

TRIBUTE TO JOANI SLAWSON AND JAMES YAQUES

• Mr. RUBIO. Mr. President, I often praise the talents and goodwill of Floridians across my home State, and today is no different. Ms. Joani Slawson, a music teacher at Saturn Elementary in Brevard County, and Mr. James Yaques, of Palm Beach Central High School, have been nominated for a Grammy award. Their passion for teaching coupled with their musical talent is rightly being recognized as they are both semifinalists for music educator of the year.

As the Grammy process continues, I, along with my fellow Floridians, will be rooting for Ms. Slawson and Mr. Yaques. I wish them, their respective schools, and their students all the best.●

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1066. An act to direct the Secretary of Veterans Affairs to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding the organizational structure of the Department of Veterans Affairs, and for other purposes.

H.R. 3122. An act to direct the Secretary of Veterans Affairs to include on the Internet website of the Department of Veterans Affairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes.

H.R. 3562. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes.

H.R. 3656. An act to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable.

H.R. 3657. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1066. An act to direct the Secretary of Veterans Affairs to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report regarding the organizational structure of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3122. An act to direct the Secretary of Veterans Affairs to include on the internet website of the Department of Veterans Af-

fairs a warning regarding dishonest, predatory, or otherwise unlawful practices targeting individuals who are eligible for increased pension on the basis of need for regular aid and attendance, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3562. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3656. An act to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable; to the Committee on Veterans' Affairs.

H.R. 3657. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries; to the Committee on Veterans' Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3383. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Black Stem Rust; Additions of Rust-Resistant Species and Varieties" (Docket No. APHIS-2017-0049) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3384. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Benzovindiflupyr; Pesticide Tolerances" (FRL No. 9967-33-OCSPP) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3385. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Formaldehyde, polymer with 1,3-benzenediol, 2-methyloxirane and oxirane, ethers with polyethylene glycol mono-Me ether; Exemption from the Requirement of a Tolerance" (FRL No. 9969-99-OCSPP) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3386. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Formaldehyde, polymer with 1,3-benzenediol, ethers with polyethylene glycol mono-Me ether; Exemption from the Requirement of a Tolerance" (FRL No. 9970-00-OCSPP) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3387. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; New Hampshire;

Rules for Open Burning and Incinerators; Withdrawal of Direct Final Rule" (FRL No. 9970-41-Region 1) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Environment and Public Works.

EC-3388. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Continuous Monitoring Requirements for Municipal Waste Combustors" (FRL No. 9970-28-Region 3) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Environment and Public Works.

EC-3389. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treatment Under Section 956(c) of Certain Receivables Following Hurricane Irma or Hurricane Maria" (Notice 2017-68) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Finance.

EC-3390. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Relief for Victims of Hurricane Maria and California Wildfires" (Announcement 2017-15) received in the Office of the President of the Senate on November 2, 2017; to the Committee on Finance.

EC-3391. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Calendar Year 2018 Home Health Prospective Payment System Rate Update and Calendar Year 2019 Case-Mix Adjustment Methodology Refinements; Home Health Value-Based Purchasing Model; and Home Health Quality Reporting Requirements" ((RIN0938-AT01) (CMS-1672-F)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC-3392. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs" ((RIN0938-AT03) (CMS-1678-FC)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC-3393. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for Calendar Year 2018; Medicare Shared Savings Program Requirements; and Medicare Diabetes Prevention Program" ((RIN0938-AT02) (CMS-1676-F)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC-3394. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Calendar Year 2018 Updates to the Quality Payer Program; and Quality Payment Program; Extreme and Uncontrollable

Circumstance Policy for the Transition Year” ((RIN0938-AT13) (CMS-5522-FC and IFC)) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2017; to the Committee on Finance.

EC-3395. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 3(d) of the Arms Export Control Act, as amended, the certification of a proposed license for the transfer of major defense equipment relative to the transfer of fifteen (15) F-16A/B aircraft, including spare parts and support equipment from the Government of the Republic of Jordan to Airborne Tactical Advantage Company (ATAC) in the amount of \$45,000,000 or more (Transmittal No. RSAT-17-5442); to the Committee on Foreign Relations.

EC-3396. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Department of Homeland Security 2017 Privacy Office Annual Report to Congress”; to the Committee on Homeland Security and Governmental Affairs.

EC-3397. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, a report relative to thirteen audit reports issued during fiscal year 2017 regarding the Agency and the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

EC-3398. A communication from the Director, Office of Management, Department of Energy, transmitting, pursuant to law, a report relative to the Department’s 2016 list of Government activities determined to be inherently governmental and those determined to be not inherently governmental in nature and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-3399. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-170, “Standard of Care for Animals Amendment Act of 2017”; to the Committee on Homeland Security and Governmental Affairs.

EC-3400. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Episodic Alternative Payment Model For Radiation Therapy Services”; to the Committee on Finance.

EC-3401. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Rule on Attorney-Client Privilege for Trials Before the Patent Trial and Appeal Board” (RIN0651-AD10) received in the Office of the President of the Senate on November 6, 2017; to the Committee on the Judiciary.

EC-3402. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of Fiscal Year 2017; to the Committee on Veterans’ Affairs.

EC-3403. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation entitled “Veteran Coordinated Access and Rewarding Experiences (CARE) Act”; to the Committee on Veterans’ Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was re-

ferred or ordered to lie on the table as indicated:

POM-133. A resolution adopted by the House of Representatives of the Commonwealth of Kentucky urging the United States Congress to pass the Miners Protection Act; to the Committee on Finance.

HOUSE RESOLUTION NO. 136

Whereas, in 1946, faced with the prospect of a long strike that could hamper post-war economic recovery, President Harry Truman issued an Executive Order directing the Secretary of the Interior to take possession of all bituminous coal mines in the United States and to negotiate with the United Mine Workers of America “appropriate changes in the terms and conditions of employment”; and

Whereas, after a week of negotiations, the historic Krug-Lewis agreement was announced and signed in the White House with President Truman as a witness; and

Whereas, the agreement created a welfare and retirement fund that guaranteed lifetime payments to miners and their dependents and survivors in cases of sickness, permanent disability, death or retirement; and

Whereas, the agreement also created a separate medical and hospital fund; and

Whereas, in 1947, the government returned control of the mines back to their owners and a new collective bargaining agreement was reached with the companies that guaranteed retirement benefits to miners and their dependents and survivors for life; and

Whereas, for the next 70 years, miners bargained for money to be dedicated to their health care in retirement, because they knew when they retired they would be sicker than the average senior citizen, with more nagging injuries and a greater risk of black lung or some other cardio-pulmonary disease; and

Whereas, the federal government has repeatedly confirmed its role in guaranteeing retirement benefits for coal miners; and

Whereas, in 1992 Congress passed and President George H.W. Bush signed into law the Coal Act, which established an industry-funded mechanism for paying for the health care of retirees whose companies had gone out of business; and

Whereas, in 2006, Congress and President George W. Bush amended the Coal Act to expand the financial resources available to the fund; and

Whereas, a depression reigns in America’s coalfields today, with tens of thousands of jobs eliminated; and

Whereas, multiple companies have filed for bankruptcy and received approval from bankruptcy courts to shed their retiree obligations, leaving more than 26,000 retirees confronting the loss of their health care benefits; and

Whereas, like many other multiemployer pension funds, the United Mine Workers of America 1974 Pension Fund lost a significant portion of its value in the recession of 2008 through 2009, and, due to the devastation of the coal industry, will not receive enough contributions from the employers to make up the shortfall, leading the fund to likely become insolvent by 2022; and

Whereas, on December 9, 2016, Congress passed a Continuing Resolution to continue funding for federal programs and services until April 28, 2017, including a provision providing \$45 million for continued health care benefits for these retirees and their families until April 30, 2017; and

Whereas, Senators Joe Manchin and Shelley Moore Capito of West Virginia have introduced legislation co-sponsored by Republicans and Democrats, the Miners Protection Act, that would amend the Coal Act to allow retirees from recently bankrupt companies

to get health care coverage from the United Mine Workers of America Health and Retirement Funds and would repurpose the balance of an existing appropriation to provide funding to shore up the pension plan; and

Whereas, Representative David McKinley of West Virginia has also introduced the Miners Protection Act in the House of Representatives, and it is also co-sponsored by both Republicans and Democrats; and

Whereas, America’s coal miners have sacrificed much for our nation, with more than 105,000 killed on the job in the last century and more than 100,000 having died from coal workers’ pneumoconiosis, also known as black lung; and

Whereas, knowing those risks, miners have continued to go to work every day to provide for their families, build secure futures for themselves, and produce the fuel that has allowed America to become the most powerful nation on earth; and

Whereas, America has an obligation to our retired coal miners for the sacrifices they have made for our nation: Now, therefore, be it

Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

Section 1. The Kentucky House of Representatives urges the United States Congress to pass the Miners Protection Act as soon as possible and provide the full measure of benefits these retirees were promised and have earned.

Section 2. The Clerk of the House of Representatives shall send a copy of this Resolution and notification of its adoption to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and each member of Kentucky’s delegation to the United States Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 171. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes (Rept. No. 115-181).

By Mr. BURR, from the Select Committee on Intelligence:

Report to accompany S. 2010, An original bill to extend the FISA Amendments Act of 2008 for 8 years, and for other purposes (Rept. No. 115-182).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. McCAIN for the Committee on Armed Services.

*Joseph Kernan, of Florida, to be Under Secretary of Defense for Intelligence.

*Guy B. Roberts, of Virginia, to be an Assistant Secretary of Defense.

*Mark T. Esper, of Virginia, to be Secretary of the Army.

*Robert L. Wilkie, of North Carolina, to be Under Secretary of Defense for Personnel and Readiness.