebuild our military to stand up to China.

I am leading a bipartisan effort in the Senate called the Asia Reassurance Initiative Act, or ARIA, which will set a generational policy toward the Indo-Pacific. I expect that the Senate Foreign Relations Committee will mark up ARIA in September, and I urge my colleagues to cosponsor this very important effort.

We know that China will continue to bully its neighbors and to test U.S. resolve, and we must respond accordingly.

On Monday, we heard the disturbing news that the nation of El Salvador,
under Chinese pressure, has decided to sever diplomatic ties with Taiwan in favor of Beijing. This is an outrageous and unwarranted move for El Salvador, which has enjoyed official relations with the Republic of China since 1933. In response, I have introduced an amendment with Senator RUBIO to this legislation that will restrict U.S. funds to the government of El Salvador.

It is our sincere hope that this amendment will send a direct message to Taiwan’s allies that the United States will use every tool to support Taiwan’s standing on the international stage and will stand up to China’s bullying tactics across the world.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 910.

The question is on agreeing to the motion.

The PRESIDING OFFICER. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session.

The question is on agreeing to the motion.

The motion was agreed to.

The senior assistant legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 911.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The legislative clerk read the nomination of Richard Clarida, of Connecticut, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2008.

EXECUTIVE SESSION

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 Richard Clarida, of Connecticut, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.


LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The legislative clerk read the nomination of Richard Clarida, of Connecticut, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2008.


EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 720.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The senior assistant legislative clerk read as follows:

EXECUTIVE SESSION
The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Maria Keenan Patulunas of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Maria Keenan Patulunas of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.


LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The senior assistant legislative clerk reads as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 635.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of R. Stan Baker of Georgia, to be United States District Judge for the Southern District of Georgia.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the chair directs the clerk to read the motion.

The senior assistant legislative clerk reads 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 R. Stan Baker of Georgia, to be United States District Judge for the Southern District of Georgia.


LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 674.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Barry W. Ashe of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk reads 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 Barry W. Ashe of Louisiana, to be United States District Judge for the Eastern District of Louisiana.


LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 636.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Charles Barnes Goodwin of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk reads 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 Charles Barnes Goodwin of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

executive motion having been presented under rule XXII, the chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Susan Paradise Baxter, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.


...
Mr. MCCONNELL. Mr. President, I move to proceed to executive session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Robert R. Summerhays, of Louisiana, to be United States District Judge for the Western District of Louisiana.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 782.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Charles J. Williams, of Iowa, to be United States District Judge for the Northern District of Iowa.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

Mr. MCKEOWN. Mr. President, I move to proceed to executive session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Dominic W. Lanza, of Arizona, to be United States District Judge for the Western District of Arizona.

CLOTURE MOTION

Mr. MCKEOWN. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCKEOWN. Mr. President, I move to proceed to executive session to consider Calendar No. 838.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Judge for the Western District of Louisiana.

CLOTURE MOTION

Mr. MCKEOWN. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

EXECUTIVE SESSION

EXECUTIVE CALENDAR
It requires communication between the States and the Federal Government on election infrastructure breaches. There are ways to do that, to honor the States' authority to run their elections but still understand that we have vulnerability nationwide if any one State is not able to be cyber secure. The DHS has been able to work with the States and to check their systems to make sure they are secure, and it has been offered to every single State, on any one county, could jeopardize the integrity of our Nation's election security system. I have heard that States may not need to conduct their own post-election audits. It has been kind of a “trust us; things will work out fine.” The challenge I have with that is that five States in the United States right now and as of this election coming up in November will not be able to even do a post-audit election on their systems. Nine additional States have some counties within their States that cannot do a post-audit election. So the problem with “trust me” is that there is no way to be able to verify on the back side. I get “trust me” but no verification.

The bill that is coming through, the Secure Elections Act that AMY KLOBUCHAR from Minnesota and I are working on, is significant to protect their systems, but it requires the simple ability to audit their systems after it is over so that no nation state, no group of hackers can stand up and say “We did it” and there is no way to be able to prove them wrong. Audits are not recounts; audits just give voters confidence that the vote they cast was counted.

To be clear, we have advanced a tremendous amount since the 2016 time period. The Department of Homeland Security, the Federal Government, and the States have stepped up so significantly to protect their systems, but there is more to go.

The DHS now has security clearances for election officials or has the capability to have an immediate security conversation with every single State in the United States. That is important because in 2016 that didn’t occur, and the threat against the United States could not be communicated to the States sometimes for months, sometimes for over a year. That has been fixed.

There has been cyber assistance that has been offered to every single State, and many of those States have taken it. The DHS has been able to work with individual States and to check on their systems to make sure they are secure, and it has been able to provide filters so as to filter out malicious hackers on top of their already consistent filters that are there. This is to provide a kind of redundancy protection for their election systems. The DHS has already given priority to any requests from any State that asks for election assistance. The DHS will literally take people off of other assignments in order to get those individuals to the election officials of any State that asks for it, and all requests from every State that has asked for additional assistance have been fulfilled. What is called the "Tabletop the Vote 2018." It ran a national cyber exercise in order to practice how this would work, what would work, and what vulnerabilities there would be. It received tremendous feedback from the States as it did the exercise. It participated with the States and found out where they could share information. The DHS has set up a tremendous resource for election day itself so as to watch out for malicious attacks during election day and the runup to the election and to make sure it has rapid communication.

None of that existed in 2016. That is real progress, but we have to get some of these legislative solutions in place because the threats are continuing. The States are trying to control their elections, but I don’t expect every State in the United States to protect itself against a foreign attack. It is the Federal Government’s responsibility to step in and protect our systems. We are trying to hit this balance with the Secure Elections Act, wherein the States would run their elections, the Federal Government would do its part, and the American people would do their part by stepping up to vote and have confidence in knowing their votes actually count.

Congress needs to pass this legislation. We need to move it across the committee line and across this floor because the election issues that we are facing right now are not going away and are not getting easier, and States could use our help. It is about time we stepped up and did it.

Mr. President, I thank Senator WHITEHOUSE to my colleague Senator WHITEHOUSE to tonight to stand with my friend and CONGRESSIONAL RECORD — SENATE August 22, 2018
some partisan view; that is a cold-eyed assessment of the likely damage that climate change will cause to our economy and to our citizens.

Another recent study, conducted by the Union of Concerned Scientists, found that in the next 50 years, 311,000 homes will be in danger of being flooded every 2 weeks—311,000. That means more than half a million Americans could have their homes inundated with water multiple times every single month. Think about the financial toll the implosion of the real estate market will take on these families and the homes. Well, after being bombarded with saltwater over and over again, a coastal property meltdown would be inevitable.

Yet here is what gives me comfort and why I am inspired to work with Senator WHITEHOUSE and why I am inspired by his work and why I had to be here tonight. We can prevent this crisis, but only if we act. It is going to take public-private partnerships, CEOs, and members of Congress to work together to prepare for the worst. That means companies need to begin including the risk of climate change in their investment and risk management practices.

Climate change can be an economic opportunity if we act boldly and decisively, which is something I know Senator WHITEHOUSE will address shortly. If we fail to act, it will be a financial catastrophe as well as an environmental catastrophe, and it will put the 2008 financial crisis to shame. We know it is coming; we need the political will to do something about it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am so grateful to join my colleagues today, Senator WARREN, to discuss the financial and economic risks that are posed by climate change.

You have just heard the Senator from my neighboring State of Massachusetts lay out a powerful case. Given the gravity of these risks and given our recent experience of the 2008 financial crisis, we should be doing everything we can to prevent another economic meltdown.

We know exactly what we need to do to mitigate these economic threats. We need to transition from polluting fossil fuels to clean, renewable energy. We can do this by giving renewableables a fair market chance against the gigantic public subsidies on which the fossil fuel industry float. Put a price on carbon emissions so the price of the polluting product reflects its pollution costs to society. That is the economics 101 answer.

The problem is that fossil fuel behemoths are desperate to duck the costs of their pollution. They want to protect this massive market failure. Why do you suppose they are the biggest special interest political force in the world? It is to do that work. Look over in the House, where just recently an army of fossil fuel lobbyists and front groups pushed through an industry-scripted resolution and declared, falsely, that pricing carbon would be bad for the American economy. All but eight House Republicans voted the way the industry instructed—for a resolution that is, for them, politically correct in a polluter-oriented kind of way but was factually false.

Today, in my 217th “Time to Wake Up” climate change speech, I am going to relate recent testimony by a respected Nobel Prize-winning economist, professor Joseph Stiglitz. Unlike all of that cheap political chicanery around the House resolution, Professor Stiglitz’ report was presented under oath and was subject to cross-examination. Pat chance the climate deniers would ever let themselves get cross-examined under oath. Truth is kryptonite for them.

Stiglitz’ report came out in Juliana v. United States—a case in which the plaintiffs were children who sued the U.S. Government for violating their constitutional rights through a knowing failure to protect them from the costs of unlimited carbon emissions.

Here is what Stiglitz’ testimony states:

[The U.S. Government’s] continuing support and perpetuation of a national fossil-fuel based energy system and continuing delay in addressing climate change is saddling and will continue to saddle Youth Plaintiffs with an enormous cost burden, as well as tremendous risks.

Obviously, when Stiglitz talks about “youth plaintiffs,” his testimony actually covers children and future generations who will bear the terrible, foreseeable costs of climate havoc.

In particular, Stiglitz notes that “rising sea levels will lead to massive reductions in property value,” just as Senator WARREN and Freddie Mac have warned, and children and future generations will have to “bear the enormous cost of relocating the people and infrastructure that are now on this [undated] land.”

Of all places, the State of Kentucky has a report that warns that its population might rise because people will have to flee coastal States. Even the leader’s own state recognizes this coastal problem.

This testimony echoes other warnings that I have related in recent speeches about this looming coastal property value crash—warnings we have heard from people as Freddie Mac, as the Union of Concerned Scientists, through insurance trade publications, and now from this Nobel Prize-winning economist. Peer-reviewed research also shows a gap emerging between coastal and inland property values, which I would expect as an early warning signal.

Stiglitz’ report, however, isn’t doom and gloom. It actually shows that economic gains result from a wise transition to sustainable energy sources.

Stiglitz writes:

Retrofitting the global economy for a climate change would help to restore aggregate demand and growth. . . . Climate policies, if well designed and implemented, are consistent with growth, development, and poverty reduction. The transition to a low carbon economy is potentially a powerful, attractive, and sustainable growth story, marked by higher resilience, more innovation, more livable cities, robust agriculture, and stronger ecosystems.

Think about that. The fossil fuel industry and its phony front groups have cooked up a phony hobgoblin of economic harm, which just so happens to protect the industry they serve at the expense of everyone else.

Here is a Nobel Prize-winning economist telling us that shifting to renewable energy would actually help us grow the economy. The need for this transition is also echoed in the warnings, which I have spoken about and which Senator WARREN just so eloquently spoke about, of a carbon bubble.

Why is it that the clean energy economy grows? The same reason the economy grew when we went from horse and buggy to automobile or landline to cell phones. The key word is “innovation.” As Professor Stiglitz says, we get more innovation as we manage this transition.

Renewable energy, electric cars, battery storage, carbon capture, energy efficiency, low-carbon and zero-carbon fuels—these are technologies of the future, promising millions of great jobs.

The question is whether these American technologies and American jobs or whether China, Germany, Japan, and other countries will win the transition to a low-carbon economy.

Growth will not just come from new jobs; it will come from lower costs. Stiglitz notes this: “Many energy efficiency technologies actually have a negative cost to implement.” Now, you have to be an economist to use the phrase “negative cost.” Negative cost, obviously, is “economics-ese” for “that’s a good thing.”

The reverse case is the Trump administration’s recent rejection of the Paris accord and its decision to freeze fuel economy standards for cars. That is a bad thing. It will cost American consumers hundreds of billions of dollars more at the pump. It is no surprise that all of that extra cost for consumers in gas money goes to Big Oil, which has the Trump administration obediently in its pocket.

Stiglitz’s testimony estimates the total benefits to the U.S. economy from shifting away from fossil energy sources at around $1 trillion by 2050—$1 trillion by 2050. As I said, a $1 trillion negative cost is a good thing. It is a really good thing, and if we weren’t completely in tow to the fossil fuel industry around here, we would be striving for it.

Stiglitz recommends the policies to get us to that low-carbon economy.

For example, he says we should price carbon on carbon. He testifies that putting a price on carbon could be beneficial to the economy all by itself. He says:
A carbon tax . . . could substitute for other more distorting taxes. If governments made such a substitution, the aggregate cost of curtailing carbon emissions could even lessen zero, providing net benefits to the economy.

Second, he testifies that we must end the enormous, gigantic subsidies we grant to the fossil fuel industry. Here is what he says:

The full amount of post-tax subsidies in the U.S. [to the fossil fuel industry] has been estimated at nearly $700 billion per year, more than half of the Federal government's forecasted deficit for the next fiscal year. Eliminating all fossil fuel subsidies (implicit and explicit, many of which go to large corporate entities) could, therefore, both curtail fossil-fuel production, through forcing companies to bear more of the true costs of fossil-fuel production, and substantially reduce our national deficit in one fell swoop.

For the record, Stiglitz adds that “equity would also be improved with corporations paying more and individuals, such as Youth Plaintiffs and Affected Children, benefiting.”

Of course, around here, corporate interests get better service than the American people, so that observation doesn’t mean much, but there it is.

There is one last bit of Stiglitz’s testimony that is important. I quote him again: “The more time that passes, the more expensive it becomes to address climate change.”

Time is not our friend. This doesn’t get better or go away. Every day we delay is a missed opportunity. Every day we delay bears a cost, and we have been declaring—we are good at that—for decades.

James Hansen appeared before this body 30 years ago—three decades ago—to sound the alarm about climate change in a hearing called by Senator John Chafee. Stiglitz cites a 40-year-old report—four decades—to President Carter that subsidies to the fossil fuel industry were stifling competition from cleaner technologies.

For decades, the fossil fuel industry has jerked Congress’s chain to keep anything from happening. Even now, their miscreant is visible in the hobgoblin of economic harm. By the way, it is not just Nobel Prize-winning economist Joseph Stiglitz who says that pricing carbon emissions would be a good thing. Economists across the political spectrum agree. Just last month, economic researchers at Columbia University found that even if you look only at the pure economic effects, a carbon fee is a winner.

Here is a $50-per-ton carbon fee, and here is a $75-per-ton carbon fee, and both show growth compared to the status quo in the economy. You have to roll them back through the payroll tax, which is something we can do, to see this added growth effect from a carbon fee.

Remember, this growth—that is only the tax effects. This doesn’t count the health of a healthier planet: this doesn’t count the environmental benefits of a healthier planet. Both are huge. They are not even counted here. This is just the tax effects.

These carbon pricing ideas are a winner on their own, and it becomes a win-win when you add the environmental and health benefits.

So who are we going to believe, the front groups paid by the fossil fuel industry? If they were Olympic medalists in having a conflict of interest, these phonies would take the gold. Unfortunately, you would have to hose off the medals platform afterward.

On the other side, you have actual experts, honest experts—the ones cited by Senator WARREN, the economists I have mentioned here today, and many others—who all agree. They are all saying that we need to act now. They are all telling us that failure to act puts us in harm’s way for serious economic disruption. They are all telling us that pricing carbon and ending fossil fuel subsidies will actually be a boon to the economy.

Our choice is clear. Going with the corrupt guys is not a good look, not when the day of reckoning comes. And warnings are more and more widespread and pointed that a day of reckoning draws nigh.

So if you want, go with the oddballs and the fossil fuel flunkies, not the Nobel Prize winners; go with the scriptwriters and lobbyists sworn testimony; go with the industry protecting a $700 billion subsidy, not the actual scientists; and good luck looking your grandchildren in the eye.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

NOMINATION OF BRETT KAVANAUGH

Mr. CASEY. Mr. President, I come to the floor this evening to spend a couple of minutes talking about the nomination of Judge Brett Kavanaugh to the U.S. Supreme Court.

We know the debate has been engaged now for a number of weeks and that the American people are part of that debate. I have already expressed my views about the process that led to his nomination. I have very strong views about it. I think it was a corrupt bargain between at least two—if not the only two—far-right organizations and the administration to choose from a list of only 25 individuals to serve on the Supreme Court. In other words, if you are not on the list now chosen by those groups or at least certainly ratiﬁed by those groups, you cannot be nominated to the Supreme Court.

But tonight I am here to talk about a different set of questions. One is more speciﬁc and one is broader, but both are important. I will deal with the broader question at some length, but I will raise the more speciﬁc question ﬁrst, that is, the question of a particular aspect of the Judge’s record.

I happen to serve as the ranking member of the Senate Special Committee on Aging, and I am alarmed at some of the judge’s opinions regarding older Americans and Americans with disabilities. I will be walking through some of those cases at a different time, but I have a series of questions that I think are important to have answers to across the Senate. Here are the potential opinions he would write that affect older Americans and individuals with disabilities.

Because there has been a failure so far to turn over records of his tenure in the White House—documents that some believe number in the millions of pages—it is very difficult to ascertain or even to formulate questions that relate to just these two topics, among many, the two topics being his views on Americans with disabilities and the laws that protect Americans with disabilities and, of course, his views on programs and policies that relate to older Americans.

Today I have written to Chairman Grassley, the chairman of the Judiciary Committee, and Ranking Member FEINSTEIN, to demand that the Judiciary Committee obtain and share with me and my staff all documents related to older adults and people with disabilities. The Judiciary Committee is attempting to move forward with Judge Kavanaugh’s hearing before—before we have seen and had a chance to review his entire record. Without Judge Kavanaugh’s full record to review and review all of the documents being made available to the committee and, therefore, to the Senate, no Senator can fulﬁll his or her constitutional duty to provide meaningful advice and consent about this nominee for the highest Court in the land and, I would argue, the most powerful—or at least the most important—Court in the world.

This duty could not be more important than it is at this moment.

Yesterday, as so many Americans know, it was a very sad day for the country and one of the saddest days in the history of our Republic for two reasons. The President’s former attorney, Michael Cohen, pleaded guilty to breaking campaign ﬁnance laws at the President’s direction, according to his statement under oath in open court—that statement of Mr. Cohen.

Meanwhile, Paul Manafort, the President’s campaign manager, was convicted by a jury on eight counts of tax and bank fraud.

Why is that relevant to this discussion about the Supreme Court? I think it is pretty simple. Serious crimes have been committed by close associates of the President. That President has now nominated Judge Kavanaugh to sit on our highest Court, and that particular nominee, Judge Kavanaugh, has views on Executive power and the power of any President to take action. These views must be thoroughly reviewed. That takes not just a review of the record that we have now; I would argue that to fully examine those views, we have to look at his whole record.
How can any Senator—how can even the Judiciary Committee—conduct that kind of thorough review when we might have literally millions of pages of documents that are not being made available to the Judiciary Committee and, by extension, to the Senate itself? I don’t think we can come to any kind of an inquiry just on those questions—questions of the power of the President and questions on Executive power more broadly.

So because of what happened yesterday, we are in uncharted waters, probably territory that very few Americans have ever walked through. I don’t want to make any historical comparisons because they are never entirely accurate, but I think it is safe to say that we are in uncharted territory. So under these circumstances, it is more important than ever that our courts, up to and including the Supreme Court, act as independent arbiters in our democracy.

Any Supreme Court nominee, of course, warrants close, careful, and thorough scrutiny. In this case, this nominee, whose views on Executive power I would argue are extreme, and a nominee who has questioned whether the President could be subpoenaed if a legislative branch of government, for example, the Judiciary Committee—of course, that nominee, in this context but even outside this context should be the subject of thorough examination. And because of what happened yesterday, the nominee should receive the most substantial, the toughest scrutiny of the range of questions but, in particular, those that relate to Executive power.

I will quote just a few lines from a 1998 Law Review article written by Judge Kavanaugh. He said: “Congress should give back to the President the full power to act when he believes that a particular independent counsel is ‘out to get him.’”

He went on to say later: “The President should have absolute discretion . . . whether and when to appoint an independent counsel.”

So that is just one brief reference in one Law Review article. There are other examples we could cite, obviously Executive power—the power of the President generally but, in particular, the power of a President in the context of an independent counsel, what we now call a special counsel—being involved.

These questions are substantial. We know that Judge Kavanaugh, before he was, in fact, Judge Kavanaugh, was a member of a prior administration where he served both as White House Staff Secretary and White House Counsel. Therein lies a lot of information in those documents about his time there, when he assuredly would have expressed opinions on a range of questions, maybe a series of statements or evidence in the record about his views on Executive power, in addition to what he now has said in a statement in a Law Review article or otherwise.

So I believe it would be an abrogation of our constitutional responsibility to move forward on the Kavanaugh nomination without his full—without his full—record set forth for the Judiciary Committee before the hearing begins. And if there are millions of pages still to review, we should give Judiciary Committee members the time to review those documents, formulate questions, and prepare for the hearing.

There is no rule or no law that says this hearing has to begin the day after Labor Day or even a few days after Labor Day. I would think that the Senate would want to have the full record—or as close to the full record as possible—before those hearings begin, especially because we have a particularly urgent set of circumstances or set of facts—in light of what happened yesterday with the two individuals in two different courts of law—which could make as a live issue, potentially, these questions of the exercise of Executive power, especially because we have a nominee who has expressed views on those issues. I don’t think what I am outlining is in any way unreasonable. Taking a few extra weeks to review that record should be the subject of bipartisan support.

So I believe Judge Kavanaugh’s full record must be made available for review. I also believe the Senate must be given adequate opportunity to review it, and I think because of the facts and circumstances that are presented with this nominee, with this Presidency, and the kinds of facts, the stakes could not be higher. We don’t want to be finding out down the road in the midst of a confirmation hearing—or even after the confirmation hearing or even after, potentially, a confirmation vote—that there are documents in the record that were not brought to the full light of scrutiny that have a bearing on his views that relate to these fundamental issues of Executive power. If a legislative branch of government, in this context and, in particular, the Judiciary Committee—if a legislative branch of government in that circumstance doesn’t discharge its duty to obtain and to review and then to formulate questions about issues so fundamental as Executive power and the power of the President, especially in the context of a special counsel investigation, I am not sure what the role of the Senate would be in the absence of that kind of review.

So I think this is fundamental. It has nothing to do with a point of view or a party or a position; this is fundamental to the process of having a full review of the record.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. LEAHY. Mr. President, several of the warring parties in the South Sudanese civil war, including President Kiir and the leader of the main opposition party, Riek Machar, recently signed a power-sharing deal to ostensibly bring to an end a conflict that has resulted in hundreds of thousands of deaths and the largest refugee crisis in Africa.

Today in South Sudan, near-ly 200,000 people sheltering at UN peacekeeping bases, 4.5 million people have been forcibly displaced, and an estimated 7 million people are in need of humanitarian aid. Several ceasefires have been negotiated and broken by both sides since the fighting began in December 2013, and the United States has invested well over $3 billion in humanitarian aid to help the people of South Sudan who have been largely abandoned by their political leaders.

Unfortunately, the outcome of the recent power-sharing deal and the prospects for a broader peace agreement remain in question. What we do know is that decades of corruption, marginalization, political manipulation, and human rights atrocities led to the most recent iteration of catastrophic violence in South Sudan, and it will take decades for the country to fully recover, but there is at least one action that President Kiir should take today that would have immediate benefits: the release of all political prisoners, journalists, academics, and others who have been detained as a result of peacefully exercising their right to free expression.

One such individual is Peter Biar Ajak. Mr. Ajak was resettled in Philadelphia in January 2001 as a teenage refugee of the Sudanese civil war and one of the 40,000 “Lost Boys” left homeless by that conflict. Remarkably, he went on to earn a master’s degree from Harvard and is now a doctoral candidate at Cambridge. Mr. Ajak has been a courageous and vocal critic of the failed peace process in South Sudan, particularly the role of President Kiir and opposition leader Machar, who, for years, have put amassing wealth and power for themselves far above the welfare and rights of the South Sudanese people. It is this criticism that his supporters believe led to his arrest and imprisonment on July 28 because of his work with the South Sudan National Security Service, NSS.

While the charges against him have not been publicly confirmed, Mr. Ajak
is allegedly being charged with treason and other crimes against the state and has reportedly been denied access to a lawyer. Reports suggest he is one of several dozen detainees being held by the NSS at the infamous Blue House prison in Juba.

Mr. Ajak’s detention is consistent with a pattern of abuses by the NSS, which has been implicated in the arbitrary arrest and detention of journalists, national staff of the United Nations, academics, civil society activists, and young business leaders like Kerbino Wol; the forced disappearance of human rights lawyers and members of the political opposition, such as Dong Samuel Luak and Aggrey Idri, respectively; and other human rights violations and denials of due process. Although President Kiir has previously announced that he would release all political prisoners and his government has committed under a recent deal to release detainees, human rights monitors continue to report that dozens of people remain detained without charge at the Blue House and other detention sites in the capital.

No matter what documents are signed to move the country beyond its civil war, peace and stability will not be achieved if the government continues to repress free speech and arrest, detain, and forcibly disappear journalists, politicians, academics, and members of civil society. If and when the UK government is again called on to support the government of South Sudan and to help rebuild its security services, their actions in this conflict—and their treatment of people like Peter Biar Ajak—will not be forgotten. I urge all Senators to join me in calling for the immediate release of Mr. Ajak and other prisoners of conscience and accountability for the perpetrators of such abuses.

TRIBUTE TO CLARA AYER

Mr. LEAHY. Mr. President, on behalf of all Vermonters, I want to honor Clara Ayer of East Montpelier, VT, who will this month be inducted into the Vermont Agricultural Hall of Fame, in recognition of her status as an emerging leader in the Vermont agriculture community. Clara is a proud 2010 alumna of Cornell University with a degree dairy science who, after graduation, worked for Yankee Homestead Credit. She began working full time at Fairmount Farm, a third-generation dairy farm, alongside her brother Ricky in 2014. Clara is married to Dana Ayer, and the couple has a little boy, Carson. She is a well-respected advocate for agriculture, both in Montpelier and Washington, DC.

In addition to her membership in several dairy-related organizations, Clara also promotes dairy to young people, through a “Life on the Farm” summer camp and educational field trips by the local elementary school, and through the formation of a Dairy 4-H Club. As Clara has provided exceptional service to the Vermont dairy community, further described in her well-deserved nomination to the Vermont Agricultural Hall of Fame, I ask unanimous consent that the citation of her nomination be printed in the RECORD.

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

VERMONT AGRICULTURAL HALL OF FAME 2018

INDUCTEE CLARA AYER

Clara is a third-generation dairy farmer and family farm advocate. She works alongside her family at Fairmount Farm, a third-generation dairy, alongside her brother Carson, as Clara has provided exceptional service to the Vermont dairy community, further described in her well-deserved nomination to the Vermont Agricultural Hall of Fame, I ask unanimous consent that the citation of her nomination be printed in the RECORD.

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

VERMONT AGRICULTURAL HALL OF FAME 2018

INDUCTEE BOB FOSTER

Mr. LEAHY. Mr. President, on behalf of all Vermonters, I want to honor Bob Foster of Middlebury, VT, who this month will be inducted into the Vermont Agricultural Hall of Fame in recognition of her multifaceted leadership in agriculture in the Green Mountain State. Beth, with her husband, Bob, and their family, have for many years run a multigenerational diversified dairy farm in the White River Valley. I have often looked to Beth for her advice and insights into Vermont agriculture. She has been a strong leader on many fronts, including serving on the USDA Farm Service Agency State Committee, as founding member of the Connecticut River Watershed Farmers Alliance, as founding member of the White River Partnership, and especially as a leader in agritourism in Vermont, nationally and internationally.

Beth’s induction into the Vermont Agricultural Hall of Fame is well earned, and I ask unanimous consent that her nomination for this honor be printed in the RECORD.

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

VERMONT AGRICULTURAL HALL OF FAME 2018

INDUCTEE BETH KENNETT

Beth is a dairy farmer and innkeeper who helped forge the path for Vermont’s agritourism industry. For over 30 years, she has helped educate Vermont farmers, government officials, and the public about the economic, social, and educational benefits of agri-tourism. As the former president of Vermont Farms!, she has traveled and spoken both nationally and internationally to promote the success of Vermont farms as they create new opportunities for Vermont farmers. Her tireless outreach and desire to educate has enabled many farms to diversify and realize their economic advantage of agritourism directly with the public. Since 1984, Beth, her husband Bob, and three generations of their family have opened their home for farm stays, providing educational vacations for thousands of domestic and international guests.
TRIBUTE TO DICK SEARS

Mr. LEAHY. Mr. President, it is my honor to recognize a true friend of Vermont, State Senator Dick Sears of Bennington, who has been named by FiscalNote as the sixth most productive State senator in the United States.

Senators Sears, who was first elected in 1992, and as cited by FiscalNote, has sponsored 314 bills and has a 60 percent bill passage success rate. This recognition of Senator Sears’ effectiveness comes as no surprise in Vermont, where he is respected and is a fixture on the nightly news during the legislative session.

In the Vermont Senate Judiciary Committee, where Senator Sears serves as chair, he has acted courageously on issues including civil rights, marriage equality, human trafficking, and adaption. He himself highlights his work on corrections and criminal justice reform, as well as his successful involvement in the 2010 rewrite of sex offender laws, as major accomplishments; yet he also highlights his success in these important area issues to teamwork.

In addition to chairing the judiciary committee, Senator Sears also serves on the appropriations committee, the joint fiscal committee, is vice chair of the joint legislative child protection oversight committee, is vice chair of the joint legislative justice committee, and is a member of the legislative committee on judicial rules and the legislative council committee.

Clearly, Senator Sears is a legislator who deserves recognition, yet doesn’t seek recognition. In honor of Senator Sears’ outstanding accomplishments, I ask that the article by Christie Wisniewski from the July 31 edition of the Bennington Banner, “Sears ranked 6th in productivity for U.S. state senators,” be printed into the RECORD.

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

Bennington Banner, July 31, 2018

SEARS RANKED 6TH IN PRODUCTIVITY FOR U.S. STATE SENATORS
This story by Christie Wisniewski was published by the Bennington Banner on July 31.

BENNINGTON—State Sen. Dick Sears of Bennington is the sixth most productive state senator in the United States, according to an analysis released Monday by a Washington, D.C.-based software startup. Each year, the company issues a list of the top state senators using "unique data analytics software," the company said in a press release. The list ranks all senators and representatives in accordance with their legislative productivity, which is defined as how successful the legislator is at sponsoring and steering bills through each stage of the legislative process.

This research also ranks the quality, endurance and substantiveness of the bills each legislator sponsored and introduced. For example, if a senator has a higher bill score than a colleague, then the senator has sponsored or introduced a higher number of bills and if their bills make it further in the legislative process. A bill that is enacted is weighted more than a bill that dies on the floor. Finally, legislators score higher if their bills are substantive a bill that attempts meaningful change rather than a memorial or commendation.

Sears, a Democrat, was first elected in 1992. Since then, he has sponsored 314 bills and has a 60 percent bill passage success rate. "I'm just flabbergasted," Sears said of the report. "[I'm] really humbled and pleased, quite frankly.

Sears was the only state senator from New England to make the top 10. State Sen. Brian Campion, who is running for re-election and lives in this district, was a team, laved Sears for his dedication to the county.

"Bennington County was once the forgotten kingdom of Vermont, but Dick has helped us rid ourselves of that title," Campion said. "He's incredibly hard working, and I'm lucky to have him as a mentor and district mate.

According to the National Conference of State Legislatures website, there are 7,383 legislators across the United States.

"To be ranked in the top 10 of state senators is an amazing thing," Sears said. "I've worked well with various administrations over the years and sponsored some really tough bills.

Sears has worked successfully with four different Vermont governors and sponsored legislation related to marriage equality, human trafficking, adoption, and other issues. He views his work with reforming state corrections and criminal justice laws—especially with juvenile justice—as "major accomplishment" and also sees his involvement with the 2010 "complete rewrite" of sex offender laws as a success.

However, Sears doesn't want to take all the credit for the bills that have passed under his watch.

"Like anything else, you never do it alone," he said.

Rep. Timothy R. Corcoran II of Bennington also believes Sears' recognition is well-deserved.

"Dick has always lived by his convictions and never backed down when he faced opposition to issues that weren't universally accepted," Corcoran said. "Bennington County has been extremely lucky to have him represent us up in Montpelier."

Corcoran commended Sears' willingness to fight for Bennington County, "whether it's small town issues or huge issues.

Mr. LEAHY. Mr. President, these are incredibly harmful and traumatic times for immigrants and refugees in America. Perhaps there is not greater example of the administration’s policies of this administration than the so-called zero-tolerance policy that led to the cruel and needless separation of thousands of children from their parents.

Separating a child from his or her parents has lasting, harmful, and traumatizing impacts. These separations have been shown to increase anxiety and depression among children that have already experienced significant trauma in their home countries and along their journey to the United States. Best practices in child welfare promote keeping children and their parents safely together, unless removal is in the child’s best interest.

In July 2017, the Department of Justice ended the family separation policy after an incredible outcry from the public and experts in children’s health and well-being, the damage is far from over. The administration is now undergoing a court-supervised process to reunify children with their parents and to provide federal and state funding for those efforts.

Organic Farming Association of Vermont, NOFA–VT since 1987. Over the course of her tenure, thanks to her leadership, Vermont’s organic industry has grown immensely, from just 57 certified farms in 1990, to more than 700, today. Enid has worked tirelessly to help ensure all Vermonters have access to local, organic food. She has championed a bill to implement a national certification program that kept the needs of Vermont’s family farms at the forefront. Over the past three decades, she has nurtured and helped more than 70 staff and 20 interns, secured consistent grant and donor funding, and led NOFA–VT to become a national leader in organic advocacy, food access, and farm to school education.

She has made an indelible mark on both the local, and national, organic movement. Enid grew up in Weybridge, and has lived on a small farmstead in Huntington with her husband, Harry, and children, Lila and Eli, for the past thirty years.

TRIBUTE TO ENID WONNACOTT

Mr. LEAHY. Mr. President, on behalf of all Vermonters, I would like to honor Enid Wonnacott of Huntington, Vermont. In their honor, she was inducted into the Vermont Agricultural Hall of Fame in recognition of her more than 30 years of agricultural leadership in Vermont and the Nation. Enid became the executive director of the Northeast Organic Farming Association of Vermont, NOFA–VT, in 1987, the same year that I became chairman of the U.S. Senate Committee on Agriculture, Nutrition, and Forestry. Enid has been a national leader in advancing the importance of organic agriculture. She has worked tirelessly to provide technical and advocacy support as I worked on the National Organic Standards Act as part of the 1990 farm bill—which has in turn resulted in making organic agriculture a $60 billion annual industry—with Vermont as a leader. Thirty years later, Enid continues to provide advice on organic agriculture and nutrition issues.

Enid Wonnacott’s many accomplishments are presented in detail in her much deserved nomination to the Vermont Agricultural Hall of Fame.

I ask unanimous consent to have the nomination printed in the RECORD.

In addition, there being no objection, the material was ordered to be printed in the RECORD, as follows:

VERMONT AGRICULTURAL HALL OF FAME 2018

INDUCTEE ENID WONNACOTT

Enid has served as the Executive Director of The Northeast Organic Farming Association of Vermont (NOFA–VT) since 1987. Over the course of her tenure, thanks to her leadership, Vermont’s organic industry has grown immensely, from just 57 certified farms in 1990, to more than 700, today. Enid has worked tirelessly to help ensure all Vermonters have access to local, organic food. She has championed a bill to implement a national certification program that kept the needs of Vermont’s family farms at the forefront. Over the past three decades, she has nurtured and helped more than 70 staff and 20 interns, secured consistent grant and donor funding, and led NOFA–VT to become a national leader in organic advocacy, food access, and farm to school education.

She has made an indelible mark on both the local, and national, organic movement. Enid grew up in Weybridge, and has lived on a small farmstead in Huntington with her husband, Harry, and children, Lila and Eli, for the past thirty years.
continue to doggedly press the Departments of Justice, Homeland Security, and Health and Human Services until every child is safely in the custody of a parent, relative, or other guardian and to ensure nothing like this happens again.

Hundreds of children still remain in government custody, scared and unsure if they will ever see their parents again. Children who were separated from their parents or arrive on their own are placed in the custody of the Office of Refugee Resettlement, which falls under the Administration for Children and Families, ACF, within the Department of Health and Human Services. The President has nominated Lynn Johnson of Colorado to fill the role of head of ACF. If confirmed by the Senate, Ms. Johnson has one of the most important jobs in public service, and that is ensuring the safety and well-being of these vulnerable children and working toward their reunification.

I voted against Ms. Johnson’s nomination when it came before the Senate Finance Committee due to the sheer volume of unanswered questions and false or misleading answers from this administration regarding separation policies. Tonight, I had the opportunity to discuss my concerns with Ms. Johnson and secure her commitment to changing the way things are done in the Administration for Children and Families.

Ms. Johnson committed to enacting and enforcing policies that prevent Office of Refugee Resettlement grantees and facilities from engaging in activities that are not consistent with best practices for children including prohibiting solitary confinement for punitive purposes or behavioral modification; prohibiting the distribution of psychotropic medications or sedatives absent the informed, written consent of a parent or guardian except in the case of well-documented emergencies; prohibiting arbitrary restraint policies; prohibiting any security measures that are not necessary for the protection of minors or others, such as denying them access to drinking water or preventing them from making private phone calls; and guaranteeing the maintenance of confidentiality of information disclosed by children to therapists and counselors in the context of a therapeutic/treatment relationship.

In addition, Ms. Johnson committed to ensuring ORR and its supported grantees and facilities allow any separated child to call a parent or legal guardian as frequently as the child wishes—if there are documented safety concerns, calls may be monitored by staff with the child, but otherwise, children must be able to contact a parent or legal guardian as they wish. If the parent/legal guardian is in the custody of the Department of Homeland Security, the child’s facility must establish a process to accept children’s calls and connect them to their parents; and conducting a full review within 90 days of the oversight, staffing, training, medication, and licensing policies for ORR-funded facilities and issue a report to Congress describing the oversight of these facilities and the actions ACF will take to address oversights and program shortcomings. The review must include the extent and adequacy of policies related to post-release services; legal services; and health, including reproductive health, to ensure that they are consistent with constitutional protections. In the event the full review cannot be completed within 90 days, ACF will provide the summary of their work at that point, with a timeline and guarantee that the full report will be soon available.

I am grateful for these commitments and will hold Ms. Johnson to them if she is ultimately confirmed by the full Senate.

REMEMBERING CHRISTOPHER COUSINS

Ms. COLLINS. Mr. President, in 2010, Bangor Daily News journalist Christopher Cousins wrote a touching essay on a fishing trip he had taken with his son to the Maine lake where he and his father had fished throughout his childhood. It was his first trip back since his father’s death 3 years earlier.

That remarkable essay exploring the special bond between father and child and the powerful link between fond memories of the past and hopes for the future took on added poignancy on August 15 when Chris passed away at age 42. At this difficult time, I offer my deepest condolences to his wife, Jen, and his sons, Caleb and Jacob.

As a husband and father, Chris was devoted to his family. As a consummate journalist who worked for several Maine newspapers, he was devoted to the best ideals of his profession. His work covered a wide range of subjects, but he consistently maintained a commitment to the truth and to providing his readers with the information that is the lifeblood of democracy.

Chris joined the Bangor Daily News in 2009, covering local news in southern Penobscot and Somerset Counties with a keen understanding of the issues that concern the people of Maine. In 2010, he covered the Maine Gubernatorial race with extraordinary energy and insight.

In 2013, Chris became State house bureau chief. For me, Chris’s political coverage shone when he covered political losses. Chris was an incredible storyteller, and he was such a great journalist because he got to know the people involved. No assignment was ever too much for him, and his standard response was, “I am not afraid.” That fearlessness resulted in clear stories that his editors loved, heartfelt narratives that his readers could relate to, and more passionate articles from his coworkers.

Chris exemplified what so many aspire to be: respected by their peers, a loving husband and father, and a great friend. We have much to be thankful for in Maine because of Chris’s dedication and service to the State and our Nation, and he will be deeply missed by so many.

TRIBUTE TO STEVEN HILDRETH

Mr. VAN HOLLEN. Mr. President, I wish to speak in order to honor the achievements of Steven A. Hildreth, Specialist in Missile Defense, Congressional Research Service, CRS, on the
Capt. Miguel “Mike” E. Cosio has distinguished himself through his professional character and dedication by serving this Nation in uniform. A leader and expert communicator, he has provided distinguished service to our country while assigned to the National Capitol Region.

As an Air legislative liaison in the National Guard Bureau Office of Legislative Liaison from May 2016 to August 2018, Captain Cosio performed his duties well and without reservation. His expert professional advice, tactics, and guidance contributed to the completion of numerous high-level tasks and engagements between Congress and the National Guard. During this assignment, Captain Cosio conducted more than 50 congressional engagements to provide Members insight into the worsening trend of substance misuse and the critical role of the National Guard’s counterdrug program in effectively combating this epidemic. He also advocated on behalf of open-source analysis.

Steve’s expertise was also recognized by the Department of Defense and Aegis programs. He also assisted the House Armed Services Committee, after the first U.S.-led air assault of the effectiveness of the Patriot system in taking down Iraqi scud missiles. In that capacity, he assisted Congress in 8 hours of testimony, leading a group of CRS researchers in providing open source analysis of the international aftermath of the September 11, 2001, terrorist attacks before the 9/11 Commission. Halfway through, the staff director for the Commission told Steve, “I never believed in open source analysis until today.”

Steve also exercised true leadership at CRS. For 9 years, he led the Central Research Unit in the Foreign Affairs, Defense, and Trade Division of CRS, where he created and managed an extensive internship program and oversaw many of the research experts of the Service.

Steve published many influential CRS reports on such subjects as challenges to the United States in space, Iran’s ballistic missile and space launch programs, long-range ballistic missile defense in Europe, ballistic missile defense in the Asia-Pacific region, ballistic missile defense, and offensive arms reductions, cyber warfare, and the Strategic Defense Initiative. Long before I thought of running for office, I worked on national security issues for the Senate Foreign Relations Committee. In that capacity, I always found Steve’s expertise valuable. As a Senator, I have continued to utilize Steve’s analysis and insights. I am grateful for his service and wish him the best as he begins a new journey.

TRIBUTE TO CAPTAIN MIGUEL COSIO

Mrs. SHAHEEN. Mr. President, today I wish to honor a great American and steadfast Air National guardman.
visit stores in their local community in order to ensure that their holiday shopping made an impact close to home.

In her role as CEO, Grace has brought innovative thinking, new programs, and the ability to create partnerships with local governments and stakeholders, turning the Macomb Chamber into a catalyst for economic development, and allowing it to provide member organizations with a number of economic development initiatives, networking events, and professional development seminars. All of these achievements have earned the Macomb Chamber the respect of its peers, not just in the region, but around Michigan. Grace’s hard work and efforts have culminated in the Macomb Chamber being recognized twice with the Outstanding Chamber of the Year Award from the Michigan Association of Chamber Professionals. Grace has also been previously named the Michigan Chamber Professional of the Year by the Michigan Association of Chamber Professionals.

The Macomb Chamber has two branch organizations that work side-by-side with it: the Macomb Foundation and Macomb Advocacy for Business. The Macomb Foundation hosts events such as the annual Macomb Hall of Fame and the Athena Award with the aim of expanding the role Macomb County plays in Michigan’s economy and to support the many community and business groups throughout Macomb County. Macomb Advocacy’s mission is to educate member organizations and the public on policy and political issues, as well as candidates, to make Macomb a better place for businesses and residents alike.

In the 40 years that Grace has been with the Chamber of Commerce, Macomb has diversified from its manufacturing heritage and grown into a high-tech corridor. While it still stays true to its industrial roots, it now has many technology companies, No matter what the day, I would like to congratulate Grace on reaching the momentous milestone of 40 years with the Macomb Chamber of Commerce and on being inducted into the Macomb Hall of Fame. I ask my colleagues to join me today in honoring Ms. Grace Shore for her lifetime of contributions to Macomb County and the economic development of the surrounding region.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) reported that on today, August 22, 2018, he has signed the following enrolled bill, which was previously signed by the Speaker pro tempore (Mrs. CROSTO):

S. 717. An act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary:

Report to accompany S. 994, A bill to amend title 18, United States Code, to provide relief in certain cases of conspiracy involving religious affiliation, and for other purposes (Rept. No. 115-325).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations:

*Donald R. Tapia, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica. Nominee: Donald Ray Tapia.

Post: Ambassador to Jamaica.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. The information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:


2. Spouse: none.


4. Parents: Magdalena Altaraes: Michael Peter Hammer, deceased.

5. Grandparents: Alberto and Magdalena Altaraes, deceased; Edward Hammer, deceased; Lili Steinlauf, deceased.

6. Brothers and Sisters: N.A.

7. Sisters and Brothers: N/A.

*Dereck J. Hogan, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Moldova.

Nominee: Dereck J. Hogan.

Post: Moldova.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:


2. Spouse: none.


4. Parents: Father, Eric Hogan: $0; Mother, Michaeline Hogan: deceased.

5. Grandparents: Vernon Jackson: $0; other grandparents, deceased.


7. Sisters and Brothers: Tahra Tibbs: $0.

*Philip S. Kosnett, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

Nominees: Philip Scott Kosnett.

Post: Democratic Republic of Congo.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $0.

2. Spouse: $0.


4. Parents: Paul Kosnett, deceased; Constance Geraldine Snapp—deceased.

5. Brothers and Sisters: N/A.

6. Spouses of Children: N/A.

*Michael A. Hammer, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

Nominees: Michael A. Hammer.

Post: Democratic Republic of Congo.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:


2. Spouse: none.


4. Parents: Magdalena Altaraes: Michael Peter Hammer, deceased.

5. Grandparents: Alberto and Magdalena Altaraes, deceased; Edward Hammer, deceased; Lili Steinlauf, deceased.

6. Brothers and Sisters: N/A.

7. Sisters and Brothers: N/A.

*Hatch) reported that on today, August 22, 2018, he has signed the following enrolled bill, which was previously signed by the Speaker pro tempore (Mrs. CROSTO):

S. 717. An act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.
INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred (or acted upon), as indicated:

By Mr. BROWN (for himself and Mr. VAN HOLLEN):
S. 3362. A bill to provide grants to communities assisted by evidence-based quality improvement to protect the health of mothers during pregnancy, child birth, and in the postpartum period to reduce neonatal and infant mortality, to eliminate racial disparities in maternal health outcomes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HARRIS (for herself, Mrs. GILLIBRAND, Mr. CARDIN, Mr. WYDEN, Mr. BLUMENTHAL, Mr. NELSON, Mr. JONES, Mr. MARKEY, Mr. GRASSLEY, Ms. HARRIS, Ms. HIRONO, Mr. MENENDEZ, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mrs. MURRAY, Mr. JONES, Mr. NELSON, Mr. SANDERS, Mr. MARKEY, Mr. GRASSLEY, Ms. WARNER, Ms. SMITH, Mr. BENNET, Mr. DONNELLY, Ms. HASSAN, Ms. BALDWIN, Ms. CORTEZ MASTO, Mr. DURBIN, Mr. BOOHER, Ms. HERTZKAMP, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. MERKLEY, Mrs. STEFANOW, Mr. SCOTT, Mr. Kaine, Mr. MANCHIN, Mr. ALEXANDER, Mr. Reid, and Mr. CORRINE):
S. 3365. A resolution honoring the life and legacy of Coya Knutson; to the Committee on Foreign Relations.

By Ms. SMITH (for herself and Ms. KLOBUCHAR):
S. Res. 61. A resolution requesting a report on the observance of and respect for human rights and fundamental freedom in Saudi Arabia; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. STEFANOW:
S. Res. 612. A resolution designating September 2018 as ‘‘National Child Awareness Month’’ to promote awareness of charities that benefit children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; to the Committee on Foreign Relations.

By Mr. MERKLEY (for himself, Ms. WARREN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. SANDERS, and Mr. LARKY):
S. Res. 663. A resolution requesting a report on the observance of and respect for human rights and fundamental freedom in Saudi Arabia; to the Committee on Foreign Relations.

By Ms. SMITH (for herself and Ms. KLOBUCHAR):
S. Res. 614. A resolution honoring the life and legacy of Coya Knutson; to the Committee on the Judiciary.

By Mr. PETERS (for himself, Ms. STA-BENOW, Mr. BROWN, Mr. CARPER, Mr. COONS, Ms. HARRIS, Ms. HIRONO, Mr. MENENDEZ, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Ms. MURRAY, Mr. JONES, Mr. NELSON, Mr. SANDERS, Mr. MARKEY, Mr. GRASSLEY, Ms. WARNER, Ms. SMITH, Mr. BENNET, Mr. DONNELLY, Ms. HASSAN, Ms. BALDWIN, Ms. CORTEZ MASTO, Mr. DURBIN, Mr. BOOHER, Ms. HERTZKAMP, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. MERKLEY, Mrs. STEFANOW, Mr. SCOTT, Mr. Kaine, Mr. MANCHIN, Mr. ALEXANDER, Mr. Reid, and Mr. CORRINE):
S. Res. 615. A resolution honoring the life and legacy of Aretha Franklin and the contributions of Aretha Franklin to music, civil rights, and the City of Detroit; considered and agreed to.

ADDITIONAL COSPONSORS

At the request of Mr. HATCH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 266, a bill to award the Congressional...
Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Ms. SHAHEEN) was added as a cosponsor of S. 2990, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act to further the conservation of prohibited wildlife species.

At the request of Mr. BLUNT, the name of the Senator from Utah (Mr. Lee) was added as a cosponsor of S. 2221, a bill to repeal the multi-State plan program.

At the request of Mr. HATCH, the names of the Senator from Maine (Ms. COLLINS), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

At the request of Mr. LEAHY, the names of the Senator from Nebraska (Mrs. CAPITO) and the Senator from West Virginia (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3359, a bill to posthumously award a Congressional Gold Medal to Aretah Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States.

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. PETERS) was added as a cosponsor of S. 2990, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act to further the conservation of prohibited wildlife species.

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STabenow) was added as a cosponsor of S. 3140, a bill to amend the Packers and Stockyards Act, 1921, to provide for the establishment of a trust for the benefit of all unpaid cash sellers of livestock, and for other purposes.

At the request of Mr. SCHATZ, the name of the Senator from Hawaii (Ms. STABENOW) was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend certain morale, welfare, and recreation privileges to certain veterans and their caregivers, and for other purposes.

At the request of Mr. CRAPPO, the name of the Senator from Idaho (Mr. UDALL) was added as a cosponsor of S. 974, a bill to promote modernization of prohibited wildlife species.

At the request of Mr. MURKOWSKI, the name of the Senator from Alaska (Mr. JONES) was added as a cosponsor of amendment No. 3691 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

At the request of Mr. MOORE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of amendment No. 3702 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

At the request of Mr. CHAMBLISS, the name of the Senator from Alabama (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 3704 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.
AMENDMENT NO. 3843
At the request of Mr. Merkley, the name of the Senator from Michigan (Ms. Stabenow) was added as a cosponsor of amendment No. 3843 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3871
At the request of Mr. Isakson, the name of the Senator from Georgia (Mr. Perdue) was added as a cosponsor of amendment No. 3871 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3857
At the request of Mr. Peters, the names of the Senator from New York (Mrs. Gillibrand), the Senator from Rhode Island (Mr. Reed), the Senator from New Hampshire (Ms. Hassan) and the Senator from New Hampshire (Mrs. Shaheen) were added as cosponsors of amendment No. 3857 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3862
At the request of Mr. Nelson, the name of the Senator from New Hampshire (Mrs. Shaheen) was added as a cosponsor of amendment No. 3862 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3793
At the request of Mr. Durbin, the name of the Senator from Hawaii (Ms. Hirono) was added as a cosponsor of amendment No. 3793 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3864
At the request of Mr. Peters, the names of the Senator from New York (Mrs. Gillibrand), the Senator from Rhode Island (Mr. Reed), the Senator from New Hampshire (Ms. Hassan) and the Senator from New Hampshire (Mrs. Shaheen) were added as cosponsors of amendment No. 3864 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3869
At the request of Mr. Casey, the names of the Senator from New Hampshire (Ms. Hassan) and the Senator from Oregon (Mr. Wyden) were added as cosponsors of amendment No. 3869 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3871
At the request of Mr. Donnelly, the name of the Senator from Michigan (Mr. Peters) was added as a cosponsor of amendment No. 3871 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3878
At the request of Mr. Cornyn, the name of the Senator from Utah (Mr. Hatch) was added as a cosponsor of amendment No. 3878 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3887
At the request of Ms. Cortez Masto, the name of the Senator from Nevada (Mr. Heller) was added as a cosponsor of amendment No. 3887 intended to be proposed to H.R. 6157, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.
Mr. WYDEN, Mr. SANDERS, and Mr. LEAHY submitted the following resolution, which was referred to the Committee on Foreign Relations:

SENATE RESOLUTION 613—REQUESTING A REPORT ON THE OBSERVANCE OF AND RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOM IN SAUDI ARABIA

WHEREAS, in July 2018, the Government of Saudi Arabia detained prominent women's rights activists Samar Badawi and Nassima al-Sada;

WHEREAS the United States Department of State presented Ms. Badawi with the 2012 International Women of Courage Award in recognition of her efforts with regard to the discriminatory male guardianship system in Saudi Arabia;

WHEREAS the Department of State has declined to express solidarity with the Government of Canada, which reacted appropriately to news of Ms. Badawi and Ms. al-Sada in expressing that it was "grave and concerned about additional arrests of civil society and women's rights activists, and calling authorities to immediately release them and all other peaceful human rights activists";

WHEREAS the Government of Saudi Arabia reacted disproportionately to criticism by the Government of Canada by taking extreme retaliatory measures, including:

1. expelling the Ambassador of Canada,
2. recalling the Ambassador of Saudi Arabia to Canada; and
3. detaining, arresting, and detaining a collective of women's rights activists, with many more also barred from traveling abroad.

WHEREAS, the arrest of Ms. Badawi and Ms. al-Sada, as well as the ongoing detention of countless others such as blogger Raif Badawi and human rights lawyer Waleed Abu al-Khair, are indicative of a pattern of human rights violations committed by the Government of Saudi Arabia, which are documented in more than 50 pages of the 2017 Human Rights Report of the Department of State;

WHEREAS, among the human rights violations by the Government of Saudi Arabia documented in this report are unlawful killings, torture, arbitrary arrest and detention, restrictions on freedom of expression, violence and official gender discrimination against women, and criminalization of same-sex sexual activity;

WHEREAS the office of the United Nations High Commissioner for Refugees assesses that airstrikes carried out by Saudi Arabia and the United Arab Emirates in Yemen accounted for 80 percent of all civilian casualties from December 2017 to May 2018 in the five governates of Yemen most affected by fighting; and

WHEREAS section 522(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(a)(2)) states that "no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights": Now, therefore, be it

RESOLVED, That—

1. it is the sense of the Senate that—
   A) the Congress publicly support to Canada by calling upon the Government of Saudi Arabia to release Samar Badawi, Nassima al-Sada, Raif Badawi, Waleed Abu al-Khair, and all other peaceful human rights activists, journalists, and religious minorities held in detention by that Government on dubious charges; and
   B) the arrest of women's rights activists and their supporters since May 2018 is contrary to the stated goals of the Government of Saudi Arabia; and
2. the Senate requests, pursuant to section 522(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(c)(1)), that the Secretary of State submit to Congress a statement, as required by that section, setting forth all the available information about observance of and respect for human rights and fundamental freedom in Saudi Arabia.

Mr. LEAHY, Mr. President, an unrelenting governor crackdown on the women’s rights movement is taking place in Saudi Arabia. This is the subject of a Senate resolution, of which I am an original cosponsor, introduced today by Senator MERKLEY.

It is widely known that Saudi Arabia has a long history of subjugating and discriminating against women and girls. Today, despite talk of reform, Saudi authorities continue to arbitrarily arrest and detain women’s rights activists and dissidents. Including Samar Badawi, recipient of the 2012 International Women of Courage Award; Nassima al-Sadah, an Eastern Province activist, and Nouf Abdelaziz, an activist and writer, among others.

The latest iteration of Crown, which began in May, has resulted in the arrest of more than a dozen women’s rights activists, with many more also barred from traveling abroad.

Many people erroneously equate the recent lashing of a man on female drivers in Saudi Arabia as indicative of increased government support for women’s rights in the country. To the contrary, the government has arrested some of the same women’s activists who campaigned for the right to drive only a short time ago.

We and others often deplore the arbitrary arrests, denial of fundamental rights and liberties, and execution of prisoners in Iran, insisting that that would be protected speech under international law; yet, we see similar abuses in Saudi Arabia and the systemic prosecution of women by Saudi authorities without a commensurate level of international scrutiny.

Arbitrary arrests of peaceful activists, regardless of cause or country, is not acceptable. Freedom of speech and peaceful dissent are critical underpinnings of human rights activism around the globe and must be consistently defended. Women’s rights are human rights.

I urge all Senators to stand up against attacks of fundamental rights and liberties, in all countries and for all people, including those fighting for the rights of women in Saudi Arabia.

SENATE RESOLUTION 614—HONORING THE LIFE AND LEGACY OF COYA KNUTSON

Ms. SMITH (for herself and Ms. Kloebner) submitted the following resolution, which was referred to the Committee on the Judiciary:

WHEREAS Cornelia Genevieve Gjesdal “Coya” Knutson was born on August 22, 1912, in Edmore, North Dakota;

WHEREAS Coya Gjesdal graduated from Concordia College in Moorhead, Minnesota, with majors in English and Music and a minor in Education;

WHEREAS Coya Gjesdal married Andy Knutson in 1940 and later adopted a son;

WHEREAS Coya Knutson was involved in her community, working on volunteering, establishing a medical clinic, and serving on the Red Lake County Welfare Board;

WHEREAS Coya Knutson was elected to the House of Representatives of Minnesota in 1956;

WHEREAS State Representative Knutson supported health and education initiatives and sponsored the first clean air bill in Minnesota, which prohibited smoking in some public places;

WHEREAS, in 1954, Coya Knutson won a seat in the House of Representatives of the United States, despite having lost the nomination of her party to a man;

WHEREAS Coya Knutson became the first woman to be appointed to the Committee on Agriculture of the House of Representatives;

WHEREAS Congresswoman Knutson sponsored legislation that eventually led to expanded school lunch assistance, the first Federal student loan program, and the first appropriations for research on cystic fibrosis;

WHEREAS Congresswoman Knutson’s husband did not support her career and reportedly wrote a public letter in 1958 ordering her to return to Minnesota to “make a home for a son and husband”;

WHEREAS the story of the letter was taken up by the national press, with newspapers
across the United States running the head-
line “Coya, Come Home”:  
Whereas Coya Knutson lost reelection in 1988 to a man whose campaign slogan was “A Big Man-Sized Job”;
Whereas Coya Knutson eventually divorced her husband, moved permanently to Wash-
ington, D.C., and was appointed by President Kennedy to be the liaison officer in the Of-
cive of Civil Defense at the Department of Defense, where she served until 1970;
Whereas Coya Knutson retired from poli-
tics and moved back to Minnesota to live
with her son and his family until her death in 1996 at 82 years of age; and
Whereas Coya Knutson was a trailblazer and an inspiration who was devoted to her
community, State, and country: Now, there-
fore, be it
Resolved That the Senate honors the life and
genesis of Coya Knutson, whose dedica-
tion to overcoming exceptional odds and de-
votion to the well-being of the United States
shall serve as an inspiration for generations
of individuals in the United States.

SENATE RESOLUTION 615—HON-
ORING THE LIFE AND LEGACY
OF ARETHA FRANKLIN AND THE
CONTRIBUTIONS OF ARETHA
FRANKLIN TO MUSIC, ARTS,
CIVIL RIGHTS, AND THE CITY OF
DETROIT

Mr. PETERS (for himself, Ms. STAB-
new, Mr. BROWN, Mr. CARPER, Mr.
COONS, Ms. HARRIS, Ms. HIRONO, Mr.
MENENDEZ, Mr. VAN HOLLEN, Mr.
WITTCHER, Mr. MURRAY, Mr. JONES,
Mr. NELSON, Mr. SANDERS, Mr. MAR-
KEY, Mr. GHASSELY, Ms. WARREN, Ms.
SMITH, Mr. BENNET, Mr. DONNELLY, Ms.
HASSAN, Ms. BALDWIN, Ms. CORTEZ
MASTO, Mr. DURBIN, Mr. BOOKER, Ms.
HEITKAMP, Ms. KLOBUCHAR, Mrs. GILLI-
BRAND, Mr. MERKLEY, Mrs. FEINSTEIN,
Mr. SCOTT, Mr. KAIN, Mr. MANCHIN,
Mr. ALEXANDER, Mr. REED, and Mr.
CORKER) submitted the following reso-
lution: which was considered and
agreed to:
S. RES. 615

Whereas Aretha Franklin was born on
March 25, 1942, in Memphis, Tennessee;
Whereas Aretha Franklin moved to Det-
roit, Michigan, in 1946, at the age of 4;
Whereas Aretha Franklin began a career
singing gospel at the New Bethel Baptist
Church in Detroit, Michigan;
Whereas Aretha Franklin traveled with Dr.
Martin Luther King, Jr., across the country
as Dr. Martin Luther King, Jr., preached
nonviolence in the movement for civil
rights;
Whereas Aretha Franklin was an active
supporter of the civil rights movement and
her signature song became an anthem for
the civil rights movement and the women’s
movement;
Whereas Aretha Franklin is most known
for her powerful songs such as “Respect”,
“You Make Me Feel Like) A Natural
Woman”, “Spanish Harlem”, and “Think”;
Whereas Aretha Franklin was known as
the “Queen of Soul” and on January 3, 1987,
became the first woman inducted into the
Rock and Roll Hall of Fame;
Whereas Aretha Franklin has won 18 Gram-
my Awards and sold over 75,000,000
records worldwide;
Whereas Aretha Franklin was inducted
into the Michigan Women’s Hall of Fame in
2001, the Dorothy’s Gospel Music Hall of
Fame in 2005, and the Gospel Music Associa-
tion’s Gospel Music Hall of Fame in 2012;
Whereas in June 2017 the City of Detroit
honored Aretha Franklin with a key to the
City and renamed a segment of Madison Ave-
ue in downtown Detroit “Aretha Franklin
Way”;
Whereas Aretha Franklin was awarded the
Presidential Medal of Freedom on November 9,
2005;
Whereas Aretha Franklin received hon-
orary degrees for her contributions to the
arts from Harvard University, Princeton
University, Yale University, Brown Univer-
sity, Berklee College of Music “the New En-
land Conservatory of Music, University of
Michigan, Wayne State University, and Be-
thune-Cookman College;
Whereas Franklin inspired a genera-
tion of artists and enthralled the world
with powerful music; and
Whereas Aretha Franklin passed away on
August 16, 2018, at her home in Bloomfield Hills, Michigan: Now, there-
fore, be it
Resolved, That the Senate celebrates the
life and legacy of Aretha Franklin and the
iconic contributions of Aretha Franklin to
music, arts, and civil rights.

AMENDMENTS SUBMITTED AND
PROPOSED

SA 3928. Mr. WARNER (for himself and Mr.
FLAKE) submitted an amendment intended
to be proposed to amendment SA 3936 pro-
posed by Mr. SHELY to the bill H.R. 6157, mak-
ing appropriations for the Department of De-
fense for the fiscal year ending September 30,
2019, and for other purposes; which was or-
dered to lie on the table.

SA 3929. Mr. MERKLEY submitted an
amendment intended to be proposed to
amendment SA 3936 proposed by Mr. SHELY
in the bill H.R. 6157, supra; which was or-
dered to lie on the table.

SA 3930. Mr. BLUMENTHAL (for himself
and Mr. WARREN) submitted an amendment
intended to be proposed to amendment SA
3966 proposed by Mr. SHELY to the bill H.R.
6157, supra; which was ordered to lie on the
table.

SA 3931. Mr. BLUMENTHAL (for himself,
Mr. MARKEY, Mr. UDALL, Mr. SCHATZ, Mr.
BOOKER, and Mr. BROWN) submitted an
amendment intended to be proposed to amend-
ment SA 3996 proposed by Mr. SHELY to the
bill H.R. 6157, supra; which was ordered to lie on the
table.

SA 3932. Mr. BLUMENTHAL (for himself,
Mr. MARKEY, Mr. BOOKER, and Ms. WARREN)
submitted a motion to take up a motion to pro-
ceed; and ordered to lie on the table.

SA 3933. Ms. HEITKAMP (for herself, Mr.
MURKOWSKI, and Mr. UDALL) submitted an
amendment intended to be proposed to amend-
ment SA 3966 proposed by Mr. SHELY in the
bill H.R. 6157, supra; which was ordered to lie on the

table.

SA 3934. Mr. TOOMEY submitted an
amendment intended to be proposed to
amendment SA 3966 proposed by Mr. SHELY
in the bill H.R. 6157, supra; which was or-
dered to lie on the table.

SA 3935. Mr. TOOMEY submitted an
amendment intended to be proposed to
amendment SA 3996 proposed by Mr. SHELY
in the bill H.R. 6157, supra; which was or-
dered to lie on the table.

SA 3936. Mr. TOOMEY submitted an
amendment intended to be proposed to
amendment SA 3996 proposed by Mr. SHELY
in the bill H.R. 6157, supra; which was or-
dered to lie on the table.

SA 3937. Mr. KENNEDY submitted an
amendment intended to be proposed to
amendment SA 3966 proposed by Mr. SHELY in
the bill H.R. 6157, supra; which was or-
dered to lie on the table.
SA 3965. MR. DURBIN (for himself, Mr. CARPER, Mr. BOOKER, Mr. MENENDEZ, Ms. HARKIN, Mr. RONAYNE, Mr. REID, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3966. MR. CRUZ submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3967. MR. PAUL (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3968. MR. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3969. MR. RUBIO submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3970. MR. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3971. MR. UDEN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3972. MR. PETERS (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3973. MR. SCHUMER submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3974. MR. CRUZ submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3975. MR. DURBIN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3976. MS. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3977. MS. GILLIBRAND (for herself, Mr. MURKOWSKI, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3978. MR. PERDUE submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3979. MS. GILLIBRAND (for himself and Mr. BLUMENTHAL, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3980. MR. CASSIDY submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3981. MR. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3982. MR. BOOKER (for himself, Mr. LEER, Mr. RUBIO, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3983. MS. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3984. MS. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3985. MS. CARPER submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3986. MS. GILLIBRAND (for herself, Mr. RONAYNE, Mr. MANCHESTER, MS. CAPITO, MR. BENNET, MS. WARREN, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3987. MR. COONS submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3988. MR. SCHUMER submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3989. MR. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3990. MR. SCOTT (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3991. MR. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3992. MR. CASSIDY submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3993. MR. LEAHY submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. McCONNELL (for Mr. SCHUMER) to the amendement SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3994. MR. MARKLEY (for himself and Mr. HATCH) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3995. MR. CRUZ submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3996. MR. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3997. MR. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3998. MR. RUBIO submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 3999. MR. WARREN submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 4000. MR. HATCH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, supra; which was ordered to lie on the table.

SA 4001. MR. McCONNELL (for Mr. SULLIVAN (for himself and Mr. MASCOTTY)) proposed an amendment to the bill "to establish the American Fisheries Advisory Committee to assist in the awarding of fishery research and development grants, and for other purposes."
SA 3928. Mr. WARNER (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table;

TEXT OF AMENDMENTS

SA 3928. Mr. WARNER (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table;

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the amounts appropriated or otherwise made available by this division may be used to grant, deny, or revoke access, or eligibility for access, to classified information except in compliance with the Constitution of the United States and in accordance with the processes and procedures under—

(1) Executive Orders 12968 and 13467, as such Executive Orders were in effect on August 15, 2018;

(2) part 147 of title 32, Code of Federal Regulations, as such part was in effect on August 15, 2018; and

(3) applicable department and agency regulations that govern access to classified information and due process requirements.

SA 3929. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ___. None of the amounts appropriated or otherwise made available by this Act, or by any other Act, may be obligated or expended to construct or operate any Family Residential Center or other family detention center or facility for immigrants.

SA 3929. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X of division A, insert the following:

SEC. ___. From amounts appropriated under this title, under the heading “Mental and Child Health”, up to $1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

SA 3930. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heating facilities for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.

SA 3930. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. From amounts appropriated under this title, under the heading “Mental and Child Health”, up to $1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

SA 3930. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. From amounts appropriated under this title, under the heading “Mental and Child Health”, up to $1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

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At the appropriate place in title VIII of division A, insert the following:

SEC. ___. From amounts appropriated under this title, under the heading “Mental and Child Health”, up to $1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

SA 3930. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. From amounts appropriated under this title, under the heading “Mental and Child Health”, up to $1,000,000 shall be used for awarding grants for the purchase and implementation of telehealth services, including pilots and demonstrations for the use of electronic health records or other necessary technology and equipment (including ultra sound machines or other technology and equipment that is useful for caring for pregnant women) to coordinate obstetric care between pregnant women living in rural areas and obstetric care providers.

SA 3930. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heating facilities for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.

SA 3930. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heating facilities for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.

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At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heating facilities for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.

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At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heating facilities for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.

SA 3930. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. ___. None of the funds appropriated or otherwise made available by this division may be used for the planning, design, or construction of electric or heating facilities for obtaining electric or heating services, for medical facilities at military installations in Germany if the fuel used for such generation is only natural gas.
At the end, add the following:

**DIVISION C—DEFENDING AMERICAN SECURITY FROM KREMLIN AGGRESSION**

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) Short Title.—This division may be cited as the "Defending American Security from Kremlin Aggression Act of 2018".

(b) Table of Contents.—The table of contents for this division is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Sense of Congress.
Sec. 3. Statement of policy on Crimea.

**TITLE I—MATTERS RELATING TO NORTH ATLANTIC TREATY ORGANIZATION**

Subtitle A—Public Diplomacy Modernization

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Statement of policy.
Sec. 304. Report on use of chemical weapons by the Russian Federation.
Sec. 305. Authorization of appropriations.
Sec. 306. Chemical Weapons Convention defined.

**TITLE II—MATTERS RELATING TO THE DEPARTMENT OF STATE**

Subtitle A—Public Diplomacy Modernization

Sec. 201. Avoiding duplication of programs and efforts.
Sec. 202. Improving research and evaluation of public diplomacy.
Subtitle B—Other Matters

Sec. 211. Department of State responsibilities with respect to cyberspace policy.
Sec. 212. Sense of Congress.

**TITLE III—CHEMICAL WEAPONS NONPROLIFERATION**

Sec. 301. Short title.
Sec. 302. Findings.
Sec. 303. Statement of policy.
Sec. 304. Report on use of chemical weapons by the Russian Federation.
Sec. 305. Authorization of appropriations.
Sec. 306. Chemical Weapons Convention defined.

**TITLE IV—INTERNATIONAL CYBERCRIME PREVENTION ACT**

Sec. 401. Short title.
Sec. 402. Predicate offenses.
Sec. 403. Forfeiture.
Sec. 404. Shutting down botnets.
Sec. 405. Aggravated damage to a critical infrastructure computer.
Sec. 406. Stopping trafficking in botnets; forfeiture.

**TITLE V—COMBATING ELECTION INTERFERENCE**

Sec. 501. Prohibition on interference with voting systems.
Sec. 502. Inadmissibility of aliens seeking to interfere in United States elections.

**TITLE VI—SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION**

Subtitle A—Expansion of Countering America’s Adversaries Through Sanctions Act

Sec. 601. Inclusion of additional sanctions with respect to the Russian Federation.
Sec. 602. Congressional review and continued applicability of sanctions under the Sergei Magnitsky Rule of Law Accountability Act of 2012.

Subtitle B—Coordination With the European Union

Sec. 611. Sense of Congress on coordination with allies with respect to sanctions with respect to the Russian Federation as a state sponsor of terrorism.
Sec. 612. Office of Sanctions Coordination of the Department of State.
Sec. 613. Rule of law and peaceful settlement of disputes.

Subtitle C—Reports Relating to Sanctions With Respect to the Russian Federation

Sec. 621. Definitions.
Sec. 622. Update on report on oligarchs and parastatal entities of the Russian Federation.

**TITLE VII—OTHER MATTERS RELATING TO THE RUSSIAN FEDERATION**

Sec. 701. Determination on designation of the Russian Federation as a state sponsor of terrorism.
Sec. 703. Extension of limitations on importation of uranium from Russian Federation.
Sec. 704. Establishment of a National Fusion Center to respond to threats from the Government of the Russian Federation.
Sec. 705. Countering Russian Influence Fund.
Sec. 706. Coordinating aid and assistance across Europe and Eurasia.
Sec. 707. Addressing abuse and misuse by the Russian Federation of social media, telecommunications and Internet tools.
Sec. 708. Report on accountability for war crimes and crimes against humanity in the Russian Federation.
Sec. 710. Sense of Congress on responsibility of technology companies for state-sponsored disinformation.

**SEC. 2. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the President should immediately recognize the illegal annexation of Crimea by the Russian Federation, similar to the 1940 Welles Declaration in which the United States refused to recognize the Soviet annexation of the Baltic States;
(2) Crimea is part of the sovereign territory of Ukraine;
(3) Crimea is part of Ukraine and the United States rejects attempts to change the status, demographics, or political nature of Crimea;
(4) the United States reaffirms its unwavering support for democracy, human rights, and the rule of law for all individuals in Crimea, including non-Russian ethnic groups and religious minorities;
(5) the United States condemns all human rights violations against individuals in Crimea, and underscores the culpability of the Government of the Russian Federation for such violations while the territory of Crimea is under illegal Russian occupation;
(6) the United States, in coordination with the European Union, the North Atlantic Treaty Organization, and members of the international community, should prioritize efforts to prevent the further consolidation of illegal occupiers in Crimea; reaffirm unified opposition to the actions of the Russian Federation in Crimea, and secure the human rights of individuals there; and
(7) the President should publicly call for the Government of the Russian Federation to return Crimea to the control of the Government of Ukraine, end its support for separatist violence in eastern Ukraine, end its occupation of and support for separatists on the territory of the Russian Federation, and cease enabling the brutal regime of Bashar al-Assad in Syria to commit war crimes;
(8) the President should unequivocally condemn and counter further interference in United States institutions and democratic processes by the President of the Russian Federation, Vladimir Putin, his government, and affiliates of his government;
(9) the conclusion of the United States intelligence community and law enforcement agencies and other United States Government officials that the Russian Federation has perpetrated, and continues to perpetrate, such interference, is correct;
(10) the United States should continue to participate actively as a member of the North Atlantic Treaty Organization by—
(A) upholding the Organization’s core principles of collective defense, democratic rule of law, and peaceful settlement of disputes;
(B) boosting coordination and deterrence capacity among member countries; and
(C) supporting accession processes of pro-Ukrainian member countries who meet the obligations of membership.

(6) Congress reiterates its strong support for the Russia Sanctions Review Act of 2017 (Pub. L. No. 115–154; 131 Stat. 1180), as interpreted by the Senate Foreign Relations Committee with respect to the application of sanctions under the provisions of the Countering America’s Adversaries Through Sanctions Act of 2017 (Pub. L. No. 115–154; 131 Stat. 1180) relating to the Russian Federation or a licensing action that significantly alters United States foreign policy with regard to the Russian Federation; and
(7) sanctions imposed with respect to the Russian Federation have been most effective when developed and coordinated in close consultation with the European Union.

**SEC. 3. STATEMENT OF POLICY ON CRIMEA.**

It is the policy of the United States that—

(1) the United States will never recognize the illegal annexation of Crimea by the Russian Federation, similar to the 1940 Welles Declaration in which the United States refused to recognize the Soviet annexation of the Baltic States;
(2) Crimea is part of the sovereign territory of Ukraine;
(3) Crimea is part of Ukraine and the United States rejects attempts to change the status, demographics, or political nature of Crimea;
(4) the United States reaffirms its unwavering support for democracy, human rights, and the rule of law for all individuals in Crimea, including non-Russian ethnic groups and religious minorities; and
(5) the United States condemns all human rights violations against individuals in Crimea, and underscores the culpability of the Government of the Russian Federation for such violations while the territory of Crimea is under illegal Russian occupation;
(6) the United States, in coordination with the European Union, the North Atlantic Treaty Organization, and members of the international community, should prioritize efforts to prevent the further consolidation of illegal occupiers in Crimea; reaffirm unified opposition to the actions of the Russian Federation in Crimea, and secure the human rights of individuals there; and
(7) the President should publicly call for the Government of the Russian Federation to return Crimea to the control of the Government of Ukraine, end its support for separatist violence in eastern Ukraine, end its occupation of and support for separatists on the territory of the Russian Federation, and cease enabling the brutal regime of Bashar al-Assad in Syria to commit war crimes;
TITLE I—MATTERS RELATING TO NORTH ATLANTIC TREATY ORGANIZATION

Subtitle A—Opposition of the Senate to Withdrawal From NATO

SEC. 101. OPPOSITION OF THE SENATE TO WITHDRAWAL FROM NORTH ATLANTIC TREATY.

The Senate opposes any effort to withdraw the United States from the North Atlantic Treaty, done at Washington, D.C., April 4, 1949.

SEC. 102. LIMITATION ON USE OF FUNDS.

No funds authorized or appropriated by any Act may be used to support, directly or indirectly, any efforts on the part of any United States Government official to take steps to withdraw the United States from the North Atlantic Treaty, done at Washington, D.C., April 4, 1949, until such time as the Senate passes, by an affirmative vote of two-thirds of Members, a resolution advising and consenting to the withdrawal of the United States from the treaty.

SEC. 103. AUTHORIZATION FOR SENATE LEGAL COUNSEL TO REPRESENT SENATE IN OPPOSITION TO WITHDRAWAL FROM THE NORTH ATLANTIC TREATY.

The Senate Legal Counsel is authorized to represent the Senate in initiating or intervening in judicial proceedings in any Federal court of competent jurisdiction, on behalf of the Senate, in order to oppose any withdrawal of the United States from the North Atlantic Treaty, done at Washington, D.C., April 4, 1949, under the absence of the passage by the Senate of a resolution described in section 102.

SEC. 104. REPORTING REQUIREMENT.

The Senate Legal Counsel shall report as soon as practicable to the committees on Foreign Relations of the Senate with respect to any judicial proceedings which the Senate Legal Counsel initiates or in which it intervenes under this title.

Subtitle B—Strengthening the NATO Alliance

SEC. 111. REPORT ON NATO ALLIANCE RESILIENCE AND UNITED STATES DIPLOMATIC POSTURE.

(a) In General.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report to the appropriate congressional committees providing an assessment of the threats and challenges facing the NATO alliance and United States diplomatic posture.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A review of current and emerging United States national security interests in the NATO area of responsibility;

(2) A review of current United States political and diplomatic engagement and political-military coordination with NATO and NATO member states.

(3) Options for the realignment of United States forces within NATO to respond to new threats and challenges presented by the Government of the Russian Federation to the NATO alliance, as well as new opportunities presented by allies and partners.

(4) The views of counterpart governments, including heads of state, heads of government, political leaders, and military commanders in the region.

SEC. 112. EXPEDITED NATO EXCESS DEFENSE ARTICLES TRANSFER PROGRAM.

(a) Report.—Not later than 60 days after the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report on the provisions regarding the need for and suitability of transferring excess defense articles under this section to countries in the NATO alliance, with particular emphasis on the foreign policy benefits as it pertains to those member states currently purchasing defense articles or services from the Russian Federation.

(b) Period for Review by Congress of Recommendations for EDA Transfer to Non-NATO Countries.—Not later than 30 days following submission of the report required under subsection (a), the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives shall, as appropriate, hold hearings and briefings and otherwise obtain such information from the Federal Government as it determines necessary in order to fully review the recommendations included in the report.

(c) Transfer Authority.—The President is authorized to transfer such excess defense articles in a fiscal year as the Secretary of Defense recommends pursuant to this section to countries for which receipt of such articles was justified pursuant to the annual congressional presentation documents for military assistance programs, or for which receipt of such articles was separately justified to Congress, for such fiscal year.

(d) Limitations on Transfers.—The President may transfer excess defense articles under this section:

(1) such articles are drawn from existing stocks of the Department of Defense;

(2) funds available to the Department of Defense for the provision of defense equipment are not expended in connection with the transfer;

(3) the President determines that the transfer of such articles will not have an adverse impact on the military readiness of the United States;

(4) with respect to a proposed transfer of such articles on a grant basis, the President determines that the transfer is preferable to a transfer on a sales basis, after taking into account the cost, and the likelihood of, such sales, and the comparative foreign policy benefits that may accrue to the United States as a result of a transfer on either a grant or sales basis; and

(5) the President determines that the transfer of such articles will not have an adverse impact on the national technology and industrial base and, particularly, will not reduce the potential proceeds from, and the President may transfer excess defense articles on a grant basis, the President determines that the transfer is preferable to a transfer on a sales basis, after taking into account the cost, and the likelihood of, such sales, and the comparative foreign policy benefits that may accrue to the United States as a result of a transfer on either a grant or sales basis; and

(6) the transfer is in the national interest of the United States to do so.

(b) Limitation on Appointment.—The appointment of a Director of Research and Evaluation shall not result in an increase in the overall full-time equivalent positions within the Department.

(c) Responsibilities.—The Director of Research and Evaluation shall:

(1) coordinate and oversee the research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(2) maximize shared use of resources between, and within, such public diplomacy bureaus and offices in cases in which programs, facilities, or administrative functions are duplicative or substantially overlapping.

SEC. 201. AVOIDING DUPLICATION OF PROGRAMS AND EFFORTS.

The Under Secretary for Public Diplomacy and Public Affairs of the Department of State shall:

(1) conduct regular research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(2) maximize shared use of resources between, and within, such public diplomacy bureaus and offices in cases in which programs, facilities, or administrative functions are duplicative or substantially overlapping.

SEC. 202. IMPROVING RESEARCH AND EVALUATION OF PUBLIC DIPLOMACY.

(a) In General.—The Secretary of State shall—

(1) conduct regular research and evaluation of public diplomacy programs and activities of the Department, including through the routine use of audience research, digital analytics, and impact evaluations, to plan and execute such programs and activities; and

(b) Director of Research and Evaluation.—

(1) Amendment.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall appoint a Director of Research and Evaluation in the Office of Policy, Planning, and Resources for the Under Secretary for Public Diplomacy and Public Affairs.

(2) Limitation on Appointment.—The appointment of a Director of Research and Evaluation pursuant to paragraph (1) shall not result in an increase in the overall full-time equivalent positions within the Department.

(c) Responsibilities.—The Director of Research and Evaluation shall—

(1) coordinate and oversee the research and evaluation of public diplomacy programs of the Department of State—

(i) to improve public diplomacy strategies and tactics; and

(2) ensure that programs are increasing the knowledge, understanding, and trust of the United States among relevant target audiences;

(3) support the Director to the Director of Policy and Planning in the Office of Policy, Planning, and Resources for the Under Secretary for Public Diplomacy and Public Affairs of the Department;

(4) routinely organize and oversee audience research, digital analytics, and impact evaluations across all public diplomacy bureaus and offices of the Department; and

(5) support embassy public affairs sections;
(F) regularly design and coordinate standardized research questions, methodologies, and procedures to ensure that public diplomacy activities across all public diplomacy bureaus and offices are designed to achieve appropriate foreign policy objectives; and

(G) report biannually to the United States Advisory Commission on Public Diplomacy, through the Committee’s Subcommittee on Research and Evaluation established pursuant to subsection (f), regarding the research and evaluation of all public diplomacy bureaus and offices of the Department.

(4) GUIDANCE AND TRAINING.—Not later than one year after the appointment of the Director of Research and Evaluation pursuant to paragraph (1), the Director shall establish, maintain, and conduct research and training for all public diplomacy officers regarding the reading and interpretation of public diplomacy program evaluation findings to ensure that such findings and lessons learned are implemented in the planning and evaluation of all public diplomacy programs and activities throughout the Department.

(c) PRIORITIZING RESEARCH AND EVALUATION.—

(1) IN GENERAL.—The Director of Policy, Planning, and Resources shall ensure that research and evaluation, as coordinated and overseen by the Director of Research and Evaluation, are conducted as part of a strategic planning process to allocate resources across all public diplomacy bureaus and offices of the Department.

(2) ALLOCATION OF RESOURCES.—Amounts allocated to support research and evaluation of public diplomacy programs and activities pursuant to subsection (a) shall be made available to be disbursed at the discretion of the Director of Research and Evaluation among the research and evaluation staff across all public diplomacy bureaus and offices of the Department.

(3) SUBCOMMITTEE FOR RESEARCH AND EVALUATION.—The Secretary of State shall establish a Subcommittee for Research and Evaluation, whichshall be comprised of officials responsible for the collection of information directed to collections of information directed to the Paperwork Reduction Act shall not apply to collections of information directed to the Paperwork Reduction Act shall not apply to collections of information directed to the Paperwork Reduction Act shall not apply to collections of information directed to the Paperwork Reduction Act shall not apply to collections of information directed to the Paperwork Reduction Act shall not apply to collections of information directed to the Paperwork Reduction Act shall not apply to collections of information directed to research and data analysis of public diplomacy efforts intended for dissemination, research and data analysis shall be reasonably tailored to meet the purposes of this subsection and shall be carried out with due regard for privacy and civil liberties guidance and oversight.

(f) ADVISORY COMMISSION ON PUBLIC DIPLOMACY.—

(1) SUBCOMMITTEE FOR RESEARCH AND EVALUATION.—The Advisory Commission on Public Diplomacy shall establish a Sub- committee for Research and Evaluation to serve as the chief research and evaluation activities of the Department and the Broadcasting Board of Governors.

(2) REPORT.—The Subcommittee for Research and Evaluation established pursuant to paragraph (1) shall submit an annual report to Congress in conjunction with the Commission on Public Diplomacy’s Comprehensive Annual Report on the performance of the Department and the Broadcasting Board of Governors in carrying out research and evaluations of their respective public diplomacy programming.

(g) DEFINITIONS.—In this section:

(1) AUDIENCE.—The term "audience" means an identifiable group of individuals for whom intelligence, knowledge, and behaviors of such individuals are intended to be influenced.

(2) PUBLIC DIPLOMACY PROGRAMS AND ACTIVITIES.—The term "public diplomacy programs and activities" means actions taken to inform and enhance an understanding of the United States international cyberspace policy strategy and 

(2) REPORT.—The Subcommittee for Research and Evaluation established pursuant to paragraph (1) shall submit an annual report to Congress in conjunction with the Commission on Public Diplomacy’s Comprehensive Annual Report on the performance of the Department and the Broadcasting Board of Governors in carrying out research and evaluations of their respective public diplomacy programming.

(h) REPORT.—The Subcommittee for Research and Evaluation established pursuant to paragraph (1) shall submit an annual report to Congress in conjunction with the Commission on Public Diplomacy’s Comprehensive Annual Report on the performance of the Department and the Broadcasting Board of Governors in carrying out research and evaluations of their respective public diplomacy programming.

(i) COMMITTEE.—The term "Committee" means the Advisory Commission on Public Diplomacy.

(j) PUBLIC DIPLOMACY.—The term "public diplomacy" means activities intended to inform, influence, and build support for the foreign policies and interests of the United States.

(k) PUBLIC DIPLOMACY PROGRAMS AND ACTIVITIES.—The term "public diplomacy programs and activities" means actions taken to inform and enhance an understanding of the United States international cyberspace policy strategy and 

(l) DIRECTOR.—The term "Director" means the Director of Research and Evaluation of the Department.

(m) DATA.—The term "data" means any information that is collected, maintained, used, or disclosed by the Department.

(n) RESEARCH.—The term "research" means any systematic data collection, analysis, or evaluation.

(o) EVALUATION.—The term "evaluation" means an assessment of the performance or effectiveness of a program or activity.

(p) SUBCOMMITTEE.—The term "Subcommittee" means the Subcommittee on Research and Evaluation established pursuant to paragraph (1).

(q) OFFICE.—The term "Office" means the Office of Research and Evaluation established pursuant to paragraph (1).

(r) DIRECTOR.—The term "Director" means the Director of Research and Evaluation of the Department.

(s) SECRETARY.—The term "Secretary" means the Secretary of State.

(t) DEPARTMENT.—The term "Department" means the Department of State.

(u) UNITED STATES.—The term "United States" means the United States of America.

(v) LAW.—The term "Law" means United States law as in effect on the date of enactment of this Act.

(w) REPORT.—The term "report" means a report submitted to Congress in accordance with this Act.

(x) MANDATE.—The term "mandate" means a specific instruction or requirement for action by the Department.

(y) SUBMISSION.—The term "submission" means the submission of a report, proposal, or document to Congress.

(z) RESEARCH AND DEVELOPMENT.—The term "research and development" means the conduct of research or the development of new or improved technologies.

(aa) CYBERSECURITY.—The term "cybersecurity" means the protection of computer systems from hostile actions and the ability to prevent, detect, and respond to such actions.

(bb) DATA SHARING.—The term "data sharing" means the sharing of data between entities for the purpose of improving the effectiveness of a program or activity.

(cc) CYBERSPACE.—The term "cyberspace" means the global information infrastructure and the activities that occur within it.

(dd) INTERNATIONAL.—The term "international" means relating to more than one country or more than one nationality.

(ee) FISCAL YEAR.—The term "fiscal year" means a fiscal year of the United States government.

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(aa) SUBMISSION.—The term "submission" means the submission of a report, proposal, or document to Congress.
cyberspace and digital economy issues described in the Defending American Security from Kremlin Aggression Act of 2018; “(xvii) to promote international policies to secure the information spectrum and United States businesses and national security needs; “(xviii) to promote and protect the exercise of human rights, including freedom of speech and religion, through the Internet; “(xx) to encourage the development and adoption by foreign countries of internationally recognized standards, policies, and best practices; and “(xxi) to promote and advance international policies that protect individuals’ privacy.

(3) QUALIFICATIONS.—The head of the Office should be an individual of demonstrated competence in the field of—

(A) cybersecurity and other relevant cyber issues; and 
(B) international diplomacy.

(4) ORGANIZATIONAL placements.—

(A) INITIAL PLACEMENT.—During the 4-year period beginning on the date of the enactment of the Defending American Security from Kremlin Aggression Act of 2018, the head of the Office shall report to an Under Secretary for Political Affairs or to an official holding a higher position than the Under Secretary for Political Affairs in the Department of State.

(B) SUBSEQUENT PLACEMENT.—After the conclusion of the 4-year period referred to in subparagraph (A), the head of the Office shall report to—

(i) an appropriate Under Secretary; or

(ii) an official holding a higher position than Under Secretary.

(5) BULK OF ENGAGEMENT.—Nothing in this subsection may be construed to preclude—

(A) the Office from being elevated to a Bureau within the Department of State; or

(B) the head of the Office from being elevated to an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1).

(B) UNITED STATES AND OTHER NATIONS.—It is the sense of Congress that the Office of Cyberspace and the Digital Economy established under section 1(g) of the State Department Basic Authorities Act of 1956, as added by subsection (a)—

(1) should be a Bureau of the Department of State headed by an Assistant Secretary, subject to the rule of construction specified in paragraph (5)(B) of such section 1(g); and

(2) should coordinate with other bureaus of the Department of State and use all tools at the disposal of the Office to combat activities taken by the Russian Federation, or on behalf of the Russian Federation, to undermine the cybersecurity and democratic values of the United States and other nations.

(c) UNITED NATIONS.—The Permanent Representative of the United States to the United Nations shall—

(1) be the voice of the United States, and influence of the United States to oppose any measure that is inconsistent with the United States international cyber space policy set forth by the Department of State in March 2016 pursuant to section 402 of the Cybersecurity Act of 2015 (division N of Public Law 114–113, 129 Stat. 2978).

SEC. 202. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Broadcasting Board of Governors and its grantees networks have a critical mission to inform, engage, and connect people around the world in support of freedom and democracy; and

(2) those networks must adhere to professional journalistic standards and integrity and not engage in disinformation activities.

TITLE III—CHEMICAL WEAPONS CONVENTION IMPLEMENTATION

SEC. 301. SHORT TITLE.

This title may be cited as the “Chemical Weapons Nonproliferation Act of 2018”.

SEC. 302. FINDINGS.

Congress makes the following findings:

(1) the international norm against the use of chemical weapons has severely eroded since 2012. At least 4 actors between 2012 and the date on which this Act became law have used chemical weapons: Syria, North Korea, the Russian Federation, and the Islamic State of Iraq and the Levant in Iraq and Syria.

(2) On March 4, 2018, the Government of the Russian Federation knowingly used novichok, a lethal chemical agent, in an attempt to kill former Russian military intelligence officer Sergei Skripal and his daughter Yulia, in Salisbury, United Kingdom.

(3) On June 27, 2018, the Organisation for the Prohibition of Chemical Weapons (in this title referred to as the “OPCW”), during its Fourth Special Session of the Conference of the States Parties to the Chemical Weapons Convention rejected the Russian Federation’s objections to the OPCW’s Fact-Finding Investigation role in Syria, as that Convention requires, and identified the perpetrators of the use of chemical weapons, or likely use occurred, and cases for which investigations, identification mechanisms for chemical weapons attacks; and

(4) the Government of the Russian Federation attempted to impede the adoption of the identification mechanism in the Fourth Special Session of the Conference of the States Parties to the Chemical Weapons Convention, and has repeatedly worked to degrade the OPCW’s ability to identify chemical weapons used.

(5) The Government of the Russian Federation has shown itself to be unwilling or incapable of compelling the President of Syria, Bashar al-Assad, the Russian Federation, to stop using chemical weapons against the civilian population in Syria.

(6) The United States remains steadfast in its commitment to the United Kingdom, its commitment to the mutual defense of the North Atlantic Treaty Organization, and its commitment to the Chemical Weapons Convention.

(7) Thirty-four countries, including the United States, have joined the International Partnership against Impunity for the use of Chemical Weapons to assess a political commitment by participating countries to hold to account persons responsible for the use of chemical weapons.

SEC. 303. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to protect and defend the interests of the United States, allies of the United States, and the international community at large from the continuing threat of chemical weapons and their proliferation; 

(2) to maintain a steadfast commitment to the Chemical Weapons Convention and the OPCW; 

(3) to promote and strengthen the investigative and identification mechanisms of the OPCW through the provision of additional resources and technical equipment to better allow the OPCW to detect, identify, and attribute chemical weapons attacks; 

(4) to press the Government of the Russian Federation to halt its efforts to degrade its international efforts to identify chemical weapons attacks and to designate perpetrators of such attacks by—

(A) highlighting with international fora, including the United Nations General Assembly and the OPCW, the repeated efforts of the Government of the Russian Federation to degrade international efforts to investigate chemical weapons attacks; and

(B) consulting with allies and partners of the United States with respect to methods for strengthening the investigative mechanisms of the OPCW.

(5) to examine additional avenues for investigating, identifying, and holding accountable chemical weapons users if the Government of the Russian Federation continues in its attempts to block or hinder investigations of the OPCW; and

(6) to punish the Government of the Russian Federation for, and deter that Government from, any chemical weapons production and use through the imposition of sanctions, representative of the United States and other nations.

SEC. 304. REPORT ON USE OF CHEMICAL WEAPONS BY THE RUSSIAN FEDERATION.

Not later than 30 days after the date of the enactment of this Act, and annually thereafter, the Legal Advisor of the Department of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes an assessment of—

(1) whether the certification of the non-compliance of the Russian Federation with the Chemical Weapons Convention as required by section 306(a)(1) of that Act (22 U.S.C. 2221(a)) is warranted; and

(2) whether the mandatory sanctions required by the Chemical and Biological Weapons and Warfare Elimination Act of 1991 (22 U.S.C. 5601 et seq.) have been imposed with respect to the Russian Federation.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

(1) In general.—There are authorized to be appropriated to the Secretary of State $30,000,000 for each of fiscal years 2019 through 2023, to be provided to the OPCW as a voluntary contribution pursuant to section 311(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(a)) for the purpose of strengthening the OPCW’s investigative and identification mechanisms for chemical weapons attacks.

(2) Availability of funds.—Amounts authorized to be appropriated pursuant to subsection (a) shall remain available until expended.

SEC. 306. CHEMICAL WEAPONS CONVENTION IN THE UNITED KINGDOM.

In this title, the term “Chemical Weapons Convention” means the Convention on the

TITLE IV—INTERNATIONAL CYBERCRIME PREVENTION ACT

SEC. 401. SHORT TITLE.

This title may be cited as the ‘‘International Cybercrime Prevention Act’’.

SEC. 402. PENALTY OFFENSES.

Part I of title 18, United States Code, is amended—

(1) in section 1836(2)(B) by—

(A) by striking ‘‘the Secretary of Defense’’ and inserting ‘‘the Secretary of the Treasury’’; and

(B) by striking ‘‘of this title, section 46502’’ and inserting ‘‘section 1030 of title 18, United States Code, is amended by inserting before ‘‘section 46502’’; and

(2) by inserting ‘‘section 1030 (relating to fraud and abuse) of title 18, United States Code, is amended by inserting before ‘‘section 46502’’; and

SEC. 403. FORFEITURE.

(a) In General.—Section 1030 of title 18, United States Code, is amended to read as follows:

‘‘§ 1030. Aggravated damage to a critical infrastructure computer’’.

(b) Technical and Conforming Amendment.—The table of sections for chapter 119 is amended by striking the item relating to section 2553 and inserting the following: ‘‘2553. Compulsion of wire, oral, or electronic communication intercepting devices and other property.’’.

SEC. 404. SHIELDING BOTTNETS.

(a) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(1) in the heading, by inserting ‘‘and abuse’’ after ‘‘and

(2) in subsection (a)—

(A) in paragraph (1)—

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

(ii) in subparagraph (C), by inserting ‘‘or’’ after the semicolon; and

(iii) by inserting after subparagraph (C) the following:

‘‘(D) violating or about to violate section 1030a(5) of this title where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

(i) impeding the availability or integrity of the protected computers without authorization; or

(ii) installing or maintaining control over maliciously infected unprotected computers that, without authorization, has caused or would cause damage to the protected computers;’’; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting ‘‘a violation described in subsection (a)(1)(D),’’ before ‘‘or a Federal’’; and

(3) by inserting the following:

‘‘(c) A restraining order, prohibition, or other action described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action; and

(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action.

(b) In General.—The following shall be subject to forfeiture to the United States in accordance with provisions of section 465 and no property right shall exist in them:

(A) Any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained or retained directly or indirectly as a result of such violation.

(2) Forfeiture Procedures.—Pursuant to section 2461(c) of title 28, the provisions of section 1030 of title 18 (relating to controlled substances (21 U.S.C. 852), other than subsection (d) thereof, shall apply to criminal forfeitures under this subsection.

(b) Technical and Conforming Amendment.—The table of sections for chapter 63 of title 18, United States Code, is amended by striking the item relating to section 1346 and inserting the following:

‘‘1345. Injunctions against fraud and abuse.’’.

SEC. 405. AGGRAVATED DAMAGE TO A CRITICAL INFRASTRUCTURE COMPUTER.

(a) In General.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

‘‘§ 1030A. Aggravated damage to a critical infrastructure computer’’.

(b) Offense.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a critical infrastructure computer, if such damage results in or, in the case of an attempted offense, would, if completed, have resulted in) the substantial impairment of—

(1) the operation of the critical infrastructure computer; or

(2) of the critical infrastructure associated with such computer.

(b) Penalty.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, a court shall not in any way reduce the term to be imposed for such violation or compensate, or, otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, if such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the United States Sentencing Commission pursuant to section 994 of title 28.

(c) Definitions.—In this section—

(1) the terms ‘‘computer’’ and ‘‘damage’’ have the meanings given the terms in section 1030; and

(2) the term ‘‘critical infrastructure’’ means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security, including voter registration databases, voting machines, and other communications systems that manage the election process or report and display results on behalf of State and local governments.''

SEC. 406. STOPPING TRAFFICKING IN BOTNETS.

(a) In General.—Section 1030(5) of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding ‘‘or’’ at the end; and

(B) by inserting after paragraph (7) the following:

‘‘(8) intentionally traffics in the means of access to a protected computer, if—

(A) the trafficker knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the trafficker knows or has reason to know intends to use the means of access to—

(i) damage a protected computer in a manner prohibited by this section; or

(ii) violate section 1345 or 1435;’’.

(2) in subsection (c)—

(A) in paragraph (a), by striking ‘‘(a)(4) or (a)(7)’’ and inserting ‘‘(a)(4), (a)(7), or (a)(8)’’; and

(B) in subparagraph (B), by striking ‘‘(a)(4)’’ and inserting ‘‘(a)(4), (a)(7), or (a)(8)’’; and

(3) by striking in subsection (e)—

(A) in paragraph (11), by striking ‘‘and’’ at the end;
(B) in paragraph (12), by striking the period at the end and inserting ‘‘; and’’; and

(C) by adding at the end the following:

‘‘(13) the term ‘traffic’, except as provided in subsection (b)(3), means—

(1) any violation of any provision of federal law that is related to, or otherwise contributes to, illicit and corrupt activities, directly or indirectly, as a result of such violation.

(2) Russian parastatal entities that facilitate illicit and corrupt activities, directly or indirectly, on behalf of the President of the Russian Federation, Vladimir Putin, and persons acting for or on behalf of such political figures, oligarchs, and persons;

SEC. 502. INADMISSIBILITY OF ALIENS SEEKING TO INTERFERE IN UNITED STATES ELECTIONS

(a) DEFINED TERM.—Section 101(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(1)) is amended by adding at the end the following:

‘‘(4) persons, including financial institutions;’’.

(b) IN GENERAL.—No alien seeking to enter the United States for the purpose of interfering in a United States election, or a conspiracy to do so, shall be admitted.

(c) APPLICABILITY.—This section (a)(8), shall be applicable to an alien who is seeking admission to the United States to engage in improper interference in a United States election, or who has engaged in improper interference in a United States election, or who is seeking admission to the United States to engage in illegal or improper activities that contribute to, or substantially assist, such interference.

(d) RECORD.—The requirement to impose the sanctions described in subsection (b) shall not apply with respect to the maintenance of projects that are ongoing as of the date of the enactment of this Act.

(e) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

SEC. 235. SANCTIONS WITH RESPECT TO TRANSACTIONS WITH CERTAIN RUSSIAN OFFICIALS AND OLIGARCHS

(a) IN GENERAL.—Any transaction entered into after the date of the enactment of this Act by the Russian Federation, Vladimir Putin, or persons acting for or on behalf of the Russian Federation, which contributes to, or substantially assists, any of the activities described in subsection (b) shall be subject to the sanctions described in this section.

(b) SANCTIONS DESCRIBED.—Goods, services, technology, financing, or support described in subsection (b) shall be subject to the following:

(1) economic sanctions; and

(2) penalties or other sanctions.

SEC. 236. SANCTIONS WITH RESPECT TO TRANSACTIONS RELATED TO INVESTMENTS IN ENERGY PROJECTS SUPPORTED BY THE RUSSIAN FEDERATION

(a) IN GENERAL.—Any transaction entered into after the date of the enactment of this Act by the Russian Federation, Vladimir Putin, or persons acting for or on behalf of the Russian Federation, which contributes to, or substantially assists, any of the activities described in this section shall be subject to the sanctions described in this section.

(b) SANCTIONS DESCRIBED.—Goods, services, technology, financing, or support described in subsection (b) shall be subject to the following:

(1) economic sanctions; and

(2) penalties or other sanctions.

SEC. 237. SANCTIONS WITH RESPECT TO THE DEVELOPMENT OF CRUDE OIL RESOURCES IN THE RUSSIAN FEDERATION

(a) IN GENERAL.—Any transaction entered into after the date of the enactment of this Act by the Russian Federation, Vladimir Putin, or persons acting for or on behalf of the Russian Federation, which contributes to, or substantially assists, any of the activities described in this section shall be subject to the sanctions described in this section.

(b) SANCTIONS DESCRIBED.—Goods, services, technology, financing, or support described in subsection (b) shall be subject to the following:

(1) economic sanctions; and

(2) penalties or other sanctions.

SEC. 238. PROHIBITION ON AND SANCTIONS WITH RESPECT TO TRANSACTIONS RELATING TO NEW SOVEREIGN DEBT OF THE RUSSIAN FEDERATION

(a) IN GENERAL.—Any transaction entered into after the date of the enactment of this Act by the Russian Federation, Vladimir Putin, or persons acting for or on behalf of the Russian Federation, which contributes to, or substantially assists, any of the activities described in this section shall be subject to the sanctions described in this section.

(b) SANCTIONS DESCRIBED.—Goods, services, technology, financing, or support described in subsection (b) shall be subject to the following:

(1) economic sanctions; and

(2) penalties or other sanctions.
in any other way dealing in Russian sovereign debt issued on or after the date that is 180 days after such date of enactment; and

"(2) exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property owned or controlled by, or vested in parastatal entities or any financial institution, that are in the United States or are in the United States, come within the possession or control of a United States person.

"(b) RUSSIAN FINANCIAL INSTITUTIONS SPECIFIED.—The Russian financial institutions specified in this subsection are the following:

"(1) Vnesheconombank.
"(2) Sherbank.
"(3) VTB Bank.
"(4) Gazprombank.
"(5) Bank of Moscow.
"(6) Rosselkhozbank.
"(7) Promsvyazbank.
"(8) Vnesheconombank.

"(c) RUSSIAN SOVEREIGN DEBT DEFINED.—In this section, the term ‘Russian sovereign debt’ means—

"(1) Vnesheconombank.
"(2) foreign exchange swap agreements with the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.
"(3) foreign exchange swap agreements with the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.
"(4) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.
"(5) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.
"(6) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.
"(7) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.
"(8) Vnesheconombank.
"(9) Rosselkhozbank.
"(10) Bank of Moscow.
"(11) Gazprombank.
"(12) bonds issued by the Central Bank, the National Wealth Fund, or the Federal Treasury of the Russian Federation.

"SEC. 239. SANCTIONS WITH RESPECT TO TRANSACTIONS WITH THE CYBER SECTOR OF THE RUSSIAN FEDERATION.

"On and after the date that is 60 days after the date of the enactment of the Countering America’s Adversaries Through Sanctions Act is amended by striking the items relating to sections 235 through 238 and inserting the following:

"Sec. 235. Sanctions with respect to transactions related to investments in energy projects supported by Russian state-owned or parastatal entities outside of the Russian Federation.

"(b) SANCTIONS DESCRIBED.—Section 239A(a), as redesignated by this subtitle, is further amended—

(1) by redesigning subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

"(b) OFFICE OF SANCTIONS COORDINATION.—

"(1) IN GENERAL.—There is established, within the Department of State, an Office of Sanctions Coordination (referred to in this section as the ‘Office’).

"(2) HEAD.—The head of the Office shall—

(a) have the rank and status of ambassador;

(b) be appointed by the President, by and with the advice and consent of the Senate; and

(c) report to the Under Secretary for Political Affairs.

"(3) DUTIES.—The head of the Office shall—

(a) serve as the principal advisor to the senior management of the Department and the Secretary regarding the role of the Department in the development and implementation of economic sanctions with respect to the Russian Federation, Iran, North Korea, and other countries; and

(b) represent the United States in diplomatic and multilateral fora on sanctions matters;

"(C) consult and coordinate with the Under Secretary for Political Affairs.

"(D) advise the Secretary directly and provide input with respect to all activities, policies, and programs of all bureaus and offices of the Department relating to the implementation of sanctions policy; and

"(E) serve as the principal liaison of the Department to other Federal agencies involved in the design and implementation of sanctions policy.

"(4) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude—

"(A) the Office from being elevated to a level of an Assistant Secretary.

"(B) the head of the Office from being elevated to level of an Assistant Secretary.

"(C) report to the Under Secretary for Political Affairs.

"(D) advise the Secretary directly and provide input with respect to all activities, policies, and programs of all bureaus and offices of the Department relating to the implementation of sanctions policy; and

"(E) serve as the principal liaison of the Department to other Federal agencies involved in the design and implementation of sanctions policy.

"(F) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to preclude—

"(A) the Office from being elevated to a Bureau within the Department; or

"(B) the head of the Office from being elevated to level of an Assistant Secretary.

"(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report detailing the efforts of the Office of Sanctions Coordination to coordinate amendments made by subsection (a) to coordinate sanctions policy with the European Union.
SEC. 613. REPORT ON COORDINATION OF SANCTIONS BETWEEN THE UNITED STATES AND EUROPEAN UNION.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A description of each instance, during the period specified in subsection (b), in which the United States has imposed sanctions with respect to a person for activity related to the Russian Federation, but in which the European Union has not imposed corresponding sanctions;

(2) An explanation for the reason for each discrepancy between sanctions imposed by the European Union and sanctions imposed by the United States described in subparagraph (A) and (B) of paragraph (1);

(3) A description of each instance, during the period specified in subsection (b), in which the European Union has imposed sanctions with respect to a person for activity related to the Russian Federation, but in which the United States has not imposed corresponding sanctions;

(4) An explanation for the reason for each discrepancy between sanctions imposed by the United States and sanctions imposed by the European Union.

(b) Period specified.—The period specified in this subsection is the period beginning on the date of the enactment of this Act and ending on the date the report is submitted;

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

SEC. 621. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives.

Subtitle C—Reports Relating to Sanctions With Respect to the Russian Federation

SEC. 621A. REPORT ON OLIGARCHS AND PARASTATAL ENTITIES OF THE RUSSIAN FEDERATION.

Section 231 of the Counteracting America’s Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 922) is amended—

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

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

“(b) UPDATED REPORT.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an updated report to the report required by subsection (a).”

SEC. 625. REPORT ON SECTION 225 OF THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT.

(a) In general.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 225(a) of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9527) have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 626. REPORT ON SECTION 226 OF THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT.

(a) In general.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 226(a) of the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 910), have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 627. REPORT ON SECTION 228 OF THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT.

(a) In general.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 228(a) of the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 910), have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 628. REPORT ON SECTION 229 OF THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT.

(a) In general.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 229(a) of the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 910), have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 629. REPORT ON SECTION 230 OF THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT.

(a) In general.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 230(a) of the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 910), have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 630. REPORT ON SECTION 231 OF THE COUNTERING AMERICA’S ADVERSARIES THROUGH SANCTIONS ACT.

(a) In general.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the foreign financial institutions that the President has determined under section 231(a) of the Countering America’s Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 910), have knowingly engaged, on or after August 2, 2017, and before the date of the report, in significant transactions involving significant investments in a special Russian crude oil project.

(b) UPDATES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).
made, on or after August 2, 2017, and before the date of the report, an investment of $10,000,000 or more (or any combination of investments of not less than $1,000,000 each, which in the aggregate equals or exceeds $10,000,000 in any 12-month period), or facilitates such an investment, if the investment directly and significantly contributes to the ability of the Russian Federation to privatize state-owned assets in a manner that unjustly benefits—

(1) officials of the Government of the Russian Federation

(2) close associates or family members of those officials.

(b) DIRECTIVES.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

SEC. 629. REPORT ON SECTION 234 OF THE COUNCIL OF STATE POWERS ACT

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that describes the foreign persons that the President has determined under section 234 of the Council of State Powers Act through sanctions Act (22 U.S.C. 9528) have knowingly, or on or after August 2, 2017, and before the date of the report, exported, transferred, or reexported to Syria significant financial, material, or technological support that contributes materially to the ability of the Government of Syria to—

(1) acquire or develop chemical, biological, or nuclear weapons or related technologies;

(2) acquire or develop ballistic or cruise missile capabilities;

(3) acquire or develop destabilizing numbers and types of advanced conventional weapons;

(4) acquire significant defense articles, defense services, or defense information (as such terms are defined under the Arms Export Control Act (22 U.S.C. 2751 et seq.)); or

(5) acquire items designated by the President for purposes of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the appropriate congressional committees an update to the report required by subsection (a).

Subtitle D—General Provisions

SEC. 631. EXCEPTION RELATING TO ACTIVITIES OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) IN GENERAL.—This title and the amendments made by this title shall not apply with respect to activities of the National Aeronautics and Space Administration.

(b) RULE OF CONSTRUCTION.—Nothing in this title or the amendments made by this title shall be construed to—

(1) supersede the limitations or exceptions on the use of rocket engines for national security purposes under section 1608 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 2756; 10 U.S.C. 2771 note); or

(2) prohibit a contractor or subcontractor of the United States or any such product or service by any contractor or subcontractor of the United States or any entity, relating to or in connection with any space launch conducted for—

(3) the National Aeronautics and Space Administration; or

(4) any other non-Department of Defense customer.

SEC. 632. RULE OF CONSTRUCTION.

Nothing in this title or the amendments made by this title shall be construed—

(1) to supersede the limitations or exceptions on the use of rocket engines for national security purposes by the Secretary of the Treasury shall prescribe regulations to carry out the amendment made by subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—The amendments are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the amendment made by subsection (a).

SEC. 703. EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

Section 312A(c) of the USEC Privatization Act (42 U.S.C. 2297b–10a(c)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (vi), by striking ‘‘; and’’ and inserting a semicolon;

(B) in clause (vii), by striking the period and inserting ‘‘; or’’;

(C) by striking at the end the period and inserting ‘‘; or’’;

(2) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon and inserting ‘‘; or’’;

(B) in subparagraph (B), by striking ‘‘; or’’ and inserting a period; and

(C) in subparagraph (C), by striking the period and inserting ‘‘; or’’.

SEC. 704. ESTABLISHMENT OF A NATIONAL FUSION CENTER TO RESPOND TO THREATS FROM THE GOVERNMENT OF THE RUSSIAN FEDERATION.

(a) ESTABLISHMENT.—There is established a National Fusion Center to Respond to Hybrid Threats, which shall focus primarily on such threats from the Government of the Russian Federation, and shall be chaired by senior United States Government officials from participating agencies (in this section referred to as the ‘‘Center’’).

(b) MISSION.—The primary missions of the Center are as follows:

(1) To serve as the primary organization in the United States Government to coordinate analysis and policy implementation across the United States Government in responding to hybrid threats posed by the Government of the Russian Federation to the national security, sovereignty, democracy, and economic activity of the United States and United States allies, including the following activities:

(A) Execution of disinformation, misinformation, and propaganda campaigns through traditional and social media platforms.

(B) Formulation, infiltration, or manipulation of cultural, religious, educational, and political organizations or parties.

(C) Allocated money through shell corporations and financial institutions to facilitate corruption, crime,
and malign influence activities, including through political parties and interest groups.

(D) Coercive tactics and gray zone activities, including through paramilitary and para-police and security services and militias.

(E) Cyber and other non-traditional threats, including against government, financial institutions, critical infrastructure, and the information environment.

(F) Use of energy resources or infrastructure to influence or constrain sovereign states and political actors.

(G) Involvement in all aspects of select international organizations, political or international organizations.

(H) Use of energy resources or infrastructure to influence or constrain sovereign states and political actors.

(I) Involvement in all aspects of select international organizations, political or international organizations.

J. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

K. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

L. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

M. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

N. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

O. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

P. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

Q. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

R. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.

S. The Secretary of State shall submit to the appropriate congressional committees of the Senate and the House of Representatives a report on the implementation of any programs or activities that seek to accomplish the goals described in subsection (c), including (i) a description of the programs or activities, (ii) an assessment of whether or not the goals were met, and (iii) a recommendation for future action.
thrusts to the countries of Europe and Eur-
asia;
(2) in response, governments in Europe and 
Eurasia should redouble efforts to build re-
silience against external threats, including 
the democratic and rule of law-based insti-

tutions and civil societies; (3) the United States Government supports the 
democratic and rule of law-based institutions and civil societies; (4) the United States Government should continue to work with and strengthen such 
institutions, including the European Union, 
as a partner against aggression by the Gov-
ernment of the Russian Federation through 
the coordination of aid programs, develop-
ment assistance, and other efforts to counter 

malign Russian influence; (5) the United States Government should 
continue to work with the individual coun-
tries of Europe and Eurasia to bolster efforts 
to counter malign Russian influence in all 
its forms; and (6) the United States Government should 
increase assistance and diplomatic efforts in 
Europe, and the European Union; the 
North Atlantic Treaty Organization, the 
Federation seeks to undermine, including 
theographic regions that the Government of the Russian 
Federation has abused and misused 
systems, and civil societies; (2) in response, governments in Europe and 
Eurasia should redouble efforts to build re-
ation in INTERPOL advanced the national 
security and law enforcement interests of the 
United States related to combatting ter-
rorism, narcotics, and transnational organized crime. 
(2) United States membership and participa-

in INTERPOL’s red notice and red diffusion mechanisms.

INTERPOL’s red notice and red diffusion mechanisms.

(4) Article 3 of INTERPOL’s Constitution states that “[t]he Organization shall not be 
involved in political matters.” (B) Some INTERPOL member countries have used the INTERPOL’s processes, 
including the red notice and red diffusions me-

machines to prevent and fight crime through enhanced cooperation and in-

novation on police and security matters, in-

corporating counterterrorism, cybercrime, coun-
ternarcotics, and transnational organized crime.

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machines to prevent and fight crime through enhanced cooperation and in-

novation on police and security matters, in-

groups described in paragraph (1) from the territory of Syria;
(3) a list of policies, actions, or activities that the Government of the Russian Federation would take to ensure the removal of the forces, militias, paramilitaries, and other armed groups described in paragraph (1) from the territory of Syria if that Government were required to do so;
(4) an assessment of whether any of the policies, actions, or activities described in paragraph (2) or (3) are being taken by the Government of the Russian Federation;
(5) an assessment of the specific commitments made by officials of the Government of the Russian Federation to officials of the Government of Israel with respect to the Golan Heights and the presence of the forces, militias, paramilitaries, and other armed groups described in paragraph (1) in the territory of Syria;
(6) an assessment of weapons, technologies, and knowledge directly or indirectly transferred by the Government of the Russian Federation to the regime of Bashar al-Assad, Lebanese Hezbollah, Iran, or Iran-aligned forces in Syria that threaten the security and qualitative military edge of Israel; and
(7) an assessment of whether the presence of Russian forces and Russian contractors in Syria limits the options of the Government of Israel to conduct operations to ensure its security from threats emanating from the territory of Syria.

(b) The report required by subsection (a) shall be submitted in an unclassified form but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this section, the term ‘‘appropriate congressional committees and leadership’’ means:

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the majority and minority leaders of the Senate; and
(2) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, and the Speaker, the majority leader, and the minority leader of the House of Representatives.

S. 70. SENSE OF CONGRESS ON RESPONSIBILITY OF TECHNOLOGY COMPANIES FOR STATE-SPONSORED DISINFORMATION.

It is the sense of Congress that technology companies, particularly social media companies, should take steps to ensure that their platforms are free of disinformation sponsored by the Government of the Russian Federation and other foreign governments.

SA 3939. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

S. 255. (a) Not later than January 31, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report—

(1) comparing the cost expenditures of organic industrial depot maintenance of the E-767 Joint Early Warning Radar System aircraft fleet versus contracted or non-organic maintenance; and
(2) comparing the cost variance and cost savings of different programmed depot maintenance cycles or procedures for the E-8C, including comparisons to such other platforms as the Comptroller General considers appropriate.

SA 3941. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

S. 256. (a) Of the amount appropriated or otherwise made available for fiscal year 2019 for the Department of Defense by this Act, $29,000,000,000 is hereby decreased by $39,000,000, with the amount of the decrease to be applied against amounts otherwise appropriated by the Secretary of Defense for the fiscal year ending September 30, 2019, and for other purposes, unless otherwise made available for fiscal year 2019 by title III of this division under the heading ‘‘Research, Development, Test and Evaluation, Defense-Wide’’ is hereby decreased by $133,000,000, with the amount of the decrease to be applied against amounts otherwise appropriated by the Secretary of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

In section 252 of division A, insert ‘‘, except for amounts obligated under section 3084 of the 21st Century Cures Act (Public Law 114–255), including any amendments made by such Act’’ before the period.

SA 3945. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

S. 257. (a) Not later than March 31, 2019, the Director of the Defense Logistics Agency shall submit to Congress a report on the production of the increase to be available for upgrades of Combat Aircraft for C–135B Aircraft.

(b) The report required by subsection (a) shall include the following:

(1) Current and forecasted production requirements for combat and specialty military boots;
(2) An estimate of the surge production capacity and requirements for combat and specialty military boots based upon existing inventory, war reserve materiel, and Defense Planning Guidance;
(3) An assessment of the costs and capacity of the current production base to meet current, forecasted, and surge requirements for combat and specialty military boots, and an assessment of the impact of any reduction in the size of the current production base on such costs and capacity.

(c) Such recommendations for actions to address deficiencies and vulnerabilities in the production base that the Director considers appropriate.

(d) Such other matters as the Director considers appropriate.

SA 3946. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

S. 258. (a) Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense, in consultation with the Director of National Intelligence, shall certify to the
congressional defense committees and the congressional intelligence committees that there are no known devices, components, subcomponents, or software embedded within or with access to any operational or business data or voice network of the Department of Defense, including intranets, that are produced by Huawei Technologies Company, ZTE Corporation, any subsidiary or affiliate of such entity, or any other Chinese telecommunication or technology entity.

(b)(1) If it is not possible to make a certification under subsection (a), the Secretary of Defense, in consultation with the Director of National Intelligence, shall submit to the congressional committees and subcommittees of conference reports detailing all instances of known devices, components, subcomponents, or software embedded or otherwise made available under paragraph (a) of the date of the report.

The congressional intelligence committees a report on the following:
(A) The threat that incorporating devices, components, subcomponents, or software produced by Chinese telecommunication or technology entities into operational or business data and voice networks of the Department of Defense poses to the national security of the United States.
(B) The extent to which Chinese telecommunication equipment and components are embedded within operational or business data and voice networks of the Department of Defense, and how many Chinese telecommunication technology components have been removed during the two-year period preceding the report.
(C) The prevalence of Chinese-origin telecommunications equipment available for sale on military installations of the United States.

SA 3947. Mrs. ERNST submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B insert the following:

Scc. ... Of the amounts appropriated or otherwise made available under paragraph (2) of the heading "VETERANS EMPLOYMENT AND TRAINING" under title I, $2,000,000 shall be used to carry out the activities described in (a) for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

SA 3952. Mr. CASSIDY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3949 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

Scc. ... Of the amounts appropriated or otherwise made available under paragraph (2) under the heading "VETERANS EMPLOYMENT AND TRAINING" under title I, $2,000,000 shall be used to carry out the activities described in (a) for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

SA 3953. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

Scc. ... Of the amounts appropriated or otherwise made available under paragraph (2) of the heading "VETERANS EMPLOYMENT AND TRAINING" under title I, $2,000,000 shall be used to carry out the activities described in (a) for preparing members of the Armed Forces transitioning to civilian life to qualify for, and for assisting in placing them in, apprenticeship programs.

SA 3954. Mr. DURBAN referred to the Committee on Appropriations for consideration.

SA 3957. Mr. BOOKER (for himself, Ms. SMITH, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. ... Not later than 120 days after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to Congress a report on racial disparities in pregnancy-related mortality rates, which shall—

(1) identify the causes of racial disparities in pregnancy-related mortality rates in the United States, and why such rates are higher among African American women, Hispanic women, American Indian women, Alaskan Native women, and Native Hawaiian women; and

(2) make recommendations for reducing (A) racial disparities in pregnancy-related mortality rates in the United States; and

(B) the overall pregnancy-related mortality rate in the United States.

SA 3959. Mr. MARKEY (for himself, Mr. NELSON, Mr. WHITEHOUSE, Ms. COTZ MA TO, Ms. HARRIS, Mr. MENENDEZ, Mr. MURPHY, Ms. F ENSTEIN, Mr. REED, Ms. HARRASS, Mr. DURBIN, Mr. COON, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. MERKLEY, and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 200, line 14, strike the period and insert "(and an additional amount of $500,000, to be used by the Centers for Disease Control and Prevention for the purpose of conducting or supporting research on firearms safety or gun violence prevention)."

SA 3960. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: "Provided further, That a prime contractor for a contract under a program under title IV of the Higher Education Act of 1965 shall receive credit toward the subcontracting goals established through a subcontracting plan required under section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for subcontractors that are small business concerns and qualified State or nonprofit entities with expertise in digitizing films and borrowers under programs under such title IV.".

SA 3961. Mr. TOOMEY (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

REPORT ON RACIAL DISPARITIES IN PREGNANCY-RELATED MORTALITY RATES

SEC. ... Not later than 120 days after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention shall submit to Congress a report on racial disparities in pregnancy-related mortality rates, which shall—

(1) identify the causes of racial disparities in pregnancy-related mortality rates in the United States, and why such rates are higher among African American women, Hispanic women, American Indian women, Alaskan Native women, and Native Hawaiian women; and

(2) make recommendations for reducing (A) racial disparities in pregnancy-related mortality rates in the United States; and

(B) the overall pregnancy-related mortality rate in the United States.
SEC. 4. FUNDING MODIFICATION OF THE CHILDREN'S HEALTH INSURANCE PROGRAM.

(a) Appropriation; Total Allotment.—Section 2104(a) of the Social Security Act (42 U.S.C. 1397dd(a)) is amended—

(1) by striking paragraphs (23) through (27);

(2) by redesignating paragraph (28) as paragraph (24); and

(3) by inserting after paragraph (22) the following:

"(23) for each of fiscal years 2020 through 2026, such sums as are necessary to fund allotments to States under paragraphs (2) and (3) in subparagraph (D), by inserting "be-

(i) in the matter preceding clause (1), by striking "(27)" and inserting "(24)";

(ii) in clause (i), by striking "2023," and inserting "2023;" and

(iii) in clause (ii)—

(I) by striking "or 2024"; and

(II) by striking "or (10), respectively";

(B) in paragraph (5)—

(1) by striking "(10), or (11)" and inserting "or (10);" and

(2) by redesigning paragraph (3) as paragraph (5); and

(C) by adding at the end the following:

"(24) for each of fiscal years 2020 through 2026;" and

(d) Appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. 5. CLARIFICATION OF AUTHORITY OF MILITARY COMMISSIONS ESTABLISHED UNDER CHAPTER 47A OF TITLE 10 OF THE UNITED STATES CODE, TO PUNISH CONTEMPT.

(a) Clarification.—

(1) In General.—Subchapter IV of chapter 47A of title 10, United States Code, is amended by adding at the end the following new section:


(a) Authority to Punish.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding;

(B) disturbs the proceeding by any riot or disorder; or

(C) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

(2) A judicial officer referred to in paragraph (1) is any of the following:

(A) Any judge of the United States Court of Military Commission Review.

(B) Any military judge detailed to a military commission or any other proceeding under this chapter.

(b) Punishment.—(1) The punishment for contempt imposed under subsection (a) may not exceed confinement for 30 days, a fine of $1,000, or both.

(2) In reviewing a punishment for contempt imposed under this chapter, a reviewing court shall affirm such punishment unless the court finds that imposing such punishment was an abuse of the discretion of the judicial officer who imposed such punishment.

SA 3963. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. SHELDY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. 6. REASONABLE PRICE AGREEMENT.

(a) In General.—If any Federal agency or any non-profit entity using funds appropriated under this Act for the purposes of funding health care research and development for the same drug, biologic, or other health care technology developed through such research, such agency or entity shall not make such conveyance or provide such patent until the entity (including a non-profit entity) that will receive such patent first agrees to a reasonable pricing agreement with the Secretary of Health and Human Services (referred to in this section as the "Secretary") or the Secretary makes a determination that the public interest is served by a waiver of the reasonable pricing agreement provided in accordance with subsection (b).

(b) Prohibition of Discrimination.—

(1) In General.—For purposes of subsection (a), any reasonable pricing formula that is utilized shall not result in discriminatory pricing for the drug, biologic, or other health care technology involved regardless of the number of bidders involved. In carrying out the provisions of this paragraph, the Secretary shall ensure that the Federal Government, with respect to the drug, biologic, or other health care technology involved, is charged an amount that is not more than the lowest amount charged to countries in the Organization for Economic Co-Operation and Development for the same drug, biologic, or technology, that have the largest gross domestic product with a per capita income that is not less than half the per capita income of the United States.

(2) Discriminatory Pricing.—For the purposes of paragraph (1), a cost based reasonable pricing formula that is utilized shall be considered to result in discriminatory pricing if the contract for sale of the drug, biologic, or other health care technology places a limit on supply, or employs any other measure, that has the effect of—

(A) providing access to such drug, biologic, or technology on the terms or conditions that are less favorable than the terms or conditions provided to a for-profit entity (other than a charitable or humanitarian organization) of the drug, biologic, or technology; or

(B) restricting access to the drug, biologic, or technology under

(c) Waiver.—No waiver shall take effect under subsection (a) before the public is
given notice of the proposed waiver and provided a reasonable opportunity to comment on the proposed waiver. A decision to grant a waiver shall set out the Secretary’s finding that such a waiver is in the public interest.

SA 3964. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SASC. (a) Of the funds made available under this Act, not more than $1,000,000 shall be used by the Secretary of Health and Human Services to issue a regulation requiring that direct-to-consumer prescription drugs and biologic drugs that provide home health services include an appropriate disclosure of pricing information with respect to such products.

SA 3965. Mr. BOOKER (for himself, Mr. Lee, Mr. Cruz, and Mr. Murphy) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SASC. (a) Of the funds made available by this Act may be used by the Secretary of Health and Human Services to issue a regulation requiring that direct-to-consumer prescription drugs and biologic drugs that provide home health services include an appropriate disclosure of pricing information with respect to such products.

SA 3966. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. Shelby to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SASC. (a) Of the amount appropriated or otherwise made available in this division and heading, DOD, including in the heading "Research, Development, Test and Evaluation, Defense-Wide," for the Operational Energy Capability Improvement Program, shall be used to test and evaluate technologies that achieve operational energy capability improvement to support Naval Special Warfare and Marine Corps Expeditionary Warfare Center testing and tactical operations requirements.

SA 3967. Mr. PAUL (for himself and Mr. Lee) submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. Shelby to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SASC. (a) IN GENERAL.—None of the funds made available by this Act may be available directly or through a State (including through managed care contracts with a State) to a prohibited entity.

(b) PROHIBITED ENTITY.—The term "prohibited entity" means an entity, including its affiliates, subsidiaries, successors, and clinicians—

(1) that, as of the date of enactment of this Act—

(A) is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

(B) is an essential community provider described in section 156.235 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this Act), that is primarily engaged in providing medical services, reproductive health, and related medical care; and

(C) performs, or provides any funds to any other entity that performs abortions, other than an abortion performed—

(i) in the case of a pregnancy that is the result of an act of rape or incest; or

(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life endangering physical condition caused by, or arising from, the pregnancy itself; and

(2) for which the total amount of Federal grants to such entity, including grants to any affiliate, subsidiary, or clinic of such entity, under title X of the Public Health Service Act in fiscal year 2016 exceeded $25,000,000.

(c) END OF PROHIBITION.—The definition in subsection (b) shall cease to apply to an entity if such entity certifies that it, including its affiliates, subsidiaries, successors, and clinics, will not perform, and will not provide any funds to any other entity that performs, an abortion as described in subsection (b)(1)(C).

SA 3968. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 2 days after enactment.

SA 3970. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in the Act shall go into effect 3 days after enactment.

SA 3971. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 3965 proposed by Mr. Shelby to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CLEAN AIR REFUGEE ASSISTANCE.

(a) SHORT TITLE.—This section may be cited as the "Clean Air Refugee Assistance Act of 2018".

(b) ASSISTANCE.—In carrying out the Transitional Sheltering Assistance Program of the Federal Emergency Management Agency under section 403 of Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 570b), the President may provide transitional shelter assistance to individuals living in an area where the air quality index is determined to be unhealthy for not less than 3 consecutive days as a result of a wildfire declared by the President to be a major disaster under section 401 of such Act (42 U.S.C. 5701) or declared by the Governor of the State in which the individuals are located.

SA 3972. Mr. PETTERS (for himself and Mr. Cassidy) submitted an amendment intended to be proposed to amendment SA 3969 proposed by Mr. Shelby to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SASC. (a) Of the funds appropriated in this标题 under the heading "REFUGEE AND ENTRANT ASSISTANCE" and available for carrying out programs for victims of trafficking, not less than $500,000 shall be made available for carrying out section 702 of the Trafficking Awareness Training for Health Care Act of 2015 (title VII of Public Law 114–22) in a manner that complements and does not duplicate training activities carried out by the SOAR (Stop, Observe, Ask, Respond) to Health and Wellness Assistance for the Department of Health and Human Services.

(b) Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on how the Department of Health and Human Services is carrying
out activities to develop, evaluate, and disseminate evidence-based best practices for training health professionals on identifying victims of human trafficking.

SA 3973. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

Ssc.-- Of the amount appropriated or otherwise made available by title VI of this division under the heading “Drug Interdiction and Counter-Narcotics Activities, Defense”, up to $1,600,000 may be available for additional activities to counter the threat of fentanyl and its analogues from China through the following:

1. Direct support to law enforcement operations in the form of additional analytic and cyber support.
2. Expansion of counter-threat finance operations to increase access to financial intelligence for focused analysis of financial streams of fentanyl and its analogues.

SA 3974. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

Ssc.-- Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances under which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome sequencing or biometric data associated with the People’s Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, and specific recommendations on steps to avoid payments in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries’ genome or exome sequencing or biometric data associated with the People’s Republic of China or the Russian Federation on United States national security, United States intellectual property protections, HIPPA privacy protections, future biomedical development capabilities and competitiveness, and global competitiveness for United States laboratories.

SA 3975. Mr. DURBIN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

Ssc.-- (a) In addition to amounts otherwise made available under this Act, there are appropriated $1,000,000 for the congenital heart disease program of the Centers for Disease Control and Prevention.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “General Departmental Management” under the heading “Office of the Secretary” in this title is hereby reduced by $1,000,000.

SA 3976. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

Ssc.-- The Secretary shall prepare and submit to Congress, not later than September 24, 2018, a report specifying the process used by the Office of Refugee Resettlement in granting requests for congressional oversight visits to any facility in the United States in which unaccompanied alien children are housed or detained as a result of the policy described in the memorandum of the Attorney General entitled “Zero-Tolerance for Offenses Under 8 U.S.C. 1325(a)” dated April 6, 2018.

SA 3977. Mr. MERRY (for himself, Mr. TESTER, Mr. CRAPO, Mr. DAINES, Mr. WYDEN, Mr. RISCH, and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title IV of division A, insert the following:

Ssc.-- The Secretary, prior to July 1, 2019, shall provide the Comptroller General of the United States with the following:

1. A copy of the interagency agreement between the Secretary of Labor and the Secretary of Agriculture relating to the Civilian Conservation Centers;
2. A list of all active Civilian Conservation Centers and contractors administering such Centers; and
3. A cumulative record of the funding provided to Civilian Conservation Centers during the 10 years preceding the date of the report, including, for each Civilian Conservation Center:

(A) the funds allocated to the Civilian Conservation Center;
(B) the number of enrollment slots maintained, disaggregated by gender and by residential or nonresidential training type;
(C) the career technical training offerings available;
(D) the staffing levels and staffing patterns at the Civilian Conservation Center; and
(E) the number of Career Technical Skills Training slots available.

SA 3978. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

Ssc.-- (a) None of the funds appropriated or otherwise made available by this division may be obligated or expended to provide aid to the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China;
(b)(1) Not later than December 31, 2018, and every December 31 thereafter, the President shall submit to Congress a report on spending by Federal agencies relating to amounts—

(A) given by any Federal agency directly to the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China;
(B) spent directly by Federal agencies to fund programs associated with or conducted by the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China; and
(C) spent by any Federal agency to fund programs that indirectly aid the Government of the People’s Republic of China or a provincial or local government of the People’s Republic of China.

(2) Each report required by paragraph (1) shall include the following:

(A) The amounts spent by each Federal agency by program and function;
(B) An accounting of the use of funds by the People’s Republic of China by program;
(C) A description of the mechanisms for tracking the use of funds by the People’s Republic of China.

(D) A description of the history of the programs and initiatives funded by such funds.

(3) The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SA 3979. Mr. CORNYN (for himself, Mr. BLUMENTHAL, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

On page 199, line 3, strike the period and insert the following: “Provided further, that of the funds made available under this heading, $1,000,000 shall be available through the Telehealth Network grant to fund awards that use evidence-based practices that promote school safety and individual health, mental health, and well-being by providing assessment and referrals for health, mental health, or substance disorder services to students who may be struggling with behavioral or mental health issues and providing training and support to teachers, school counselors, administrative staff, school resource officers, and other relevant staff to identify, refer, and intervene to help students experiencing mental health needs or who are considering harming themselves or others.”.

SA 3980. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHEVELY to the bill H.R. 6157, making appropriations for the Department of
Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. 3982. Mr. CASEY (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of division A, insert the following:

SEC. 3983. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:
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(B) Voting systems and associated infrastructure, which are generally held in storage but are located at polling places during early voting and on election day.

(C) Information technology infrastructure and systems used to manage elections, which may include systems that count, audit, and display election results on election night on behalf of the election administration as well as post-election reporting used to certify and validate election results.

(D) Such other systems the Secretary, in consultation with the Commission, may identify as central to the management, support, or administration of a Federal election.

(12) FEDERAL ELECTION.—The term “Federal election” means an election that is held under Federal law or conducted by or for a Federal entity.

(13) FEDERAL ENTITY.—The term “Federal entity” means any agency (as defined in section 551 of title 5, United States Code).

(14) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(15) SIGNIFICANT CYBERSECURITY INCIDENT.—The term “significant cybersecurity incident” is a cybersecurity incident that is, or as a group of related cybersecurity incidents that together are, likely to result in demonstrable damage to Federal or national security interests, foreign relations or economy of the United States or to the public confidence, civil liberties, or public health and safety of the American people.

(16) SIGNIFICANT ELECTION CYBERSECURITY INCIDENT.—The term “significant election cybersecurity incident” means any significant cybersecurity incident involving an election system.

(17) STATE.—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands.

(18) STATE ELECTION OFFICIAL.—The term “State election official” means—

(A) the chief State election official of a State designated under section 10 of the National Voting System Act of 1992 (52 U.S.C. 20509); or

(B) in the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of Northern Mariana Islands, and the United States Virgin Islands, a chief State election official designated by the State for purposes of this division.

(19) VOTING SYSTEM.—The term “voting system” has the meaning given in the term in section 303(b) of the Help America Vote Act of 2002 (52 U.S.C. 20503(b)).

SEC. 03. INFORMATION SHARING.

(a) DESIGNATION OF RESPONSIBLE FEDERAL ENTITY.—The Secretary shall have primary responsibility within the Federal Government for determining information about election cybersecurity incidents, threats, and vulnerabilities with Federal entities and with election agencies.

(b) PRESUMPTION OF FEDERAL INFORMATION SHARING TO THE DEPARTMENT.—If a Federal entity receives information about an election cybersecurity incident, threat, or vulnerability, the Federal entity shall promptly share that information with the Department, unless the head of the entity (or a Senate-confirmed official designated by the head) makes a specific determination in writing that there is good cause to withhold the particular information.

(c) ESTABLISHMENT OF INFORMATION SHARING PROTOCOLS.—

(1) IN GENERAL.—The Secretary shall establish and maintain a communication plan and protocols to promptly share information related to election cybersecurity incidents, threats, and vulnerabilities.

(2) CONTENTS.—The communication plan and protocols established under paragraph (1) shall require that the Department promptly share appropriate information with—

(A) the appropriate Federal entities;

(B) all State election officials;

(C) to the maximum extent practicable, all election agencies that have requested ongoing updates on election cybersecurity incidents, threats, or vulnerabilities; and

(D) to the maximum extent practicable, all election agencies that may be affected by the risks associated with the particular election cybersecurity incident, threat, or vulnerability.

(d) DEVELOPMENT OF STATE ELECTION CYBERSECURITY INCIDENT RESPONSE AND COMMUNICATION PLAN TEMPLATE.—The Secretary shall, in coordination with the Commission and the Election Infrastructure Government Coordinating Council, establish a template that a State may use when establishing a State’s cybersecurity incident response and communication plan.

(e) TECHNICAL RESOURCES FOR ELECTION AGENCIES.—In sharing information about election cybersecurity incidents, threats, and vulnerabilities with election agencies under this section, the Department shall, to the maximum extent practicable—

(1) provide cyber threat indicators and defensive measures (as such terms are defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1551)), such as recommended technical instructions, that assist with preventing, mitigating, and detecting threats or vulnerabilities;

(2) identify and make available for protecting against, detecting, responding to, and recovering from associated risks, including technical capabilities of the Department; and

(3) provide guidance about further sharing of the information.

(f) DISCLASSEIFICATION REVIEW.—If the Department receives classified information about an election cybersecurity incident, threat, or vulnerability—

(1) the Department shall promptly submit a request for expedited declassification review to the head of a Federal entity with authority to conduct the review, consistent with Executive Order 13506, unless the Secretary determines that such a request would be harmful to national security; and

(2) the head of the Federal entity described in paragraph (1) shall promptly conduct the review.

(g) ROLE OF NON-FEDERAL ENTITIES.—The Department may share information about election cybersecurity incidents, threats, and vulnerabilities through a non-Federal agency established by the Secretary.

(h) PROTECTION OF PERSONAL AND CONFIDENTIAL INFORMATION.—

(1) In general.—If a Federal entity shares or receives information relating to an election cybersecurity incident, threat, or vulnerability, the Federal entity shall, within Federal information systems (as defined in section 3562 of title 5, United States Code) of the entity—

(A) minimize the acquisition, use, and disclosure of personally identifiable information of voters, such as—

(i) personal identification information, including physical address, email address, and telephone number; and

(ii) political party affiliation or registration information; and

(iii) voter history, including registration status or election participation; and

(B) minimize the acquisition, use, and disclosure of personal and State information from unauthorized disclosure.

(2) EXEMPTION FROM DISCLOSURE.—Information relating to an election cybersecurity incident, threat, or vulnerability, such as personally identifiable information of reporting persons or individuals affected by such incident, threat, or vulnerability, shared by or with the Federal Government, Federal and State election officials, and State election officials, may be exempt from disclosure if—

(A) the Secretary determines that the information is necessary for conducting the investigation or providing the notifications required under subsection (i); and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(i) DUTY TO ASSESS POSSIBLE CYBERSECURITY INCIDENTS.—

(1) ELECTION AGENCIES.—If an election agency becomes aware of the possibility of an election cybersecurity incident, the election agency shall promptly—

(A) assess whether an election cybersecurity incident occurred;

(B) notify the State election official in accordance with any notification process established by the State election official; and

(C) notify the Department in accordance with subsection (j).

(2) ELECTION SERVICE PROVIDERS.—If an election service provider becomes aware of the possibility of an election cybersecurity incident, the election service provider shall promptly—

(A) assess whether an election cybersecurity incident occurred; and

(B) notify the relevant election agencies in accordance with subsection (j).

(j) INFORMATION SHARING ABOUT CYBERSECURITY INCIDENTS BY ELECTION AGENCIES.—If an election agency has reason to believe that an election cybersecurity incident has occurred with respect to an election system owned, operated, or maintained by or on behalf of the election agency, the election service provider shall, in the most expedient time possible and without unreasonable delay, provide notification of the election cybersecurity incident to the Department in accordance with any notification process established by the Secretary.

(k) INFORMATION SHARING ABOUT CYBERSECURITY INCIDENTS BY ELECTION SERVICE PROVIDERS.—If an election service provider has reason to believe that an election cybersecurity incident may have occurred, or that an incident occurred with respect to the provider as an election service provider, the provider shall—

(1) notify the relevant election agencies in the most expedient time possible and without unreasonable delay; and

(2) provide information to the election agencies in providing the notifications required under subsections (i)(1) and (j).

(l) CONTENT OF NOTIFICATION BY ELECTION AGENCIES.—The notifications required under subsections (i)(1) and (j)—

(1) shall include an initial assessment of—

(A) the date, time, and time zone when the election cybersecurity incident began, if known; and

(B) the date, time, and time zone when the election cybersecurity incident began, if known; and

(2) shall identify—

(A) the appropriate Federal entities; and

(B) the circumstances of the election cybersecurity incident.

(m) EFFECT ON OTHER LAWS.—Nothing in this section shall preclude—

(1) the use of public resources established by the Federal government to protect against, detect, respond to, or recover from threats or vulnerabilities; and

(2) the sharing of information referenced in paragraphs (3) and (4) of section 523 of title 5, United States Code, and exempt from disclosure under section 552(b)(6) of title 5, United States Code.
(E) planned and implemented technical measures to respond to and recover from the incident; and
(2) shall be updated with additional material including technical data, as it becomes available.
(m) SECURITY CLEARANCE.—Not later than 30 days after the date of enactment of this Act, the
Commission shall jointly issue the assessment required under paragraph (1) to—
(1) shall establish an expedited process for providing appropriate security clearance to State election officials and designated technical personnel employed by State election agencies;
(2) shall establish an expedited process for providing appropriate security clearance to members of the Commission and designated technical personnel employed by the Commission; and
(3) shall establish a process for providing appropriate security clearance to personnel at other election agencies.
(n) PROTECTION FROM LIABILITY.—Nothing in this division may be construed to provide a cause of action against a State, unit of local government, or an election service provider.
(o) ASSESSMENT OF INTER-STATE INFORMATION SHARING ABOUT ELECTION CYBERSECURITY.—
(1) IN GENERAL.—The Secretary and the Commission, in coordination with the heads of the Federal entities and appropriate officials of State and local governments, shall conduct an assessment of—
(A) the structure and functioning of the Election Infrastructure Information Sharing and Analysis Center for purposes of election cybersecurity; and
(B) the mechanisms for inter-state information sharing about election cybersecurity.
(2) COMMENT FROM ELECTION AGENCIES.—In carrying out the assessment required under paragraph (1), the Secretary and the Commission shall solicit and consider comments from all State election agencies.
(3) DISTRIBUTION.—The Secretary and the Commission shall jointly issue the assessment under paragraph (1) to—
(A) all election agencies known to the Department and the Commission; and
(B) the appropriate congressional committees.
(p) CONGRESSIONAL NOTIFICATION.—If an appropriate Federal entity has reason to believe that a significant election cybersecurity incident has occurred, the entity shall—
(1) not later than 7 calendar days after the date on which there is a reasonable basis to conclude that a significant election cybersecurity incident has occurred, provide notification of the significant election cybersecurity incident to the appropriate congressional committees; and
(2) update the initial notification under paragraph (1) within a reasonable period of time after additional information relating to the significant election cybersecurity incident is discovered.

SEC. 04. REQUIREMENT FOR THE ESTABLISHMENT OF CYBERSECURITY INCIDENT RESPONSE PLANS.
(a) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 20961 et seq.) is amended by adding at the end the following new paragraph:

*PART 7—REQUIREMENTS FOR ELECTION ASSISTANCE*

*SEC. 297. ELECTION CYBERSECURITY INCIDENT RESPONSE AND COMMUNICATION PLANS.*

"No State may receive any grant awarded under this Act after the date of the enactment of this section unless such State has established a election response and communication plan with respect to election cybersecurity incidents (as defined in section 2(7) of the Election Cybersecurity Act). Nothing in this section shall prohibit a State from using funds awarded before the date of the enactment of this section for any use otherwise authorized by law." (b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Help America Vote Act of 2002 is amended by inserting after the item relating to section 296 the following:

*PART 7—REQUIREMENTS FOR ELECTION ASSISTANCE*

"Sec. 297. Election cybersecurity incident response and communication plans."

SEC. 05. ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.
(a) DEVELOPMENT BY TECHNICAL ADVISORY BOARD.—
(1) IN GENERAL.—
(A) ADDITIONAL DUTIES.—Section 221(b)(1) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)(2)) is amended by striking "in the development of the voluntary voting system guidelines" and inserting "in the development of—"

(1) the voluntary voting system guidelines; and
(2) the voluntary election cybersecurity guidelines (referred to in this paragraph as the 'election cybersecurity guidelines') in accordance with paragraph (3); and
(3) shall establish an expedited process for the development of the election cybersecurity guidelines in accordance with paragraph (4)."

(b) CONFORMING AMENDMENTS.—Sections 202(1) and 207(3) of the Help America Vote Act of 2002 (52 U.S.C. 20922(1) and 20927(3)) are each amended by striking "voluntary voting system" and inserting "voluntary voting system, election cybersecurity, including standards for procuring, maintaining, testing, operating, and updating election systems.
(b) REQUIREMENTS.—In developing the guidelines, the Technical Advisory Board shall—
(1) identify the top risks to election systems; and
(2) describe how specific technology choices can increase or decrease those risks; and
“(iii) provide recommended policies, best practices, and overall security strategies for identifying, protecting against, detecting, responding to, and recovering from the risks identified under paragraph (A);”.

“(C) ISSUES CONSIDERED.—

“(1) IN GENERAL.—In developing the election cybersecurity guidelines, the Technical Advisory Board shall consider—

“(i) applying established cybersecurity best practices to Federal election administration by States and local governments, including technologies, procedures, and personnel for identifying, protecting against, detecting, responding to, and recovering from election cybersecurity incidents, threats, and vulnerabilities;

“(ii) providing actionable guidance to election agencies that seek to implement additional election cybersecurity protections; and

“(III) any other factors that the Technical Advisory Board determines to be relevant.

“(D) RELATIONSHIP TO VOTING SYSTEM GUIDELINES AND NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY CYBERSAFETY GUIDANCE.—In developing the election cybersecurity guidelines, the Technical Advisory Board shall consider—

“(i) the voluntary voting system guidelines; and

“(ii) cybersecurity standards and best practices developed by the National Institute of Standards and Technology, including frameworks, consistent with section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)).”.

“(2) AUDIT GUIDELINES.—Section 221(b) of such Act (52 U.S.C. 20961(b)), as amended by paragraph (1), is amended by adding at the end the following new paragraph:

“(E) ELECTION AUDIT GUIDELINES.—

“(A) IN GENERAL.—The election audit guidelines shall include provisions regarding voting systems and statistical audits for Federal elections, including that—

“(i) each vote is cast using a voting system that allows the voter an opportunity to inspect and confirm the marked ballot before casting it (consistent with accessibility requirements); and

“(ii) each election result is determined by tabulating marked ballots, and prior to the date on which the winning Federal candidate in the election is sworn into office, election agencies shall conduct a random sample of the marked ballots and thereby establish high statistical confidence in the election result;”

“(B) ISSUES CONSIDERED.—In developing the election audit guidelines, the Technical Advisory Board shall consider—

“(i) types of election audits, including procedures and shortcomings for such audits;

“(ii) mechanisms to verify that election systems accurately tabulate ballots, report results, and identify a winner for each election for Federal office, even if there is an error or fault in the voting system;

“(III) requirements needed to facilitate election audits in a timely manner that allows for confidence in the outcome of the election prior to the swearing-in of a Federal candidate, including variations in the acceptance of postal ballots, time allowed to cure provisional ballots, and election certification deadlines;

“(IV) the importance of manual (by hand, not device) inspections of original marked paper ballots to provide audits without serious vulnerabilities; and

“(V) other factors that the Technical Advisory Board considers to be relevant.”.

“(3) DEADLINES.—Section 221(b)(2) of such Act (52 U.S.C. 20961(b)(2)), as amended by this Act, is amended by striking—

“(A) by striking “The Technical” and inserting the following:

“(A) VOLUNTARY VOTING SYSTEM GUIDELINES.—The Technical”;

“(B) by striking “this section” and inserting “paragraph (I)(A)” and—

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

“(B) ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.—

“(1) Initial Guidelines.—The Technical Advisory Board shall provide its initial set of recommendations under subparagraphs (B) and (C) of paragraph (1) to the Executive Director of the Commission before the date of enactment of the Secure Elections Act.

“(2) Periodic Review.—Not later than March 31, 2021, and 2 years thereafter, the Technical Advisory Board shall review and update the guidelines described in subparagraphs (B) and (C) of paragraph (1).

“(C) Process for Adoption.—

“(1) PUBLICATION OF RECOMMENDATIONS.—Section 221(f) of the Help America Vote Act of 2002 (52 U.S.C. 20961(f)) is amended—

“(A) by striking “At the time the Commission” and inserting the following:

“(I) VOLUNTARY VOTING SYSTEM GUIDELINES.—At the time the Commission; and

“(II) by adding at the end the following new paragraph:

“(2) ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.—The Technical Advisory Board shall—

“(A) provide a reasonable opportunity for public comment, including through Commission publication in the Federal Register, on the guidelines required under subparagraphs (B) and (C) of subsection (b)(1), including a 45-day opportunity for public comment on a draft of the guidelines before they are submitted to Congress under section 222(a), which shall, to the extent practicable, occur concurrently with the other activities of the Technical Advisory Board under this section with respect to such guidelines; and

“(B) consider the public comments in developing the guidelines.”.

“(2) Adoption.—

“(A) IN GENERAL.—Part 3 of subtitle A of title II of the Help America Vote Act of 2002 (52 U.S.C. 20961 et seq.) is amended—

“(I) by inserting “OF VOLUNTARY VOTING GUIDELINES” and “ADOPTION” in the heading of section 222; and

“(II) by adding at the end the following new section:

“SEC. 223. PROCESS FOR ADOPTION OF ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.

“(a) REQUIREMENT.—

“(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

“(A) by designating sections 304 and 305 as sections 305 and 306, respectively; and

“(B) by inserting after section 303 the following new section:

“SEC. 304. POST-ELECTION AUDITS.

“(a) IN GENERAL.—Each State shall—

“(1) conduct a post-election audit of each Federal election (as defined in section 2 of the Secure Elections Act) through the independent review of a random sample of ballots that have not device) inspections of original marked paper ballots to provide audits without serious vulnerabilities; and

“(2) mechanisms to verify that election systems accurately tabulate ballots, report results, and identify a winner for each election for Federal office, even if there is an error or fault in the voting system;

“(3) DEADLINES.—Section 221(b)(2) of such Act (52 U.S.C. 20961(b)(2)), as amended by this Act, is amended by striking—

“of manual (by hand, not device) inspections of original marked paper ballots to provide audits without serious vulnerabilities; and

“(V) other factors that the Technical Advisory Board considers to be relevant.”.

“(3) DEADLINES.—Section 221(b)(2) of such Act (52 U.S.C. 20961(b)(2)), as amended by this Act, is amended by striking—

“(A) by striking “The Technical” and inserting the following:

“(A) VOLUNTARY VOTING SYSTEM GUIDELINES.—The Technical”;

“(B) by striking “this section” and inserting “paragraph (I)(A)” and—

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

“(B) ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.—

“(1) Initial Guidelines.—The Technical Advisory Board shall provide its initial set of recommendations under subparagraphs (B) and (C) of paragraph (1) to the Executive Director of the Commission before the date of enactment of the Secure Elections Act.

“(2) Periodic Review.—Not later than March 31, 2021, and 2 years thereafter, the Technical Advisory Board shall review and update the guidelines described in subparagraphs (B) and (C) of paragraph (1).

“(C) Process for Adoption.—

“(1) PUBLICATION OF RECOMMENDATIONS.—Section 221(f) of the Help America Vote Act of 2002 (52 U.S.C. 20961(f)) is amended—

“(A) by striking “At the time the Commission” and inserting the following:

“(I) VOLUNTARY VOTING SYSTEM GUIDELINES.—At the time the Commission; and

“(II) by adding at the end the following new paragraph:

“(2) ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.—The Technical Advisory Board shall—

“(A) provide a reasonable opportunity for public comment, including through Commission publication in the Federal Register, on the guidelines required under subparagraphs (B) and (C) of subsection (b)(1), including a 45-day opportunity for public comment on a draft of the guidelines before they are submitted to Congress under section 222(a), which shall, to the extent practicable, occur concurrently with the other activities of the Technical Advisory Board under this section with respect to such guidelines; and

“(B) consider the public comments in developing the guidelines.”.

“(2) Adoption.—

“(A) IN GENERAL.—Part 3 of subtitle A of title II of the Help America Vote Act of 2002 (52 U.S.C. 20961 et seq.) is amended—

“(I) by inserting “OF VOLUNTARY VOTING GUIDELINES” and “ADOPTION” in the heading of section 222; and

“(II) by adding at the end the following new section:

“SEC. 223. PROCESS FOR ADOPTION OF ELECTION CYBERSECURITY AND ELECTION AUDIT GUIDELINES.

“(a) REQUIREMENT.—

“(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

“(A) by designating sections 304 and 305 as sections 305 and 306, respectively; and

“(B) by inserting after section 303 the following new section:

“SEC. 304. POST-ELECTION AUDITS.

“(a) IN GENERAL.—Each State shall—

“(1) conduct a post-election audit of each Federal election (as defined in section 2 of the Secure Elections Act) through the independent review of a random sample of ballots that have
that the State will not meet the deadline described in paragraph (1) for good cause and includes in the certification the reasons for the failure to meet such deadline, paragraph (1) shall apply to the State as if the reference in such subparagraph to ‘November 2020’ were a reference to ‘November 2022’.”.

(2) ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 20922) is amended by striking “and” and inserting “, and”.

(3) CEREMONIAL AMENDMENT.—The table of contents of such Act is amended—

(A) in the items relating to sections 301 and 305 as relating to sections 303 and 306, respectively; and

(B) by inserting after the item relating to section 304 the following:—

“Sec. 304. Post-election audits.”.

(b) REPORTING.—The Election Assistance Commission shall—

(1) collect information regarding audits conducted by States under section 304 of the Help America Vote Act of 2002 (as added by subsection (a)); and

(2) submit reports to Congress on the information provided by the States under section 304(a)(2) and 304(a)(3) of such Act (as so added) and other information collected by the Commission under paragraph (1).

SEC. 70. REQUIREMENT FOR PAPER BALLOTS.

(a) In General.—Part 7 of subtitle D of title II of the Help America Vote Act of 2002, as added by section 4, is amended by adding at the end the following new section:

“Sec. 298. Paper ballots.

“No State or jurisdiction may use any grant awarded under this Act after the date of the enactment of this Act for any grant under this section for any calendar year unless voting equipment which complies with the certification standard established by the Secretary of Commerce is in use throughout the State as required by paragraph (1).

(1) The table of contents of such Act is amended by striking the period at the end of paragraph (6) and inserting ‘; and’.

(b) USE OF FUNDS.—A State receiving a grant under this section shall use the funds received under the grant only to—

(1) upgrade election-related computer systems to address cyber vulnerabilities consistent with best practices recommended by the Department of Homeland Security, the National Institute of Standards and Technology, and the Commission; and

(2) implement a post-election audit system that provides for a review of the voting system and promulgates the findings of such review.

(c) AMOUNT OF GRANTS.—

(1) IN GENERAL.—Subject to paragraph (3), the amount of funds provided to a State under a grant under this section for any calendar year shall be equal to the product obtained by multiplying—

(A) the total amount appropriated for grants pursuant to the authorization under section 304(a)(1) of such Act; and

(B) the State allocation percentage for the State (as determined under paragraph (2)).

(2) STATE ALLOCATION PERCENTAGE.—The State allocation percentage for a State is the amount (expressed as a percentage) equal to the quotient obtained by dividing—

(A) the total amount appropriated for grants pursuant to the authorization under section 304(a)(1) of such Act; and

(B) the State vote expectancy for the State (as reported in the most recent decennial census).

(3) MINIMUM AND MAXIMUM AMOUNT OF PAYMENT.—The amount determined under this subsection shall be—

(A) not less than $2,500,000; and

(B) not greater than $10,000,000.

(4) PRO RATA ADJUSTMENT.—The Commission shall make such pro rata adjustments to the allocations determined under paragraph (1) as are necessary to comply with the requirements described in paragraph (3).

SEC. 1003. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—There is authorized to be appropriated to the Commission $250,000,000 to carry out this title for each of fiscal years 2019 and 2020.

(b) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.

(c) AUTHORIZATION OF APPROPRIATIONS FOR FY 2019.—In any amounts authorized under subsection (a), there are authorized to be appropriated to the Commission such sums as may be necessary to administer the programs under this title.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended by striking the period at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting ‘; and’; and, by adding at the end the following new paragraph:

“(7) carrying out the grant program under title X.”.

(2) The table of contents of such Act is amended by adding at the end the following:

“title X—PAYMENTS TO STATES FOR CYBERSECURITY MODERNIZATION AND MAINTENANCE”.

“Sec. 1001. Definitions.

“Sec. 1002. Payments to States.

“Sec. 1003. Authorization of appropriations.”.

SA 3884. Ms. DUCKWORTH submitted an amendment intended to be proposed to amendment SA 3885 by Mr. SHELDY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; at the appropriate place in division A. Insert the following:

“Sec. ___. None of the funds appropriated or otherwise made available by this Act may be used for any project, program, or activity the Comptroller General of the United States determines has not been cost-effectively or efficiently performed, or determined by the Comptroller General to have an adverse impact on the environment; or that is otherwise determined by the Comptroller General to result in a failure to comply with the requirements of title 21 of the United States Code, or has had a significant adverse impact on the quality of life in any community in the United States.”

SA 3885. Mr. REED (for himself, Ms. MURKOWSKI, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3886 proposed by Mr. SHELDY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

“Sec. ___. (a) The Comptroller General of the United States shall conduct a study on the condition of the public school facilities of the United States.

(b) In conducting the study under subsection (a), the Comptroller General shall submit to the appropriation committees reports related to supporting a 21st century education:

(1) Structural integrity.
fiscal year ending September 30, 2019, for the Department of Defense for the bill H.R. 6157, making appropriations as follows:

**SA 3986. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3655 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:**

At the appropriate place in title II of division A, insert the following:

Sec. 3. (a) Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People’s Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, the implications of such payments, including vulnerabilities, and specific recommendations on steps to ensure that payments are lawful and appropriate in the future. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential effect of allowing beneficiaries’ genome or exome data to be processed in the People’s Republic of China or the Russian Federation. The report shall include a classified annex.

(b) Notwithstanding any other provision of law, the Secretary, in consultation with the National Institutes of Health, shall be authorized to utilize any other amounts available under title X of the Public Health Service Act for the fiscal year ending September 30, 2018, for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

**SA 3987. Mr. SASSE (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3655 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:**

At the appropriate place in division A, insert the following:

(a) STUDY ON CYBEREXPLOITATION OF MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.—In addition, $10,000,000 shall be made available to provide for the deferral of loans made under part D of title IV of the Higher Education Act of 1965 to eligible institutions that are private Historically Black Colleges and Universities that applied for, were denied, and were eligible for such a loan under the terms and conditions of the second paragraph under the heading “Historically Black College and University Capital Financing Program Account” under the Department of Education Appropriations Act, 2018.

(b) Notwithstanding any other provision of this Act, the total amount appropriated under the heading “Student Financial Assistance” under this title is hereby reduced by $10,000,000.

**SA 3988. Mr. SCOTT (for himself and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3655 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:**

At the appropriate place in title VIII of division A, insert the following:

Sec. 3. (a) In addition, appropriated by title IV of this division under the heading “Research, Development, Test and Evaluation, Defense-Wide” is hereby increased by $10,000,000, with the increase to be available for research, development, test and evaluation at Historically Black Colleges and Universities (HBCU) (in addition to any other amounts under other headings for such research, development, test and evaluation).
SA 3991. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 2996. In lieu of the amendment proposed by Mr. SHELBY to the amendment SA 3995 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. 2996. In lieu of the amendment proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. 2996. In lieu of the amendment proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. 2996. In lieu of the amendment proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:
a Medicaid family planning eligibility expansion with the Centers for Medicare & Medicaid Services. When approved, Utah will become the 27th State with such an expansion.

**SA 3997.** Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. ___. (a) Of the amounts made available in this Act for the Centers for Disease Control and Prevention, the Secretary of Health and Human Services, acting through the Director of the Division of Reproductive Health of the Centers for Disease Control and Prevention, shall use $25,000,000 to establish a grant program to fund State programs to reduce unplanned pregnancy and improve access to contraception, in accordance with subsection (b) and (c).

(b) An entity receiving grant funds described in subsection (a)—

(1) may use such funds for—

(A) provider contraception training, including for contraceptive method use and information, and for pregnancy prevention screening;

(B) consumer education;

(C) facilitating same-day access to the full range of contraceptive methods;

(D) reducing out-of-pocket cost barriers to the full range of contraceptive methods where such barriers are not already addressed;

(E) facilitating collaboration among public and private health systems to ensure that individuals can access contraceptive care in a timely manner;

(F) activities that grant applicants can demonstrate would help to improve contraceptive access in the State or community; and

(2) shall use such funds to—

(A) provide contraceptive care that is noncoercive, culturally competent care, and medically accurate;

(B) provide information and access to the full range of methods of contraception approved by the Food and Drug Administration, and with HIPAA privacy protections, future biomedical development capabilities and competitiveness, and coordinating with other relevant agencies, as determined by the Secretary, to examine the potential lifecycle of donors' genes and exome data to be processed in the People's Republic of China or the Russian Federation on United States national security, United States intellectual property protections, HIPAA privacy protections, future biomedical development capabilities and competitiveness, and coordinating with United States laboratories.

**SA 3999.** Ms. WARREN submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. ___. (a) The Secretary of Defense shall enter into any necessary agreements, including agreements with the Internal Revenue Service and the Secretary of Education, to carry out the activities described in this section.

(b)(1) The Secretary of Defense shall ensure that student loan interest does not accrue for eligible Federal Direct Loans of eligible military borrowers, in accordance with the Federal prohibition on interest accrual for eligible military borrowers under section 456(b) of the Higher Education Act of 1965 (20 U.S.C. 1087b(b)).

(2) In this section, the term eligible Federal Direct Loan means a loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087b(b)) for which the first disbursement is made on or after October 1, 2008.

**SA 3998.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. ___. Not later than 90 days after the enactment of this Act, the Secretary of Health and Human Services shall submit a report to the Committee on Appropriations and the Committee on Finance of the Senate and the Committee on Appropriations and the Committee on Ways and Means of the House of Representatives, detailing the circumstances in which the Centers for Medicare & Medicaid Services may be providing Medicare or Medicaid payments to, or otherwise funding, entities that process genome or exome data in the People’s Republic of China or the Russian Federation. The report shall outline the extent to which payments or other funding have been provided to such entities over the past 5 years, including amounts paid to each entity, the implications of such payments, including vulnerabilities, and specific recommendations on steps to ensure that payments are not lawful under United States law. In developing the report, the Secretary shall also coordinate with other relevant agencies, as determined by the Secretary, to examine the potential lifecycle of donors' genes and exome data to be processed in the People’s Republic of China or the Russian

**SA 4000.** Mr. HATCH (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 3695 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following: “Provided further, that in carryout programs and activities to support safe and healthy schools as instructed in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 1087a et seq.) for which the first disbursement is made on or after October 1, 2008.

**SA 4001.** Mr. McCONNELL (for Mr. SULLIVAN (for himself and Mr. MARKEY)) proposed an amendment to the bill S. 1322, to establish the American Fisheries Advisory Committee to assist...
in the awarding of fisheries research and development grants, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the "American Fisheries Advisory Committee Act."  The term 'American Fisheries Advisory Committee' means the American Fisheries Advisory Committee established under paragraph (2).

SEC. 2. AMERICAN FISHERIES ADVISORY COMMITTEE.

(a) Establishment.—Section 2 of the Act of August 11, 1939 (15 U.S.C. 713c–3), is amended—

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

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

"(e) AMERICAN FISHERIES ADVISORY COMMITTEE.—

"(1) DEFINITIONS.—In this subsection:

"(A) COMMITTEE.—The term ‘Committee’ means the American Fisheries Advisory Committee established under paragraph (2).

"(B) FISHING COMMUNITY.—The term ‘fishing community’ means harvesters, marketers, growers, processors, recreational fishermen, charter fishermen, and persons providing them with goods and services.

"(C) MARKETING AND PROMOTION.—The term ‘marketing and promotion’ means an activity aimed at encouraging the consumption of seafood or maintaining commercial markets for seafood.

"(D) PROCESSOR.—The term ‘processor’ means any person in the business of preparing or packaging seafood (including seafood of the processor’s own harvesting) for sale.

"(E) SEAFOOD.—The term ‘seafood’ means farmed and wild-caught fish, shellfish, or marine algae harvested in the United States or by a United States flagged vessel for human consumption.

"(2) Establishment.—Not later than 90 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall establish 6 regions within the American Fisheries Advisory Committee as follows:

"(A) Region 1 shall consist of Alaska, Hawaii, the Commonwealth of the Northern Mariana Islands, and the Territories of Guam and American Samoa.

"(B) Region 2 shall consist of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

"(C) Region 3 shall consist of Texas, Alabama, Louisiana, Mississippi, Florida, Arkansas, Puerto Rico, and the Territory of the Virgin Islands of the United States.

"(D) Region 4 shall consist of California, Washington, Oregon, and Idaho.

"(E) Region 5 shall consist of New Jersey, New York, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

"(F) Region 6 shall consist of Michigan, Minnesota, Wisconsin, Illinois, Indiana, Ohio, and Pennsylvania.

"(3) MEMBERSHIP.—The Committee shall be composed of the following members:

"(A) REGIONAL REPRESENTATION.—Each of the regions listed in subparagraphs (A) through (F) of paragraph (2) shall be represented on the Committee by members—

"(i) who are appointed by the Secretary;

"(ii) who reside in a State or territory in the region that the member will represent; and

"(iii) of which—

"(I) one shall have experience as a seafood harvester or processor;

"(II) one shall have experience as a recreational or commercial fisher or have experience with as many seafood species as practicable; and

"(III) one shall be an individual who represents the fisheries science community or the relevant Regional Fishery Management Council; and

"(iv) that are selected so that the members of the Committee have experience or expertise with as many seafood species as practicable.

"(B) AT-LARGE MEMBERS.—The Secretary shall appoint to the Committee at-large members—

"(i) One individual with experience in food distribution, marketing, retail, or food service;

"(ii) One individual with experience in the recreational fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors.

"(iii) One individual with experience in the commercial fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors.

"(iv) One individual who is an employee of the National Marine Fisheries Service with expertise in fisheries research.

"(C) BALANCED REPRESENTATION.—In selecting the members described in subparagraphs (A) and (B), the Secretary shall seek to maximize on the Committee, to the extent practicable, a balanced representation of expertise in United States fisheries, seafood production, and associated promotion.

"(D) MEMBER TERMS.—The term for a member of the Committee shall be 3 years, except that the Secretary shall designate staggered terms for the members initially appointed to the Committee.

"(E) RESPONSIBILITIES.—The Committee shall be responsible for—

"(i) identifying needs of the fishing community that may be addressed by a project funded with a grant under subsection (c);

"(ii) developing the request for proposals for such grants;

"(iii) reviewing applications for such grants; and

"(iv) selecting applications for approval under subsection (c)(2)(B).

"(F) CHAIR.—The Committee shall elect a chair by a majority of those voting, if a quorum is present.

"(G) QUORUM.—A simple majority of members of the Committee shall constitute a quorum, but a lesser number may hold hearings.

"(8) MEETINGS.—

"(A) FREQUENCY.—The Committee shall meet not more than 2 times each year.

"(B) LOCAL REPRESENTATION.—Each member of the Committee shall rotate between the geographic regions described under paragraph (2).

"(C) MINIMIZING COSTS.—The Committee shall seek to minimize the costs associated with meetings, hearings, or other business of the Committee, including the use of video or teleconference.

"(9) DESIGNATION OF STAFF MEMBER.—The Secretary shall designate a staff member to coordinate the activities of the Committee and to assist with administrative and other functions requested by the Committee.

"(10) PER DIEM AND EXPENSES AND FUNDING.—

"(A) IN GENERAL.—A member of the Committee shall serve without compensation, but shall be reimbursed in accordance with section 5703 of title 5, United States Code, for reasonable travel costs and expenses incurred in performing duties as a member of the Committee.

"(B) FUNDING.—The costs of reimbursement under subparagraph (A) and the other costs associated with the Committee shall be paid from funds made available to carry out this section (which may include funds described in subsection (f)(1)(B)), except that in fiscal years beginning after 2018, subsection (f)(1)(A) shall be expended for any purpose under this subsection.

"(11) CONFLICT OF INTEREST.—The conflict of interest and recusal provisions set out in section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852) shall apply to any decision by the Committee and to all members of the Committee as if each member of the Committee is an affected individual within the meaning of such section; and in addition to the disclosure requirements of section 302(j)(2)(C) of such Act (16 U.S.C. 1852)(j)(2)(C), each member of the Committee shall disclose any financial interest or relationship in an organization or with an individual that is applying for a grant under subsection (c) held by the member of the Committee, including an officer, director, trustee, partner, employee, contractor, agent, or other representative.

"(12) TECHNICAL REVIEW OF APPLICATIONS.—

"(A) IN GENERAL.—Prior to reviewing an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

"(i) have subject matter expertise to determine the technical merit of the proposal in the application;

"(ii) shall independently evaluate each such proposal; and

"(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

"(B) GUIDANCE.—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the elimination by the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A).

"(B) ROLE IN APPROVAL OF GRANTS.—Section 2(c)(3) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)(3)), is amended to read as follows:

"(A) No application for a grant under this subsection may be approved unless the Secretary—

"(i) is satisfied that the applicant has the requisite technical and financial capability to carry out the project described in the application; and

"(ii) based on the recommendations of the American Fisheries Advisory Committee established in subsection (e), evaluates the proposed project as to—

"(I) soundness of design;

"(II) the possibilities of securing productive results;

"(III) minimization of duplication with other fisheries research and development projects;

"(IV) the organization and management of the project;

"(V) methods proposed for monitoring and evaluating the success or failure of the project; and

"(VI) such other criteria as the Secretary may require.

"(B) If the Secretary fails to provide funds to a grant selected by the American Fisheries Advisory Committee, the Secretary shall provide a written document to the Committee justifying the decision.''.

"(C) CONSTRUCTION.—Section 2(c)(1) of the Act of August 11, 1939 (15 U.S.C. 713–3(c)(1)), is amended by inserting—

"in clause (A) the following:

"(A) a grant selected by the Secretary may require.

"(D) Section 2(c)(2) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)(2)), is amended in paragraph (A) to—

"in clause (A) the following:

"(A) the Secretary shall provide a written document to the Committee, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other representative.

"(E) Section 2(c)(3) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)(3)), is amended to read as follows:

"(A) No application for a grant under this subsection may be approved unless the Secretary—

"(i) is satisfied that the applicant has the requisite technical and financial capability to carry out the project described in the application; and

"(ii) based on the recommendations of the American Fisheries Advisory Committee established in subsection (e), evaluates the proposed project as to—

"(I) soundness of design;

"(II) the possibilities of securing productive results;

"(III) minimization of duplication with other fisheries research and development projects;

"(IV) the organization and management of the project;

"(V) methods proposed for monitoring and evaluating the success or failure of the project; and

"(VI) such other criteria as the Secretary may require.

"(B) If the Secretary fails to provide funds to a grant selected by the American Fisheries Advisory Committee, the Secretary shall provide a written document to the Committee justifying the decision.''.

SEC. 3. EXPANSION OF SPECIFIED PURPOSES OF FISHERIES RESEARCH AND DEVELOPMENT PROJECTS GRANTS PROGRAM TO INCLUDE FISHERIES RESEARCH, SEARCH, AND DEVELOPMENT PROJECTS.

Section 2(c)(1) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)(1)) is amended—

"in clause (A) the following:

"(A) the Secretary shall provide a written document to the Committee, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other representative.
SEC. 1. PUBLIC AVAILABILITY OF GRANTS PRO- POSALS.
Section 2(c) of the Act of August 11, 1939 (15 U.S.C. 733c-3(c)), as amended by adding at the end the following:

"(6) Any person awarded a grant under this subsection shall make publicly available a title and abstract of the project to be carried out by the grant funds that serves as the public justification for funding the project that includes a statement describing how the project is designed to enhance United States fisheries, including harvesting, processing, marketing, and associated infrastructures, if applicable."

SA 4002. Mr. McCONNELL (for Ms. MURKOWSKI) proposed an amendment to the bill S. 1142, to extend the deadline for commencement of construction of certain hydroelectric projects; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “Bennett Johnstown Waterway Hydroelectric Extension Act of 2018”.

SEC. 2. EXTENSION.
(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission Project numbers 12757, 12758, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.
(b) REINSTATEMENT OF LICENSE.—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—
(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and
(2) the first extension authorized under subsection (a) shall take effect on that expiration.

SA 4003. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 3665 proposed by Mr. SHELBY to the bill H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division B, insert the following:

SEC. 2. AUTHORITY FOR COMMITTEES TO MEET.
Mr. PORTMAN. Mr. President, I have 8 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 FINANCE
The Committee on Finance is authorized to meet during the session of the Senate on August 22, 2018, at 9:30 a.m., to conduct a business meeting and hearing on the following nominations: Michael Faulkender, of Maryland, to be an Assistant Secretary of the Treasury, and Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

COMMITTEE ON FOREIGN RELATIONS
The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS
The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 2 p.m., to conduct a hearing on the following nominations: Michael A. Hammer, of Maryland, to be Ambassador to the Democratic Republic of the Congo, John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, Stephanie Sanders Sullivan, of Maryland, to be Ambassador to the Republic of Ghana, Donald R. Tapia, of Arizona, to be Ambassador to Jamaica, David Hale, of New Jersey, to be an UnderSecretary (Political Affairs), Dereck J. Hogan, of Virginia, to be Ambassador to the Republic of Moldova, Philip S. Kosnett, of Virginia, to be Ambassador to the Republic of Kosovo, Judy Rising Reinke, of Virginia, to be Ambassador to Montenegro, all of the Department of State, and a routine list in the Foreign Service; to be immediately followed by a hearing to examine the nominations of Kevin K. Sullivan, of Ohio, to be Ambassador to the Republic of Nicaragua, Carlos Peláez Palmieri, of Connecticut, to be Ambassador to the Republic of Honduras, and Karen L. Williams, of Missouri, to be Ambassador to the Republic of Suriname, all of the Department of State.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing on the following nominations: William Bryan, of Virginia, to be Under Secretary for Science and Technology, and Peter Gaynor, of Rhode Island, to be Deputy Administrator, Federal Emergency Management Agency, both of the Department of Homeland Security.

COMMITTEE ON INDIAN AFFAIRS
The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, June 27, 2018, at 2:15 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY
The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing on the following nominations: Jonathan Kobes, of South Carolina, to be United States Circuit Judge for the Eighth Circuit, Kenneth D. Bell, to be United States District Judge for the Western District of North Carolina, Carl J. Nichols, to be United States District Judge for the District of Columbia, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for the Northern District of Illinois.

COMMITTEE ON RULES AND ADMINISTRATION
The Committee on Rules and Administration is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING
The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, August 22, 2018, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR
Mr. GRASSLEY. Mr. President, I ask unanimous consent that Aakash Singh, immigration counsel with my Judiciary Committee staff, and Robert Shifflett, a detaillee from the Department of Homeland Security, be granted floor privileges for the duration of today’s session.

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

Mr. GARDNER. Mr. President, I ask unanimous consent that my fellow, John Price, be granted floor privileges for the remainder of the year.

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

ANTI-TERRORISM CLARIFICATION ACT OF 2018
Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 514, S. 2946, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Anti-Terrorism Clarification Act of 2018”.

SEC. 2. CLARIFICATION OF THE TERM “ACT OF WAR”.
(a) IN GENERAL.—Section 2331 of title 18, United States Code, is amended—
(1) in paragraph (4), by striking "and" at the end;
(2) in paragraph (5), by striking the period at the end and inserting "; and"; and
(3) by inserting at the end the following:
"(6) the term ‘military force’ does not include any person that—
(A) has been designated as a—
(i) foreign terrorist organization by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or
(ii) specially designated global terrorist (as such term is defined in section 594.310 of title 31, Code of Federal Regulations) by the Secretary of State or the Secretary of the Treasury; or
(B) has been determined by the court to not be a ‘military force’.
(b) APPLICABILITY.—The amendments made by this section shall apply to any civil action pending on or commenced after the date of enactment of this Act.

SEC. 3. SATISFACTION OF JUDGMENTS AGAINST TERRORISTS.

(a) IN GENERAL.—Section 2333 of title 18, United States Code, is amended by inserting at the end following:
"(e) USE OF BLOCKED ASSETS TO SATISFY JUDGMENTS OF U.S. NATIONALS.—For purposes of section 301 of the Terrorism Risk Insurance Act of 2002 (28 U.S.C. 1601 note), in any action in which a national of the United States has obtained a judgment against a terrorist party pursuant to this section, the term ‘blocked asset’ shall include any asset of that terrorist party (including the blocked assets of any agency or instrumentality of that party) seized or frozen by the United States under section 885(b) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1904(b))."
(b) APPLICABILITY.—The amendments made by this section shall apply to any judgment entered before, on, or after the date of enactment of this Act.

SEC. 4. CONSENT OF CERTAIN PARTIES TO PERSONAL JURISDICTION.

(a) IN GENERAL.—Section 2334 of title 18, United States Code, is amended by adding at the end the following:
"(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of any civil action under section 2334 of this title, a defendant shall be deemed to have consented to personal jurisdiction in such civil action if, regardless of the date of the occurrence of the act of international terrorism, the contact sufficient to create personal jurisdiction exists.
(2) APPLICABILITY.—The amendments made by this section shall apply to any action entered before, on, or after the date of enactment of this Act.

SEC. 2. FINDINGS.

(1) Anwar Sadat was born on December 25, 1918, in Mit Abu al-Kum, Minufiyah, Egypt, as 1 of 13 children in a poor Egyptian family.
(2) In 1938, Sadat graduated from the Royal Military Academy in Cairo and was appointed to the Signal Corps.
(3) Sadat entered the army as a second lieutenant and was posted to Sudan where he met Gamal Abdel Nasser and fellow junior officers who became the “Free Officers” who led the Egyptian revolution of 1952.
(4) Sadat held various high positions during Nasser’s presidency, assuming the role of President of the National Assembly in 1960 and Vice President in 1964.
(5) President Nasser died of a heart attack on September 28, 1970, at which point Sadat became acting President. Sadat was subsequently elected as the third President of Egypt.
(6) On October 6, 1973, President Sadat, along with his Syrian counterparts, launched an offensive against Israel. A permanent cease-fire was reached on October 25, 1973.
(7) In 1974, after talks facilitated by Secretary of State Henry Kissinger, Egypt and Israel signed an agreement allowing Egypt to formally retrieve land in the Sinai. President Sadat later wrote in his memoirs that his meetings with Kissinger “marked the beginning of a relationship of mutual understanding with the United States culminating and crystallizing in what we came to describe as a ‘peace process’. Together we started that process and the United States still supports our joint efforts to this day”.
(8) Months of diplomacy between Egypt and Israel followed the signing of this initial agreement and a second disengagement agreement, the Sinai Interim Agreement, was signed in September 1975.
(9) President Sadat addressed a joint session of Congress on November 5, 1975, during which he underscored the shared values between the United States and Egypt. In this speech, President Sadat addressed the peace process, saying, “We have found a way to live together with other nations, with one of the greatest challenges of our time, namely the task of convincing this generation, and those to follow, that we can finally restore the international system capable of meeting the demands of tomorrow and solving the problems of the coming age”.
(10) On November 19, 1977, President Sadat became the first Arab leader to visit Israel, meeting with the Israeli Prime Minister, Menachem Begin. President Sadat spoke before the Israeli Knesset, in Jerusalem about his views on how to achieve comprehensive peace in the Arab-Israeli conflict.
(11) Before commencing negotiations, President Sadat conferred with the Knesset, “I have come to you so that together we might build a durable peace based on justice, to avoid the shedding of a single drop of blood from any individual”. It is for this reason that I have proclaimed my readiness to go to the farthest corner of the world”, President Sadat further poignantly stated that “any life lost in war is a haunted life, irrespective of its being that of an Israeli or an Arab. . . . When the bells of peace ring, there will be no hands to beat the drums of war”.
(12) On September 17, 1978, President Jimmy Carter hosted President Sadat and
was a man of foresight, a man who sought to
and people together. In a world filled with
whose vision and wisdom brought nations
Islamic Jihad. President Sadat was well aware
Khalid Islambouli, a member of Egyptian Is-
was assassinated on October 6, 1981, by
stand with him''.
praised President Sadat, telling the Assem-
peace''.
Sadat remarked, ''I made my trip because I
into a new age''.
point of view. This was a dramatic break
both from a personal and from a political
attend a meeting of the Israeli parliament on
sion to accept Prime Minister Menachem Be-
break away from this vicious circle. His deci-
Sadat's great contribution to peace was that
of the Middle East have, on 4 separate occa-
origin of each country by the other and ul-
ically the cessation of the state of war
rately the cessation of the state of war
of Israel and Egypt achieved 3 decades ago,
knowing that the destination is worthy of
(24) The Camp David Accords and the
Peace Treaty continue to serve the interests of the United States by preserving peace and
serving as a foundation for partnership and
dialogue in a region fraught with conflict and
division.

(1) IN GENERAL.—The gold medal referred
(2) AWARD OF MEDAL.—Following the pres-

(1) DEFINITIONS.—In this subsection,
(2) BISHOP COMMUNITY.—The term 'fishing community' means harbors, grow-
ers, processors, recreational fishermen, charter
fishermen, and persons providing them with

goods and services.

(3) MARKETING AND PROMOTION.—The term 'marketing and promotion' means an activity
aimed at encouraging the consumption of sea-
food or expanding or maintaining commercial
markets for seafood.

(4) SEAFOOD.—The term 'seafood' means
farm-raised and wild-caught fish, shellfish, or
marine harvest (including seafood of the proc-
essor's own harvesting) for sale.

(3) REGION 3 shall consist of Texas, Alabama,
Louisiana, Mississippi, Florida, Arkansas, Puer-
to Rico, and territory of the Virgin Islands.

(4) Region 4 shall consist of California, Washing-
ton, Oregon, and Idaho.

(5) REGION 5 shall consist of New Jersey, New
York, Delaware, Maryland, Virginia, North
Carolina, South Carolina, and Georgia.

(6) Region 6 shall consist of Michigan, Min-
nesota, Wisconsin, Illinois, Indiana, Ohio, and
Pennsylvania.

(7) MEMBERSHIP.—The Committee shall
be composed of the following members:

(A) REGIONAL REPRESENTATION.—Each of the regions listed in subparagraphs (A) through (F)
of paragraph (2) shall be represented on the Com-
mittee by 3 members—

(i) who are appointed by the Secretary;

(ii) who reside in a State or territory in the region
that the member will represent; and

(iii) that are selected so that the members of the Committee have experience or expertise with
as many seafood species as practical.
“(B) AT-LARGE MEMBERS.—The Secretary shall appoint to the Committee at-large members to ensure that the Committee fairly reflects the expertise and interest of the fishing community located in regions described under paragraph (2).

(i) one individual with experience in market research.

(ii) one individual with experience in market research.

(iii) one individual with experience in marketing seafood.

(iv) one individual with experience in growing seafood.

(v) one individual with experience as a recreational fisher.

(vi) one individual who is an employee of the National Marine Fisheries Service with expertise in fisheries research.

(vii) one individual that represents the fisheries science community.

(4) MEMBER TERMS.—The term for a member of the Committee shall be 3 years, except that the Secretary may designate staggered terms for the members initially appointed to the Committee.

(5) RESPONSIBILITIES.—The Committee shall be responsible for—

(A) identifying needs of the fishing community that may be addressed by a project funded with a grant under subsection (c);

(B) developing the request for proposals for such grants;

(C) reviewing applications for such grants; and

(D) selecting applications for approval under subsection (c)(2)(B).

(6) CHAIR.—The Committee shall elect a chair from a majority of those voting, if a quorum is present.

(7) QUORUM.—A simple majority of members of the Committee shall constitute a quorum, but a lesser number may hold hearings.

(8) MEETINGS.—

(A) FREQUENCY.—The Committee shall meet not more than twice each year.

(B) LOCATION.—The meetings of the Committee shall rotate between the geographic regions described under paragraph (2).

(9) STAFF.—The Committee may employ staff as necessary.

(10) PER DIEM AND EXPENSES AND FUNDING.—

(A) IN GENERAL.—A member of the Committee shall serve without compensation, but shall be reimbursed in accordance with section 5703 of title 5, United States Code, for reasonable travel costs and expenses incurred in performing duties as a member of the Committee.

(B) FUNDING.—The reimbursements made under subparagraph (A) shall be paid with the funds made available for grants under subsection (c).

(11) CONFLICT OF INTEREST.—The conflict of interest and recusal provisions set out in section 302(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1832(i)) shall apply to any decision by the Committee and to all members of the Committee as if each member of the Committee is an affected individual within the meaning of such section 302(i), except that in addition to the disclosure requirements of section 302(i)(2)(C) of such Act (16 U.S.C. 1832(i)(2)(C)), each member of the Committee shall disclose any financial interest or relationship in an organization or with an individual that is applying for a grant under subsection (c) held by the member of the Committee, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other representative.

(12) APPEAL OF DECISIONS.—

(i) The Secretary is satisfied that the applicant has the requisite technical and financial capability to carry out the project.

(ii) The Secretary evaluates the proposed project as to—

(A) IN GENERAL.—The Secretary shall make the award, in accordance with the following:

(i) the selection of the Committee established in subsection (f);

(ii) soundness of design;

(iii) the possibilities of producing realistic results;

(iv) minimization of duplication with other fisheries research and development projects;

(v) the organization and management of the project;

(vi) the methods proposed for monitoring and evaluating the success or failure of the project; and

(vii) such other criteria as the Secretary may require; and

(iii) the application selected for funding meets the criteria established by the American Fisheries Advisory Committee, the Secretary shall provide a written document to the Committee justifying the decision.

SEC. 3. EXPANSION OF SPECIFIED PURPOSES OF FISHERIES RESEARCH AND DEVELOPMENT PROJECTS GRANTS PROGRAM TO INCLUDE FISHERIES RESEARCH AND DEVELOPMENT PROJECTS.

Section 2(c) of the Act of August 11, 1939 (15 U.S.C. 713c–3(c)), is amended by adding at the end the following:

(R) Any person awarded a grant under this subsection shall make publicly available a title and abstract of the project to be carried out by the grant funds that serves as the public justification for the project that includes a statement describing how the project serves to enhance United States fisheries, including harvesting, processing, marketing, and associated infrastructures, if applicable.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1322) to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, and for other purposes.

Mr. McCONNELL. Mr. President, I am an unanimous consent that the committee report that the date of adjournment shall be withdrawn. The Sullivan substitute amendment at the desk be considered and agreed to, the bill, as amended, be considered a third time and passed, and the motion to reconsider be made and laid upon the table.

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

The committee-reported substitute amendment was withdrawn.

The amendment (No. 3942) was agreed to, as follows:

(Purpose: To increase by $133,000,000 the amount appropriated for Research, Development, Test and Evaluation, Defense-Wide for Common KIll Vehicle Technology, and to provide an offset)

At the appropriate place in title VIII of division A, insert the following:

SEC. 2(c). (a) The amount appropriated by title IV of the heading “Research, Development, Test and Evaluation, Defense-Wide” is hereby increased by $133,000,000, with the amount of the increase to be available for the Missile Defense Agency for Common KIll Vehicle Technology.

(b) The amount appropriated by title IV of the division under the heading “Research, Development, Test and Evaluation, Defense-Wide” is hereby decreased by $133,000,000, with the amount of the decrease to be appropriated by the heading for the Missile Defense Agency and available for Technology Maturation initiatives.

The bill (S. 1322), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 1322

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 “American Fisheries Advisory Committee Act”.

SEC. 2. AMERICAN FISHERIES ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Section 2 of the Act of August 11, 1939 (15 U.S.C. 713c–3), is amended—

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

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

(e) AMERICAN FISHERIES ADVISORY COMMITTEE.—

(I) DEFINITIONS.—In this subsection:

(A) COMMITTEE.—The term ‘Committee’ means the American Fisheries Advisory Committee established under paragraph (2).

(B) FISHERY COMMUNITY.—The term ‘fishery community’ means harvesters, processors, growers, producers, recreational fishermen, charter fishermen, and persons providing them with goods and services.

(C) MARKETING AND PROMOTION.—The term ‘marketing and promotion’ means an activity aimed at encouraging the consumption of seafood or expanding or maintaining commercial markets for seafood.

(D) PROCESSOR.—The term ‘processor’ means any person in the business of preparing or packaging seafood (including seafood of the processor’s own harvesting) for sale.

(E) SEAFOOD.—The term ‘seafood’ means farm-raised and wild-caught fish, shellfish, or other seafood harvested in the United States or by a United States flagged vessel for human consumption.

(2) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Commerce shall establish 6 regions within the American Fisheries Advisory Committee as follows:

(A) Region 1 shall consist of Alabama, Hawaii, the Commonwealth of the Northern Mariana Islands, and the Territories of Guam and American Samoa.

(B) Region 2 shall consist of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

(C) Region 3 shall consist of Texas, Alabama, Louisiana, Mississippi, Florida, Arkansas, Puerto Rico, and the Territory of the Virgin Islands of the United States.

(D) Region 4 shall consist of California, Washington, Oregon, and Idaho.

(E) Region 5 shall consist of New Jersey, New York, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

(F) Region 6 shall consist of Michigan, Minnesota, Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, Virginia, and West Virginia.

(G) Region 7 shall consist of Arizona, New Mexico, Utah, Nevada, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, and Missouri.

(H) Region 8 shall consist of Connecticut, Maine, Massachusetts, Rhode Island, New Hampshire, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

(I) Region 9 shall consist of West Virginia, Kentucky, Tennessee, Mississippi, Alabama, and Florida.

(3) MEMBERSHIP.—The Committee shall be composed of the following members:
“(A) REGIONAL REPRESENTATION.—Each of the regions listed in subparagraphs (A) through (F) of paragraph (2) shall be represented on the Committee by 3 members—

"(i) one who resides in a State or territory in the region that the member will represent;

"(ii) one who is employed in a private sector organization; and

"(iii) one who represents the fisheries science community or the relevant Regional Fishery Management Council; and

"(B) AT-LARGE MEMBERS.—The Secretary shall appoint to the Committee at-large members as follows:

"(i) One individual with experience in food marketing, retail, or food service;

"(ii) One individual with experience in the recreational fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors;

"(iii) One individual with experience in the commercial fishing industry supply chain, such as fishermen, manufacturers, retailers, and distributors;

"(iv) One individual who is an employee of the National Marine Fisheries Service with expertise in fisheries research.

“(C) BALANCED REPRESENTATION.—In selecting the members described in subparagraphs (A) and (B), the Secretary shall seek to maximize on the Committee, to the extent practicable, a balanced representation of expertise in United States fisheries, seafood production, and science.

“(D) MEMBER TERMS.—The term for a member of the Committee shall be 3 years, except that the Secretary shall designate staggered terms for the members initially appointed to the Committee.

“(E) RESPONSIBILITIES.—The Committee shall be responsible for—

"(A) identifying needs of the fishing community that may be addressed by a project funded under subsection (c); and

"(B) developing the request for proposals for such grants;

“(F) reviewing applications for such grants;

“(G) selecting applications for approval under subsection (c)(2)(B).

“(H) ROLE.—The Committee shall elect a chair by a majority of those voting, if a quorum is present.

“(I) QUORUM.—A simple majority of members of the Committee shall constitute a quorum, but a lesser number may hold hearings.

“(J) MEETINGS.—(A) FREQUENCY.—The Committee shall meet not more than 2 times each year.

"(B) LOCATION.—The meetings of the Committee shall rotate between the geographic regions described under paragraph (2).

“(C) MINIMIZING COSTS.—The Committee shall seek to minimize the operational costs associated with meetings, hearings, or other business of the Committee, including through the use of video or teleconference.

“(D) DESIGNATION OF STAFF MEMBER.—The Secretary shall designate a staff member to coordinate the activities of the Committee and to assist with administrative and other functions as requested by the Committee.

“(E) PAY DIEM AND EXPENSES AND FUNDING.—

"(A) IN GENERAL.—A member of the Committee shall serve without compensation, but shall be reimbursed in accordance with section 5700 of title 5, United States Code, for reasonable travel costs and expenses incurred in performing duties as a member of the Committee.

“(B) FUNDING.—The costs of reimbursements under subparagraph (A) and the other costs associated with the Committee shall be paid from funds made available to carry out this section (which may include funds described in subsection (f)(1)(B)), except that no funds allocated for grants under subsection (f)(1)(B) are intended for any purpose under this subsection.

“(I) CONFLICT OF INTEREST.—The conflict of interest and recusal provisions set forth in section 302(j)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(j)) shall apply to any decision by the Committee and to all members of the Committee as if each member of the Committee is an affected individual within the meaning of such section 302(j), except that in addition to the disclosure requirements of section 302(j)(2)(C) of such Act (16 U.S.C. 1852(j)(2)(C)), each member of the Committee shall disclose any financial interest or relationship in an organization or with an individual that is applying for a grant under subsection (c) held by the member of the Committee, including an interest as an officer, director, trustee, partner, employee, contractor, agent, or other business representative.

“(12) TECHNICAL REVIEW OF APPLICATIONS.—

"(A) IN GENERAL.—Prior to review of an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

"(i) have subject matter expertise to determine the technical merit of the proposal in the application;

"(ii) shall independently evaluate each such proposal; and

"(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

"(B) GUIDANCE.—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A)."

“(13) TECHNICAL REVIEW OF APPLICATIONS.

“(A) IN GENERAL.—Prior to review of an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

"(i) have subject matter expertise to determine the technical merit of the proposal in the application;

"(ii) shall independently evaluate each such proposal; and

"(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

“(B) GUIDANCE.—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A)."

“(14) TECHNICAL REVIEW OF APPLICATIONS.

“(A) IN GENERAL.—Prior to review of an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

"(i) have subject matter expertise to determine the technical merit of the proposal in the application;

"(ii) shall independently evaluate each such proposal; and

"(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

“(B) GUIDANCE.—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A)."

“(15) TECHNICAL REVIEW OF APPLICATIONS.

“(A) IN GENERAL.—Prior to review of an application for a grant under subsection (c) by the Committee, the Secretary shall obtain an independent written technical evaluation from 3 or more appropriate Federal, private, or public sector experts (such as industry, academia, or governmental experts) who—

"(i) have subject matter expertise to determine the technical merit of the proposal in the application;

"(ii) shall independently evaluate each such proposal; and

"(iii) shall certify that the expert does not have a conflict of interest concerning the application that the expert is reviewing.

"(B) GUIDANCE.—Not later than 180 days after the date of enactment of the American Fisheries Advisory Committee Act, the Secretary shall issue guidance related to carrying out the technical evaluations under subparagraph (A). Such guidance shall include criteria for the National Oceanic and Atmospheric Administration of applications that fail to meet a minimum level of technical merit as determined by the review described in subparagraph (A)."

“(J) BENNETT JOHNSTON WATERWAY HYDROPOWER EXTENSION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1142.

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

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (S. 1142) to extend the deadline for commencement of construction of certain hydroelectric projects.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill as reported be considered, the committee substitute be withdrawn, the Murkowski amendment be agreed to, the "bill, as amended, be considered read a third time and passed into law," and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 4002) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "J. Bennett Johnston Waterway Hydropower Extension Act of 2017."

2. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Commission may, at the request of the licensee for the applicable project, and after a Notice of Opportunity to File an Application, in accordance with the good faith, due diligence, and public interest requirements of that section and the
procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF LICENSE.—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

The bill (S. 1142), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1142

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 “J. Bennett Johnston Waterway Hydropower Extension Act of 2018”.

SEC. 2. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbers 12756, 12757, and 12758, the Commission may, at the request of the licensee for the applicable project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the procedures of the Commission under that section, extend the time period during which the licensee is required to commence the construction of the applicable project for up to 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF LICENSE.—If the time period required for commencement of construction of a project described in subsection (a) has expired prior to the date of enactment of this Act—

(1) the Commission may reinstate the license for the applicable project effective as of the date of the expiration of the license; and

(2) the first extension authorized under subsection (a) shall take effect on that expiration.

VETERANS PROVIDING HEALTHCARE TRANSITION IMPROVEMENT ACT

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate the message from the House to accompany S. 899.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved. That the bill from the Senate (S. 899) entitled “An Act to amend title 38, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration, and for other purposes.”

Mr. McCONNELL. Mr. President, I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and the motions to reconsider be considered made and laid upon the table without intervening action or debate.

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

The preamble was agreed to.

The resolution (S. Res. 615) was agreed to.

The resolution (S. Res. 615) was printed in today’s Record under “Submitted Resolutions.”

ORDERS FOR THURSDAY, AUGUST 23, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, August 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; and that following leader remarks, the Senate proceed to executive session and resume consideration of the Johnson nomination.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate adjourned until Thursday, August 23, 2018 at 9:30 a.m.
SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, August 23, 2018 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

AUGUST 28
2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard
To hold hearings to examine harmful algal blooms, focusing on the impact on our nation’s waters.

SEPTEMBER 5
9:30 a.m.
Conferees
Meeting of conferees on H.R. 2, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023.

AUGUST 29
10 a.m.
Committee on Commerce, Science, and Transportation
Business meeting to consider pending calendar business.

Committee on Health, Education, Labor, and Pensions
To hold an oversight hearing to examine the Food and Drug Administration, focusing on leveraging cutting-edge science and protecting public health.

SD–430

Committee on the Judiciary
Subcommittee on the Constitution
To hold hearings to examine threats to religious liberty around the world.

SD–226

Committee on Foreign Relations
To hold hearings to examine the value of the North Atlantic Treaty Organization alliance.

SD–419

Note: This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

**Senate**

**Chamber Action**

*Routine Proceedings, pages S5791–S5869*

**Measures Introduced:** Seven bills and four resolutions were introduced, as follows: S. 3362–3368, and S. Res. 612–615.

**Page S5831**

**Measures Reported:**

- Report to accompany S. 994, to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation. (S. Rept. No. 115–325)

**Page S5830**

**Measures Passed:**

**Anti-Terrorism Clarification Act:** Senate passed S. 2946, to amend title 18, United States Code, to clarify the meaning of the terms “act of war” and “blocked asset”, after agreeing to the committee amendment in the nature of a substitute.  

**Pages S5864–65**

**Anwar Sadat Centennial Celebration Act:** Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 2946, to amend title 18, United States Code, to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East, and the bill was then passed.  

**Pages S5865–66**

**American Fisheries Advisory Committee Act:** Senate passed S. 1322, to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto:  

McConnell (for Sullivan/Markey) Amendment No. 4001, in the nature of a substitute.  

**Pages S5866–68**

**J. Bennett Johnston Waterway Hydropower Extension Act:** Senate passed S. 1142, to extend the deadline for commencement of construction of certain hydroelectric projects, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto:  

McConnell (for Murkowski) Amendment No. 4002, in the nature of a substitute.  

**Pages S5868–69**

**Veterans Treatment Court Improvement Act:** Senate passed H.R. 2147, to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans.  

**Page S5869**

**Honoring the Life of Aretha Franklin:** Senate agreed to S. Res. 615, honoring the life and legacy of Aretha Franklin and the contributions of Aretha Franklin to music, civil rights, and the City of Detroit.  

**Page S5869**

**Measures Considered:**

**Department of Defense Appropriations Act:** Senate continued consideration of H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, taking action on the following amendments proposed thereto:  

Pending:  
Shelby Amendment No. 3695, in the nature of a substitute.  

**Page S5793**

McConnell (for Shelby) Amendment No. 3699 (to Amendment No. 3699), of a perfecting nature.

**Page S5793**

Leahy Amendment No. 3993 (to Amendment No. 3699), of a perfecting nature.

**Pages S5814–15**

**House Messages:**

**Veterans Providing Healthcare Transition Improvement Act:** Senate agreed to the motion to concur in the amendments of the House to S. 899, to amend title 5, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration.  

**Page S5869**

**Johnson Nomination—Cloture:** Senate began consideration of the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

**Page S5818**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the
Senate, a vote on cloture will occur upon disposition of H.R. 6157, making appropriations for the Department of Defense for the fiscal year ending September 30, 2019.

Prior to the consideration of this nomination, Senate took the following action:
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 9:30 a.m., on Thursday, August 23, 2018.

Clarida Nomination—Cloture: Senate began consideration of the nomination of Richard Clarida, of Connecticut, to be Vice Chairman of the Board of Governors of the Federal Reserve System.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

Prior to the consideration of this nomination, Senate took the following action:
- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Clarida Nomination—Cloture: Senate began consideration of the nomination of Richard Clarida, of Connecticut, to be a Member of the Board of Governors of the Federal Reserve System.

Prior to the consideration of this nomination, Senate took the following action:
- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Patelunas Nomination—Cloture: Senate began consideration of the nomination of Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Joseph H. Hunt, of Maryland, to be an Assistant Attorney General, Department of Justice.

Prior to the consideration of this nomination, Senate took the following action:
- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Moorer Nomination—Cloture: Senate began consideration of the nomination of Terry Fitzgerald Moorer, to be United States District Judge for the Southern District of Alabama.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

Prior to the consideration of this nomination, Senate took the following action:
- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Baker Nomination—Cloture: Senate began consideration of the nomination of R. Stan Baker, to be United States District Judge for the Southern District of Georgia.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Terry Fitzgerald Moorer, to be United States District Judge for the Southern District of Alabama.
Prior to the consideration of this nomination, Senate took the following action:
• Senate agreed to the motion to proceed to Legislative Session.
• Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Goodwin Nomination—Cloture: Senate began consideration of the nomination of Charles Barnes Goodwin, to be United States District Judge for the Western District of Oklahoma.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of R. Stan Baker, to be United States District Judge for the Southern District of Georgia.

Prior to the consideration of this nomination, Senate took the following action:
• Senate agreed to the motion to proceed to Legislative Session.
• Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Ashe Nomination—Cloture: Senate began consideration of the nomination of Barry W. Ashe, to be United States District Judge for the Eastern District of Louisiana.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Charles Barnes Goodwin, to be United States District Judge for the Western District of Oklahoma.

Prior to the consideration of this nomination, Senate took the following action:
• Senate agreed to the motion to proceed to Legislative Session.
• Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Jung Nomination—Cloture: Senate began consideration of the nomination of William F. Jung, to be United States District Judge for the Middle District of Florida.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Marilyn Jean Horan, to be United States District Judge for the Western District of Pennsylvania.

Prior to the consideration of this nomination, Senate took the following action:
• Senate agreed to the motion to proceed to Legislative Session.
• Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Senate agreed to the motion to proceed to Executive Session to consider the nomination.
be United States District Judge for the District of Arizona.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of William F. Jung, to be United States District Judge for the Middle District of Florida.

Prior to the consideration of this nomination, Senate took the following action:

- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

**Williams Nomination—Cloture:** Senate began consideration of the nomination of Charles J. Williams, to be United States District Judge for the Northern District of Iowa.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Dominic W. Lanza, to be United States District Judge for the District of Arizona.

Prior to the consideration of this nomination, Senate took the following action:

- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

**Summerhays Nomination—Cloture:** Senate began consideration of the nomination of Robert R. Summerhays, to be United States District Judge for the Western District of Louisiana.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Charles J. Williams, to be United States District Judge for the Northern District of Iowa.

Prior to the consideration of this nomination, Senate took the following action:

- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

**Albright Nomination—Cloture:** Senate began consideration of the nomination of Alan D. Albright, to be United States District Judge for the Western District of Texas.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Robert R. Summerhays, to be United States District Judge for the Western District of Louisiana.

Prior to the consideration of this nomination, Senate took the following action:

- Senate agreed to the motion to proceed to Legislative Session.
- Senate agreed to the motion to proceed to Executive Session to consider the nomination.

**Messages from the House:**

- Executive Reports of Committees:
- Statements on Introduced Bills/Resolutions:
- Additional Cosponsors:
- Amendments Submitted:
- Authorities for Committees to Meet:
- Privileges of the Floor:
- Adjournment: Senate convened at 10 a.m. and adjourned at 6:59 p.m., until 9:30 a.m. on Thursday, August 23, 2018. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S5869.)

**Committee Meetings**

(Committees not listed did not meet)

**PUBLIC LANDS, FORESTS, AND MINING LEGISLATION**

**Committee on Energy and Natural Resources:** Subcommittee on Public Lands, Forests, and Mining concluded a hearing to examine S. 483, to designate and expand wilderness areas in Olympic National Forest in the State of Washington, and to designate certain rivers in Olympic National Forest and Olympic National Park as wild and scenic rivers, S. 1572, to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas, S. 1787, to reauthorize the National Geologic Mapping Act of 1992, S. 1959, to designate certain Federal land in the State of California as wilderness, S. 2078, to maximize land management efficiencies, promote land conservation, generate education funding, S. 2160, to establish a pilot program under the Chief of the Forest Service may use alternative dispute resolution in lieu of judicial review of certain projects, S. 2297, to direct the Secretary of Agriculture to transfer certain National Forest System land to Custer County, South Dakota,
S. 2721, to designate certain land in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, to designate certain special management areas in the State of Colorado, S. 2809, to establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, S. 2907, to provide for the withdrawal and protection of certain Federal land in the State of New Mexico, S. 3245, to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas, S. 3297, to provide for the expansion of the Desert Tortoise Habitat Conservation Plan, Washington County, Utah, S. 3325, to amend the Federal Land Policy and Management Act of 1976 to provide for the eligibility of national grasslands for grazing leases and permits, and H.R. 2075, to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, after receiving testimony from Senator Bennet; Glenn Casamassa, Associate Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Christopher McAlear, Assistant Director, National Conservation Lands and Community Partnerships, Bureau of Land Management, Department of the Interior; and Marilynne Keyser, Friends and Neighbors of the Deschutes Canyon Area, Terrebonne, Oregon.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Michael Faulkender, of Maryland, to be an Assistant Secretary of the Treasury, and Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, who was introduced by Senator Cornyn, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Michael A. Hammer, of Maryland, to be Ambassador to the Democratic Republic of the Congo, John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, Stephanie Sanders Sullivan, of Maryland, to be Ambassador to the Republic of Ghana, Donald R. Tapia, of Arizona, to be Ambassador to Jamaica, David Hale, of New Jersey, to be an Under Secretary (Political Affairs), Dereck J. Hogan, of Virginia, to be Ambassador to the Republic of Moldova, Philip S. Kosnett, of Virginia, to be Ambassador to the Republic of Kosovo, and Judy Rising Reinke, of Virginia, to be Ambassador to Montenegro, all of the Department of State, and a routine list in the Foreign Service.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Kevin K. Sullivan, of Ohio, to be Ambassador to the Republic of Nicaragua, Francisco Luis Palmieri, of Connecticut, to be Ambassador to the Republic of Honduras, and Karen L. Williams, of Missouri, to be Ambassador to the Republic of Suriname, all of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of William Bryan, of Virginia, to be Under Secretary for Science and Technology, and Peter Gaynor, of Rhode Island, to be Deputy Administrator, Federal Emergency Management Agency, who was introduced by Senator Reed, both of the Department of Homeland Security, after the nominees testified and answered questions in their own behalf.

NATIVE LANGUAGES

Committee on Indian Affairs: Committee concluded an oversight hearing to examine cultural sovereignty, focusing on efforts to maintain and revitalize Native languages for future generations, after receiving testimony from Jean Hovland, Commissioner, Administration for Native Americans, Administration for Children and Families, Department of Health and Human Services; Jessie Little Doe Baird, Mashpee Wampanoag Tribe, Mashpee, Massachusetts; Namaka Rawlins, Aha Punana Leo, Inc., Hilo, Hawaii; Christine P. Sims, University of New Mexico American Indian Language Policy Research and Teacher Training Center, Albuquerque; and Lauren Hummingbird, Cherokee Nation, Tahlequah, Oklahoma.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, who was introduced by Senator Rounds, Kenneth D. Bell, to be United States District Judge for the Western District of North Carolina, who was introduced by Senator Burr, Carl J. Nichols, to be United States District Judge for the District of Columbia, and Martha Maria Pacold, Mary M. Rowland, and Steven C. Seeger, each to be a United States District Judge for
the Northern District of Illinois, who were introduced by Senator Duckworth, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action
The House was not in session today. The House is scheduled to meet in a Pro Forma session at 11 a.m. on Friday, August 24, 2018.

Committee Meetings
No hearings were held.

Joint Meetings
No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY,
AUGUST 23, 2018

(Committee meetings are open unless otherwise indicated)

Senate
Committee on Banking, Housing, and Urban Affairs: business meeting to consider the nominations of Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection, Kimberly A. Reed, of West Virginia, to be President of the Export-Import Bank of the United States, Elad L. Roisman, of Maine, to be Inspector General, both of the Department of Housing and Urban Development, and Dino Falaschetti, of Montana, to be Director, Office of Financial Research, Department of the Treasury, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Kelvin Droegemeier, of Oklahoma, to be Director of the Office of Science and Technology Policy, James Morhard, of Virginia, to be Deputy Administrator of the National Aeronautics and Space Administration, and Joel Szabat, of Maryland, to be an Assistant Secretary of Transportation, 10:15 a.m., SR–253.

Committee on Foreign Relations: to hold hearings to examine the nominations of David T. Fischer, of Michigan, to be Ambassador to the Kingdom of Morocco, Earl Robert Miller, of Michigan, to be Ambassador to the People's Republic of Bangladesh, Daniel N. Rosenblum, of Maryland, to be Ambassador to the Republic of Uzbekistan, Kip Tom, of Indiana, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, and Donald Y. Yamamoto, of Washington, to be Ambassador to the Federal Republic of Somalia, all of the Department of State, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine prioritizing cures, focusing on science and stewardship at the National Institutes of Health, 10 a.m., SD–430.

Committee on the Judiciary: business meeting to consider S. 2961, to reauthorize subtitle A of the Victims of Child Abuse Act of 1990, S. 3354, to amend the Missing Children's Assistance Act, S. 3170, to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and the nominations of Ryan Douglas Nelson, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit, Gary Richard Brown, Diane Gujarati, Eric Ross Komitee, and Rachel P. Kovner, each to be a United States District Judge for the Eastern District of New York, Stephen R. Clark, Sr., to be United States District Judge for the Eastern District of Missouri, Lewis J. Liman, and Mary Kay Vyskocil, both to be a United States District Judge for the Southern District of New York, John M. O'Connor, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma, John L. Sinatra, Jr., to be United States District Judge for the Western District of New York, Joshua Wolson, to be United States District Judge for the Eastern District of Pennsylvania, James W. Carroll, Jr., of Virginia, to be Director of National Drug Control Policy, and Ariana Fajardo Orshan, to be United States Attorney for the Southern District of Florida, Peter G. Strasser, to be United States Attorney for the Eastern District of Louisiana, and G. Zachary Terwilliger, to be United States Attorney for the Eastern District of Virginia, all of the Department of Justice, 10 a.m., SD–226.

House
No hearings are scheduled.
Next Meeting of the SENATE
9:30 a.m., Thursday, August 23

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

Senate will vote on the motion to invoke cloture on Shelby Amendment No. 3695, to H.R. 6157, Department of Defense Appropriations Act, at 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
11:00 a.m., Friday, August 24

House Chamber

Program for Friday: House will meet in Pro Forma session at 11 a.m.