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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

November 17, 2020.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

THE FOUNDATION OF DEMOCRACY IS THE INTEGRITY OF THE VOTE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, the nature of democracy is that in every election there is a winner and a loser. The success of democracy depends on the loser believing the vote was fair and accepting the result. You see, the vote is not the foundation of democracy, the integrity of the vote is its foundation.

That is just as important for the winner as it is for the loser. The winners depend on the integrity of the vote for their legitimacy. The loser depends on it for their acceptance.

That is precisely the issue in the aftermath of this election. The widespread allegations of illegal votes and illegal processes must be resolved before the election can confer legitimacy. Among those questions are the acceptance of ballots received after election day, votes cast by ineligible voters, backdated ballots, illegally duplicated ballots, voting systems that misallocated votes, and the counting of votes outside any meaningful observation.

Now, there is either evidence to support these allegations or there is not. Fortunately, we are blessed with a well-established system of administrative and judicial review to answer these questions.

Georgia, for example, is now undertaking an audit and hand count. The audit should resolve some concerns over illegal votes, and the hand count should resolve concerns over illegal processes. Meanwhile, judges across the country are hearing complaints and weighing the evidence to support similar concerns.

So I rise today to ask that we all calm down, stop the hyperbolic rhetoric, and allow this process to unfold as it should. Our system is more than capable of working through these issues and providing answers that can satisfy both sides.

We also need to ask ourselves why so many Americans currently believe the election was riddled with fraud. I think it is because so many safeguards built into our system have been removed.

We call it "election day" for a reason. Until recently, we all waited until the campaigns were over and every candidate had their say.

Then on a single day, election day, we personally went to the polling place

in our community in what George Will calls "the communion of democracy." We all took the time because we knew it was important. We brought our children to watch the process, and we taught them to respect it.

The polling place was often at a neighbor's garage or the local elementary school. Each of us looked our neighbors on the precinct board in the eye as we identified ourselves and signed the roll. They then handed us our ballot. We immediately took that ballot into a curtained booth where no one could look over our shoulder or plead or threaten or cajole us to vote a certain way. We cast our vote in absolute privacy, according to our own conscience, and then handed the ballot back to our neighbor, who immediately placed it into a locked box in the presence of observers from all parties.

It was very hard to commit fraud in such a system because every ballot had a clear and simple chain of custody. At 8 p.m., the total number of votes was known, and the count began under the watchful eye of observers, and we usually knew the results of most races by 10 o'clock that night, midnight if it was close.

Now, consider how we have perverted that simple and secure process that we once prided ourselves upon. Today ballots are mailed out to voter rolls that contain untold numbers of people who have moved or died. There is no chain of custody from the time the ballot is mailed until the time it is returned. In many States, ballot harvesters can knock on doors and collect these surplus ballots.

Even legitimate votes can be cast weeks before the debate is concluded and under the duress of family or friends or precinct workers.

This corrupted process cannot continue. Even if it doesn't rob our elections of their actual legitimacy, it certainly robs them of their perceived legitimacy, destroying the trust that the

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

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



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loser of any election must have to accept and respect the will of the electorate.

The old process assured the presumption of fairness. The new process offers none. Acceptance of an election cannot be obtained by browbeating. It can only be earned by a full and open review of the integrity of the election establishing for all Americans that their vote was fairly and accurately recorded and that the result speaks as the will of the Nation. And I eagerly await that day.

THE POLITICAL STATUS OF PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Mrs. MURPHY) for 5 minutes.

Mrs. MURPHY of Florida. Mr. Speaker, I rise to discuss the political status of Puerto Rico, which is home to more than three million American citizens.

In my home State of Florida, there are now 1.2 million people who were born in Puerto Rico or who have Puerto Rican roots. That is more than any other State.

Every month, many Puerto Ricans move to Florida and other States in search of a brighter future. The island has been through so much—from the economic crisis, to Hurricane Maria, to the earthquakes, to COVID-19.

In Florida, we will always welcome these families with open arms, but I want them to have more opportunities in Puerto Rico. I don't want them to feel like they have no alternative but to leave their beloved home.

In my Orlando district, most of my Puerto Rican constituents have family members and friends still living on the island. Because they care deeply about Puerto Rico, I care deeply about Puerto Rico.

But every Member of Congress should care about Puerto Rico because Puerto Ricans are our fellow American citizens. We are part of the same American family, even though the hard truth is that the United States hasn't always treated Puerto Rico very well.

Our country now has the chance to do right by Puerto Rico.

That is because on November 3, Puerto Rico held a vote on its political status. In a referendum, the people of Puerto Rico were asked the following question: "Should Puerto Rico be admitted immediately into the Union as a State?" Yes or no?

Even though Puerto Rico has been a U.S. territory since 1898, and the island residents have been American citizens since 1917, this was the first time the people of Puerto Rico were asked this simple and direct question.

According to the results, over 52 percent of voters, more than 623,000 people, answered "yes," while nearly 48 percent of voters answered "no."

The vote was fair, and the results were clear.

At this point, it is beyond dispute that a majority of the American citi-

zens living in Puerto Rico want the territory to become a State.

Now, are there people in Puerto Rico who would prefer for the island to remain a territory or to become a sovereign nation? Absolutely. And that is completely valid and legitimate.

But when it comes to the political destiny of a place, the views of the minority cannot trump or take precedence over the views of the majority. That would turn the concept of democracy on its head. Votes matter.

And now that the people of Puerto Rico have spoken, the Federal Government must listen. Whether it is the White House or Congress, whether it is Democrats or Republicans, we must respect and respond to this result.

To do otherwise would be immoral or undemocratic, beneath the dignity of our great Nation.

Let me be crystal clear on two points so there is no misunderstanding.

First, it is well known that I personally support statehood because I think it will provide the people of Puerto Rico with democracy and equality and political power and a better quality of life. They do not have these things right now and they deserve to have them.

By the way, I am an immigrant and a refugee. I grew up in Virginia speaking Vietnamese with my parents. One of the main reasons I love America is because it is a mix of people from different cultures with different traditions who speak different languages. I reject the notion that statehood would weaken Puerto Rico's beautiful culture or its proud traditions or affect the island's use of the Spanish language.

Having said all this, even though I personally favor statehood, it is not my place to substitute my views for the views of the people of Puerto Rico.

If they wished to remain a territory or become a nation, I would honor that wish.

However, the majority of voters have chosen statehood, and so I intend to respect that choice.

Finally, let me say this: I am a Democrat, but my support for statehood has nothing to do with any prediction about whether Puerto Rico would be a blue State or a red State. History teaches us that such predictions tend to be wrong, and I personally think Puerto Rico would be a swing State that elects both Democrats and Republicans.

However, I would support statehood for Puerto Rico if it were as Republican as Wyoming or as Democratic as Vermont. To oppose statehood because you fear the people will not vote the way you want them to vote violates the most basic principles of justice and democracy, and I have zero patience for that.

In the coming weeks, I will work with Puerto Rico's governor-elect, resident commissioner, and legislative assembly, with the incoming Biden administration, and with my congressional colleagues on both sides of the

aisle to determine the best path forward.

I cannot promise a particular result, but I can promise I will never stop fighting for equality for the American citizens of Puerto Rico.

CELEBRATING VETERANS DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, last week on November 11, we celebrated Veterans Day, and I rise today to thank each and every one of the men and women who have donned the uniform of the United States military; to express my gratitude for the individuals who have served to secure and protect our most precious freedoms; to acknowledge the sacrifices that these brave Americans have endured to make America the country that it is today.

In the Pentagon, in the stairwell to the office of the Secretary of Defense, there is a painting of a soldier in gear ready for deployment surrounded by family at the altar of a church.

Accompanying that painting is a verse of scripture from the Holy Scripture from the Book of Isaiah. And it reads: "Who shall I send? Who will go for me?" In the painting, that is from the Gospel and the word of God. That painting communicates that our Nation's veterans have answered that call.

Recently, I was approached about co-sponsoring H.R. 2350, the Ghost Army Congressional Gold Medal Act. A 16-year-old young lady named Madeline reached out to my office to share the story of her great grandfather's service.

Her great grandfather served in the Ghost Army during World War II. The Ghost Army was a tactical deception unit that sought to undermine the Axis Power efforts in Germany during the war.

Madeline shared with me that there are two gentlemen from my district who served in the Ghost Army, Tom Ebeling from Bradford and Claude Blake from Patton.

There are many fascinating stories from the Ghost Army that were kept secret for decades after the war. It wasn't until 1996 that this information was declassified, and their bravery could be shared with us all.

I would also like to mention that Veterans Day took place during National Apprenticeship Week, and this is a great opportunity to remind everyone what incredible value veterans add to our workforce.

Veterans exhibit proven leadership, higher retention rates, have the ability to work well under pressure, and they have a strong work ethic.

Our veterans are highly trained and highly skilled. They deserve our support while deployed and when they return home. One of the best ways to do

that is to prepare them for the work-force outside of the military.

I am a proud original cosponsor of the Veterans in Effective Apprenticeships Act, which instructs apprenticeship programs to account for a participant's competencies and prior experiences, including those gained during military service, among other things.

Mr. Speaker, the best way to thank a veteran is to hire a veteran. The skills obtained during service are invaluable.

In closing, I would like to offer my sincerest gratitude one last time to the men and women who have selflessly served our country in the United States military. They have put their lives on the line for us, and we are forever indebted to them for this sacrifice.

□ 1015

CONGRESS IS THE FINAL ARBITER OF ELECTORAL COLLEGE VOTE SUBMISSIONS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, this is the first in a series of House floor speeches by me on the recent Presidential election.

Some believe the Supreme Court decides who wins Presidential elections. That is wrong. While the Supreme Court has a significant judicial role in the Presidential election process, the United States Constitution and Federal law make Congress, not the Supreme Court, the judge of who wins Presidential elections.

Congress must first accept or reject State submissions of electoral college votes. Thereafter, if no candidate wins an electoral college vote majority, Congress, not the Supreme Court, votes on and elects the next President and Vice President of the United States.

The Constitution's 12th Amendment requires States to submit their electoral college votes to Congress, thereby triggering United States Code title 3, section 15, which requires that:

First, Congress shall meet January 6 following the election at 1 p.m. to receive States' electoral college vote submissions.

Second, the Senate President presides over all proceedings.

Third, each State's electoral college submissions shall be opened, presented, and acted upon in alphabetical order, beginning with the letter A.

Fourth, the Senate President shall receive and publicly announce each State's electoral college vote.

Fifth, the Senate President shall call for objections, if any. Objections must be in writing and clearly and concisely state, without argument, the objection grounds. Further, each objection must be signed by at least one Senator and one Congressman or be disallowed.

Sixth, the Senate and House shall then separate, and each body shall then decide whether to accept or reject elec-

toral college votes that have been properly objected to.

Finally, if the House and Senate both vote to reject a State's electoral college vote submission, those electoral college votes shall not be counted in the election of the President and Vice President.

United States Code title 3, section 17, adds that the Senate and House votes to accept or reject electoral college votes must occur immediately after no more than 2 hours of floor debate.

This process has been used in the past to challenge States' electoral college votes.

For example, in 2005, Democrat Congresswoman Stephanie Tubbs Jones and Democrat Senator Barbara Boxer jointly objected to acceptance of Ohio's electoral college votes for Republican President George Bush after Ohio election officials certified that George Bush won Ohio by almost 120,000 votes.

Similarly, in 2017, numerous Democrat Congressmen objected to all the electoral college votes for Republican Presidential candidate Donald J. Trump from the States of Alabama, Florida, Georgia, Michigan, Texas, North Carolina, South Carolina, West Virginia, Wisconsin, and Wyoming. These objections failed for lack of a Senate cosponsor.

In sum, the United States Constitution and Federal law mandate that, on January 6, 2021, Congress must decide whether to accept or reject States' submissions of electoral college votes for President.

If a Congressman and Senator jointly object, then the full House and full Senate must each vote on whether to accept or reject a State's electoral college vote submission. That vote by Congress is final, determinative, and nonreviewable. If a State's electoral college votes are rejected, then those electoral college votes are excluded from candidate totals.

My second speech in this series covers what happens if, because of rejected electoral college votes, neither candidate has the majority of electoral college votes needed to be elected President of the United States.

SOUTH CAROLINIANS APPRECIATE PRESIDENT TRUMP

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. WILSON) for 5 minutes.

Mr. WILSON of South Carolina. Mr. Speaker, President Donald Trump was extraordinarily successful in South Carolina, overcoming the biased fake news to have a tremendous victory.

The voters appreciated record job growth for African Americans, Hispanics, and Asian Americans, along with record job growth for women and youth, along with a restored military with peace through strength, protecting our allies like Israel, as he stood for law enforcement to protect American families.

There is true love and affection for Donald Trump in South Carolina.

Democrats wasted the largest onslaught ever of cash, with over \$200 million from out-of-State, to pathetically spend money to the point where their votes were \$120 per vote to lose.

Democrats unintentionally exposed their socialist agenda of everything free for everybody, resulting in citizens with no freedom, but the political and media elites have all the power.

Prime Minister Margaret Thatcher was correct that socialism will work until it has run out of spending other people's money, always failing.

In South Carolina, female Republicans were especially targeted by the failing Democrats. South Carolina has elected the first female Republican Congresswoman ever, Congresswoman-elect Nancy Mace. The South Carolina State Senate has elected, with Penny Gustafson of Camden, the first Republican ever to be elected to the State Senate from Kershaw County, joining Senators Katrina Shealy of Lexington and Sandy Senn of Charleston.

Despite Democrat dirty tricks, a smeared Senator LINDSEY GRAHAM swept to victory, with Republican gains at all levels—Federal, State, and local—with the largest number of Republican elected officials in 140 years.

State Party Chairman Drew McKissick and Executive Director Hope Walker have been dynamic leaders for successfully leading the victory party with Governor Henry McMaster, Lieutenant Governor Pamela Evette, and Attorney General Alan Wilson.

I am humbled to have lived the modern Republican revolution, attending the swearing-in of State Representative Charlie Boineau in August 1961 as the first elected Republican in the 20th century, with State Representative Floyd Spence being the first to courageously switch parties in 1962, leading today to super Republican majorities with all statewide officials now Republicans, along with eight out of nine Federal legislators being Republicans.

I credit my mother, Wray Wilson, for my political involvement, as she was a pioneering activist in South Carolina for President Dwight Eisenhower in 1952.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

Our sympathy for the family of the visionary Midlands business leader Arthur Brown, Jr.

CELEBRATING NATIONAL ADOPTION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. COMER) for 5 minutes.

Mr. COMER. Mr. Speaker, I rise today to celebrate National Adoption Month along with National Adoption Day on November 21.

This recognition aims to increase awareness for the 122,000 foster children in America awaiting adoption,

and to celebrate the children and families brought together through the adoption process.

Mr. Speaker, I honor the numerous organizations and individuals throughout the First Congressional District that offer vital assistance to the children in the foster care system. Their efforts to help adopted children and provide resources for young adults aging out of the system go a long way in ensuring the safety and well-being of this vulnerable population. Their tireless efforts and compassion for others form the backbone of our child welfare system.

I am honored to join with my colleagues in celebration of National Adoption Month and to thank all the generous organizations and individuals in the First Congressional District of Kentucky for their dedication to such a noble cause.

RECOGNIZING TODD COUNTY'S 200TH ANNIVERSARY

Mr. COMER. Mr. Speaker, as the Congressman for Kentucky's First Congressional District, I am proud to represent 35 counties and numerous communities with their own unique identities.

A very special county and city in my district are celebrating their 200th anniversary this year. Todd County is a county I represent on the Kentucky-Tennessee State line that is full of small towns and rich traditions.

Todd County, along with the city of Elkton, have been a special part of western Kentucky for two centuries now.

Whether you reside in Elkton, Guthrie, or Trenton, you call home a beautiful county full of wonderful people. With a strong farming heritage, agriculture continues to play a significant role in the local economy.

2020 is not the ideal year to celebrate the two-century milestone, but while this year has brought significant change to our society, one thing has not changed: Todd County, Elkton, and other rural communities will continue to provide a strong voice for small-town values in our Nation.

I am proud to represent the good people of Todd County and Elkton in Congress, and I look forward to seeing even more prosperous years to come.

END PROXY VOTING

Mr. COMER. Mr. Speaker, under Speaker PELOSI's leadership, this body has experienced a series of new lows.

One of these failures in leadership was encouraging the abdication of our duty as lawmakers amid a national crisis. The majority party upended centuries of precedent by allowing proxy voting, and now has another terrible idea: vote by text.

As many essential American workers have continued working every day, this approach mistakenly signals that Congress is above the American people.

The coronavirus is a serious crisis and one that requires Congress to show up in person to address our Nation's challenges. I am proud to have shown

up here at the Capitol alongside my Republican colleagues throughout 2020 to cast votes.

Members of this body should not be able to shield themselves from scrutiny by voting on issues without being fully present.

As we close out the year and move into 2021, it is imperative that all Americans get the full representation they deserve in Congress, with their elected officials showing up for work.

HOLD HEARINGS ON ELECTION INTEGRITY

Mr. COMER. Mr. Speaker, today, JIM JORDAN, the ranking member of the Judiciary Committee, and myself are sending a letter to Chairman NADLER and Chairwoman MALONEY, the chairs of our respective committees, requesting a hearing on the election process, the integrity of the election process.

Just last night, we got a report that over 2,000 ballots had just been found in Georgia. Ironically, despite the fact that all these absentee ballots have been breaking overwhelmingly for the Democrats and for Joe Biden in the Presidential race, this particular batch of ballots broke 800 votes in favor of Donald Trump.

Now, I have been hesitant to criticize the election process without facts. We have facts here.

It is a fact that there has been a history of problems with Dominion and different election software programs that have been used in several of the States that are in question in this Presidential election.

We have had all of these hearings in the Judiciary Committee and all of these hearings in the Oversight and Reform Committee on Russia collusion that never proved anything, but we have a Presidential election that every American is watching. Why can't we have hearings on that?

Mr. Speaker, we are here for the next 2 weeks. I strongly encourage the Judiciary and Oversight and Reform Committees to hold a hearing on our election integrity.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 29 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CORREA) at noon.

PRAYER

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

Loving and gracious Lord of mercy, we give You thanks for giving us another day.

In this single week after a long campaign season and before breaking once again for Thanksgiving, bless the Members of the people's House with focus and purpose on the issues facing them.

We ask Your blessing as well on those newly elected who will be joining this assembly for the 117th Congress. May their transition into office be smooth and marked by the civility of democratic change of government, which is the rightful pride of the United States of America.

Lord, our Nation continues to be besieged by the plague of the coronavirus. Send Your spirit of peace, that our people might be brought together to address the dangers of this disease as we approach seasons of family and community celebration. Bless as well those who continue to labor to bring health and relief to those who are ill.

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

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 4(a) of House Resolution 967, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. MURPHY) come forward and lead the House in the Pledge of Allegiance.

Mr. MURPHY of North Carolina led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

CALLING FOR COVID-19 AID

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, Michigan, like many States, continues to see a skyrocketing number of COVID-19 cases. In my own family, we have cases, serious cases, of this terrible virus.

This pandemic is far, far from over. It is actually getting worse, and Congress has to do its job.

Families, seniors, small businesses, they need our support right now. I have heard from thousands of constituents who are still struggling to pay their bills, to put food on the table, to pay rent, and to protect themselves.

This Congress needs to pass emergency relief now. It has been 6 months

since the House passed a COVID relief bill, a bill that would put money in the pockets of workers, up to \$6,000 per household; it would extend unemployment benefits for those people who have lost their jobs as a result of this pandemic; and it would support small businesses, importantly, those small businesses that are just on the brink of failure, to ensure that relief gets to those underserved communities and especially to some of our nonprofits.

Sadly, the COVID bill sits on MITCH MCCONNELL's desk, gathering dust.

This is a pandemic. It is a health crisis. It is an economic crisis. We need to come together, put politics aside, negotiate with one another, come to a compromise, and help the American people.

RECOGNIZING VETERANS DAY

(Mr. MURPHY of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MURPHY of North Carolina. Mr. Speaker, this past Wednesday, we recognized Veterans Day.

It is most appropriate that we set aside a day each year to thank the brave men and women in our Armed Forces who have selflessly sacrificed so much for our great Nation.

For more than two centuries, Americans have fought under the American flag for the principles of freedom, justice, and equality under the law.

Our Americans stand tall and are respected worldwide for their dedication to country and the sacrifices that they have made for our freedom. Many have gone to hell and back to preserve the natural rights outlined in the Constitution, specifically freedom of speech, freedom of religion, and the right to bear arms.

In eastern North Carolina, I am honored to represent 95,000 veterans, the third most of any congressional district in the United States.

Despite the partisanship oftentimes seen in this body, it is critical, like was done on this House floor last night, that we show broad, bipartisan support for our American veterans.

Their defense of our Nation has not been just for Democrat, not just for Republican or independent. It has been for all Americans.

So, again, we say thank you for your service, and God bless you all.

CREDITING OPERATION WARP SPEED

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, with America under attack by the Wuhan virus, President Donald Trump announced Operation Warp Speed, led by Vice President MIKE PENCE.

Operation Warp Speed is America's commonsense path toward a historic

effort to safely bring the virus testing, treatments, and vaccines to the American people in record time.

Extraordinary scientists, doctors, and manufacturers from around the Nation are working tirelessly through Operation Warp Speed to develop safe and effective vaccines. A safe, effective vaccine is the key to restoring our normal way of life and restoring jobs.

Just this week, Moderna announced vaccine success and, thanks to President Trump, vaccine production is underway.

This is great news for our families and for the restoration of jobs, and I am grateful that we are closer than ever to defeating the pandemic.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

REMEMBERING HUGH PENDLETON NUNNALLY, JR.

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in remembrance of Hugh Pendleton Nunnally, Jr., who was a pillar in the Golden Isles community.

Hugh was born and raised in Atlanta and graduated from Georgia Tech with a degree in agriculture. After graduating, he was fortunate enough to be mentored by Malon Courts of the Courts & Company and became a broker within 2 years.

In 1955, he was drafted into the Army and finished his service in 1957 as a sergeant.

Following Hugh's time in the Army, he became a founding partner in the brokerage firm Budd & Company and then a founding partner of Presidential Financial Company.

After the death of his precious wife, Miriam, he was devoted to many philanthropic efforts, including the Southeast Georgia Health System, the Nunnally House, the College of Coastal Georgia, the Humane Society of South Coastal Georgia, and the Hospice of the Golden Isles.

Hugh will always be remembered for his endearing smile, compassion, and selflessness.

My thoughts and prayers are with all who knew and loved him during this most difficult time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

NIMHD RESEARCH ENDOWMENT REVITALIZATION ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 4499) to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4499

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 "NIMHD Research Endowment Revitalization Act of 2020".

SEC. 2. RESEARCH ENDOWMENTS AT BOTH CURRENT AND FORMER CENTERS OF EXCELLENCE.

Paragraph (1) of section 464z-3(h) of the Public Health Service Act (42 U.S.C. 285t(h)) is amended to read as follows:

"(1) IN GENERAL.—The Director of the Institute may carry out a program to facilitate minority health disparities research and other health disparities research by providing for research endowments—

"(A) at current or former centers of excellence under section 736; and

"(B) at current or former centers of excellence under section 464z-4."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4499.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4499, the NIMHD Research Endowment Revitalization Act of 2020.

This bill authorizes the National Institute on Minority Health and Health Disparities, or NIMHD, to facilitate research on minority health disparities through research endowments at current or former Centers of Excellence.

The NIMHD Research Endowment Program was established by the Minority Health and Disparities Research and Education Act of 2000. By supporting the endowments of certain academic institutions, the program promotes minority health and health disparities research capacity, increases the diversity of the scientific workforce, and enhances the recruitment and retention of underrepresented individuals in science.

Congress expanded the eligibility of the program to include institutions of higher education with an active NIMHD Center of Excellence, and this expansion inadvertently resulted in

schools such as Morehouse School of Medicine, Georgia State University, and Morgan State University being ineligible.

As our Nation continues to combat the COVID-19 pandemic, there is an even more urgent need to support additional research into minority health and health disparities, and to bolster the recruitment and retention of underrepresented individuals in science.

Mr. Speaker, I commend the lead sponsors, Representatives BARRAGÁN, CARTER, and the late John Lewis, and their staffs, for their work on this legislation. I also thank the Democratic and Republican members of our committee, as well as bipartisan committee staff, for working together to move this bill.

Mr. Speaker, I urge my colleagues to support H.R. 4499, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I, too, rise in support of H.R. 4499, the National Institute on Minority and Health Disparities Research Endowment Revitalization Act.

Mr. Speaker, I thank my Committee on Energy and Commerce colleagues on both sides of the aisle, especially Congressman CARTER and Congresswoman BARRAGÁN, for their leadership on this bill, and the chairman for moving it.

This bill authorizes the National Institute on Minority Health and Health Disparities to award research grants to current and former Centers of Excellence that conduct research on minority health disparities.

Health inequalities and inequities are disproportionately experienced by minority populations, and we all know they can have adverse impacts on health outcomes, on economic opportunities and, frankly, on overall quality of life. The COVID-19 pandemic has exacerbated these disparities, which is why this legislation is so important, Mr. Speaker.

Continued support of these Centers of Excellence is critical in advancing minority health, addressing health inequities, and expanding educational and training opportunities for those interested in further advancing research in this space.

Mr. Speaker, I urge my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional Members who would like to speak on the bill, and so I urge support for the legislation. I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I thank the gentleman very much for yielding.

Mr. Speaker, I rise today in support of H.R. 4499, the NIMHD Research Endowment Revitalization Act of 2020.

This is an extremely important piece of legislation, and I intend to support it.

I also intend to ask the House today to support my legislation, which is H.R. 4806, the Debarment Enforcement of Bad Actor Registrants Act of 2019, or the DEBAR Act.

Substance abuse continues to wreak havoc in our communities and is responsible for claiming nearly 700,000 lives since 1999. In the first quarter of this year alone, overdose death rates increased 11.4 percent compared to the same time last year.

As we work to put an end to the coronavirus pandemic, addressing the ongoing opioid epidemic is increasingly critical.

□ 1215

I introduced the DEBAR Act because it takes significant steps to reduce the circulation of illegal substances in our country.

This bill provides the Drug Enforcement Agency debarment authority to permanently prohibit a person or entity who has violated the Controlled Substances Act from being able to receive a registration to manufacture, distribute, or dispense a controlled substance.

We cannot stop our efforts to end the opioid and substance abuse crisis, and I encourage my colleagues to support H.R. 4806 and H.R. 4499.

I also want to thank the chairman for his work on both of these pieces of legislation, and the ranking member, and I encourage my colleagues to support both pieces of legislation.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), one of the coauthors of this piece of legislation.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am thankful for the time today to speak on this important legislation, and I thank Congresswoman BARRAGÁN for being a champion of this issue.

The coronavirus has wreaked havoc on our communities. Now, more than ever, we must support minority academic institutions and the critical research they conduct. Minority academic institutions can play a big role in conducting critical research and helping us work to lessen the health disparities minority communities face.

We must ensure schools, including the Morehouse College in my home State of Georgia, are able to conduct their research without disruption. Their efforts will better prepare all of us to respond to the coronavirus and other health inequities more effectively.

I urge passage today.

Mr. WALDEN. Mr. Speaker, I don't believe we have any other Members wishing to speak on this legislation, so I will just close and say it is another great work product from our Energy and Commerce Committee, bipartisan legislation that I encourage our colleagues to support, and I yield back the balance of my time.

Ms. BARRAGÁN. Mr. Speaker, I rise today in support of H.R. 4499, the NIMHD Research

Endowment Revitalization Act, a bill I introduced with my friend and colleague from Georgia, Congressman CARTER.

This legislation moves us closer to ending the disparities in public health between minority communities and other Americans. We need to understand why people in minority communities are more likely to get certain illnesses and how we can prevent that. H.R. 4499 will fund the research that will help us find solutions.

If signed into law, this bill will once again allow for current and former NIMHD or HRSA Centers of Excellence to receive research endowment funding, money that is critical in the fight to reduce minority health disparities.

The Research Endowment Program at the National Institute on Minority Health and Health Disparities provides funding to the endowments of academic institutions across the country, such as Charles Drew University in my district.

The goals of the program include:

Promoting minority health and health disparities research capacity and infrastructure; Increasing the diversity and strength of the scientific workforce; and

Enhancing the recruitment and retention of individuals from health disparity populations that are underrepresented in the scientific workforce.

Charles Drew University has stated that this legislation and the funding are critical to their mission and that they support this legislation because:

"Restoring eligibility would allow the University to continue its historic focus on research to close the gap between the burden of illness and premature mortality experienced more commonly by communities of color, as well as other medically underserved populations, as compared to the nation as a whole. It would also help to grow and enhance the University's capacity and infrastructure for health disparities research within the Urban Health Institute."

During the COVID health emergency, where communities of color are once again disproportionately affected, research into health disparities is more crucial than ever.

I want to once again thank my colleague Congressman CARTER for co-leading this bill with me, as well as the other bipartisan cosponsors: Congresswoman KELLY, Congressman ROGERS, and the late John Lewis. I also want to thank Chairman PALLONE for working with me to help move this important bill through the Committee.

I urge all my colleagues to vote yes on the NIMHD Research Endowment Revitalization Act so that these schools can continue this important research on minority health disparities.

CHARLES R. DREW UNIVERSITY OF MEDICINE AND SCIENCE STATEMENT ON H.R. 4499

Charles R. Drew University of Medicine in Science (CDU) is in strong support of H.R. 4499 which amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence, and for other purposes.

If enacted H.R. 4499 would reinstate the University's eligibility for NIMHD endowment grants that were withdrawn because the University had received endowment grants for 10 years despite being underfunded for its critical health disparities research.

Restoring eligibility would allow the University to continue its historic focus on research to close the gap between the burden of illness and premature mortality experienced more commonly by communities of color, as well as other medically underserved populations, as compared to the nation as a whole. It would also help to grow and enhance the University's capacity and infrastructure for health disparities research within the Urban Health Institute.

Respectfully Submitted,
DAVID M. CARLISLE, MD, PhD,
President and CEO, Charles R. Drew
University of Medicine and Science.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 4499, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MAKING OBJECTIVE DRUG EVIDENCE REVISIONS FOR NEW LABELING ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5668) to amend the Federal Food, Drug, and Cosmetic Act to modernize the labeling of certain generic drugs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5668

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 "Making Objective Drug Evidence Revisions for New Labeling Act of 2020" or the "MODERN Labeling Act of 2020".

SEC. 2. MODERNIZING THE LABELING OF CERTAIN GENERIC DRUGS.

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 503C the following:

"SEC. 503D. PROCESS TO UPDATE LABELING FOR CERTAIN DRUGS.

"(a) DEFINITIONS.—For purposes of this section:

"(1) The term 'covered drug' means a drug approved under section 505(c)—

"(A) for which there are no unexpired patents included in the list under section 505(j)(7) and no unexpired period of exclusivity;

"(B) for which the approval of the application has been withdrawn for reasons other than safety or effectiveness; and

"(C) for which—

"(i)(I) there is new scientific evidence available pertaining to the existing conditions of use that is not reflected in the labeling;

"(II) the approved labeling does not reflect current legal and regulatory requirements for content or format; or

"(III) there is a relevant accepted use in clinical practice that is not reflected in the approved labeling; and

"(ii) updating the labeling would benefit the public health.

"(2) The term 'period of exclusivity', with respect to a drug approved under section 505(c), means any period of exclusivity under clause (ii), (iii), or (iv) of section 505(c)(3)(E), clause (ii), (iii), or (iv) of section 505(j)(5)(F), or section 505A, 505E, or 527.

"(3) The term 'generic version' means a drug approved under section 505(j) whose reference listed drug is a covered drug.

"(4) The term 'relevant accepted use' means a use for a drug in clinical practice that is supported by scientific evidence that appears to the Secretary to meet the standards for approval under section 505.

"(5) The term 'selected drug' means a covered drug for which the Secretary has determined through the process under subsection (c) that the labeling should be changed.

"(b) IDENTIFICATION OF COVERED DRUGS.—The Secretary may identify covered drugs for which labeling updates would provide a public health benefit. To assist in identifying covered drugs, the Secretary may do one or both of the following:

"(1) Enter into cooperative agreements or contracts with public or private entities to review the available scientific evidence concerning such drugs.

"(2) Seek public input concerning such drugs, including input on whether there is a relevant accepted use in clinical practice that is not reflected in the approved labeling of such drugs or whether new scientific evidence is available regarding the conditions of use for such drug, by—

"(A) holding one or more public meetings;

"(B) opening a public docket for the submission of public comments; or

"(C) other means, as the Secretary determines appropriate.

"(c) SELECTION OF DRUGS FOR UPDATING.—If the Secretary determines, with respect to a covered drug, that the available scientific evidence meets the standards under section 505 for adding or modifying information to the labeling or providing supplemental information to the labeling regarding the use of the covered drug, the Secretary may initiate the process under subsection (d).

"(d) INITIATION OF THE PROCESS OF UPDATING.—If the Secretary determines that labeling changes are appropriate for a selected drug pursuant to subsection (c), the Secretary shall provide notice to the holders of approved applications for a generic version of such drug that—

"(1) summarizes the findings supporting the determination of the Secretary that the available scientific evidence meets the standards under section 505 for adding or modifying information or providing supplemental information to the labeling of the covered drug pursuant to subsection (c);

"(2) provides a clear statement regarding the additional, modified, or supplemental information for such labeling, according to the determination by the Secretary (including, as applicable, modifications to add the relevant accepted use to the labeling of the drug as an additional indication for the drug); and

"(3) states whether the statement under paragraph (2) applies to the selected drug as a class of covered drugs or only to a specific drug product.

"(e) RESPONSE TO NOTIFICATION.—Within 30 days of receipt of notification provided by the Secretary pursuant to subsection (d), the holder of an approved application for a generic version of the selected drug shall—

"(1) agree to change the approved labeling to reflect the additional, modified, or supplemental information the Secretary has determined to be appropriate; or

"(2) notify the Secretary that the holder of the approved application does not believe that the requested labeling changes are warranted and submit a statement detailing the reasons why such changes are not warranted.

"(f) REVIEW OF APPLICATION HOLDER'S RESPONSE.—

"(1) IN GENERAL.—Upon receipt of the application holder's response, the Secretary shall promptly review each statement received under subsection (e)(2) and determine which labeling changes pursuant to the Secretary's notice

under subsection (d) are appropriate, if any. If the Secretary disagrees with the reasons why such labeling changes are not warranted, the Secretary shall provide opportunity for discussions with the application holders to reach agreement on whether the labeling for the covered drug should be updated to reflect available scientific evidence, and if so, the content of such labeling changes.

"(2) CHANGES TO LABELING.—After considering all responses from the holder of an approved application under paragraph (1) or (2) of subsection (e), and any discussion under paragraph (1), the Secretary may order such holder to make the labeling changes the Secretary determines are appropriate. Such holder of an approved application shall—

"(A) update its paper labeling for the drug at the next printing of that labeling;

"(B) update any electronic labeling for the drug within 30 days of such order; and

"(C) submit the revised labeling through the form, 'Supplement—Changes Being Effected'.

"(g) VIOLATION.—If the holder of an approved application for the generic version of the selected drug does not comply with the requirements of subsection (f)(2), such generic version of the selected drug shall be deemed to be misbranded under section 502.

"(h) LIMITATIONS; GENERIC DRUGS.—

"(1) IN GENERAL.—With respect to any labeling change required under this section, the generic version shall be deemed to have the same conditions of use and the same labeling as its reference listed drug for purposes of clauses (i) and (v) of section 505(j)(2)(A). Any labeling change so required shall not have any legal effect for the applicant that is different than the legal effect that would have resulted if a supplemental application had been submitted and approved to conform the labeling of the generic version to a change in the labeling of the reference drug.

"(2) SUPPLEMENTAL APPLICATIONS.—Changes to labeling made in accordance with this section shall not be eligible for an exclusivity period under this Act.

"(3) SELECTION OF DRUGS.—Nothing in this section shall be construed to give the Secretary the authority to identify a drug as a covered drug or select a drug label for updating solely based on the availability of new safety information. Upon identification of a drug as a covered drug, the Secretary may then consider the availability of new, additional, or different safety information in determining whether the drug is a selected drug and in determining what labeling changes are appropriate.

"(4) MAINTENANCE OF LABELING.—Nothing in this section shall be construed to affect the responsibility of the holder of an approved application under section 505(i) to maintain its labeling in accordance with existing requirements, including subpart B of part 201 and sections 314.70 and 314.97 of title 21, Code of Federal Regulations (or any successor regulations).

"(i) RULES OF CONSTRUCTION.—

"(1) APPROVAL STANDARDS.—This section shall not be construed as altering the applicability of the standards for approval of an application under section 505. No order shall be issued under this subsection unless the scientific evidence supporting the changed labeling meets the standards for approval applicable to any change to labeling under section 505.

"(2) SECRETARY AUTHORITY.—Nothing in this section shall be construed to limit the authority of the Secretary to require labeling changes under section 505(o).

"(j) REPORTS.—Not later than 4 years after the date of the enactment of the Making Objective Drug Evidence Revisions for New Labeling Act of 2020, and every 4 years thereafter, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report that—

“(1) describes the actions of the Secretary under this section, including—

“(A) the number of covered drugs and description of the types of drugs the Secretary has selected for labeling changes and the rationale for such recommended changes; and

“(B) the number of times the Secretary entered into discussions concerning a disagreement with an application holder or holders and a summary of the decision regarding a labeling change, if any; and

“(2) includes any recommendations of the Secretary for modifying the program under this section.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5668.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5668, the MODERN Labeling Act.

Prescription drug labels contain the most authoritative drug-related information available to prescribers. These labels let prescribers know about approved uses for a drug and important patient safety information.

However, over time, labels can become outdated as more information becomes known about a drug, but a manufacturer may not update the label with the Food and Drug Administration to identify new uses for drugs. This is especially likely to happen with some older generic drugs where there may be commonly accepted off-label uses but no FDA-sanctioned method of communicating those safe uses.

In some cases, a generic drug may have an outdated label due to a loophole in the law. Under this loophole, if a listed brand drug leaves the market while a generic competitor remains, there is no way for the generic drug to update its label with approved new uses. This is because generic drugs must maintain the same drug information on their labels as their branded counterparts, even when their branded counterpart has left the market.

This bipartisan legislation, Mr. Speaker, would fix this problem. H.R. 5668 would allow FDA to identify drugs that have out-of-date labels and pursue revised labeling, allowing new uses and new indications to be listed. This will allow FDA and generic drug manufacturers to ensure that drug labels, the most trusted source of drug use information, include the best information available.

Mr. Speaker, it is important to note that both brand and generic manufacturers have the responsibility to work

with FDA to update drug safety information that becomes known and that does not change under this bill.

Amendments adopted through our committee process ensure that, when a manufacturer needs to update a label solely with new safety information, manufacturers and FDA must pursue such changes through the current process. Drug safety is paramount, and we want patients to have certainty that they will have up-to-date safety information.

As Dr. Jeff Allen from the Friends of Cancer Research said at our hearing on this bill: “Preserving the accuracy and reliability of labeling may be viewed as tantamount to preserving trust in and the relevance of the drug approval system.”

And I cannot agree more, Mr. Speaker. Maintaining our trust in the FDA approval process is critical, and this bill will help strengthen the system.

Mr. Speaker, I urge all Members to support this bill, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5668. This is the MODERN Labeling Act, and I want to thank our colleagues, Representatives GUTHRIE and MATSUI, for their leadership on this important legislation which will allow the FDA to require modifications be made to outdated labeling for generic drugs.

Now, while drug manufacturers are required to update a label when it becomes inaccurate, false, or misleading, there is no such requirement when new scientific information indicates there may be a new use for the product.

Generic drugs are generally required to have the same labeling as the brand drug they reference; however, once the brand drug is no longer on the market, the generic manufacturer is actually prohibited from updating their label to reflect the most accurate, up-to-date information, information that is often discovered through postmarket use. So the inability to update labeling can result in information gaps for providers and patients when discussing treatments.

For example, it has been estimated that more than half, Mr. Speaker—half—of all uses of cancer drugs are off-label, meaning the drug is used for a disease or medical condition that it is not approved to treat. Many of these uses are widely accepted in the medical community and based on the most up-to-date scientific evidence; however, they are not reflected in FDA-approved labeling.

So H.R. 5668 would help. It would close this existing information gap. It would give doctors and patients the information they need when making decisions about their treatment options.

Mr. Speaker, I urge support of this bill, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I believe we have a speaker on the other

side, so I continue to reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE), one of our terrific leaders on the Energy and Commerce Committee on the Republican side and someone who put a lot of time and effort into this bipartisan legislation.

Mr. GUTHRIE. Mr. Speaker, I thank the ranking member for yielding.

I appreciate working with the chairman and with everyone involved in this piece of legislation.

I rise today to voice my support for H.R. 5668, the MODERN Labeling Act of 2020. This important bill will ensure that certain drug labels are updated and accurate, which will result in better care for many Americans who are suffering. This bill grants FDA the authority to work with generic drug companies to update their product label when there are strong, scientific bases for another indication or use of the drug.

Innovation in America is constantly evolving, and we must ensure drug labels are updated and not frozen in time just because the brand-name drug is off the market and preventing the generic drug from updating its label.

I would like to thank Representative MATSUI, Chairman PALLONE, and the majority and minority Energy and Commerce Committee staff who worked with me to make this legislation possible.

I urge my colleagues to support this important bill.

Mr. PALLONE. Mr. Speaker, may I inquire if the gentleman has any additional speakers.

Mr. WALDEN. Mr. Speaker, no, I do not.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I ask all of our Members to support this bill, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 5668, the MODERN Labeling Act. I'm proud to have advanced this bipartisan bill through my Health Subcommittee and I'm proud to support it on the Floor today.

The MODERN Labeling Act was introduced by Representatives DORIS MATSUI and BRET GUTHRIE, and allows generic drug companies to update outdated labeling.

Drug labeling can become outdated when new scientific evidence is discovered after a drug is on the market, yet drug manufacturers are not required by law to update their products' labeling with new uses.

Because of this system, the labeling of many cancer drugs, especially older generic products, are out of date. Outdated labeling can affect insurance and Medicare coverage of the drugs, creating potentially high out-of-pocket costs for consumers.

H.R. 5668 addresses this problem by giving the FDA the authority to require labels to reflect new information relevant to the drug and its use.

This is a commonsense bill that will help more cancer patients have access to the treatments they need and I urge all my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5668, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FAIRNESS IN ORPHAN DRUG EXCLUSIVITY ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4712) to amend the Federal Food, Drug, and Cosmetic Act with respect to limitations on exclusive approval or licensure of orphan drugs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4712

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 “Fairness in Orphan Drug Exclusivity Act”.

SEC. 2. LIMITATIONS ON EXCLUSIVE APPROVAL OR LICENSURE OF ORPHAN DRUGS.

(a) IN GENERAL.—Section 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360cc) is amended—

(1) in subsection (a), by striking “Except as provided in subsection (b)” and inserting “Except as provided in subsection (b) or (f)”; and

(2) by adding at the end the following:

“(f) LIMITATIONS ON EXCLUSIVE APPROVAL, CERTIFICATION, OR LICENSE.—

“(1) IN GENERAL.—For a drug designated under section 526 for a rare disease or condition pursuant to the criteria set forth in subsection (a)(2)(B) of such section, the Secretary shall not grant, recognize, or apply exclusive approval or licensure under subsection (a), and, if such exclusive approval or licensure has been granted, recognized, or applied, shall revoke such exclusive approval or licensure, unless the sponsor of the application for such drug demonstrates—

“(A) with respect to an application approved or a license issued after the date of enactment of this subsection, upon such approval or issuance, that there is no reasonable expectation at the time of such approval or issuance that the cost of developing and making available in the United States such drug for such disease or condition will be recovered from sales in the United States of such drug, taking into account all sales made or reasonably expected to be made within 12 years of first marketing the drug; or

“(B) with respect to an application approved or a license issued on or prior to the date of enactment of this subsection, not later than 60 days after such date of enactment, that there was no reasonable expectation at the time of such approval or issuance that the cost of developing and making available in the United States such drug for such disease or condition would be recovered from sales in the United States of such drug, taking into account all sales made or reasonably expected to be made within 12 years of first marketing the drug.

“(2) CONSIDERATIONS.—For purposes of subparagraphs (A) and (B) of paragraph (1), the

Secretary and the sponsor of the application for the drug designated for a rare disease or condition described in such paragraph shall consider sales from all drugs that—

“(A) are developed or marketed by the same sponsor or manufacturer of the drug (or a licensor, predecessor in interest, or other related entity to the sponsor or manufacturer); and

“(B) are covered by the same designation under section 526.

“(3) CRITERIA.—No drug designated under section 526 for a rare disease or condition pursuant to the criteria set forth in subsection (a)(2)(B) of such section shall be eligible for exclusive approval or licensure under this section unless it met such criteria under such subsection on the date on which the drug was approved or licensed.”.

(b) RULE OF CONSTRUCTION.—The amendments made in subsection (a) shall apply to any drug that has been or is hereafter designated under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb) for a rare disease or condition pursuant to the criteria under subsection (a)(2)(B) of such section regardless of—

(1) the date on which such drug is designated or becomes the subject of a designation request under such section;

(2) the date on which such drug is approved under section 505 of such Act (21 U.S.C. 355) or licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) or becomes the subject of an application for such approval or licensure; and

(3) the date on which such drug is granted exclusive approval or licensure under section 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360cc) or becomes the subject of a request for such exclusive approval or licensure.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on H.R. 4712.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 4712, the Fairness in Orphan Drug Exclusivity Act, a bill that will close a loophole in the orphan drug program to ensure generic drugs are not unfairly being blocked from entering the market.

Since it was first passed in 1983, the Orphan Drug Act has been successful in

driving research and discovery of new therapies to treat and even cure rare diseases. The law creates two pathways for manufacturers to be designated as an orphan drug and to gain certain incentives, including 7 years of market exclusivity.

The first and most commonly used pathway is for developing drugs approved to treat diseases with patient populations of 200,000 or fewer. There is also the rarely used cost-recovery pathway, where the drug research and development costs are not expected to be recouped by sales of the underlying drug.

Now, under certain circumstances, a manufacturer may also receive additional rounds of exclusivity for drugs in their portfolio if they treat the same conditions and have the same active ingredient, even if the second drug does not meet the orphan drug qualifications. This provision has allowed some manufacturers to circumvent the original intent of the Orphan Drug Act, which was to incentivize creation of novel drugs for small populations, all the while blocking generic competitors from coming to market.

An example of this recently occurred when a formulation of Buprenorphine, a drug to treat opioid use disorder, was approved in 2017. It was allowed to carry the orphan drug designation granted to its manufacturer's original Buprenorphine drug more than 20 years earlier, in 1994.

When the original 1994 orphan drug designation was granted, it was expected that Buprenorphine would not be prescribed frequently; however, as the opioid crisis worsened and our response to the crisis evolved, millions were eventually prescribed the drug, generating billions of dollars in sales.

Clearly, we knew in 2017 that Buprenorphine was not an orphan drug. Nevertheless, the drug was granted orphan drug status and exclusivity, delaying additional forms of generic competition. So while the Food and Drug Administration eventually recognized this issue with this particular drug and revoked its orphan drug designation, its exclusivity delayed generic competition that otherwise would have been on the market.

We need every tool available to us to combat the opioid epidemic, and loopholes like this one should not be allowed to limit access to treatment, Mr. Speaker.

H.R. 4712 will stop this from happening again in the future by requiring drug manufacturers to demonstrate in their application to the FDA that each drug application considered under the cost recovery pathway would fail to recoup development costs.

This bill is narrowly tailored. It is a fix for a small but very real loophole in the law, and I want to thank Representative DEAN for introducing the legislation.

Mr. Speaker, I urge all of my colleagues to support it, and I reserve the balance of my time.

□ 1230

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too rise in support of H.R. 4712. This is the Fairness in Orphan Drug Exclusivity Act as you have heard. I want to thank Representatives CARTER, MCKINLEY, DEAN, and VEASEY for their work and leadership on this important legislation.

The Orphan Drug Act was enacted to incentivize the development of drugs for rare diseases by providing products that receive an orphan drug designation 7 years of market exclusivity. That means a drug produced by another manufacturer that contains the same active ingredient to treat the same condition is barred from entering the market during this time period.

One way a drug can receive an orphan designation and subsequent marketing exclusivity is by the manufacturer's demonstration that there is no reasonable expectation that the cost of developing the drug will be recovered.

However, we have seen in recent years that some drug manufacturers, in an effort to block competitors from entering the market, have taken advantage of a loophole in this law. Existing law allows an orphan drug designation and marketing exclusivity to carry forward to future versions of the same drug without requiring the manufacturer to demonstrate the drug has not been, and remains unlikely to be, profitable. This legislation closes that loophole. It requires manufacturers to demonstrate there is no reasonable expectation that the costs of research and development will be recovered for each successor drug, while still preserving incentives for orphan drug development.

While disagreements do remain, Mr. Speaker, on whether these amendments should apply retroactively, those differences should not prevent us from addressing this important issue today.

So I look forward to continuing negotiations on these differences as we work with the Senate and get a bill down to the President's desk for signature.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. DEAN), who is the sponsor of the legislation.

Ms. DEAN. Mr. Speaker, I rise in support of H.R. 4712, the Fairness in Orphan Drug Exclusivity Act.

This legislation would close a current loophole that is used to block competition in the pharmaceutical marketplace. This could deny innovative treatments for opioid use disorder and limit the types of treatments for those in recovery and what they can access.

The Orphan Drug Act of 1983 has provided incentives for prescription drug manufacturers to develop products to treat rare diseases. This includes an exclusive 7-year marketing right for therapies that receive an orphan drug designation.

For a drug to qualify, it must either be a treatment for a disease or condition that affects fewer than 200,000 people in the United States;

Or a drug intended for diseases that there is no reasonable expectation to recoup research and development costs.

For the latter criterion, this legislation would require all drug manufacturers who obtain orphan drug status to prove that they have no reasonable expectation that they will recover their R&D costs. Importantly, this legislation is narrowly tailored and would not affect any product that does not receive orphan drug status under the first criterion.

The scenario this legislation works to prevent, as the chairman has said, is companies continuing to use orphan drug exclusivity status for a newly approved drug with an identical ingredient to the former version without having to prove the inability to recoup costs. Closing this loophole would ensure that a product does not receive unfair market advantage and, therefore, remains consistent with the spirit and the intent of the Orphan Drug Act.

In addition, H.R. 4712 clears barriers for innovative medication-assisted treatments, or MATs, coming to market that will help treat those with substance use disorder. Substance use disorder is by no means a rare disease and should not be treated as such. Medication-assisted treatments can and do save lives.

According to the National Institute on Drug Abuse, in 2016 more than 2.1 million Americans were living with opioid use disorder, but just over 17 percent of people received specialty treatment. Medication-assisted treatment is one of those personalized options. We must work to ensure more people can gain access to newer therapies and MAT treatments that are currently blocked due to an orphan designation.

Mr. Speaker, I thank the bipartisan group of legislators who introduced this bill with me: Congressmen BUDDY CARTER, MARC VEASEY, and DAVID MCKINLEY, as well as Chairman PALLONE and Ranking Member BURGESS, for supporting the bill, and passing it unanimously out of the Energy and Commerce Committee.

Mr. Speaker, I urge all Members to support this bill.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), who is one of the co-authors of this very important legislation and who is the only—I think still only—pharmacist in the United States House of Representatives.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am grateful for the time today to let me speak on this important legislation, and I thank Congresswoman DEAN for introducing it.

I am glad to be a lead Republican on this bill, as it corrects a loophole in the Orphan Drug Act that has been and very well could be taken advantage of

at the expense of the American people's health.

As you know, Mr. Speaker, the Orphan Drug Act provides incentives for drug manufacturers to invest in research to bring innovative drugs to market that may not become profitable or that treat a small portion of the population.

Unfortunately, a loophole exists that allows some drugs to obtain market exclusivity even though they can easily recoup their R&D costs and turn a profit. This exact problem took place in just the past few years when a drug treating opioid abuse disorders got FDA approval—*orphan status*—and a new 7-year exclusivity period, despite the active ingredient remaining the same, all based on the drug's original 1994 orphan designation. This subsequently blocked a new, innovative opioid abuse drug from coming to market during the opioid epidemic—a drug that would help save lives.

The Orphan Drug Fairness Act would stop some drugs from obtaining exclusivity, in turn allowing more competition and innovation in the marketplace, benefiting consumers' health and lowering costs.

Mr. Speaker, I urge passage of this legislation.

Mr. WALDEN. Mr. Speaker, I do not have any more speakers on my side of the aisle on this matter.

Mr. Speaker, I urge colleagues to approve the bill, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, I urge passage of the bill, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 4712, the Fairness in Orphan Drug Exclusivity Act. I'm proud to have advanced this bipartisan bill through my Health Subcommittee and I'm proud to support it on the Floor today.

The Fairness in Orphan Drug Exclusivity Act was introduced by Reps. MADELINE DEAN (D-PA), MARC VEASEY (D-TX), BUDDY CARTER (R-GA), and DAVID MCKINLEY (R-WV).

The bill will close a loophole so that orphan drug exclusivity cannot be used to deny access to certain drugs, especially drugs for opioid use disorder.

This is a narrowly drawn bill to fix a technical problem without hurting the original intention of the Orphan Drug Act. It requires drug companies to show that they will not recoup costs each year in order to achieve the orphan drug designation.

I urge my colleagues to support this legislation.

Mr. MCKINLEY. Mr. Speaker, I rise in support of H.R. 4712. Understandably, our nation has focused on COVID, but the opioid epidemic still ravishes across America. During this crisis overdose rates have increased dramatically. In fact, in West Virginia more people have died from drug abuse than from COVID.

We have a duty to our constituents to ensure that all possible treatment options are available. MAT (Medication Assisted Treatment), has been proven to be effective in treating opioid addiction. Yet, drug companies are holding new treatments hostage through a

loophole in the Orphan Drug Act, which was created to encourage drug companies to research treatments for rare diseases.

It was not intended to prevent competition. With millions of Americans suffering from opioid addiction, it is vital we give them and health care providers every option available. The Fairness in Orphan Drug Exclusivity Act will help expand access for those suffering from addiction by making innovative treatments available.

I urge my colleagues to support the passage of H.R. 4712.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 4712, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STATE OPIOID RESPONSE GRANT AUTHORIZATION ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2466) to extend the State Opioid Response Grants program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2466

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 “State Opioid Response Grant Authorization Act of 2020”.

SEC. 2. GRANT PROGRAM FOR STATE AND TRIBAL RESPONSE TO SUBSTANCE USE DISORDERS OF SIGNIFICANCE.

(a) IN GENERAL.—Section 1003 of the 21st Century Cures Act (42 U.S.C. 290ee–3 note) is amended to read as follows:

“SEC. 1003. GRANT PROGRAM FOR STATE AND TRIBAL RESPONSE TO SUBSTANCE USE DISORDERS OF SIGNIFICANCE.

“(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ‘Secretary’) shall carry out the grant program described in subsection (b) for purposes of addressing substance use disorders of significance, including opioid and stimulant use disorders, within States, Indian Tribes, and populations served by Tribal organizations and Urban Indian organizations.

“(b) GRANTS PROGRAM.—

“(1) IN GENERAL.—The Secretary shall award grants to States, Indian Tribes, Tribal organizations, and Urban Indian organizations for the purpose of addressing substance use disorders of significance, including opioid and stimulant use disorders, within such States, such Indian Tribes, and populations served by such Tribal organizations and Urban Indian organizations, in accordance with paragraph (2).

“(2) MINIMUM ALLOCATIONS; PREFERENCE.—In awarding grants under paragraph (1), the Secretary shall—

“(A) ensure that each State and the District of Columbia receives not less than \$4,000,000; and

“(B) give preference to States, Indian Tribes, Tribal organizations, and Urban Indian organizations whose populations have

an incidence or prevalence of opioid use disorders that is substantially higher relative to the populations of other States, Indian Tribes, Tribal organizations, or Urban Indian organizations, as applicable.

“(3) FORMULA METHODOLOGY.—Not less than 15 days before publishing a funding opportunity announcement with respect to grants under this section, the Secretary shall—

“(A) develop a formula methodology to be followed in allocating grant funds awarded under this section among grantees, which includes performance assessments for continuation awards; and

“(B) submit the formula methodology to—

“(i) the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives; and

“(ii) the Committee on Health, Education, Labor and Pensions and the Committee on Appropriations of the Senate.

“(4) USE OF FUNDS.—Grants awarded under this subsection shall be used for carrying out activities that supplement activities pertaining to substance use disorders of significance, including opioid and stimulant use disorders, undertaken by the State agency responsible for administering the substance abuse prevention and treatment block grant under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.), which may include public health-related activities such as the following:

“(A) Implementing prevention activities, and evaluating such activities to identify effective strategies to prevent substance use disorders.

“(B) Establishing or improving prescription drug monitoring programs.

“(C) Training for health care practitioners, such as best practices for prescribing opioids, pain management, recognizing potential cases of substance abuse, referral of patients to treatment programs, preventing diversion of controlled substances, and overdose prevention.

“(D) Supporting access to health care services, including—

“(i) services provided by federally certified opioid treatment programs;

“(ii) outpatient and residential substance use disorder treatment services that utilize medication-assisted treatment, as appropriate; or

“(iii) other appropriate health care providers to treat substance use disorders.

“(E) Recovery support services, including community-based services that include peer supports, address housing needs, and address family issues.

“(F) Other public health-related activities, as the State, Indian Tribe, Tribal organization, or Urban Indian organization determines appropriate, related to addressing substance use disorders within the State, Indian Tribe, Tribal organization, or Urban Tribal organization, including directing resources in accordance with local needs related to substance use disorders.

“(c) ACCOUNTABILITY AND OVERSIGHT.—A State receiving a grant under subsection (b) shall include in reporting related to substance abuse submitted to the Secretary pursuant to section 1942 of the Public Health Service Act (42 U.S.C. 300x–52), a description of—

“(1) the purposes for which the grant funds received by the State under such subsection for the preceding fiscal year were expended and a description of the activities of the State under the grant; and

“(2) the ultimate recipients of amounts provided to the State through the grant.

“(d) LIMITATIONS.—Any funds made available pursuant to subsection (i) shall be subject to the same requirements as substance abuse prevention and treatment programs

under titles V and XIX of the Public Health Service Act (42 U.S.C. 290aa et seq., 300w et seq.).

“(e) INDIAN TRIBES, TRIBAL ORGANIZATIONS, AND URBAN INDIAN ORGANIZATIONS.—The Secretary, in consultation with Indian Tribes, Tribal organizations, and Urban Indian organizations, shall identify and establish appropriate mechanisms for Indian Tribes, Tribal organizations, and Urban Indian organizations to demonstrate or report the information as required under subsections (b), (c), and (d).

“(f) REPORT TO CONGRESS.—Not later than September 30, 2022, and biennially thereafter, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, and the Committees on Appropriations of the House of Representatives and the Senate, a report summarizing the information provided to the Secretary in reports made pursuant to subsections (c) and (e), including the purposes for which grant funds are awarded under this section and the activities of such grant recipients.

“(g) TECHNICAL ASSISTANCE.—The Secretary, including through the Tribal Training and Technical Assistance Center of the Substance Abuse and Mental Health Services Administration, shall provide States, Indian Tribes, Tribal organizations, and Urban Indian organizations, as applicable, with technical assistance concerning grant application and submission procedures under this section, award management activities, and enhancing outreach and direct support to rural and underserved communities and providers in addressing substance use disorders.

“(h) DEFINITIONS.—In this section:

“(1) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given the term ‘Indian tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(2) TRIBAL ORGANIZATION.—The term ‘Tribal organization’ has the meaning given the term ‘tribal organization’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(3) URBAN INDIAN ORGANIZATION.—The term ‘Urban Indian organization’ has the meaning given to that term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

“(4) STATE.—The term ‘State’ has the meaning given such term in section 1954(b) of the Public Health Service Act (42 U.S.C. 300x–64(b)).

“(i) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—For purposes of carrying out the grant program under subsection (b), there is authorized to be appropriated \$1,585,000,000 for each of fiscal years 2021 through 2026, to remain available until expended.

“(2) FEDERAL ADMINISTRATIVE EXPENSES.—Of the amounts made available for each fiscal year to award grants under subsection (b), the Secretary shall not use more than 2 percent for Federal administrative expenses, training, technical assistance, and evaluation.

“(3) SET ASIDE.—Of the amounts made available for each fiscal year to award grants under subsection (b) for a fiscal year, the Secretary shall—

“(A) award 5 percent to Indian Tribes, Tribal organizations, and Urban Indian organizations; and

“(B) of the remaining amount, set aside up to 15 percent for States with the highest age-adjusted rate of drug overdose death based on the ordinal ranking of States according to the Director of the Centers for Disease Control and Prevention.”.

(b) CLERICAL AMENDMENT.—The table of sections in section 1(b) of such Act is amended by striking the item relating to section 1003 and inserting the following:

“Sec. 1003. Grant program for State and Tribal response to substance use disorders of significance.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2466.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2466, the State Opioid Response Grant Authorization Act of 2020.

While the coronavirus pandemic is at the forefront of our minds, the opioid epidemic and evolving drug crisis also continues to be a public health emergency that we must also address.

According to the Centers for Disease Control and Prevention, more than 750,000 Americans have died since 1999 from a drug overdose, and in 2018 two out of three drug overdose deaths involved an opioid. Recent data from the 2019 National Survey on Drug Use and Health indicates that over 20 million Americans have a substance use disorder and, unfortunately, only a fraction of those Americans receive the care they need.

Building upon congressional efforts like the 21st Century Cures Act and the SUPPORT for Patients and Communities Act, this bill would authorize the Substance Abuse and Mental Health Services Administration, or SAMHSA, State Opioid Response, SOR, grant program and align the authorization with authorities in the 21st Century Cures Act to meet the current needs of States. Assistant Secretary for Health, Admiral Brett Giroir, testified before our committee, Mr. Speaker, that SAMHSA's SOR grants provide a high degree of flexibility to States working to combat the drug epidemic.

The SAMHSA SOR grant program has been funded through appropriations legislation since fiscal year 2018, but it does not have a statutory authorization. With this bill, we are ensuring that both the Federal support and flexibility continue into the future.

Currently, SOR grants help communities tackle the drug crisis by reducing barriers to medication-assisted treatment for opioid use disorder, effectively chipping away at the treatment gap. The grants aid in reducing drug overdose-related deaths by supporting prevention and recovery activi-

ties across the States. This program also supports evidence-based prevention, treatment, and recovery support services to address stimulant misuse and use disorders, which is a growing issue, also, in many regions of the country.

So I commend the lead sponsors of this legislation, Representatives TRONE, ARMSTRONG, SHERRILL, and RIGGLEMAN, and their staffs for their tireless work on this bill. I also thank the Democratic and Republican members of the committee, as well as bipartisan committee staff, for working together to move this bill. I hope that the Senate will act on this legislation sooner rather than later.

Mr. Speaker, the drug crisis continues to affect all walks of life. They are our friends, our family, and our neighbors.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too rise in support of H.R. 2466, the State Opioid Response Grant Authorization Act which, as you heard, was introduced by Representatives TRONE, ARMSTRONG, SHERRILL, and RIGGLEMAN.

I would like to thank Representative TRONE for leading this work on this bill and for working with us to get the language to a good place. We appreciate that.

When I chaired the Energy and Commerce Committee, I think we passed out something like 60 or more pieces of legislation dealing with the opioid crisis. All of them were cosponsored by Democrats and Republicans—bipartisan effort—that became the SUPPORT Act signed by President Trump into law now almost over 2 years ago. I just want to say this epidemic continues, and so does our work. It has been made worse by the pandemic as people have turned to these sorts of medications to help themselves cope, and it is sad.

This important bill would authorize appropriations for the Substance Abuse and Mental Health Services Administration's State Opioid Response grant program by placing it under the 21st Century Cures Act, which first established State Response to Opioid Abuse Crisis grants.

The United States remains in the midst of this opioid crisis, and it has been exacerbated, as I said, by the COVID-19 pandemic. But Federal grants have provided a substantial level of support for innovative and lifesaving programs in States across the country that are on the front-lines of addressing substance use disorders. By authorizing this grant program and aligning it with the initiatives established in the 21st Century Cures Act, H.R. 2466 would ensure continued, reliable support for substance use disorder prevention, treatment, and recovery efforts.

Of course, Mr. Speaker, I strongly lend my support to passage of this leg-

islation, and I join with the chairman of the committee, Mr. PALLONE, in urging our colleagues across the building to act swiftly on this.

I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. TRONE), who is the sponsor of the legislation.

Mr. TRONE. Mr. Speaker, I rise today to urge my colleagues to support my bill, the State Opioid Response Grant Authorization Act. This bill directly addresses the country's worsening opioid crisis as we continue to see overdose deaths surge during the COVID-19 pandemic.

This bipartisan bill authorizes \$9 billion over 6 years in flexible funding through grants for States and Tribes to fight the opioid epidemic on the front lines.

This bill helps provide States the steady, sustained, and consistent money they need for programs to: Prevent addiction through evidence-based programs;

Increase access to outpatient and residential treatment, particularly through medication-assisted treatment;

Prevent overdoses by expanding naloxone distribution;

And support individuals in recovery with recovery housing and peer supports.

Since 2000, there have been over 550,000 deaths from opioids, and the CDC estimates the cost to our country is \$78.5 billion per year. There is no magic bullet to fix the opioid crisis. There will be no vaccine. We need consistent funding to help save these lives.

Last year, nearly 71,000 people died from an overdose—the most ever. The COVID-19 pandemic will push these numbers even higher.

In western Maryland, we have seen an increase of overdose deaths from the first half of 2020 compared to the first half of 2019 by 46 percent up in Washington County, 50 percent up in Garrett County, and 54 percent up in Allegany County.

Across the country, over 40 States have reported an increase in overdose deaths since the start of this pandemic. These numbers are absolutely tragic and unacceptable. We must act.

Mr. Speaker, the opioid epidemic does not know the color of your skin, where you live, or your political party. The opioid epidemic destroys everything in its path.

It hit my family, too. On December 31, 2016, my nephew, Ian Jacob Trone, died alone in a hotel room from a fentanyl overdose.

□ 1245

Ian was in recovery for 13 of the last 16 months of his life, but it only took one moment to take him away from us forever.

Mr. Speaker, when I came to Congress, I spoke to the Governor of our State, county and State leaders, hospital administrators, direct providers,

and stakeholders across the country, from Georgia to Kentucky to North Dakota. I spoke to treatment services across my district: Awakenings Recovery in Hagerstown; Fort Recovery in Cumberland; Ideal Option in Frederick; Wells/Robertson House in Montgomery County; and Brooke's House in Hagerstown.

The message I heard from everyone was loud and clear: State, local, and Tribal governments need the Federal Government to be a steady partner in the fight against addiction.

I thank Chairman PALLONE and Ranking Member WALDEN of the Committee on Energy and Commerce, and the Energy Subcommittee on Health Chairwoman ESHOO and Ranking Member BURGESS, for considering this bill.

I also extend my sincere thanks to Freshmen Working Group on Addiction members KELLY ARMSTRONG, MIKIE SHERRILL, and DENVER RIGGLEMAN for helping me introduce this bill.

I want to take a moment to call out and thank Congressman RIGGLEMAN, who has been a fantastic member of our working group and a champion on this issue. He will be greatly missed in this institution.

Together, the Freshmen Working Group on Addiction has introduced over 50 bipartisan bills to address addiction and mental health in the last 2 years. We have shown what is possible if you put aside partisan politics, focus on an issue, and work hard to make real change.

Investing in this bill's grants will save lives and save money.

Mr. Speaker, I urge a "yes" vote.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want my friend from Maryland to know that we all are sympathetic to what his family has gone through and the loss that he has suffered. That is a very difficult story to tell.

When we were working on all the legislation in the last Congress, I met with a lot of families who had suffered similar fates, and it is just a tragedy. So I commend him for his work in a bipartisan way on this issue.

And our friend from Virginia, Mr. RIGGLEMAN, who I am going to yield to, he has been a terrific legislator during his term in Congress and a good friend. I know how deeply he cares about this issue, and his willingness to work in a bipartisan way should be recognized by all of us.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. RIGGLEMAN).

Mr. RIGGLEMAN. Mr. Speaker, I thank my good friend, Representative WALDEN, Congressman PALLONE, and also DAVID TRONE.

Our Freshman Working Group has been incredible on this issue. It is interesting how it has come full circle.

Mr. Speaker, 2 years ago, in my very first speech on the floor of the House of Representatives, I called on Congress to act and address the opioid addiction

crisis that causes tens of thousands of deaths every year. During the 2 years since that speech, I have been working hard to provide solutions and take positive steps to address the crisis.

I also have become more aware of the harm the opioid epidemic has caused in our streets and in our districts. I have seen how the crisis has affected the friends and the family members of so many, including some in this Chamber today, like my dear friend DAVID TRONE, who tragically lost his nephew to an opioid overdose.

I have been personally affected by this crisis, and I know the toll it takes on those affected and the people who love them. I was sitting at my desk in Congress about 1 year ago when I got the call that my cousin Trey had overdosed, not far from where I was sitting. I talked about this with Congressman TRONE. We knew we had to do something.

I think that is why we have to thank Members like Representative SHERRILL and Representative ARMSTRONG for their incredible support in this.

Trey and Ian, I think this bill is for them and all the people who have suffered through this incredible scourge.

Mr. Speaker, the bill before us today starts to address some of those challenges and is a positive step toward combating the very real crisis of opioid addiction that has had devastating consequences for families across this Nation.

Obviously, I strongly support H.R. 2466, the State Opioid Response Grant Authorization Act of 2020. Not only must Congress act to address this crisis, but we must lead. I chose to colead this bill because it will help countless numbers of my constituents, and it is the right thing to do. But I have to applaud the efforts of my dear friend DAVID TRONE and all the members of the Freshmen Working Group on Addiction.

Mr. Speaker, I urge my colleagues to support this bill. Again, I don't think I can say this any stronger: This bill is for Trey and Ian, and this bill is for all those affected by the overdoses, the awfulness that happens within each family.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no additional speakers on this important legislation. I encourage my colleagues to support the bill, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also urge my colleagues to support the bill, and I yield back the balance of my time.

Mr. CICILLINE. Mr. Speaker, America's opioid crisis is far from resolved.

According to the American Medical Association, over 40 states have reported an increase in opioid overdose deaths since the beginning of the pandemic.

Despite the steady decrease in opioid related deaths in 2017, 2018, and 2019, the

COVID-19 pandemic has intensified the opioid epidemic in Rhode Island.

Opioid overdose remains the leading cause of accidental death in Rhode Island.

In the first seven months of 2020, Rhode Island experienced a 33 percent increase in overdose deaths compared to the same period last year.

And every day we are at risk of losing more and more people to overdoses, with recent numbers showing that Black and Hispanic Rhode Islanders are disproportionately experiencing overdose related deaths.

Over the years, State Opioid Response funding has been critical to responding to this deadly epidemic. This funding has helped to provide Rhode Islanders with adequate resources to combat drug abuse and prevent overdoses before they turn deadly.

State Opioid Response funding has allowed for more support and treatment for people suffering from addiction to get the help they need and put them on a path toward recovery.

This funding increases access to naloxone so that people in our communities are trained on identifying an opioid overdose and know how to stop the harmful effects of overdose.

As we say in Rhode Island, "an overdose doesn't mean it's over. Naloxone saves lives."

State Opioid Response funding saves lives.

While we continue to fight against the COVID-19 pandemic, we must also ensure that states' are supported to continue their fight against the opioid epidemic.

I thank Representative TRONE for introducing H.R. 2466, the State Opioid Response Grant Authorization Act of 2020 to make sure we meet the needs of responding to the opioid epidemic in communities across this country.

I urge my colleague to support this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2466, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EASY MEDICATION ACCESS AND TREATMENT FOR OPIOID ADDICTION ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2281) to direct the Attorney General to amend certain regulations so that practitioners may administer not more than 3 days' medication to a person at one time when administering narcotic drugs for the purpose of relieving acute withdrawal symptoms, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2281

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 "Easy Medication Access and Treatment for Opioid Addiction Act" or the "Easy MAT for Opioid Addiction Act".

SEC. 2. DISPENSATION OF NARCOTIC DRUGS FOR THE PURPOSE OF RELIEVING ACUTE WITHDRAWAL SYMPTOMS FROM OPIOID USE DISORDER.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall revise section 1306.07(b) of title 21, Code of Federal Regulations, so that practitioners, in accordance with applicable State, Federal, or local laws relating to controlled substances, are allowed to dispense not more than a three-day supply of narcotic drugs to one person or for one person's use at one time for the purpose of initiating maintenance treatment or detoxification treatment (or both).

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2281.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2281, the Easy Medication Access and Treatment for Opioid Addiction Act, or the Easy MAT for Opioid Addiction Act.

As we have highlighted on the floor today, the opioid epidemic is a public health emergency that we must continue to address. Millions of Americans have been impacted by the drug crisis. A 2019 National Survey on Drug Use and Health shows that 1.6 million Americans have an opioid use disorder. This is a chronic, treatable disease that patients can and do recover from.

While the number of Americans with opioid use disorder was declining prior to the coronavirus pandemic, it is still alarming that less than one out of five of these Americans actually receive treatment.

The Easy MAT for Opioid Addiction Act is a bill that makes it easier for patients to access medication-assisted treatment in the emergency room. For many patients, whether it be those experiencing an overdose or those seeking substance use disorder treatment, the emergency room can be the first or only point of care.

Buprenorphine is one of three FDA-approved medications for treating opioid use disorder. In emergency situations, it may be dispensed from an

emergency room by certain practitioners for up to 3 days. This policy is otherwise known as the 3-day rule.

This rule is intended to help healthcare providers address acute withdrawal symptoms while a patient awaits arrangements for longer term medication-assisted treatment. But, unfortunately, there are several burdensome restrictions tied to this authority. For example, there is a limitation that not more than 1 day's medication be given to a patient at one time, forcing the repeated return to the emergency room.

Mr. Speaker, in testimony before the Committee on Energy and Commerce, Dr. Shawn Ryan, an emergency physician and addiction medicine specialist, cited the burden for a patient having to return to the emergency room after an initial visit, particularly for patients with substance use disorder. He stated that transportation can be an issue for these patients but also that repeat visits can be a burden for the emergency departments.

This bill would direct the Drug Enforcement Administration to update regulations to allow a practitioner to dispense up to 3 days' supply of buprenorphine. This will give patients and families a better opportunity to get connected to adequate treatment on the road to recovery.

Mr. Speaker, I commend my colleague, Representative RUIZ, a member of our committee, and his staff for leading this bill. I also thank Ranking Member WALDEN and his staff for working with us to move this bill forward.

Mr. Speaker, I urge my colleagues to support this commonsense legislation that will help more substance use disorder patients access the treatment they need, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 16, 2020.

Hon. JERROLD NADLER,
Chair, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN NADLER: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 2281, the Easy MAT for Opioid Addiction Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2281 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 16, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: This is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 2281, the "Easy Medication Access and Treatment for Opioid Addiction Act," that fall within our Rule X jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 2281, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our committees.

Sincerely,

JERROLD NADLER,
Chairman.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2281, the Easy Medication Access and Treatment, or Easy MAT, for Opioid Addiction Act, which was introduced by myself and my Committee on Energy and Commerce colleague, Mr. RUIZ.

Emergency room clinicians are well positioned to interact with those struggling with opioid addiction and help transition them into treatment. Currently, an ER clinician who does not have a DATA 2000 waiver can only provide a 1-day supply of narcotic drugs to be used for medication-assisted treatment to an individual at one time for a total of up to 3 days.

What does that mean? It means that while the patient waits to get into treatment, they have to go back to that same clinician on each of those 3 days to obtain medication.

Now, in a rural district such as mine—which, by the way, is larger than the landmass of any State east of the Mississippi—this is not realistic, especially when there is already a shortage of health practitioners who are willing to treat patients with substance use disorder.

One of my constituents, who I met in Hermiston, Oregon, told me she had to travel 5 hours—5 hours—just to find a physician who could oversee her Suboxone treatment because no one in her community was available to do that.

H.R. 2281 would allow physicians to dispense up to 3 days of narcotic drugs at one time for purposes of relieving withdrawal symptoms while the individual awaits arrangements for treatment.

This is commonsense legislation, another good product of the Committee on Energy and Commerce.

Mr. Speaker, I urge a "yes" vote, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no speakers at this time, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. CURTIS), Utah's Third Congressional District.

Mr. CURTIS. Mr. Speaker, I rise today in support of H.R. 2281, which is an important bill to help thousands of Americans who struggle with addiction.

This bipartisan, commonsense legislation will give individuals greater access to medication-assisted treatment, MAT, to help relieve withdrawal symptoms.

Current law only allows providers to use this treatment once per day unless they have a waiver to prescribe the medication, and less than 10 percent of providers have that waiver.

This is especially problematic because substance use disorder treatment programs can take days to accept new patients, leaving many individuals unable to gain access to immediate treatment and, instead, leaving patients no choice but to return to the emergency room or the provider they received MAT from the day prior or, even worse, to take drugs again to stop their withdrawal symptoms.

Mr. Speaker, this bipartisan legislation puts the individual first and is part of a collaborative approach to combat addiction of all types.

Mr. Speaker, I thank my colleagues for their work on this important legislation.

Mr. WALDEN. Mr. Speaker, we have no speakers left on our side, so I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers. I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2281, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1300

FOOD ALLERGY SAFETY, TREATMENT, EDUCATION, AND RESEARCH ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2117) to improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced

enterocolitis syndrome, and eosinophilic gastrointestinal diseases, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2117

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 "Food Allergy Safety, Treatment, Education, and Research Act of 2020" or the "FASTER Act of 2020".

SEC. 2. FOOD ALLERGY SAFETY RECOMMENDATIONS OF THE NATIONAL ACADEMY OF MEDICINE.

(a) COLLECTION OF FOOD ALLERGY DATA.—The Public Health Service Act is amended by inserting before section 318 of such Act (42 U.S.C. 247c) the following new section:

"SEC. 317W. COLLECTION OF FOOD ALLERGY DATA.

"(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

"(1) expand and intensify the collection of information on the prevalence of food allergies for specific allergens in the United States, such as through the National Health and Nutrition Examination Survey and the National Health Interview Survey;

"(2) include such information within annual or other periodic reporting to the Congress and the public on other surveillance activities; and

"(3) encourage research to improve the accuracy of food allergy prevalence data.

"(b) BIOMARKERS.—Any research conducted pursuant to subsection (a)(3) shall include—

"(1) the identification of biomarkers and tests to validate data generated from such research; and

"(2) the investigation of the use of identified biomarkers and tests in national surveys conducted as part of that research."

(b) ALLERGEN LABELING.—

(1) MAJOR FOOD ALLERGEN DEFINITION.—

(A) IN GENERAL.—Section 201(qq)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(qq)(1)) is amended by striking "and soybeans" and inserting "soybeans, and sesame".

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall apply with respect to food introduced or delivered for introduction into interstate commerce on or after January 1, 2022.

(2) ADDITIONAL ALLERGENS.—Section 201(qq) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(qq)) is amended by adding at the end the following:

"(3) Any other food ingredient that the Secretary determines by regulation to be a major food allergen, based on the scientific criteria determined by the Secretary (including the prevalence and severity of allergic reactions to the food ingredient) that establish that such food ingredient is an allergen of public health concern."

(3) TECHNICAL CORRECTIONS.—Section 201(qq)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(qq)(2)) is amended by striking "paragraph" each place it appears and inserting "subparagraph".

SEC. 3. REPORT ON USE BY FDA OF PATIENT EXPERIENCE DATA ON TREATMENTS FOR PATIENTS WITH FOOD ALLERGIES.

Section 3004 of the 21st Century Cures Act (21 U.S.C. 355 note) is amended—

(1) by striking "Not later than" and inserting the following:

"(a) IN GENERAL.—Not later than"; and

(2) by adding at the end the following:

"(b) TREATMENTS FOR PATIENTS WITH FOOD ALLERGIES.—Each report under subsection (a) shall include a synopsis of the use by the Food

and Drug Administration in regulatory decision-making of patient experience data on products with an indication for the treatment of a food allergy."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2117.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2117, the Food Allergy Safety, Treatment, Education, and Research Act, or the FASTER Act.

Mr. Speaker, an estimated 32 million Americans, including approximately 1 in every 13 children, are affected by food allergies. These allergies pose risks to millions of families, and these risks grow dramatically when inaccurate labels fail to warn consumers about the presence of some of these allergens.

Under current law, eight allergens are considered major food allergens. They include milk, eggs, fish, shellfish, tree nuts, wheat, peanuts, and soybeans. Due to their status as major food allergens, manufacturers must clearly state the presence of any of these ingredients on labels.

Notably missing from this list of allergens is sesame. That is concerning, considering it is an allergen of growing concern and its inclusion in food products has more than doubled over the last decade. In some cases, sesame may not be listed at all on ingredient labels, being referred to instead through non-specific terms like "flavors" or words that may not easily be recognized by consumers as containing sesame, such as tahini.

While it may seem like a small issue to some, this lack of information could mean life or death for those who are allergic to sesame. Clearly, this information should be prominently featured on packaged food labels.

This is an issue we have been working on for quite some time. Several years ago, I introduced a bill that would list sesame as a major food allergen, and although the Food and Drug Administration opened a docket to solicit feedback about the sesame labeling and recently released guidance recommending voluntary labeling of sesame, the agency has not been able to require the listing of sesame due to overly long regulatory processes.

As we learn more about food allergens, our regulations should be able to adapt to align with the latest science. This process should not take years.

Families should have reliable access to this information, and they should have it now.

Today we are taking action, Mr. Speaker. The appropriately named FASTER Act would quickly move this process along by recognizing sesame as a major food allergen, requiring its listing on new food labels after a phase-in process.

Importantly, the bill would also streamline processes at FDA to allow for additional allergens to be listed as major food allergens based on scientific criteria, including the prevalence and the severity of the allergens.

The bill would also help develop quality research into food allergens by directing the Centers for Disease Control and Prevention to expand and intensify its collection of data on food allergens and by directing FDA to report on its use of patient experience data.

I want to thank Representative MATSUI for her tireless efforts in support of families affected by food allergens and for introducing this bill.

I am a strong supporter of the bill, and I encourage all Members to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I rise in support of H.R. 2117, the Food Allergy Safety, Treatment, Education, and Research Act.

This legislation codifies sesame as a major food allergen. This means that, with enactment of the legislation, products containing sesame would have to list this ingredient on the food packaging label. That is really important for consumers.

Recent studies indicate that sesame allergies in the United States have a prevalence rate on par with the allergies for soy and fish, which are both listed as major allergens under the Federal Food, Drug, and Cosmetic Act.

It is commonsense legislation. It provides consumers with important and, perhaps, even lifesaving information to protect themselves and their families from dangerous allergic reactions.

Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI), the sponsor of the legislation.

Ms. MATSUI. Mr. Speaker, I rise to speak in support of two of my bills being considered today: the FASTER Act and the MODERN Labeling Act.

There are more than 32 million Americans living with potentially life-threatening food allergies who rely on accurate food ingredient labels to make safe decisions for themselves and their family members.

Under current law, mandatory labeling is required for major food allergens recognized by the FDA, like milk, eggs, and peanuts. My grandson Robby has a peanut allergy, and for families like mine, checking food labels is as vital to our everyday lives as breathing.

Unfortunately, FDA labeling requirements do not include the ingredient sesame, leaving more than 1.6 million Americans with a sesame allergy in the dark about what foods and products to avoid. That is why I have been working closely with my colleagues and advocates in the food allergy community to advance the FASTER Act, legislation that updates food allergen labeling laws to include sesame.

Importantly, the FASTER Act also lays critical groundwork for conducting the research necessary to better understand, treat, and, one day, prevent food allergies.

From ingredients in a food product to the prescribing information for a prescription drug, FDA labels play a critical role in protecting public health and empowering Americans to make safe decisions.

This year, our friends in the cancer community brought a real problem to my attention. Despite the important role drug labels play in informing treatment decisions, many generic drug labels are considerably out of date, and there is no existing mechanism to update these labels to reflect new clinical evidence.

That is why I introduced the MODERN Labeling Act, legislation that supports FDA's ability to require modifications to outdated generic drug labels so they reflect new, relevant information.

Accurate, up-to-date generic drug labels are key to optimizing use, enhancing patient benefit, and facilitating greater use of lower cost generics.

These are both important labeling laws, and both labeling bills are bipartisan, commonsense solutions that take important steps to safeguard our public health. I urge my colleagues to support the FASTER Act and the MODERN Labeling Act.

Mr. PALLONE. Mr. Speaker, I ask my colleagues to support this legislation, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 2117, the FASTER Act. I'm proud to have advanced this bipartisan bill through my Health Subcommittee and I'm proud to support it on the Floor today.

The FASTER Act was introduced by Representative DORIS MATSUI. It adds sesame as a major allergen for food labeling and allows the FDA, through regulation, to add other food ingredients as major allergens based on the prevalence and severity of allergic reactions to the food ingredient.

The FASTER Act will have an enormous impact on the 32 million Americans living with food allergies and their families.

Hospitalizations for allergic reactions have risen 400 percent over the past decade with 1 in 13 children having a life-threatening food allergy, and many of them are allergic to sesame.

Sesame remains the most common allergen that is NOT required to be written on food labels and is often hidden on labels as "Spices" or "Natural Flavors." Parents and children cannot easily avoid sesame if it's not clearly labeled. Anyone who's ever known a child with

a serious food allergy knows how dire a reaction can be.

Over a year ago, the FDA issued a request for information about requiring the sesame allergen label and since then has only taken limited action to address this issue through draft guidance that would allow manufacturers to voluntarily list sesame as an ingredient.

The FDA needs to do more to help curb the risks these children face and the FASTER Act will help the FDA do just that. I urge all my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2117, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BIPARTISAN SOLUTION TO CYCLICAL VIOLENCE ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5855) to amend the Public Health Service Act to establish a grant program supporting trauma center violence intervention and violence prevention programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5855

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 "Bipartisan Solution to Cyclical Violence Act of 2020".

SEC. 2. GRANT PROGRAM SUPPORTING TRAUMA CENTER VIOLENCE INTERVENTION AND VIOLENCE PREVENTION PROGRAMS.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following new section:

"SEC. 399V-7. GRANT PROGRAM SUPPORTING TRAUMA CENTER VIOLENCE INTERVENTION AND VIOLENCE PREVENTION PROGRAMS.

"(a) AUTHORITY ESTABLISHED.—

"(1) IN GENERAL.—The Secretary shall award grants to eligible entities to establish or expand violence intervention or prevention programs for services and research designed to reduce the incidence of reinjury and reincarceration caused by intentional violent trauma, excluding intimate partner violence.

"(2) FIRST AWARD.—Not later than 9 months after the date of enactment of this section, the Secretary shall make the first award under paragraph (1).

"(3) GRANT DURATION.—Each grant awarded under paragraph (1) shall be for a period of three years.

"(4) GRANT AMOUNT.—The total amount of each grant awarded under paragraph (1) for the 3-year grant period shall be not less than \$250,000 and not more than \$500,000.

"(5) SUPPLEMENT NOT SUPPLANT.—A grant awarded under paragraph (1) to an eligible entity with an existing program described in paragraph (1) shall be used to supplement, and not supplant, any other funds provided to such entity for such program.

“(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a)(1), an entity shall—

“(1) either be—

“(A) a State-designated trauma center, or a trauma center verified by the American College of Surgeons, that conducts or seeks to conduct a violence intervention or violence prevention program; or

“(B) a nonprofit entity that conducts or seeks to conduct a program described in subparagraph (A) in cooperation with a trauma center described in such subparagraph;

“(2) serve a community in which at least 100 incidents of intentional violent trauma occur annually; and

“(3) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) SELECTION OF GRANT RECIPIENTS.—

“(1) GEOGRAPHIC DIVERSITY.—In selecting grant recipients under subsection (a)(1), the Secretary shall ensure that collectively grantees represent a diversity of geographic areas.

“(2) PRIORITY.—In selecting grant recipients under subsection (a)(1), the Secretary shall prioritize applicants that serve one or more communities with high absolute numbers or high rates of intentional violent trauma.

“(3) HEALTH PROFESSIONAL SHORTAGE AREAS.—

“(A) ENCOURAGEMENT.—The Secretary shall encourage entities described in paragraphs (1) and (2) that are located in or serve a health professional shortage area to apply for grants under subsection (a)(1).

“(B) DEFINITION.—In subparagraph (A), the term ‘health professional shortage area’ means a health professional shortage area designated under section 332.

“(d) REPORTS.—

“(1) REPORTS TO SECRETARY.—

“(A) IN GENERAL.—An entity that receives a grant under subsection (a)(1) shall submit reports on the use of the grant funds to the Secretary, including progress reports, as required by the Secretary. Such reports shall include—

“(i) any findings of the program established, or expanded, by the entity through the grant; and

“(ii) if applicable, the manner in which the entity has incorporated such findings in the violence intervention or violence prevention program conducted by such entity.

“(B) OPTION FOR JOINT REPORT.—To the extent feasible and appropriate, an entity that receives a grant under subsection (a)(1) may elect to coordinate with one or more other entities that have received such a grant to submit a joint report that meets the requirements of subparagraph (A).

“(2) REPORT TO CONGRESS.—Not later than six years after the date of enactment of the Bipartisan Solution to Cyclical Violence Act of 2020, the Secretary shall submit to Congress a report—

“(A) on any findings resulting from reports submitted to the Secretary under paragraph (1);

“(B) on best practices developed by the Secretary under subsection (e); and

“(C) with recommendations for legislative action relating to intentional violent trauma prevention that the Secretary determines appropriate.

“(e) BEST PRACTICES.—Not later than six years after the date of enactment of the Bipartisan Solution to Cyclical Violence Act of 2020, the Secretary shall—

“(1) develop, and post on a public website of the Department of Health and Human Services, best practices for intentional violent trauma prevention, based on any find-

ings reported to the Secretary under subsection (d)(1); and

“(2) disseminate such best practices to stakeholders, as determined appropriate by the Secretary.

“(f) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated \$10,000,000 for the period of fiscal years 2021 through 2024.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5855.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, trauma is a pressing public health epidemic. In 2016 alone, trauma accounted for 29.2 million emergency department visits and 39.5 million physician office visits in the U.S.

Tragically, homicide is the leading cause of death for Black males 1 to 24 years old and the second leading cause of death in Hispanic males 1 to 24 years old.

Regardless of race, among those who survive a single violent trauma, it is estimated that up to 45 percent will experience a second violent trauma. This is where H.R. 5855 steps in to provide critical data-driven interventions.

The Bipartisan Solution to Cyclical Violence Act of 2020 identifies patients at risk of repeat violent injury and connects them with hospital and community-based resources. The bill bridges tragedy with hospital-based violence intervention programs by providing intensive case management to individuals who have experienced at least one violent trauma. These programs have been shown to successfully reduce injury recidivism and help those at risk for violence live safer lives.

I want to commend my colleagues, Representatives RUPPERSBERGER and KINZINGER, for spearheading this initiative and the University of Maryland Hospital for establishing its shock trauma unit, which established the first cycles of violence intervention program.

Again, I urge my colleagues to support this important bipartisan bill, and I reserve the balance of my time.

Mr. WALDEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 5855, the Bipartisan Solution to Cyclical Violence Act of 2020.

I want to thank our colleagues, Representatives RUPPERSBERGER and KINZINGER, for putting forward a meaningful solution to address violence in

all of our communities. This legislation provides Federal grants to hospitals and trauma centers for intervention services for victims of violent crime.

Violence in America disproportionately impacts urban and underserved communities where poor social determinants of health can contribute to structural violence. Hospital-based intervention programs help reduce violence because they reach high-risk individuals recently admitted to a hospital for treatment of a serious violent injury.

Hospitalization presents a unique and, frankly, teachable moment when an individual may be open to help, in turn, breaking the cycle of violence by immediate intervention.

Currently, many hospitals are left with nothing but simply discharging gunshot injury patients without any strategy in place to reduce the risk of recidivism or retaliation. However, according to the American College of Surgeons, those who received violence intervention at the hospital, Madam Speaker, were significantly less likely to be reinjured and to get involved in crime in the future. So it works.

By supporting hospital-based violence intervention programs, this bill would help individuals at risk from becoming entangled in violent crime and connect them with local resources that address the underlying risk factors for violence.

Madam Speaker, I urge a “yes” vote, and I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER), the sponsor of the legislation.

(Mr. RUPPERSBERGER asked and was given permission to revise and extend his remarks.)

Mr. RUPPERSBERGER. Madam Speaker, I rise to urge my colleagues to support this bipartisan bill that will reduce the scourge of violence in America.

The bill is based on a very simple concept: helping the victims of violent injury before they become repeat victims or even perpetrators themselves. We can do this by expanding hospital-based violence intervention programs around the country.

I was inspired to write this bill after learning about the violence intervention program at the University of Maryland R. Adams Cowley Shock Trauma Center. Maryland Shock Trauma is considered one of the top trauma centers in the world. And, by the way, it helped save my life years ago.

Shock Trauma has a staggering 20 percent of patients who are the victims of violence, usually stabbings and shootings, that have occurred on the streets of Baltimore. Many of these patients are repeat customers, caught in a revolving door of violent reinjury. In fact, one of the leading risk factors for violent injury is a prior violent injury.

Shock Trauma is taking advantage of the fact that these patients are a captive audience, confined to a bed and off the streets, if only for a few days.

□ 1315

Participants in their violence intervention program, one of the 40 that now exist across the country, receive a brief intervention in the emergency room or at the hospital bedside. They get counseling and support that could include help with groceries, bus money, substance abuse treatment, job training or help finding affordable housing.

This intervention is then followed by intensive community-based case management services in the months following the injury. At Shock Trauma, program participants have shown an 83 percent decrease in rehospitalization due to intentional violent injury, and a 75 percent reduction in criminal activity, and an 82 percent increase in employment.

This bill that we have before us today, the Bipartisan Solution to Cyclical Violence Act, provides \$10 million in Federal grants to hospitals that want to create or expand violence prevention programs. At the end of a 3-year pilot, each hospital will report its findings back to the Federal Government. Awards will range from \$250,000 to \$500,000.

I believe, however, this bill will net cost savings to the American taxpayers by reducing violent crime, which costs more than \$12 billion, from police, courts, and jails, to the medical expenses of victims, to the lost wages to both victims and perpetrators.

Further, as we engage in a national conversation about reimagining public safety, I think we need to do what we can to shift social work away from police and first responders and back to the experts in mental health, substance abuse, homelessness, unemployment, and other areas that often afflict victims of violent crime.

In fact, when I first introduced this bill in 2019, it was endorsed by the Fraternal Order of Police, the National Association of Resource Officers, and the National District Attorneys Association. We also received endorsements from the NAACP, American College of Surgeons, Network of Hospital-Based Violence Intervention Programs, and the National League of Cities. It has also been endorsed by the National Hospital Association.

Madam Speaker, I thank my friend, ADAM KINZINGER, for coauthoring this important legislation; and Chairman FRANK PALLONE and Ranking Member WALDEN for helping us work through this bill.

Madam Speaker, I urge my colleagues to vote for the Bipartisan Solution to Cyclical Violence Act.

Mr. WALDEN. Madam Speaker, I thank my friend from Maryland for his good work on this legislation.

Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. KINZINGER), who is a very talented legislator. He has put a lot into this bill.

Mr. KINZINGER. Madam Speaker, the COVID pandemic has changed almost every aspect of American life. While it may be difficult to measure at

this stage, we know the impact on medical health of Americans across the country is significant and it is alarming.

In the age of technology and instant gratification, more and more people were already feeling less connected. But once the pandemic struck, the negative effects of isolation and uncertainty were only compounded into a sense of hopelessness nationwide. If you don't have hope, you have very little reason to follow a moral code or fear the results of your actions.

Hopelessness and desperation can be a dangerous trigger and it can lead to acts of violence. Unfortunately, victims of violence are often caught in a vicious cycle of violence, as one of the main risk factors for violent injury is a previous violent injury.

My colleague, Congressman RUPPERSBERGER, and I introduced legislation to try and put a stop to this horrific cycle of violence, the Bipartisan Solution to Cyclical Violence Act. Our legislation establishes a grant program at the Department of Health and Human Services to award grants to existing and aspiring violence intervention programs.

These programs intervene while a victim is still in the hospital recovering from their injuries, and provide a wide range of services like counseling, substance abuse treatment, job training, or even assistance finding affordable housing. And it doesn't stop when the victim walks out of the hospital. The intervention continues for several months, and sometimes even up to a year following the initial incident.

The successes of these programs have been astounding. At the University of Maryland Medical System, participants showed an 83 percent decrease in rehospitalization due to intentional violent injury, and a 75 percent reduction in criminal activity, and an 82 percent increase in employment. These programs really work.

By supporting victims with the resources and education to pursue a different path, we can stop the vicious cycle of violence and give people hope for a better tomorrow. It is more important than ever that we work together to help and heal those who are struggling.

I remain committed to finding commonsense and bipartisan solutions to problems facing our country, and the Bipartisan Solution to Cyclical Violence Act is a perfect example of how we can work together to enact policies that will have real and lasting impact in our communities.

Madam Speaker, I thank Congressman DUTCH RUPPERSBERGER for working on this important bipartisan legislation. I also thank the chairman and the ranking member for bringing this up and your help with that.

Mr. WALDEN. Madam Speaker, I have no more speakers on our side of the aisle. I urge passage of the bill, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I also urge all of my colleagues to sup-

port this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. WILD). The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 5855, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BLOCK, REPORT, AND SUSPEND SUSPICIOUS SHIPMENTS ACT OF 2020

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3878) to amend the Controlled Substances Act to clarify the process for registrants to exercise due diligence upon discovering a suspicious order, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3878

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 "Block, Report, And Suspend Suspicious Shipments Act of 2020".

SEC. 2. CLARIFICATION OF PROCESS FOR REGISTRANTS TO EXERCISE DUE DILIGENCE UPON DISCOVERING A SUSPICIOUS ORDER.

(a) IN GENERAL.—Paragraph (3) of section 312(a) of the Controlled Substances Act (21 U.S.C. 832(a)) is amended to read as follows:

"(3) upon discovering a suspicious order or series of orders—

"(A) exercise due diligence;

"(B) establish and maintain (for not less than a period to be determined by the Administrator of the Drug Enforcement Administration) a record of the due diligence that was performed;

"(C) decline to fill the order or series of orders if the due diligence fails to resolve all of the indicators that gave rise to the suspicion that filling the order or series of orders would cause a violation of this title by the registrant or the prospective purchaser; and

"(D) notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business of—

"(i) each suspicious order or series of orders discovered by the registrant; and

"(ii) the indicators giving rise to the suspicion that filling the order or series of orders would cause a violation of this title by the registrant or the prospective purchaser."

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, for purposes of section 312(a)(3) of the Controlled Substances Act, as amended by subsection (a), the Attorney General of the United States shall promulgate a final regulation specifying the indicators that give rise to a suspicion that filling an order or series of orders would cause a violation of the Controlled Substances Act (21 U.S.C. 801 et seq.) by a registrant or a prospective purchaser.

(c) APPLICABILITY.—Section 312(a)(3) of the Controlled Substances Act, as amended by

subsection (a), shall apply beginning on the day that is 1 year after the date of enactment of this Act. Until such day, section 312(a)(3) of the Controlled Substances Act shall apply as such section 312(a)(3) was in effect on the day before the date of enactment of this Act.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3878.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 3878, the Block, Report, And Suspend Suspicious Shipments Act of 2020. This bill will improve reporting an action on suspicious orders on controlled substances.

Between 1999 and 2017, more than 700,000 Americans died from a drug overdose. Many of those Americans were caught in the first wave of what we typically describe as three waves of this epidemic.

This first wave began in the 1990s with deaths involving prescription opioids. In 2010, we saw dramatic increases from heroin-involved deaths. And most recently, we are seeing a third wave involving synthetic opioids, like illicitly manufactured fentanyl.

During that first wave, Americans across the country became addicted to opioids. Many of those opioids were prescribed to patients to treat pain. However, throughout the years, we have discovered that many of these opioids were diverted through a system meant to prevent diversion.

The Drug Enforcement Administration requires entities that manufacture or distribute controlled substances to register and report their activities through ARCOS. This system is meant to track the manufacture, distribution, and dispensing of these substances. In this system, registrants are also expected to disclose suspicious orders of controlled substances, such as orders of unusual size, orders deviating from a normal pattern, or orders of unusual frequency.

As an effort to improve reporting and action on suspicious orders, this bill would clarify the responsibilities of drug manufacturers and distributors when discovering a suspicious order, and require communications around that order to DEA. This will help all entities to better identify suspicious activity and root out bad actors.

Madam Speaker, this is a commonsense bill that will make clear the responsibilities for all entities in our supply chain and, hopefully, help to deter opioid diversion and trafficking. I commend the lead sponsors of this bipartisan bill, Representatives DINGELL and MCKINLEY, and their staff for their work on this legislation. I also thank the Democratic and Republican members of our committee, as well as bipartisan staff for working together to move this bill.

Madam Speaker, I urge my colleagues to support H.R. 3878, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 16, 2020.

Hon. JERROLD NADLER,
Chair, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN NADLER: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 3878, the Block, Report, And Suspend Suspicious Shipments Act of 2020, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 3878 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 16, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: This is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 3878, the "Block, Report, And Suspend Suspicious Shipments Act of 2019," that fall within our Rule jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 3878, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our committees.

Sincerely,

JERROLD NADLER,
Chairman.

Mr. WALDEN. Madam Speaker, I rise to support H.R. 3878, the Block, Report, And Suspend Suspicious Shipments Act, which was led by my Energy and Commerce Committee colleagues, Representatives MCKINLEY and DINGELL.

This legislation addresses an alarming problem that was identified in the committee's 2018 bipartisan investigation in the distribution of prescription opioids by wholesale drug distributors. The committee found that when millions of prescription opioids were dumped into communities, large and small, across the country, the distributors flagged the orders for the DEA, but shipped the orders anyway, even after notifying the authorities that the orders were suspicious.

H.R. 3878 would place additional commonsense obligations on drug manufacturers and distributors who discover a controlled substance suspicious order. In addition to reporting the suspicious order to the DEA, this legislation requires the manufacturer or distributor to exercise due diligence, to decline to fill the order, and to provide information to the Drug Enforcement Administration on the indicators that led to the belief that filling the order would violate the Substances Controlled Act.

We all have a part to play in the fight against the opioid epidemic, and it is critical that pharmaceutical manufacturers and distributors step up in stopping pill dumping.

Madam Speaker, I thank my colleagues, Representatives DINGELL and MCKINLEY, for their extra effort on this legislation. It is a fine piece of work moving forward, and I commend them for their work.

Madam Speaker, I don't believe I have any speakers on this one, so I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. DINGELL), the Democratic sponsor of the bill.

Mrs. DINGELL. Madam Speaker, I rise in support of the Block, Report, And Suspend Suspicious Shipments Act, which would crack down on pill dumping and other abusive practices to address the ongoing opioid epidemic, which still remains one of the most significant public health challenges facing our country.

In 2018, over 67,000 Americans still lost their lives to drug overdoses, and preliminary data for 2019 suggests that deaths are rising again.

My home State of Michigan has been hit hard by the opioid epidemic, which has been exacerbated by COVID-19. We have seen a 15 percent year-over-year increase in fatal overdoses across the entire State since March of this year.

New tools to address pill dumping and other dodgy practices that have

perpetuated the opioid crisis are needed more now than ever. The Block, Report, And Suspend Suspicious Shipments Act will crack down on these abuses. It will improve oversight of the opioid supply chain by mandating that the drug manufacturers and distributors exercise due diligence when they receive a suspicious order for controlled substances. This includes blocking or declining to fill the suspicious order, and providing the DEA with additional data and background on the indicators on the order in question.

Distributors and manufacturers should be active partners in addressing these abuses, and this legislation's commonsense protections will save lives in Michigan and the country.

Madam Speaker, I want to recognize my colleague, Congressman MCKINLEY, for his years of leadership and work in highlighting this issue and driving action to address the role bad actors continue to play in perpetuating the opioid crisis. I also thank Chairman PALLONE and Ranking Member WALDEN, who I am going to miss greatly, as well as the Democratic and Republican committee staff for working tirelessly to advance this important bipartisan priority.

Madam Speaker, I urge my colleagues to support this legislation.

Mr. PALLONE. Madam Speaker, I have no additional speakers. I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. MCKINLEY. Madam Speaker, I rise in support of H.R. 3878. While Congress has understandably been focused on the COVID-19 pandemic, the opioid epidemic has not gone away. In fact, across the nation overdose deaths are up 13 percent from this time last year.

In West Virginia, nearly twice as many people have died from drug abuse than from COVID.

Last Congress, the Energy and Commerce Committee conducted an investigation that found massive evidence of pill dumping. One example in the report was that nearly 9 million pills were distributed in just two years to a single pharmacy in West Virginia. Finally, two years later we're passing legislation that would help address the problem.

I am proud to work with Mrs. DINGELL on this nonpartisan bill. The Block, Report, and Suspend Suspicious Shipments Act would require drug wholesalers and manufacturers to report and stop unusually large orders. We are hopeful this bill will be another positive step in addressing America's opioid epidemic.

I urge my colleagues to support the passage of H.R. 3878.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 3878, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1330

DEBARMENT ENFORCEMENT OF BAD ACTOR REGISTRANTS ACT OF 2020

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4806) to amend the Controlled Substances Act to authorize the debarment of certain registrants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 4806

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 "Debarment Enforcement of Bad Actor Registrants Act of 2020" or the "DEBAR Act of 2020".

SEC. 2. DEBARMENT OF CERTAIN REGISTRANTS.

Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended by adding at the end the following:

"(h) The Attorney General may issue an order to prohibit, conditionally or unconditionally, and permanently or for such period as the Attorney General may determine, any person from being registered under this title to manufacture, distribute, or dispense a controlled substance or a list I chemical, if the Attorney General finds that—

"(1) such person meets or has met any of the conditions for suspension or revocation of registration under subsection (a); and

"(2) such person has a history of prior suspensions or revocations of registration."

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4806.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4806, the Debarment Enforcement of Bad Actor Registrants Act of 2020, or the DEBAR Act of 2020, which gives the Drug Enforcement Administration, or the DEA, additional tools to go after bad actors.

The DEA is charged with enforcing and implementing policies to protect public health and safety through the Controlled Substances Act.

One important lever DEA has at its disposal to manage diversion or non-compliance with the law is the ability to revoke or surrender an individual's CSA registration, which is needed to handle controlled substances. While this is an important tool, a recent Department of Justice Office of the Inspector General report found weaknesses in DEA's registration process and instances where the agency did not fully utilize its regulatory authorities to address noncompliance. Specifically, the inspector general found cases where entities have been able to obtain a new license after having one that was revoked.

For example, the report outlined a case that included a doctor who was engaged in serious misconduct and had his registration revoked, who then moved to another State under the authority of a different DEA field division. When the doctor reapplied for registration, it was granted.

Another example, Madam Speaker, in the report included a dentist who had voluntarily surrendered his medical license and DEA registration on two separate occasions. The dentist also had been convicted of a felony, which is grounds for suspension or revocation of an individual's registration under the CSA. However, according to DEA, the dentist was still able to obtain another DEA registration.

Now, these errors by the DEA are simply unacceptable, Madam Speaker. Today, we are considering H.R. 4806, which would address these errors. The legislation would authorize the debarment of any registrant that either meets the criteria for temporary or permanent suspension or revocation or has a history of prior suspension or revocations.

Again, I thank my colleague Representative LATTA for leading this legislation and Ranking Member WALDEN and his staff for working with me on this legislation.

Madam Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 16, 2020.

Hon. JERROLD NADLER,
Chair, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN NADLER: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 4806, the DEBAR Act of 2020, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 4806 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together

as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 16, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: This is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 4806, the "Debarment Enforcement of Bad Actor Registrants Act of 2019," that fall with in our Rule X jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 4806, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our committees.

Sincerely,

JERROLD NADLER,
Chairman.

Mr. WALDEN. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4806, the Debarment Enforcement of Bad Actor Registrants, or DEBAR Act, which was introduced by Energy and Commerce Communications and Technology Subcommittee leader BOB LATTA. He spoke to this legislation earlier on a different bill and had a commitment now that precludes him from being here as this bill comes up.

This legislation would give the Drug Enforcement Administration debarment authority to prohibit a person who has repeatedly violated the Controlled Substances Act from being able to receive a registration to manufacture, distribute, or dispense a controlled substance.

A recent Justice Department Office of Inspector General report found that certain bad actor registrants who had their registration revoked were able to simply reapply for registration the day after the enforcement action or registration surrender occurred. As a result, registrants who pose a significant risk of diverting drugs are actually given an opportunity to do it again. Repeat offenders should not be able to get away with a new registration from the DEA just days after the suspension of the old one. Limited debarment authority is a commonsense and effective administrative tool to address diversion, fraud, and misconduct.

I strongly support Mr. LATTA's legislation and I thank my colleague, the

chairman of the committee, for his work on this, as well.

Mr. Speaker, I urge our colleagues to support this bill, and I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. WALDEN. Madam Speaker, I, too, would urge this bill's passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 4806, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ENSURING COMPLIANCE AGAINST DRUG DIVERSION ACT OF 2020

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4812) to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 4812

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 "Ensuring Compliance Against Drug Diversion Act of 2020".

SEC. 2. MODIFICATION, TRANSFER, AND TERMINATION OF REGISTRATION TO MANUFACTURE, DISTRIBUTE, OR DISPENSE CONTROLLED SUBSTANCES.

Subsection (a) of section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following new paragraph:

"(3)(A) Except as provided in subparagraph (C), the registration of any registrant under this title to manufacture, distribute, or dispense controlled substances or list I chemicals terminates if and when such registrant—

"(i) dies;

"(ii) ceases legal existence;

"(iii) discontinues business or professional practice; or

"(iv) surrenders such registration.

"(B) In the case of such a registrant who ceases legal existence or discontinues business or professional practice, such registrant shall promptly notify the Attorney General in writing of such fact.

"(C) No registration under this title to manufacture, distribute, or dispense controlled substances or list I chemicals, and no authority conferred thereby, may be assigned or otherwise transferred except upon such conditions as the Attorney General may specify and then only pursuant to written consent. A registrant to whom a registration is assigned or transferred pursuant to the preceding sentence may not manufacture, distribute, or dispense controlled sub-

stances or list I chemicals pursuant to such registration until the Attorney General receives such written consent.

"(D) In the case of a registrant under this title to manufacture, distribute, or dispense controlled substances or list I chemicals desiring to discontinue business or professional practice altogether or with respect to controlled substances and list I chemicals (without assigning or transferring such business or professional practice to another entity), such registrant shall return to the Attorney General for cancellation—

"(i) the registrant's certificate of registration;

"(ii) any unexecuted order forms in the registrant's possession; and

"(iii) any other documentation that the Attorney General may require."

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4812.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4812, the Ensuring Compliance Against Drug Diversion Act.

As I have already mentioned, the Drug Enforcement Administration, or DEA, has an established registration system for controlled substances, including opioids. This system is meant to identify entities that manufacture, distribute, and dispense these substances, as well as to prevent diversion of these substances. We rely on the DEA to maintain the integrity of this system as one way to stop illicit diversion before it starts.

However, a 2016 Government Accountability Office report found over 700 registrants in DEA's system may have been ineligible to have controlled substance registrations. GAO found that the registrants were reportedly deceased, did not possess State level authority, or were incarcerated for offenses related to controlled substances.

This bill terminates the controlled substance registration of any registrant if the registrant dies, ceases legal existence, discontinues business or professional practice, or surrenders

their registration. The bill also codifies DEA's authority to ensure accuracy of registrations and limits the transfer of such registrations.

Again, I want to thank the lead sponsor of this bill, Representative GRIFFITH for his leadership, and I also thank Ranking Member WALDEN and the members of our committee for their bipartisan support.

Madam Speaker, I urge my colleagues to support H.R. 4812, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 16, 2020.

Hon. JERROLD NADLER,
Chair, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN NADLER: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 4812, the Ensuring Compliance Against Drug Diversion Act of 2020, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will place our letters on H.R. 4812 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 16, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: This is to advise you that the Committee on the Judiciary has now had an opportunity to review the provisions in H.R. 4812, the "Ensuring Compliance Against Drug Diversion Act of 2019," that fall within our Rule X jurisdiction. I appreciate your consulting with us on those provisions. The Judiciary Committee has no objection to your including them in the bill for consideration on the House floor, and to expedite that consideration is willing to forgo action on H.R. 4812, with the understanding that we do not thereby waive any future jurisdictional claim over those provisions or their subject matters.

In the event a House-Senate conference on this or similar legislation is convened, the Judiciary Committee reserves the right to request an appropriate number of conferees to address any concerns with these or similar provisions that may arise in conference.

Please place this letter into the Congressional Record during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our committees.

Sincerely,

JERROLD NADLER,
Chairman.

Mr. WALDEN. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 4812, the Ensuring Compliance Against Drug Diversion Act spearheaded by Energy and Commerce Committee colleague Representative MORGAN GRIFFITH. I thank Mr. GRIFFITH for his leadership on this and many other pieces of legislation.

This legislation addresses a policy issue that was identified again in our 2018 Energy and Commerce Committee report summarizing the committee's bipartisan investigation into the distribution of prescription opioids by wholesale drug distributors and subsequent enforcement practices by the DEA.

The investigative report that we issued found that an opioid distributor and its pharmacy customer did not go through the appropriate process of transferring a registration to a new pharmacy owner. This is disturbing, because failing to appropriately contact the DEA and verify whether the agency approved the transfer of a registration to dispense controlled substances creates a serious risk that could lead to drug diversion.

In order to prevent people who have not been vetted by the authorities from dispensing controlled substances, H.R. 4812 makes clear that the transfer of any controlled substance registration without written consent from the DEA will be prohibited.

Madam Speaker, I urge support of this legislation, and I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I have no speakers at this time, and I reserve the balance of my time.

Mr. WALDEN. Madam Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. GRIFFITH), who has been a real workhorse on this and many other pieces of legislation.

Mr. GRIFFITH. Madam Speaker, I rise today in support of H.R. 4812, the Ensuring Compliance Against Drug Diversion Act.

This is a small but very important step that could play a key role in helping contain the opioid epidemic.

License to distribute opioids is not a commodity to be freely bought and sold. Those who wish to distribute opioids must earn the ability to do so.

An investigation performed by the Energy and Commerce Oversight and Investigations Subcommittee found that the current process of transferring controlled substance dispensation licenses does not create sufficient accountability.

In the one instance you heard about before, a distributor and its pharmacy customer did not go through the appropriate process of transferring registration to a new pharmacy owner, but the mistake wasn't caught until long afterward. As a result, there was a period of time during which the DEA was unaware that particular pharmacy was distributing controlled substances.

Now, in this case, as best I understand it, there was not a rogue indi-

vidual, it was just a matter of an oversight. But what we are trying to do with this bill today is to make sure that in the future we don't have some rogue individual that comes in and buys somebody else's business or their license or their registration and doesn't go back to the DEA to get proper registration.

Failing to appropriately contact the DEA and verify whether the agency approved a transfer creates a serious risk of drug diversion, and this bill amends the Controlled Substances Act to prohibit that transfer of any DEA registration without written consent from the agency.

By requiring written approval from the DEA before the transfer of registration occurs, we decrease the risk of drug diversion by keeping controlled substances out of the hands of people that have not been vetted by the appropriate regulatory authorities.

Madam Speaker, that is the purpose of the bill. I appreciate everyone's support on it.

Mr. WALDEN. Madam Speaker, I again thank the gentleman from Virginia for his leadership on this and so much other legislation.

Madam Speaker, I urge passage of the legislation, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I urge support of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 4812, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RELIABLE EMERGENCY ALERT DISTRIBUTION IMPROVEMENT ACT OF 2020

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6096) to improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6096

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 "Reliable Emergency Alert Distribution Improvement Act of 2020" or the "READI Act".

SEC. 2. RELIABLE EMERGENCY ALERT DISTRIBUTION IMPROVEMENT.

(a) WIRELESS EMERGENCY ALERTS SYSTEM OFFERINGS.—

(1) AMENDMENT.—Section 602(b)(2)(E) of the Warning, Alert, and Response Network Act (47 U.S.C. 1201(b)(2)(E)) is amended—

(A) by striking the second and third sentences; and

(B) by striking “other than an alert issued by the President.” and inserting the following: “other than an alert issued by—

“(i) the President; or

“(ii) the Administrator of the Federal Emergency Management Agency.”.

(2) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall adopt regulations to implement the amendment made by paragraph (1)(B).

(b) STATE EMERGENCY ALERT SYSTEM PLANS AND EMERGENCY COMMUNICATIONS COMMITTEES.—

(1) STATE EMERGENCY COMMUNICATIONS COMMITTEE.—Not later than 180 days after the date of enactment of this Act, the Commission shall adopt regulations that—

(A) encourage the chief executive of each State—

(i) to establish an SECC if the State does not have an SECC; or

(ii) if the State has an SECC, to review the composition and governance of the SECC;

(B) provide that—

(i) each SECC, not less frequently than annually, shall—

(I) meet to review and update its State EAS Plan;

(II) certify to the Commission that the SECC has met as required under subclause (I); and

(III) submit to the Commission an updated State EAS Plan; and

(ii) not later than 60 days after the date on which the Commission receives an updated State EAS Plan under clause (i)(III), the Commission shall—

(I) approve or disapprove the updated State EAS Plan; and

(II) notify the chief executive of the State of the Commission’s approval or disapproval of such plan, and reason therefor; and

(C) establish a State EAS Plan content checklist for SECCs to use when reviewing and updating a State EAS Plan for submission to the Commission under subparagraph (B)(i).

(2) CONSULTATION.—The Commission shall consult with the Administrator regarding the adoption of regulations under paragraph (1)(C).

(3) DEFINITIONS.—In this subsection—

(A) the term “SECC” means a State Emergency Communications Committee;

(B) the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(C) the term “State EAS Plan” means a State Emergency Alert System Plan.

(c) FALSE ALERT REPORTING.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alerts System for the purpose of recording such false alerts and examining the causes of such false alerts.

(d) REPEATING EMERGENCY ALERT SYSTEM MESSAGES FOR NATIONAL SECURITY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(A) the President;

(B) the Administrator; or

(C) any other entity determined appropriate under the circumstances by the Commission, in consultation with the Administrator.

(2) SCOPE OF RULEMAKING.—Paragraph (1) shall—

(A) apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terror attack, or other act of war or threat to public safety; and

(B) not apply to more typical warnings, such as a weather alert, AMBER Alert, or disaster alert.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impair, limit, or otherwise change—

(A) the authority of the President granted by law to alert and warn the public; or

(B) the role of the President as commander-in-chief with respect to the identification, dissemination, notification, or alerting of information of missile threats against the United States, or threats to public safety.

(e) INTERNET AND ONLINE STREAMING SERVICES EMERGENCY ALERT EXAMINATION.—

(1) STUDY.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable or improve alerts to consumers provided through the internet, including through streaming services.

(2) REPORT.—Not later than 90 days after completing the inquiry under paragraph (1), the Commission shall submit a report on the findings and conclusions of the inquiry to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

(f) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency;

(2) the term “Commission” means the Federal Communications Commission;

(3) the term “Emergency Alert System” means the national public warning system, the rules for which are set forth in part 11 of title 47, Code of Federal Regulations (or any successor regulation); and

(4) the term “Wireless Emergency Alerts System” means the wireless national public warning system established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.), the rules for which are set forth in part 10 of title 47, Code of Federal Regulations (or any successor regulation).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6096.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 6096, the Reliable Emergency Alert Distribu-

tion Improvement Act of 2020, or the READI Act, as it is known.

In times of crisis, Americans rely on communication systems to stay informed, check on loved ones, and access emergency assistance. Emergency alerts, in particular, are an effective mechanism for relaying lifesaving information to the American public in an instant.

The emergency alert system, or EAS, is one tool we have to issue such messages. Typically, an EAS message is originated by officials from local, State, Tribal, or Federal governments, known as alerting authorities. The messages are disseminated to the public by operators of broadcast cable and satellite TV or radio.

□ 1345

The Wireless Emergency Alert system, or WEA, on the other hand, allows emergency managers and other alert originators to distribute geographically targeted emergency messages to wireless customers’ devices at a moment’s notice.

Over recent months, Madam Speaker, local and State officials in California and Oregon have used geo-targeted emergency alerts to inform residents about wildfires and evacuation orders.

Simply put, our emergency alerting systems save lives, but there is plenty of room for improvement.

My colleagues may recall an incident that took place in Hawaii in January 2018 when the Hawaii Emergency Management Agency mistakenly issued an emergency alert through the Federal Emergency Management Agency’s Integrated Public Alert and Warning System.

The alert warned the public of an inbound ballistic missile threat, although there was no such threat. It was intended to be a routine test of the system, but the supervising officer who dictated the language of the drill mistakenly included the phrase, “This is not a drill,” causing confusion among the shift officers responsible for transmitting the alert to the public.

With five words, Hawaii was sent into a frenzy, which lasted about 38 minutes, until a follow-up notice was sent out correcting the error.

Now, there are more than 1,000 alerting authorities across the United States that rely on emergency alerting systems to notify the public of everything from law enforcement situations to evacuation and stay-at-home orders, child abductions, and natural disasters.

While the Hawaii incident was deemed an accident caused by human error, it is clear that there are gaps that must be addressed, and that is what this bill does.

The READI Act will ensure that there is better coordination between the Federal agencies that deal with emergency communications and their partners at the State and local levels. Specifically, the bill calls on the Federal Communications Commission to work with State Emergency Communications Committees to develop and

update State plans to identify and close any gaps in protocol or accountability.

The READI Act also requires the FCC to study and report to Congress on the feasibility of expanding participation in the Emergency Alert System to include streaming services and internet platforms and whether such an action would increase the reach and reliability of emergency alerts.

Madam Speaker, I commend Representative JERRY MCNERNEY for his leadership on this bill, especially as his constituents and neighbors all across California continue to grapple with the fallout from these historic wildfires.

Madam Speaker, I also thank Ranking Member WALDEN and subcommittee Ranking Member LATTA for working with us to move this legislation through the Energy and Commerce Committee on a bipartisan basis.

Finally, Madam Speaker, I also thank Senator SCHATZ, who is leading this legislation in the Senate.

This is a really good bill that will make emergency alerts more effective and reliable, to keep our friends and neighbors safe when it matters most.

Madam Speaker, I encourage my colleagues to support the READI Act, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,

Washington, DC, November 10, 2020.

Hon. FRANK PALLONE, JR.,
*Chairman, Committee on Energy & Commerce,
House of Representatives, Washington, DC.*

DEAR MR. PALLONE: I write concerning H.R. 6096, the READI Act. There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite floor consideration of H.R. 6096, the Committee on Transportation and Infrastructure agrees to forgo action on the bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill would not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I also request that you urge the Speaker to name members of this Committee to any conference committee which is named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 6096 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

PETER DEFazio,
Chair.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 13, 2020.

Hon. PETER A. DEFazio,
*Chairman, Committee on Transportation and
Infrastructure, Washington, DC.*

DEAR CHAIRMAN DEFazio: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 6096, the Reliable Emergency Alert Distribution Improvement (READI) Act of 2020, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 6096 into the committee report on the bill and into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

Mr. WALDEN. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 6096, the READI Act. This legislation will help improve the Federal Communications Commission's oversight over the wireless and broadcast emergency alert systems, something that is much needed in a new age of communication.

This year, our Nation was hit by horrific and deadly wildfires that destroyed entire communities. My district and many parts of Oregon witnessed this situation with catastrophic fires that moved very, very rapidly, caused incredible and historic destruction, and will take years for people to recover.

Our Emergency Alert System is so important during these times, and we need to make sure it delivers for Americans when they need it most. In some parts of my State, it worked flawlessly. In other parts, they are reviewing what worked and what didn't work.

I daresay I am probably the only Member of Congress who actually has wired in Emergency Alert System components because we used to own radio stations. So I have pushed the buttons, and I have done the alerts, all of that. I know how important that coordination is and how important it is to work together ahead of time to really understand the plans and who triggers what and how it works going forward. Because when the emergencies do hit, there isn't time to come up with a plan. You need to have that in place.

This bill will help establish State Emergency Communications Committees, develop Emergency Alert System plans, and coordinate those plans with the FCC. This type of coordination allows States the independence to tailor their plans to their specific needs and to alert citizens during emergencies that are specific to their localities.

However, the bill also allows the FCC to review the plans to ensure States and other localities have considered any necessary technical issues so that there is consistency across the plans in the case of multistate or national emergencies.

Importantly, this bill requires coordination not only with the experts on telecommunications technology but also with the experts on emergency

management, FEMA. The FCC will ensure State plans have considered the necessary technical requirements, while FEMA ensures consistency regarding the types of emergency alerts.

This type of State and national coordination will make sure that all Americans receive alerts during emergencies and that those alerts make sense, and that will no doubt save lives and property.

Madam Speaker, that is why I am happy to support this forward-looking bill to improve the Emergency Alert System management at all levels, and I urge my colleagues to do so as well.

I would just close my comments with a brief story about one of these practice emergency sessions in my hometown on a Saturday morning. It was a full-fledged one. All the various resources in the area were to be engaged. The theory was that one of the mainstem Columbia River dams had breached and that there would be massive flooding. So, that was kind of the idea: What do you do in a mass casualty situation like that?

Fortunately, the gentleman who worked Saturday mornings at our local radio station had been around the block a few times. He was actually a retiree who just liked working, doing an old radio show on Saturday mornings. When they got the call and told him he needed to trigger the Emergency Alert System because Bonneville Dam had been breached, he said, "Okay. I understand that is the practice, but I am not going to actually go on air and say the dam has been breached."

Because he had been around a little bit, he pushed back on the emergency folks who were going by the letter of the plan and decided not to create one of these events like occurred in Hawaii by saying, "I don't think we really want to say that, even though this is a practice." I think we headed off probably a little bit of a problem there.

Madam Speaker, this is important, and these plans are important. I thank my colleagues for their work on this legislation, and I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY), the sponsor of the legislation and a member of our committee.

Mr. MCNERNEY. Madam Speaker, I thank the chairman for yielding.

I rise today in support of my legislation, H.R. 6096, the READI Act.

The emergency alerting system and the wireless emergency alerting system provide safe, lifesaving tools to disseminate information during emergencies.

In recent years, we have seen devastating fires in my home State of California, including the Tubbs fire; the Camp fire, which was the deadliest wildfire our Nation has faced in the last century; and the Kincadee fire.

This year, we have seen some of the largest and most devastating fires in

the State's history, with a record of more than 4 million acres burned and more than 8,100 fires across the State. Nearly every part of the great State of California has been touched by wildfires this season. These events demonstrate that we must improve the reliability of emergency alerts.

As we continue to battle COVID-19, this year's wildfire season has also presented unprecedented challenges for firefighters, emergency managers, and the public, particularly when it comes to evacuations. This makes it even more crucial that we have emergency alerting systems in place that are both robust and reliable.

This legislation will improve the current wireless emergency alerting system, and emergency alerting systems more broadly, so that my constituents and Americans across the country can count on receiving these alerts when faced with emergencies, including wildfires.

H.R. 6096 will ensure that more people receive critical emergency alerts on their mobile devices, televisions, and radios, and will pave the way for examining the feasibility of issuing alerts through online audio and video streaming services.

Additionally, this legislation will help States improve their plans for emergency alerting, and it will establish a reporting system for false alerts.

Madam Speaker, I thank my colleagues, including Representative BILIRAKIS, Mr. OLSON, and Ms. GABBARD, for working with me on the READI Act, as well as Senators SCHATZ and THUNE for their leadership on this legislation in the Senate.

Madam Speaker, I also thank Chairman PALLONE and Ranking Member WALDEN, and Chairman DOYLE and Ranking Member LATTI, for their working with me to move this legislation through the committee.

Madam Speaker, I strongly urge my colleagues to vote "yes" on H.R. 6096.

Mr. WALDEN. Madam Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS), a State that has dealt with a lot of disasters over the years and will in the future, to talk about this important legislation.

Mr. BILIRAKIS. Madam Speaker, I appreciate the time very much.

This legislation builds upon the IPAWS Modernization Act, which I authored and which became law in 2016.

Madam Speaker, I thank the gentleman from California (Mr. McNERNEY), the chairman of the committee, and the ranking member. It has been a great pleasure to serve with all of them on this committee, and I want to continue to serve on this committee. It is the best committee in Congress, as far as I am concerned, the original committee.

That bill enhanced the Nation's emergency alert texting system and implemented training programs for States. I am talking about the IPAWS Modernization Act, Madam Speaker.

The READI Act builds upon our prior efforts and will ensure more people receive critical emergency alerts on their mobile phones, televisions, and radios.

It really works well, Madam Speaker. I am from the great State of Florida, and we had hurricane warnings for the last couple of weeks for Eta. I was on the other coast, the east coast, even though I represent the west coast, visiting friends on the east coast, and I got the alert on the east coast even though the threat was on the west coast. So, you know, you have to have planning. And it really works very well. It saves so many lives.

It also paves the way for examining the feasibility of issuing alerts through online streaming services, an ever-popular platform, I understand.

Even more importantly, this bill will help States improve emergency alert plans and establish reporting systems for false alerts.

I am pleased that this potentially lifesaving legislation has come to a floor vote. The effectiveness and accuracy of information during an emergency should always be a top priority, and it is.

Mr. WALDEN. Madam Speaker, I don't believe I have any other speakers on our side of the aisle on this legislation, so I would urge its passage.

Madam Speaker, I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I have no additional speakers. I ask my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6096, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

UTILIZING STRATEGIC ALLIED TELECOMMUNICATIONS ACT OF 2020

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6624) to support supply chain innovation and multilateral security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6624

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 "Utilizing Strategic Allied Telecommunications Act of 2020" or the "USA Telecommunications Act".

SEC. 2. WIRELESS SUPPLY CHAIN INNOVATION GRANT PROGRAM.

(a) IN GENERAL.—From amounts made available under subsection (d), the Assistant

Secretary shall, beginning not later than 18 months after the date of the enactment of this Act, make grants on a competitive basis to support the deployment and use of Open RAN 5G Networks throughout the United States by—

(1) promoting the use of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in the supply chains of Open RAN 5G Networks;

(2) accelerating the deployment of Open Network Equipment;

(3) promoting the use of Open Network Equipment;

(4) establishing objective criteria that can be used to determine if equipment meets the definition of Open Network Equipment;

(5) promoting the inclusion of security features that enhance the integrity and availability of Open Network Equipment; or

(6) promoting the application of network function virtualization to facilitate the deployment of Open RAN 5G Networks and a more diverse vendor market.

(b) GRANT CRITERIA.—The Assistant Secretary, in consultation with the Commission, the Director of the National Institute of Standards and Technology, the Secretary of Homeland Security, the Director of the Defense Advanced Research Projects Agency (commonly known as "DARPA"), and the Director of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence (commonly known as "IARPA"), shall establish the criteria under which the Assistant Secretary shall award a grant under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) ANNUAL REPORT ON GRANTS MADE.—For each fiscal year for which amounts are available to make grants under subsection (a), the Assistant Secretary shall submit to the relevant committees of Congress a report that includes, with respect to that fiscal year—

(A) a description of—

(i) to whom grants under subsection (a) were made, the amount thereof, and criteria used to award such grants; and

(ii) the progress the Assistant Secretary has made in meeting the objectives described in subsection (a) of the grant program under this section; and

(B) any additional information that the Assistant Secretary determines appropriate.

(2) REPORT ON 5G NETWORK SUPPLY CHAIN.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall submit to the relevant committees of Congress a written report—

(A) that includes recommendations on promoting the competitiveness and sustainability of trusted Open RAN 5G Networks; and

(B) identifying whether any additional authorities are needed by the Assistant Secretary to facilitate the timely adoption of Open Network Equipment, including the authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of grant amounts awarded under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) AMOUNT AUTHORIZED.—There is authorized to be appropriated to make grants under subsection (a) \$750,000,000 for fiscal years 2021 through 2031.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available through fiscal year 2031.

SEC. 3. ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Assistant Secretary shall establish an Advisory Committee to advise the Assistant Secretary in the manner described in subsection (c).

(b) COMPOSITION.—The Advisory Committee established under subsection (a) shall be composed of—

(1) representatives from—
 (A) the Commission;
 (B) the Defense Advanced Research Projects Agency (commonly known as “DARPA”);
 (C) the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence (commonly known as “IARPA”);
 (D) the National Institute of Standards and Technology;
 (E) the Department of State;
 (F) the National Science Foundation; and
 (G) the Department of Homeland Security;
 and

(2) other representatives from the private and public sectors, at the discretion of the Assistant Secretary.

(c) DUTIES.—The Advisory Committee established under subsection (a) shall be used to advise the Assistant Secretary on technology developments to help inform—

(1) the strategic direction of the grant program established under section 2; and

(2) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain for Open RAN 5G Networks.

SEC. 4. DEFINITIONS.

In this Act:

(1) 3GPP.—The term “3GPP” means the Third Generation Partnership Project.

(2) 5G NETWORK.—The term “5G network” means a radio network as described by 3GPP Release 15 or higher, or any successor network.

(3) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(4) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(5) OPEN NETWORK EQUIPMENT.—The term “Open Network Equipment” means equipment that follows a set of open standards (such as O-RAN standards or the Open Radio Access Network approach to standardization, adopted by the O-RAN Alliance, 3GPP, or other organization) and open interfaces for multi-vendor network equipment interoperability, such that the equipment may be integrated into the Radio Access Networks of an Open RAN 5G Network.

(6) OPEN RAN 5G NETWORK.—The term “Open RAN 5G Network” means a 5G network that follows a set of open standards (such as O-RAN standards or the Open Radio Access Network approach to standardization, adopted by the O-RAN Alliance, 3GPP, or other organizations) and open interfaces for multi-vendor network equipment interoperability.

(7) RELEVANT COMMITTEES OF CONGRESS.—The term “relevant committees of Congress” means—

(A) the Committee on Energy and Commerce of the House of Representatives;

(B) the Permanent Select Committee on Intelligence of the House of Representatives;

(C) the Committee on Foreign Affairs of the House of Representatives;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Armed Services of the House of Representatives;

(F) the Committee on Commerce, Science, and Transportation of the Senate;

(G) the Select Committee on Intelligence of the Senate;

(H) the Committee on Foreign Relations of the Senate;

(I) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(J) the Committee on Armed Services of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6624.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 6624, the USA Telecommunications Act.

Earlier this year, the House passed, and the President signed, my Secure and Trusted Communications Networks Act to create a program to fund the replacement of suspect network equipment. Suspect equipment, including that produced by Huawei and ZTE, could allow foreign adversaries to surveil Americans at home or, worse, disrupt our communications systems.

While we are still pushing for Congress to appropriate funds to that end, it is important to recognize that my legislation was only half the battle, even when it is funded. We also need to create and foster competition for trusted network equipment that uses open interfaces so that the United States is not beholden to a market for network equipment that is becoming less competitive.

□ 1400

This bill before us today, the Utilizing Strategic Allied Telecommunications Act, or the USA Telecommunications Act, does just that.

The bipartisan legislation creates a grant program and authorizes \$750 million in funding for the National Telecommunications and Information Administration to help promote and deploy Open Radio Access Network technologies that can spur that type of competition. We must support alternatives to companies like Huawei and ZTE, Madam Speaker.

Today, most network equipment is produced by a handful of companies that provide a soup-to-nuts solution, locking our networks into one single vendor at a time. That makes it hard for new competitors to break into the market.

Currently, there are no American vendors for the network equipment that fuels our wireless economy. However, this legislation would authorize the funding of grants to support the promotion and deployment of Open Radio Access Network equipment.

By using standardized open interfaces, this type of equipment will allow network operators in the U.S. to piece together wireless networks that are both secure and make sense for them. And because of that, many American

companies will be able to work directly with our network providers, hopefully spurring a domestic market for network equipment, and that is something we desperately need.

For all of these reasons, I want to thank Representatives GUTHRIE and MATSUI and Ranking Member WALDEN for joining me in leading this bipartisan, bicameral bill. I also want to thank the Senate sponsors, led by Senator WARNER of Virginia.

This legislation is critical for our strategic national interest, and I urge all Members to support it.

Madam Speaker, I reserve the balance of my time.

Mr. WALDEN. Madam Speaker, I yield myself such time as I may consume.

I rise today to urge passage of H.R. 6624, the USA Telecommunications Act. This bill will help put the United States at the helm of network security, ensuring that communications providers have a secure, diverse, and competitive marketplace of trusted equipment suppliers for their next-generation networks.

Until now, most network providers have relied on a small set of trusted suppliers to build their networks. While these suppliers have done a tremendous job, they face increased pressure from untrusted Chinese suppliers who are handpicked and encouraged by the Chinese Communist Party to significantly undercut the network equipment marketplace by offering nearly free equipment.

As a result of this unfair competition, trusted suppliers have increasingly relied upon proprietary soup-to-nuts offerings to survive. But under the soup-to-nuts model, once a network provider selects a vendor, the provider must use the same vendor for all of the hardware and software across its network.

Well, this model is simply not sustainable, Madam Speaker. If we want the United States to continue to have access to trusted, affordable communications equipment that can withstand state-sponsored attempts to undermine our security, then we have to act.

This model results in an expensive and timely process to upgrade equipment and software for the next-generation 5G networks.

Furthermore, competing for a small set of contracts in a limited marketplace, while simultaneously trying to fight off untrusted state-sponsored vendors, has also resulted in significant losses to research, development, and innovation.

So Congress needs to act. We need to do all we can to ensure the United States supports capitalism and competition among trusted vendors. Today's bill will help us do just that.

The USA Telecommunications Act will promote and accelerate the deployment and use of open radio access technology by infusing the marketplace with a \$750 million grant program. This hefty infusion should help

create a marketplace filled with a diverse array of vendors, large and small, who are aggressively researching and innovating.

Competition among open network solutions will reduce costs for network providers by creating a diverse marketplace of trusted suppliers and ensure that the same suppliers can withstand pressure from those who do not have our best interests in mind.

So this strong endorsement of open, interoperable, and standards-based equipment would help ensure the United States maintains its place as a global leader in wireless communications for 5G as well as future network generations.

I am very pleased to support this legislation which will help ensure the superiority of our wireless networks for generations to come. I urge a "yes" vote on this legislation.

Madam Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. GUTHRIE), one of the principal authors of this legislation.

Mr. GUTHRIE. Madam Speaker, I rise today to voice my support for H.R. 6624, the USA Telecommunications Act.

It is clear that China poses a significant threat to the security of the United States. Technology produced by Chinese companies threatens our supply chains and our telecommunications networks and those of our allies.

In March, President Trump signed into law legislation that was reported out of this committee to protect our communications networks against threats from foreign companies like Huawei and ZTE.

It is clear that America must have a competitive 5G marketplace. The solution isn't using government control like China, but using markets to our advantage so domestic and trusted foreign competitors to Huawei can thrive.

The USA Telecommunications Act would authorize up to \$750 million for a grant program administered by the U.S. Department of Commerce, in consultation with the FCC and other Federal agencies, to promote and accelerate the deployment and use of open-interfaced, standards-based, and interoperable 5G networks throughout the United States.

Furthermore, 5G is going to be key to unlocking new opportunities for all Americans. With more people working and studying from home than ever before, promoting equipment and technology development like Open RAN technology can help to diversify our supply chains and keep our networks secure, especially as we expand 5G.

I was proud to introduce this piece of legislation with Chairman PALLONE, Ranking Member WALDEN, and Congresswoman DORIS MATSUI, and I thank them for working with me to help protect our networks. I urge my colleagues to support this bill.

Mr. WALDEN. Madam Speaker, I have no other speakers on this legislation, so I urge its passage, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I have no additional speakers. I also urge passage of the bill, and I yield back the balance of my time.

Ms. ESHOO. Madam Speaker, I rise in support of H.R. 6624, the USA Telecommunications Act.

It has been a decade since I first raised how the vulnerabilities in our telecommunications infrastructure directly impact our national security. I first wrote to the FCC on November 2, 2010, expressing very grave concerns about Huawei and ZTE, companies that have opaque entanglements with the Chinese government. In the intervening decade, Huawei and ZTE equipment has proliferated across our country because it's cheap, due to the Chinese government subsidizing them.

As we build out 5G networks, we must protect our national security, especially from entities like Huawei and ZTE, and it's why I'm proud to cosponsor H.R. 6624, bipartisan and bicameral legislation that invests \$750 million in Open Radio Access Networks, or Open RAN, and promotes the deployment of open network 5G equipment.

We hear a great deal and talk about 5G, but I don't think most people can tell you what 5G actually is. It's a set of protocols and standards agreed to in various multistakeholder forums. Unlike previous generations of wireless standards, 5G is primarily based on software independent of the physical telecommunications equipment which increases security.

Open RAN is a movement to create secure and open software standards for 5G that ensures that our communications are secure, no matter whose equipment the communications travel through. This is critical because even after we remove Huawei and ZTE-made cell sites from our country, we may still have their parts in our telecom ecosystem because they make parts used by most providers. We can never be 100 percent secure if we rely on insecure equipment. This is precisely why we need the software used by wireless equipment to be secure by design, and Open RAN does just that.

For these reasons, I urge colleagues to support H.R. 6624.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6624.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SPECTRUM IT MODERNIZATION ACT OF 2020

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 7310) to require the Assistant Secretary of Commerce for Communications and Information to submit to Congress a plan for the modernization of the information technology systems of the National Telecommunications and Information Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7310

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 "Spectrum IT Modernization Act of 2020".

SEC. 2. MODERNIZATION EFFORT.

(a) DEFINITIONS.—In this section—

(1) the term "Assistant Secretary" means the Assistant Secretary of Commerce for Communications and Information;

(2) the term "covered agency"—

(A) means any Federal entity that the Assistant Secretary determines is appropriate; and

(B) includes the Department of Defense;

(3) the term "Federal entity" has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l));

(4) the term "Federal spectrum" means frequencies assigned on a primary basis to a covered agency;

(5) the term "infrastructure" means information technology systems and information technologies, tools, and databases; and

(6) the term "NTIA" means the National Telecommunications and Information Administration.

(b) INITIAL INTERAGENCY SPECTRUM INFORMATION TECHNOLOGY COORDINATION.—Not later than 90 days after the date of enactment of this Act, the Assistant Secretary, in consultation with the Policy and Plans Steering Group, shall identify a process to establish goals, including parameters to measure the achievement of those goals, for the modernization of the infrastructure of covered agencies relating to managing the use of Federal spectrum by those agencies, which shall include—

(1) the standardization of data inputs, modeling algorithms, modeling and simulation processes, analysis tools with respect to Federal spectrum, assumptions, and any other tool to ensure interoperability and functionality with respect to that infrastructure;

(2) other potential innovative technological capabilities with respect to that infrastructure, including cloud-based databases, artificial intelligence technologies, automation, and improved modeling and simulation capabilities;

(3) ways to improve the management of covered agencies' use of Federal spectrum through that infrastructure, including by—

(A) increasing the efficiency of that infrastructure;

(B) addressing validation of usage with respect to that infrastructure;

(C) increasing the accuracy of that infrastructure;

(D) validating models used by that infrastructure; and

(E) monitoring and enforcing requirements that are imposed on covered agencies with respect to the use of Federal spectrum by covered agencies;

(4) ways to improve the ability of covered agencies to meet mission requirements in congested environments with respect to Federal spectrum, including as part of automated adjustments to operations based on changing conditions in those environments;

(5) the creation of a time-based automated mechanism—

(A) to share Federal spectrum between covered agencies to collaboratively and dynamically increase access to Federal spectrum by those agencies; and

(B) that could be scaled across Federal spectrum; and

(6) the collaboration between covered agencies necessary to ensure the interoperability of Federal spectrum.

(c) SPECTRUM INFORMATION TECHNOLOGY MODERNIZATION.—

(1) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Assistant Secretary shall submit to Congress a report that contains the plan of the NTIA to modernize and automate the infrastructure of the NTIA relating to managing the use of Federal spectrum by covered agencies so as to more efficiently manage that use.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) an assessment of the current, as of the date on which the report is submitted, infrastructure of the NTIA described in that paragraph;

(B) an acquisition strategy for the modernized infrastructure of the NTIA described in that paragraph, including how that modernized infrastructure will enable covered agencies to be more efficient and effective in the use of Federal spectrum;

(C) a timeline for the implementation of the modernization efforts described in that paragraph;

(D) plans detailing how the modernized infrastructure of the NTIA described in that paragraph will—

(i) enhance the security and reliability of that infrastructure so that such infrastructure satisfies the requirements of the Federal Information Security Management Act of 2002 (Public Law 107-296; 116 Stat. 2135);

(ii) improve data models and analysis tools to increase the efficiency of the spectrum use described in that paragraph;

(iii) enhance automation and workflows, and reduce the scope and level of manual effort, in order to—

(I) administer the management of the spectrum use described in that paragraph; and

(II) improve data quality and processing time; and

(iv) improve the timeliness of spectrum analyses and requests for information, including requests submitted pursuant to section 552 of title 5, United States Code;

(E) an operations and maintenance plan with respect to the modernized infrastructure of the NTIA described in that paragraph;

(F) a strategy for coordination between the covered agencies within the Policy and Plans Steering Group, which shall include—

(i) a description of—

(I) those coordination efforts, as in effect on the date on which the report is submitted; and

(II) a plan for coordination of those efforts after the date on which the report is submitted, including with respect to the efforts described in subsection (d);

(ii) a plan for standardizing—

(I) electromagnetic spectrum analysis tools;

(II) modeling and simulation processes and technologies; and

(III) databases to provide technical interference assessments that are usable across the Federal Government as part of a common spectrum management infrastructure for covered agencies;

(iii) a plan for each covered agency to implement a modernization plan described in subsection (d)(1) that is tailored to the particular timeline of the agency;

(G) identification of manually intensive processes involved in managing Federal spectrum and proposed enhancements to those processes;

(H) metrics to evaluate the success of the modernization efforts described in that paragraph and any similar future efforts; and

(I) an estimate of the cost of the modernization efforts described in that paragraph and any future maintenance with respect to the modernized infrastructure of the NTIA described in that paragraph, including

the cost of any personnel and equipment relating to that maintenance.

(d) INTERAGENCY INPUTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the head of each covered agency shall submit to the Assistant Secretary and the Policy and Plans Steering Group a report that describes the plan of the agency to modernize the infrastructure of the agency with respect to the use of Federal spectrum by the agency so that such modernized infrastructure of the agency is interoperable with the modernized infrastructure of the NTIA, as described in subsection (c).

(2) CONTENTS.—Each report submitted by the head of a covered agency under paragraph (1) shall—

(A) include—

(i) an assessment of the current, as of the date on which the report is submitted, management capabilities of the agency with respect to the use of frequencies that are assigned to the agency, which shall include a description of any challenges faced by the agency with respect to that management;

(ii) a timeline for completion of the modernization efforts described in that paragraph;

(iii) a description of potential innovative technological capabilities for the management of frequencies that are assigned to the agency, as determined under subsection (b);

(iv) identification of agency-specific requirements or constraints relating to the infrastructure of the agency;

(v) identification of any existing, as of the date on which the report is submitted, systems of the agency that are duplicative of the modernized infrastructure of the NTIA, as proposed under subsection (c); and

(vi) with respect to the report submitted by the Secretary of Defense—

(I) a strategy for the integration of systems or the flow of data among the Armed Forces, the military departments, the Defense Agencies and Department of Defense Field Activities, and other components of the Department of Defense;

(II) a plan for the implementation of solutions to the use of Federal spectrum by the Department of Defense involving information at multiple levels of classification; and

(III) a strategy for addressing, within the modernized infrastructure of the Department of Defense described in that paragraph, the exchange of information between the Department of Defense and the NTIA in order to accomplish required processing of all Department of Defense domestic spectrum coordination and management activities; and

(B) be submitted in an unclassified format, with a classified annex, as appropriate.

(3) NOTIFICATION OF CONGRESS.—Upon submission of the report required under paragraph (1), the head of each covered agency shall notify Congress that the head of the covered agency has submitted the report.

(e) GAO OVERSIGHT.—The Comptroller General of the United States shall—

(1) not later than 90 days after the date of enactment of this Act, conduct a review of the infrastructure of covered agencies, as that infrastructure exists on the date of enactment of this Act;

(2) after all of the reports required under subsection (d) have been submitted, conduct oversight of the implementation of the modernization plans submitted by the NTIA and covered agencies under subsections (c) and (d), respectively;

(3) not later than 1 year after the date on which the Comptroller General begins conducting oversight under paragraph (2), and annually thereafter, submit a report regarding that oversight to—

(A) with respect to the implementation of the modernization plan of the Department of

Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) with respect to the implementation of the modernization plans of all covered agencies, including the Department of Defense, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(4) provide regular briefings to—

(A) with respect to the application of this section to the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) with respect to the application of this section to all covered agencies, including the Department of Defense, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 7310.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7310, the Spectrum IT Modernization Act.

This country has an ever-increasing need for access to the Nation's airwaves, and that is as true for Federal agencies as it is for average Americans.

We use the airwaves for so many critical things: military radars, air traffic control, space communications, our cell phones, televisions, WiFi routers, Bluetooth speakers, and the list goes on. That is why we must do everything we can to ensure that we are making the best, most efficient use of our Federal airwaves.

H.R. 7310, the Spectrum IT Modernization Act, takes vital steps toward being more efficient with our airwaves by making sure that the Federal Government has the most up-to-date systems to manage its frequencies, sometimes called spectrum. This bill makes sure that those systems are compatible and interoperable between Federal agencies.

The Spectrum IT Modernization Act will also help to promote more efficient use of our Nation's airwaves by encouraging spectrum sharing and by updating our Federal spectrum management systems.

This bipartisan legislation was introduced by Communications and Technology Subcommittee Chairman MIKE

DOYLE and Ranking Member BOB LATTA, as well as Representative WALBERG and Representative LARSEN from Washington.

More specifically, this bipartisan bill would require the National Telecommunications and Information Administration, or NTIA, in consultation with the Policy and Plans Steering Group, to identify a process to modernize our Federal spectrum management infrastructure. It would require the NTIA to examine ways to improve coordination between Federal agencies and improve the ability of those agencies to meet their mission requirements in congested spectrum environments—in other words, share spectrum.

It would require the NTIA to report back to us in less than a year's time to tell us what the plan is for updating and improving our Federal spectrum management, because this is something that needs to be done sooner rather than later.

Mr. Speaker, this legislation would also require the Comptroller General of the United States to conduct oversight of the implementation of the modernization plan submitted by the NTIA and report to Congress annually on that process.

By managing our Federal spectrum infrastructure and making it interoperable, Federal entities and the NTIA will be able to increase the efficiency of Federal spectrum use. This is a good thing for our country, and it is certainly important that we do it now.

So I hope that my colleagues on both sides of the aisle will join me in voting to pass this important bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, November 17, 2020.

Hon. FRANK PALLONE, JR.,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I write concerning H.R. 7310, the Spectrum IT Modernization Act of 2020. As a result of your having consulted with us on provisions within H.R. 7310 that fall within the Rule X jurisdiction of the Committee on Armed Services, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Armed Services takes this action with our mutual understanding that by foregoing consideration of H.R. 7310 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction.

Finally, I ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Energy and Commerce Committee, as well as in the Congressional Record during floor consideration, to memorialize our understanding. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 17, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services,
House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 7310, the Spectrum IT Modernization Act of 2020, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 7310 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 7310, the Spectrum IT Modernization Act.

I would like to thank Chairman DOYLE and his team for working with us, along with our colleagues in the Senate who introduced this bill, Senators WICKER, CANTWELL, INHOFE, and REED.

Today's bipartisan legislation will help improve NTIA's ability to fulfill its mandate of managing spectrum among Federal agencies.

The Energy and Commerce Committee has long conducted oversight of our Nation's spectrum resources, and we work to balance the critical agency mission needs and the demand to make spectrum available for commercial uses.

Through NTIA and the Federal Communications Commission, we have successfully made Federal spectrum available for commercial use, which is why the United States has led the world in deploying advanced networks such as 3G and 4G, and we are continuing these efforts to maintain U.S. leadership in 5G.

Working across all of the Federal agencies has resulted in unprecedented commercial access to our airwave resources—like the recently announced 100 megahertz of spectrum identified for commercial use that the FCC will auction next year—and has garnered billions of dollars in private investment by the private sector.

In order to leverage the efficiencies and innovation from our free market system, NTIA must have visibility across Federal agencies as to how agencies are using or not using these critical resources consistent with their statutory mission.

As our world continues to demand increased connectivity, it is essential that we harness technological innova-

tions and empower the NTIA to efficiently track Federal spectrum use to identify new opportunities to improve efficiency. Done correctly, this results in benefits for American consumers, taxpayers, and, frankly, the Federal agencies as well.

H.R. 7310 would require NTIA to establish a process to upgrade their spectrum management infrastructure for the 21st century. The bill would direct the policy coordination arm of NTIA to submit a plan to Congress as to how they will standardize the data collection across agencies and then directs agencies with Federal spectrum assignments from NTIA to issue an implementation plan to interoperate with NTIA's plan.

This is a good-government bill—it really is—and with continued support and oversight from Congress, we can continue the United States' leadership in making Federal spectrum available for flexible use by the private sector. So I encourage my colleagues to support the legislation.

Mr. Speaker, I have no further speakers. I urge passage of the legislation, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, so I urge support of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HIMES). The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 7310.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1415

FRAUD AND SCAM REDUCTION ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2610) to establish a Senior Scams Prevention Advisory Council to collect and disseminate model educational materials useful in identifying and preventing scams that affect seniors, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2610

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Fraud and Scam Reduction Act".

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

Sec. 1. Short title; table of contents.

Sec. 2. Commission defined.

TITLE I—PREVENTING CONSUMER SCAMS DIRECTED AT SENIORS

Sec. 101. Short title.

Sec. 102. Senior Scams Prevention Advisory Group.

TITLE II—SENIOR FRAUD ADVISORY OFFICE

Sec. 201. Short title.

Sec. 202. Senior Fraud Advisory Office.

TITLE III—PREVENTING THE TARGETING OF SENIORS DURING EMERGENCIES

Sec. 301. Short title.

Sec. 302. FTC report on scams targeting seniors during emergencies.

Sec. 303. Increasing awareness of scams targeting seniors.

TITLE IV—PREVENTING SCAMS TARGETING INDIAN TRIBES

Sec. 401. Short title.

Sec. 402. FTC report on unfair or deceptive acts or practices targeting Indian Tribes.

TITLE V—ENHANCING CONSUMER PROTECTION ENFORCEMENT

Sec. 501. Short title.

Sec. 502. Unfair and deceptive practices cooperation study.

TITLE VI—DETERMINATION OF BUDGETARY EFFECTS

Sec. 601. Determination of budgetary effects.

SEC. 2. COMMISSION DEFINED.

In this Act, the term “Commission” means the Federal Trade Commission.

TITLE I—PREVENTING CONSUMER SCAMS DIRECTED AT SENIORS

SEC. 101. SHORT TITLE.

This title may be cited as the “Stop Senior Scams Act”.

SEC. 102. SENIOR SCAMS PREVENTION ADVISORY GROUP.

(a) ESTABLISHMENT OF SENIOR SCAMS PREVENTION ADVISORY GROUP.—There is established a Senior Scams Prevention Advisory Group (referred to in this section as the “Advisory Group”).

(b) MEMBERS.—The Advisory Group shall be composed of stakeholders such as the following individuals or the designees of such individuals:

(1) The Chairman of the Federal Trade Commission.

(2) The Secretary of the Treasury.

(3) The Attorney General.

(4) The Director of the Bureau of Consumer Financial Protection.

(5) Representatives from each of the following sectors, including trade associations, to be selected by Federal Trade Commission:

(A) Retail.

(B) Gift cards.

(C) Telecommunications.

(D) Wire-transfer services.

(E) Senior peer advocates.

(F) Consumer advocacy organizations with efforts focused on preventing seniors from becoming the victims of scams.

(G) Financial services, including institutions that engage in digital currency.

(H) Prepaid cards.

(6) A member of the Board of Governors of the Federal Reserve System.

(7) A prudential regulator, as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).

(8) The Director of the Financial Crimes Enforcement Network.

(9) Any other Federal, State, or local agency, industry representative, consumer advocate, or entity, as determined by the Federal Trade Commission.

(c) NO COMPENSATION FOR MEMBERS.—A member of the Advisory Group shall serve without compensation in addition to any compensation received for the service of the member as an officer or employee of the United States, if applicable.

(d) DUTIES.—

(1) IN GENERAL.—The Advisory Group shall—

(A) collect information on the existence, use, and success of educational materials and programs for retailers, financial services, and wire-transfer companies, which—

(i) may be used as a guide to educate employees on how to identify and prevent scams that affect seniors; and

(ii) include—

(I) useful information for retailers, financial services, and wire transfer companies for the purpose described in clause (i);

(II) training for employees on ways to identify and prevent senior scams;

(III) best practices for keeping employees up to date on current scams;

(IV) the most effective signage and placement in retail locations to warn seniors about scammers’ use of gift cards, prepaid cards, and wire transfer services;

(V) suggestions on effective collaborative community education campaigns;

(VI) available technology to assist in identifying possible scams at the point of sale; and

(VII) other information that would be helpful to retailers, wire transfer companies, financial institutions, and their employees as they work to prevent fraud affecting seniors; and

(B) based on the findings in subparagraph (A)—

(i) identify inadequacies, omissions, or deficiencies in those educational materials and programs for the categories listed in subparagraph (A) and their execution in reaching employees to protect older adults; and

(ii) create model materials, best practices guidance, or recommendations to fill those inadequacies, omissions, or deficiencies that may be used by industry and others to help protect older adults from scams.

(2) ENCOURAGED USE.—The Federal Trade Commission shall—

(A) make the materials or guidance created by the Federal Trade Commission described in paragraph (1) publicly available; and

(B) encourage the use and distribution of the materials created under this subsection to prevent scams affecting seniors by governmental agencies and the private sector.

(e) REPORTS.—Section 101(c)(2) of the Elder Abuse Prevention and Prosecution Act (34 U.S.C. 21711(c)(2)) is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(E) for the Federal Trade Commission, in relevant years, information on—

“(i) the newly created materials, guidance, or recommendations of the Senior Scams Prevention Advisory Group established under section 2 of the Stop Senior Scams Act, and any relevant views or considerations made by members of the Advisory Group that were not included in the Advisory Group’s model materials or considered an official recommendation by the Advisory Group;

“(ii) the Senior Scams Prevention Advisory Group’s findings about senior scams and industry educational materials and programs; and

“(iii) any recommendations on ways stakeholders can continue to work together to reduce scams affecting seniors.”.

(f) TERMINATION.—This title, and the amendments made by this title, cease to be effective on the date that is 5 years after the date of enactment of this Act.

TITLE II—SENIOR FRAUD ADVISORY OFFICE

SEC. 201. SHORT TITLE.

This title may be cited as the “Seniors Fraud Prevention Act of 2020”.

SEC. 202. SENIOR FRAUD ADVISORY OFFICE.

(a) ESTABLISHMENT OF ADVISORY OFFICE.—The Federal Trade Commission shall establish an office within the Bureau of Consumer Protection for the purpose of advising the Commission on the prevention of fraud targeting seniors and to assist the Commission with the following:

(1) OVERSIGHT.—The advisory office shall monitor the market for mail, television, internet, telemarketing, and recorded message telephone call (hereinafter referred to as “robocall”) fraud targeting seniors and shall coordinate with other relevant agencies regarding the requirements of this section.

(2) CONSUMER EDUCATION.—The Commission through the advisory office shall, in consultation with the Attorney General, the Secretary of Health and Human Services, the Postmaster General, the Chief Postal Inspector for the United States Postal Inspection Service, and other relevant agencies—

(A) disseminate to seniors and families and caregivers of seniors general information on mail, television, internet, telemarketing, and robocall fraud targeting seniors, including descriptions of the most common fraud schemes;

(B) disseminate to seniors and families and caregivers of seniors information on reporting complaints of fraud targeting seniors either to the national toll-free telephone number established by the Commission for reporting such complaints, or to the Consumer Sentinel Network, operated by the Commission, where such complaints will become immediately available to appropriate law enforcement agencies, including the Federal Bureau of Investigation and the attorneys general of the States;

(C) in response to a specific request about a particular entity or individual, provide publically available information of enforcement action taken by the Commission for mail, television, internet, telemarketing, and robocall fraud against such entity; and

(D) maintain a website to serve as a resource for information for seniors and families and caregivers of seniors regarding mail, television, internet, telemarketing, robocall, and other identified fraud targeting seniors.

(3) COMPLAINTS.—The Commission through the advisory office shall, in consultation with the Attorney General, establish procedures to—

(A) log and acknowledge the receipt of complaints by individuals who believe they have been a victim of mail, television, internet, telemarketing, and robocall fraud in the Consumer Sentinel Network, and shall make those complaints immediately available to Federal, State, and local law enforcement authorities; and

(B) provide to individuals described in subparagraph (A), and to any other persons, specific and general information on mail, television, internet, telemarketing, and robocall fraud, including descriptions of the most common schemes using such methods of communication.

(b) COMMENCEMENT.—The Commission shall commence carrying out the requirements of this section not later than one year after the date of enactment of this Act.

TITLE III—PREVENTING THE TARGETING OF SENIORS DURING EMERGENCIES

SEC. 301. SHORT TITLE.

This title may be cited as the “Protecting Seniors from Emergency Scams Act”.

SEC. 302. FTC REPORT ON SCAMS TARGETING SENIORS DURING EMERGENCIES.

Not later than 30 days after the date of enactment of this Act, the Federal Trade Commission (referred to in this Act as the “Commission”) shall submit a report to Congress including—

(1) a description of the number and types of scams identified by the Commission as being targeted at senior citizens; and

(2) policy recommendations to prevent such scams, especially as such scams relate to future national emergencies.

SEC. 303. INCREASING AWARENESS OF SCAMS TARGETING SENIORS.

(a) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Commission shall update its web portal to include the latest information, searchable by region and type of scam, on scams targeting seniors, including contacts for relevant law enforcement and adult protective service agencies.

(b) **COORDINATION WITH MEDIA OUTLETS AND LAW ENFORCEMENT.**—The Commission shall work with media outlets and law enforcement to distribute the information included in the web portal of the Commission pursuant to subsection (a) to senior citizens and their families and caregivers.

TITLE IV—PREVENTING SCAMS TARGETING INDIAN TRIBES

SEC. 401. SHORT TITLE.

This title may be cited as the “Protecting Indian Tribes from Scams Act”.

SEC. 402. FTC REPORT ON UNFAIR OR DECEPTIVE ACTS OR PRACTICES TARGETING INDIAN TRIBES.

(a) **FTC REPORT.**—Not later than 1 year after the date of the enactment of this Act, and after consultation with Indian Tribes, the Commission shall make publicly available on the website of the Commission and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes, including—

(1) a description of the types of unfair or deceptive acts or practices identified by the Commission as being targeted at Indian Tribes or members of Indian Tribes;

(2) a description of the consumer education activities of the Commission with respect to such acts or practices;

(3) a description of the efforts of the Commission to collaborate with Indian Tribes to prevent such acts or practices or to pursue persons using such acts or practices;

(4) a summary of the enforcement actions taken by the Commission related to such acts or practices; and

(5) any recommendations for legislation to prevent such acts or practices.

(b) **INCREASING AWARENESS OF UNFAIR OR DECEPTIVE ACTS OR PRACTICES TARGETING INDIAN TRIBES.**—Not later than 6 months after the date of the submission of the report required by subsection (a), the Commission shall update the website of the Commission to include information for consumers and businesses on identifying and avoiding unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes.

TITLE V—ENHANCING CONSUMER PROTECTION ENFORCEMENT

SEC. 501. SHORT TITLE.

This title may be cited as the “FTC Collaboration Act of 2020”.

SEC. 502. UNFAIR AND DECEPTIVE PRACTICES COOPERATION STUDY.

(a) **IN GENERAL.**—

(1) **STUDY REQUIRED.**—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall conduct a study on facilitating and refining existing efforts with State Attorneys General to prevent, publicize, and penalize frauds and scams being perpetrated on individuals in the United States.

(2) **REQUIREMENTS OF STUDY.**—In conducting the study, the Commission shall examine the following:

(A) The roles and responsibilities of the Commission and State Attorneys General that best advance collaboration and consumer protection.

(B) The policies, procedures, and mechanisms that facilitate cooperation and communications across the Commission.

(C) How resources should be dedicated to best advance such collaboration and consumer protection.

(D) The accountability mechanisms that should be implemented to promote collaboration and consumer protection.

(3) **CONSULTATION AND PUBLIC COMMENT.**—In producing the study required in paragraph (1), the Commission shall—

(A) consult with—

(i) the National Association of State Attorneys General;

(ii) public interest organizations dedicated to consumer protection;

(iii) relevant private sector entities; and

(iv) any other Federal or State agency that the Federal Trade Commission considers necessary; and

(B) provide opportunity for public comment and advice relevant to the production of the study.

(b) **REPORT TO CONGRESS.**—Not later than 6 months after the completion of the study required pursuant to subsection (a), the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Commission, a report that contains the following:

(1) The results of the study.

(2) Recommended best practices to enhance collaboration efforts between the Commission and State Attorneys General with respect to preventing, publicizing, and penalizing fraud and scams.

(3) Quantifiable metrics by which enhanced collaboration can be measured.

(4) Legislative recommendations, if any, to enhance collaboration efforts between the Commission and State Attorneys General to prevent, publicize, and penalize fraud and scams.

TITLE VI—DETERMINATION OF BUDGETARY EFFECTS

SEC. 601. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. **PALLONE**) and the gentleman from Oregon (Mr. **WALDEN**) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. **PALLONE**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2610.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **PALLONE**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak in support of H.R. 2610, the Fraud and Scam

Reduction Act. This bipartisan bill was introduced by Representatives **BLUNT**, **ROCHESTER** and **WALBERG** and advanced out of the Energy and Commerce Committee by a voice vote.

Reducing scams and fraud is an issue of utmost importance in every community, and especially so during these uncertain and unprecedented times. Right now, we are, fortunately, seeing the best of humanity, but unscrupulous scammers and fraudsters still abound seeking to capitalize on confusion and fear.

Seniors, Mr. Speaker, are especially vulnerable. According to the most recent report from the Federal Trade Commission, older adults reported nearly \$400 million in losses from fraud in 2018. It is rare to recover these losses. We all need to work together to protect senior citizens from scams before they fall victim and suffer these monetary losses.

This bill, originally titled the Stop Senior Scams Act, establishes a new Senior Scams Prevention Advisory Council composed of relevant government agencies and industry representatives to collect and implement best practices to stop scammers before they can cause harm. It establishes a new program to prevent fraud that targets seniors. The bill will also improve educational materials on senior scams and make sure they are publicly available.

I want to thank Representatives **DEUTCH** and **BUCHANAN** for introducing the Seniors Fraud Prevention Act which was incorporated in H.R. 2610 during the full committee’s consideration of the bill. That legislation establishes an office at the FTC dedicated to preventing fraud targeting seniors and monitoring the market for such fraud.

This bill also includes the Protecting Seniors from Emergency Scams Act which was introduced by Representatives **KELLY** and **MARSHALL**. This bill streamlines efforts to protect seniors from falling prey to scams during national emergencies, such as the COVID-19 pandemic, by establishing a searchable database of scams targeting seniors.

One often overlooked area in Federal fraud prevention efforts are scams targeting Indian Tribes and Tribal members. The scope and scale of scams affecting Indian Tribes has not been well-documented, hindering efforts to prevent them. So I also want to thank Representative **LUJÁN**—soon Governor **LUJÁN**—and also Representative **GIANFORTE** for their work on this issue and for introducing the Protecting Indian Tribes from Scams Act, which was also incorporated in this bill, H.R. 2610. The legislation that they sponsored requires the FTC to issue a report on scams targeting Indian Tribes or Tribal members and update its website to include information on these scams.

In addition, our State attorneys general play a critical role in enforcing and complementing Federal consumer

protection laws. The FTC Collaboration Act, introduced by Representatives O'HALLERAN and HUDSON and incorporated also into this bill, will help the FTC optimize its collaboration with States attorneys general by studying the matter and issuing a report on how to further promote collaboration.

So I want to commend Representatives BLUNT ROCHESTER and WALBERG for introducing this bipartisan legislation, as well as all of the other lead sponsors of the bills that were folded into this larger legislative package. I also want to thank Ranking Member WALDEN and subcommittee Ranking Member RODGERS for working with us to move this bill through the Energy and Commerce Committee on a bipartisan basis.

As you can see, Mr. Speaker, this bill incorporates a number of important pieces of legislation. For all those reasons, I ask my colleagues to support the measure, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 2610, the Stop Seniors Scam Act.

I too want to thank the main sponsors, Representatives WALBERG and BLUNT ROCHESTER. I know we are all keeping Representative WALBERG in our thoughts and prayers as he copes with COVID right now, or he would be here on the floor.

I also want to acknowledge Representatives HUDSON, LUJÁN, O'HALLERAN, KELLY, and GIANFORTE. I guess to follow up on our chairman's comment, this was the bill to cosponsor if you want to move into higher office apparently. Both a future Governor and Senator are cosponsors here, and who knows where the rest of the gang goes.

The Stop Senior Scams Act would establish a Senior Scams Prevention Advisory Council which would create model educational materials to educate employees of retail companies, financial institutions, and wire transfer companies on how to identify and prevent scams. Importantly, this effort prioritizes scams targeting our senior citizens and Native nations, populations that have unfortunately and tragically been targeted at a much higher rate during the COVID-19 pandemic by scammers offering false medications—

Can you imagine that, Mr. Speaker? Or faster ways to claim stimulus checks or Social Security checks. All of them are fraud.

The bill would also help enhance collaborative efforts between the Federal Trade Commission and State attorneys general to prevent, publicize, and penalize frauds and scams targeting U.S. citizens.

It is critical for Congress to do our duty to help end these scams.

Mr. Speaker, I urge passage of this legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have a number of speakers from our committee on the various bills incorporated in this, and I will start with the sponsor for the main bill, H.R. 2610.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Delaware (Ms. BLUNT ROCHESTER).

Ms. BLUNT ROCHESTER. Mr. Speaker, today I rise in support of H.R. 2610, the Fraud and Scam Reduction Act.

Mr. Speaker, we have all received those calls and those emails—folks pretending to be from a Federal agency or law enforcement telling you that they need your personal information or money. And while many of us may ignore those calls or send the emails to spam, the reality is that these fraud schemes are real, they are dangerous, and they are often targeted at seniors.

Bad actors preying on older Americans is, unfortunately, nothing new. But in the midst of a global pandemic impacting Americans' lives and livelihoods, cracking down on these scams must be a priority. That is why earlier this Congress I was proud to introduce the Stop Senior Scams Act along with my Republican colleague, Representative TIM WALBERG, who worked very hard on this. We send our thoughts and prayers to him.

This bill, as its name suggests, was aimed at cracking down on these scams by creating a Federal Trade Commission advisory group and was supported by the AARP. The FTC group that would be created would be made up of government agencies, consumer advocates, and industry representatives to help identify potential sources of fraud. It would create educational materials for our Nation's seniors to protect them from these dangerous schemes and ensure that they are not taken advantage of.

Under the leadership of Chairman PALLONE and Chairwoman SCHAKOWSKY, and thanks to Ranking Member WALDEN, who is leaving us—and we are also sorry to see him leave—and Mrs. RODGERS, the Energy and Commerce Committee has been focused on cracking down on fraud. It was in that spirit that our committee combined the Stop Senior Scams Act with other antifraud provisions, creating a stronger and more comprehensive bill. I am also proud to say that protecting our constituents is not a partisan issue and that all five measures under H.R. 2610 are bipartisan.

Mr. Speaker, one of the most fundamental obligations of government is to protect its citizens. Now more than ever, the least we can do is protect already vulnerable seniors from being taken advantage of by bad actors.

The Fraud and Scam Reduction Act would give our seniors the information they need and empower them to avoid these dangerous and malicious scams. This bill is about protecting our grandparents, our parents, our sisters, our brothers, our neighbors, and our aunts and uncles. This is about protecting

Americans, especially during a pandemic.

I am proud to have worked with the Energy and Commerce Committee. I thank all of the other cosponsors and my colleagues, Democrat and Republican, for the work that they did to strengthen this bill.

Mr. Speaker, I urge all of my colleagues to support its passage.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentlewoman from Delaware, my friend, for her work on this and so many other pieces of legislation and our work together. We have had a good run. There is still more work to be done in the next 40-some days, but I thank her for her kind comments and her good work.

Again, Mr. Speaker, I urge passage, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who is the chair of our Subcommittee on Consumer Protection and Commerce. The gentlewoman has done such a wonderful job in trying to protect us from these frauds and scams, particularly during the coronavirus.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the chairman for yielding. I am very proud that the next three bills are bills that have come out of the subcommittee that I chair on Consumer Protection and Commerce. I absolutely want to thank all of the authors of the legislation, Representatives BLUNT ROCHESTER and WALBERG; and the authors of the legislation that was incorporated into this bill, Representatives DEUTCH and LUJÁN, for their work on the Seniors Fraud Prevention Act; Representatives KELLY and MARSHALL for the Protecting Seniors from Emergency Scams Act; and Representatives LUJÁN and GIANFORTE for the Protecting Indian Tribes from Scams Act; and Representatives O'HALLERAN and HUDSON for the FTC Collaboration Act.

Some of our most vulnerable fellow Americans have been the targets and the victims of fraud and scams during the COVID-19 pandemic. Scammers especially target seniors. They exploit fear or confusion during crises and emergencies and prey on seniors' trust and assumption that they will be too embarrassed to finally report scams to the relevant authorities. In 2018 alone, seniors lost almost \$400 million to fraud.

Another often overlooked target of fraud and scams are the Indian Tribes and Tribal members. We urgently need a better understanding of fraud targeting these communities.

This legislation tackles these problems. It establishes a new office that focuses on the prevention of fraud that targets seniors, including fraudulent marketing materials, and it does address the problem of the Tribes and Tribal members that need to be protected also from the scams.

So I am very proud of this legislation and grateful to the many sponsors.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I have said before and I will say it again: I don't think there is a more fierce advocate for consumers than the gentlewoman who chairs the subcommittee. She has, once again, brought solid legislation to the floor. We appreciate her and her team working with us to make this bipartisan.

Mr. Speaker, I urge passage, and I reserve the balance of my time.

□ 1430

Mr. PALLONE. Mr. Speaker, I yield 2½ minutes to the gentleman from New Mexico (Mr. LUJÁN). Again, I thank him for all that he has done as our Assistant Speaker and all that he has done for our Indian Tribes.

Mr. LUJÁN. Mr. Speaker, I am proud to support the Fraud and Scam Reduction Act, which includes my bipartisan Protecting Indian Tribes from Scams Act that I introduced alongside Representative GIANFORTE, to address the rise of scams during this deadly pandemic.

As our Nation grieves the loss of more than 247,000 Americans to COVID-19, and millions of families experience financial hardship, it is nothing short of reprehensible that scammers are preying on the most vulnerable amongst us.

Fraud reports to the Federal Trade Commission, which had been steady at 770,000 per quarter over the past 4 years, jumped to 1.1 million this summer, including an increase of 144 percent coinciding with the pandemic. That demonstrates why we must come together to protect Americans against fraud and theft.

Nationwide, predatory schemes have already cost Americans over \$1.5 billion in stolen assets so far in 2020. Scammers have targeted the \$1,200 economic impact payments, peddled false treatments for COVID-19, and attempted to sell defective personal protective equipment at a time when the fears and confusion over COVID-19 remain high.

These scams have put elders', military servicemembers', and families' health and finances at risk, and it is time for Congress to put an end to the despicable practice. This bipartisan effort will help Congress take additional measures to tackle this threat and better understand the scale of this crisis.

As COVID-19 cases and hospitalizations rise in New Mexico and across the Nation, I will continue working, on a bipartisan basis, to provide additional relief and alleviate the financial pressures that all New Mexicans are facing.

Mr. Speaker, I urge my colleagues to support this legislation to protect our communities against scams and fraud.

I thank the chairman for his work. I thank Chairwoman SCHAKOWSKY for her work. And I thank Chairman and current Ranking Member GREG WALDEN for his work, his commitment to his constituents, his service to the people of America.

Mr. Speaker, GREG is a good friend. It has been fun to spar with him. It has been fun to work with him. I look forward to his public service after he retires from the U.S. House of Representatives.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my good friend from New Mexico. I think it is worth pointing out that this probably won't make a lot of coverage in national media, but he chaired the Democratic Congressional Campaign Committee when I chaired the National Republican Congressional Committee. We are of different parties and sort of different regions, in a way; we are both westerners. But once again, we are working together for the American people, and we do a lot of that around here. Especially on the Committee on Energy and Commerce, we have a fine record of working things out. We have 16 of these bipartisan things on the floor today, and I just wish our constituents saw more of this.

Mr. Speaker, I wish the gentleman from New Mexico well in his endeavors across the Capitol. He will bring a breath of fresh air over there, and I know his commitment to his State and all who reside in it.

I hope our paths do continue to cross in some manner. I have enjoyed serving with the gentleman from New Mexico.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from New Jersey has 8 minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. KELLY), who is a member of our committee.

Ms. KELLY of Illinois. Mr. Speaker, since the start of the COVID-19 pandemic, we have seen an increase in scams targeting older Americans. These scammers promise everything from COVID cures and take-home testing kits to insurance and stimulus funds.

That is why I urge my colleagues to support H.R. 2610, the Fraud and Scam Reduction Act. This bill, championed by my friend, Representative LISA BLUNT ROCHESTER, includes my bill and Representative MARSHALL's bill, the Protecting Seniors from Emergency Scams Act. This bipartisan legislation ensures that the FTC makes available resources for older Americans about the type and number of scams targeting their region. It also requires an FTC report to Congress on that information so we can prevent seniors from falling victim to scams during future pandemics.

While we may be closer to a vaccine, this will likely only increase the number of these diabolical scams. Let's arm older Americans with the right information to prevent themselves from falling victim. Let's make locally spe-

cific resources available to caregivers already working around the clock. Let's help the FTC win this fight against scammers.

Mr. Speaker, I urge the passage of H.R. 2610.

Mr. WALDEN. Mr. Speaker, I thank my friend and colleague from Illinois for her support of this legislation and her work on it.

Once again, I urge passage of the legislation, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would also urge passage of this bill, which, as we mentioned, includes a lot of other bills as well and makes up an important package dealing with fraud and scams.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2610, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to establish an office within the Federal Trade Commission and an outside advisory group to prevent fraud targeting seniors and to direct the Commission to study and submit a report to Congress on scams targeting seniors and Indian tribes, and for other purposes."

A motion to reconsider was laid on the table.

COMBATING PANDEMIC SCAMS ACT OF 2020

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6435) to direct the Federal Trade Commission to develop and disseminate information to the public about scams related to COVID-19, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6435

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 "Combating Pandemic Scams Act of 2020".

SEC. 2. INFORMATION ABOUT SCAMS RELATED TO COVID-19.

(a) DISSEMINATION OF INFORMATION.—

(1) IN GENERAL.—As expeditiously as possible after the date of the enactment of this Act, the Commission, in consultation with the Attorney General, the Secretary of Health and Human Services, the Postmaster General, the Chief Postal Inspector, and the Internet Crime Complaint Center, shall develop and disseminate information to the public about scams related to the novel coronavirus (COVID-19).

(2) REQUIREMENTS.—In carrying out paragraph (1), the Commission shall—

(A) include—

(i) information regarding mail, telemarketing, and internet fraud and illegal

robocalls related to COVID-19 that identifies the most common scams; and

(ii) information regarding where and how to report instances of scams related to COVID-19, including instructions on how to file a complaint with the appropriate law enforcement agency;

(B) disseminate information under such paragraph in a manner that prioritizes, and that is easily accessible by and user-friendly to, senior citizens and people with infirmities and disabilities;

(C) disseminate information under such paragraph on an internet website of the Commission that serves as a source of information for the public about scams related to COVID-19; and

(D) regularly update the information developed and disseminated under such paragraph to keep pace with the changing nature of scams related to COVID-19.

(b) DATABASE.—As expeditiously as possible after the date of the enactment of this Act, the Commission shall, in consultation with State law enforcement agencies, the Director of the Bureau of Consumer Financial Protection, the Attorney General, the Secretary of Health and Human Services, and other relevant Federal officials, establish a comprehensive national database, either within or separate from the Consumer Sentinel Network, that tracks instances of scams related to COVID-19.

(c) COMMISSION DEFINED.—In this section, the term “Commission” means the Federal Trade Commission.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6435.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak in support of H.R. 6435, the Combating Pandemic Scams Act. This bipartisan bill was introduced by Representatives CARTER, KUSTER, HUDSON, and BLUNT ROCHESTER. I thank them for introducing this measure to help stem the tide of scams and fraud during the COVID-19 pandemic.

In July, the Committee on Energy and Commerce Subcommittee on Consumer Protection and Commerce held a hearing on increased risks during the COVID-19 pandemic. During that hearing, we heard about all the ways scammers are taking advantage of the

ongoing national emergency for personal gain. Whether phishing for stimulus checks or fundraising for fake charities, scammers are exploiting Americans already struggling financially and diverting resources away from where they could provide desperately needed help.

One new scam that has emerged during the COVID-19 pandemic is the contact tracing scam. This scam, which involves fraudsters posing as contact tracers from public health departments, is exacerbating the public health crisis by undermining one of the most effective tools we have to keep communities safe.

Instead of documenting the spread of the virus or alerting those who might have been exposed, these scammers are only interested in duping Americans into turning over sensitive personal information or downloading malicious software on their device.

H.R. 6435 will establish a comprehensive national database of scams related to COVID-19 so that the public can differentiate the real contact tracers from the imposters and learn how to identify other scams on their own. It will also require the Federal Trade Commission to inform the public about mail, telemarketing, and internet scams related to COVID-19, including how to report such scams to the appropriate agency.

Mr. Speaker, as the pandemic continues, we will continue to see more scams unfold, unfortunately. But this bill will make sure that the American public is regularly updated about scams so they can protect themselves and their loved ones.

Mr. Speaker, this is an important bill. It is going to protect consumers during this pandemic, and I call on all of my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6435, the Combating Pandemic Scams Act of 2020. I thank Representative BUDDY CARTER from Georgia, along with Representatives KUSTER, BLUNT ROCHESTER, and HUDSON, for their work and their leadership on, again, another bipartisan piece of legislation.

As we all know, we are in the midst of this horrible pandemic. COVID-19 has forced millions of Americans to isolate and rely on the internet to work, learn, receive healthcare, stay connected to loved ones, and so much more. Unfortunately, bad actors come out of the gutters wherever they live to seek to exploit times of crisis and target our most vulnerable.

During this pandemic, we have seen scammers attempt to exploit consumer fear and confusion by falsely promising additional stimulus checks, illegitimate lifesaving medications, and fake avenues to save businesses or pay employees—all scams.

H.R. 6435 aims to protect Americans, especially senior citizens and people with disabilities, from malicious and

deceptive scams. The bill directs the Federal Trade Commission to prioritize informing the most vulnerable among us about mail, telemarketing, and internet scams, all related to COVID-19.

Importantly, the bill would provide Americans with the tools they need to educate and protect themselves against these very scams. This legislation will be even more important as we work together to ensure that the COVID vaccine is delivered in a safe and timely fashion.

Mr. Speaker, I am glad to see H.R. 6435 under consideration today. I urge all of my colleagues to support this bill, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Hampshire (Ms. KUSTER), the sponsor of the bill.

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise in support of H.R. 6435, the Combating Pandemic Scams Act of 2020.

Mr. Speaker, I was proud to help introduce this bipartisan bill with my colleague BUDDY CARTER in April, and I appreciate the support of our colleagues on the Republican side of the aisle. I would like to take a moment to commend BUDDY for his leadership on this important topic.

During these challenging times for our country, I have constantly been impressed by Americans' commitment to helping their neighbors pull through this crisis. Sadly, where many see an opportunity to lend a helping hand, others see a chance to make a quick buck.

Scammers have posed as medical researchers, offering opportunities to participate in clinical trials. They have attempted to sell nonexistent PPE. They have even tried to trick seniors into buying fake COVID-19 test kits. These shameful acts must not only be condemned, but Congress must take action to crack down on these scams and inform the American people of these devious efforts.

Our bipartisan legislation will help stop COVID scams by directing Federal agencies and departments to inform Americans about these criminal schemes so they can stay alert and keep themselves safe. By aggregating data and providing the public with information on mail, telemarketing, and robocall fraud schemes, Americans can defend themselves and their families.

Mr. Speaker, this bill is an important step forward, and I urge my colleagues to support it.

Mr. WALDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. CARTER), the coauthor of the bill who has been very active on many of these pieces of legislation.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of my legislation, H.R. 6435, because of the positive impact it will have on the American people.

It has been no surprise that we have seen a rise in fraud and criminal activity as the Nation grapples with the pandemic response. In these difficult times, scammers have sought to take advantage of our fellow Americans. Whether it is elderly individuals being preyed upon by financial scammers or people ordering fake health products, there has been a number of scams facing our constituents.

That is why I introduced the Combating Pandemic Scams Act with my good friend, Congresswoman KUSTER, to address this issue.

This bill would direct the FTC, along with other Federal partners, to disseminate information about these scams to the public to better protect themselves. That information would be user-friendly, ensuring vulnerable populations, such as senior citizens and those with disabilities, would have the same amount of access. Ensuring people have the most up-to-date information on how to protect themselves is critical to getting through these trying times.

Federal agencies, such as the FTC, have been very active in going after these offenders who have targeted Americans during this pandemic. This bill will support those Federal efforts and help prepare Americans to help protect themselves from these scams.

The bottom line is, this is common-sense legislation to go after the people preying on our neighbors and communities.

Mr. Speaker, I thank my colleagues for their bipartisan support of this legislation and the committee staff for their work on getting this across the finish line.

Mr. Speaker, I urge my colleagues to pass this legislation.

□ 1445

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the chair of the subcommittee.

Ms. SCHAKOWSKY. Mr. Speaker, here we have another great bipartisan bill that has come out of the committee I am so proud to chair, the Consumer Protection and Commerce Subcommittee of the Energy and Commerce Committee. I thank the authors of the legislation: Representatives CARTER, HUDSON, KUSTER, and BLUNT ROCH-ESTER.

The COVID-19 pandemic has been a time of confusion and fear for many Americans, and scammers have noticed. Fraudsters have tried to steal stimulus checks and trick consumers with fake medical treatments and even vaccines. Seniors and those with disabilities are especially vulnerable.

This legislation will protect American consumers, especially our most vulnerable, by increasing public awareness of COVID-19 scams. It directs the Federal Trade Commission to develop and disseminate information to the public about scams related to COVID-19.

The FTC will also create a comprehensive national database that tracks the COVID-19 scams in consultation with the Attorney General and the HHS Secretary. This database will protect American consumers from malicious scams. Consumers will be armed with information about the pandemic scams and how to avoid those scams. So we must act now to prevent further harm to American consumers.

Mr. WALDEN. Mr. Speaker, I thank our colleagues on both sides of the aisle for their work on this legislation. I urge its passage, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I also urge support for the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 6435, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PANDEMIC EFFECTS ON HOME SAFETY AND TOURISM ACT

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8121) to require the Consumer Product Safety Commission to study the effect of the COVID-19 pandemic on injuries and deaths associated with consumer products, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8121

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Pandemic Effects on Home Safety and Tourism Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—COVID-19 HOME SAFETY

Sec. 101. Short title.

Sec. 102. Study and report on the effect of the COVID-19 public health emergency on injuries and deaths from consumer products.

TITLE II—PROTECTING TOURISM IN THE UNITED STATES

Sec. 201. Short title.

Sec. 202. Study and report on effects of COVID-19 pandemic on travel and tourism industry in United States.

TITLE I—COVID-19 HOME SAFETY

SEC. 101. SHORT TITLE.

This title may be cited as the “COVID-19 Home Safety Act”.

SEC. 102. STUDY AND REPORT ON THE EFFECT OF THE COVID-19 PUBLIC HEALTH EMERGENCY ON INJURIES AND DEATHS FROM CONSUMER PRODUCTS.

(a) **COVID-19 REPORT REQUIRED.**—Not later than 3 months after the date of enactment of this section and every 3 months thereafter for

the duration of the COVID-19 public health emergency, the Consumer Product Safety Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available, a report on the effect of the COVID-19 public health emergency on injuries and deaths from consumer products.

(b) **CONTENTS OF REPORT.**—The report shall include the following:

- (1) Relevant data and statistics from—
 - (A) the data sources of the Commission;
 - (B) other appropriate agencies;
 - (C) media reports;
 - (D) poison control centers, to the extent practical; and
 - (E) any other relevant data sources.

(2) An identification of trends in injuries and deaths from consumer products, comparing data from representative time periods before and during the COVID-19 public health emergency.

(3) An identification of subpopulations that have experienced elevated risk of injury or death from consumer products during the COVID-19 public health emergency, such as minorities, infants, people with disabilities, children, or the elderly.

(4) An identification of where most injuries or deaths from consumer products during the COVID-19 public health emergency are taking place, such as the type of building or outdoor environment.

(5) A specification about whether consumer products associated with a substantial number of injuries or deaths during the COVID-19 public health emergency are—

- (A) under recall;
- (B) subject to a voluntary consumer product safety standard; or
- (C) subject to a mandatory consumer product safety standard.

(6) An identification of emerging consumer products that are posing new risks to consumers.

(c) **COVID-19 PUBLIC HEALTH EMERGENCY DEFINED.**—The term “COVID-19 public health emergency” means a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) as a result of confirmed cases of 2019 novel coronavirus (COVID-19), including any renewal thereof.

TITLE II—PROTECTING TOURISM IN THE UNITED STATES

SEC. 201. SHORT TITLE.

This title may be cited as the “Protecting Tourism in the United States Act”.

SEC. 202. STUDY AND REPORT ON EFFECTS OF COVID-19 PANDEMIC ON TRAVEL AND TOURISM INDUSTRY IN UNITED STATES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the United States Travel and Tourism Advisory Board and the head of any other Federal agency the Secretary considers appropriate, shall complete a study on the effects of the COVID-19 pandemic on the travel and tourism industry, including various segments of the travel and tourism industry, such as domestic, international, leisure, business, conventions, meetings, and events.

(b) **MATTERS FOR CONSIDERATION.**—In conducting the study required by subsection (a) and the interim study required by subsection (e)(1), the Secretary shall consider—

(1) changes in employment rates in the travel and tourism industry during the pandemic period;

(2) changes in revenues of businesses in the travel and tourism industry during the pandemic period;

(3) changes in employment and sales in industries related to the travel and tourism industry, and changes in contributions of the travel and tourism industry to such related industries, during the pandemic period;

(4) the effects attributable to the changes described in paragraphs (1) through (3) in the travel and tourism industry and such related industries on the overall economy of the United States during the pandemic period and the projected effects of such changes on the overall economy of the United States following the pandemic period; and

(5) any additional matters the Secretary considers appropriate.

(c) **CONSULTATION AND PUBLIC COMMENT.**—In conducting the study required by subsection (a), the Secretary shall—

- (1) consult with representatives of—
 - (A) the small business sector;
 - (B) the restaurant or food service sector;
 - (C) the hotel and alternative accommodations sector;
 - (D) the attractions or recreations sector;
 - (E) the travel distribution services sector;
 - (F) destination marketing organizations;
 - (G) State tourism offices; and
 - (H) the passenger air, railroad, and rental car sectors; and

(2) provide an opportunity for public comment and advice relevant to conducting the study.

(d) **REPORT TO CONGRESS.**—Not later than 6 months after the date on which the study required by subsection (a) is completed, the Secretary, in consultation with the United States Travel and Tourism Advisory Board and the head of any other Federal agency the Secretary considers appropriate, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Department of Commerce, a report that contains—

- (1) the results of such study; and
- (2) policy recommendations for promoting and assisting the travel and tourism industry.

(e) **INTERIM STUDY AND REPORT.**—Not later than 3 months after the date of enactment of this Act, the Secretary, after consultation with relevant stakeholders, including the United States Travel and Tourism Advisory Board, shall—

(1) complete an interim study, which shall be based on data available at the time when the study is conducted and provide a framework for the study required by subsection (a), on the effects of the COVID-19 pandemic (as of such time) on the travel and tourism industry, including various segments of the travel and tourism industry, such as domestic, international, leisure, business, conventions, meetings, and events; and

(2) submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Department of Commerce, an interim report that contains the results of the interim study required by paragraph (1).

(f) **DEFINITIONS.**—In this section—

(1) the term “pandemic period” has the meaning given the term “emergency period” in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b-5(g)(1)(B)), excluding any portion of such period after the date that is 1 year after the date of the enactment of this Act;

(2) the term “Secretary” means the Secretary of Commerce; and

(3) the term “travel and tourism industry” means the travel and tourism industry in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 8121.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak in support of H.R. 8121. I want to begin by thanking Representatives CÁRDENAS and DAVIS for their leadership on the bill, the Pandemic Effects on Home Safety and Tourism Act. This bill advanced out of the Energy and Commerce Committee by a voice vote.

With the COVID-19 pandemic forcing us to spend more time at home and finding new indoor and outdoor activities suitable for social distancing, it is critically important that we keep track of any new trends in injuries and deaths that might be occurring.

This bill will require the Consumer Product Safety Commission to provide quarterly updates to the American public regarding the effects of COVID-19 on home safety, including any emerging threats from either new products or new habits from working and playing at home. This report will assemble data from a variety of sources, including media reports and poison control centers, in addition to the CPSC's traditional data sources.

The bill will also identify communities or groups that may be disproportionately affected so that we can better target efforts to protect those communities. We already know children are particularly vulnerable during these times as parents struggle to work remotely and supervise children at the same time. For example, there have been increased reports of accidental poisonings and fractures related to bicycle and trampoline usage. It is important to identify other groups that may also be vulnerable.

I want to thank Representatives CASTOR and UPTON for introducing another bill, the Protecting Tourism in the United States Act, which was incorporated in H.R. 8121 during the committee's consideration of the bill.

Their legislation will rebuild the tourism and travel industry, which has struggled under the strain of the COVID-19 pandemic. All sectors of the travel industry have been particularly hard hit, including hotels, restaurants, attractions, and passenger air, rail, and rental car sectors.

This bill requires the Department of Commerce to conduct a detailed study and report to Congress on the effects of the pandemic on the tourism industry, including on jobs and revenue, so that we will know how to best direct assistance to the 16 million American workers and families who rely on the jobs that the travel industry supports.

Again, I thank Ranking Member WALDEN and Subcommittee Ranking Member RODGERS for working with us to move this bill through the Energy and Commerce Committee. I also com-

mend our Subcommittee Chair SCHAKOWSKY for her relentless commitment to fighting for consumers, and particularly for seniors, I want to say.

Mr. Speaker, I call on my colleagues to support this bill, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 8121, the Pandemic Effects on Home Safety and Tourism Act.

I thank Representatives CÁRDENAS and DAVIS for their leadership and effort on this bill to protect consumers. I also thank Ranking Member UPTON and Chairman CASTOR, as their legislation to promote and assist the recovery of our tourism industry was adopted as part of this bill; as well as Ranking Member MCMORRIS RODGERS and Chair SCHAKOWSKY along with, obviously, Chairman PALLONE.

The Pandemic Effects on Home Safety and Tourism Act would direct the Consumer Product Safety Commission to report and make available to the public information about injuries and deaths from consumer products during the COVID-19 pandemic. This would provide Americans with updates on trends of potentially hazardous products that have entered the marketplace during this critical time.

In addition to studying the trends of injuries, the bill would support further research on how the COVID-19 pandemic has impacted the U.S. travel and tourism industries. Many communities, particularly rural communities like those in my district, rely on tourism. We must have the information necessary to promote and assist the travel and tourism industry as we emerge from this devastating pandemic.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the authors of this legislation, Representatives CÁRDENAS and DAVIS.

As the COVID-19 pandemic worsens this winter, we must protect Americans who are spending more time in their homes. The pandemic has magnified risks associated with household consumer products. Children are particularly vulnerable, especially as parents are juggling their children while working from home.

Unsupervised children face greater risks from bikes, scooters, trampolines, and pools. Calls to the poison control centers for children ingesting hand sanitizer have increased this year as well.

This legislation will direct the Consumer Product Safety Commission to study and report on injuries and deaths that are associated with consumer products during the pandemic. It will ensure Americans have up-to-date information about risks to safety as the pandemic continues. We will learn

about emergency safety threats more quickly so that action can actually be taken to protect consumers.

This legislation also deals with the issues that are being faced right now by the travel industry. This legislation directs the Department of Commerce to study and report to Congress on the impact of the pandemic on travel and tourism.

As Americans stay in their homes to protect themselves, travel and tourism have plummeted. The industry is an important part of our national economy, and over 15.7 million Americans work in the travel and tourism industries. These jobs are vital to many local communities.

The decline of travel and tourism has devastated many other parts of the economy. Live events, the arts, hotels, and restaurants have all felt the effect. We must understand the full impact of the pandemic on the travel and tourism industry so that we can help the industry recover and come back strong.

Mr. WALDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), who has put so much work into this piece of legislation and so many others.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank Chairman PALLONE and Ranking Member WALDEN for their leadership on this very important piece of legislation.

Mr. Speaker, I thank the Energy and Commerce Committee staff for working with us in a very bipartisan way to make sure that this bill came to the floor today with such bipartisan consensus.

I also thank my colleague and my fellow original cosponsor of this bill, Congressman CÁRDENAS from California, the vice chair of the House Energy and Commerce Subcommittee on Consumer Protection and Commerce. His leadership in introducing this bill was crucial, and I really appreciate him allowing me to be the bipartisan lead cosponsor.

As my colleagues before me have stated so eloquently, the COVID-19 pandemic has truly changed the world as we know it, and that includes many of our daily routines. We don't have to look much farther than the House floor to see that that has happened.

Stay-at-home orders and COVID-19 mitigation efforts mean families and individuals are obviously spending more time at home. And when not—like us—on Zoom calls, we need to be sure that, for the products that are in our homes, we understand the dangers that may exist for young children running around while parents are working to ensure that their jobs continue.

This is a commonsense, bipartisan piece of legislation. As was said, it is going to require the Consumer Product Safety Commission to study the effects of COVID-19 on families and the safety of our families and children.

I ask that my colleagues remind themselves that this is another instance of true bipartisanship in a very

polarized world that we all live in and to support this bill.

Mr. PALLONE. Mr. Speaker, I urge support for the bill, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I thank my friends on both sides of the aisle and our terrific staffs for their great work on these 16 pieces of legislation that we brought forward to the House floor from the Energy and Commerce Committee.

I urge passage of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 8121, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to require the Consumer Product Safety Commission to study the effect of the COVID-19 pandemic on injuries and deaths associated with consumer products and to direct the Secretary of Commerce to study and report on the effects of the COVID-19 pandemic on the travel and tourism industry in the United States."

A motion to reconsider was laid on the table.

AIRCRAFT CERTIFICATION REFORM AND ACCOUNTABILITY ACT

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8408) to direct the Administrator of the Federal Aviation Administration to require certain safety standards relating to aircraft, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8408

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Aircraft Certification Reform and Accountability Act".

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Safety management systems.
- Sec. 3. Expert review of organization designation authorizations for transport airplanes.
- Sec. 4. Certification oversight staff.
- Sec. 5. Disclosure of safety-critical information.
- Sec. 6. Periodic reviews of organization designation authorizations.
- Sec. 7. Limitations on delegation.
- Sec. 8. Oversight of organization designation authorization unit members.
- Sec. 9. Integrated project teams.
- Sec. 10. Oversight integrity briefing.
- Sec. 11. Appeals of certification decisions.
- Sec. 12. Employment restrictions.
- Sec. 13. Professional development and skills enhancement.
- Sec. 14. Voluntary safety reporting program.

- Sec. 15. Compensation limitation.
- Sec. 16. System safety assessments and other requirements.
- Sec. 17. Flight crew alerting.
- Sec. 18. Amended type certificates.
- Sec. 19. Whistleblower protections.
- Sec. 20. Pilot training.
- Sec. 21. Nonconformity with approved type design.
- Sec. 22. Implementation of recommendations.
- Sec. 23. Oversight of FAA compliance program.
- Sec. 24. Settlement agreement.
- Sec. 25. Human factors.
- Sec. 26. Technical corrections.
- Sec. 27. Definitions.

SEC. 2. SAFETY MANAGEMENT SYSTEMS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate a rulemaking proceeding to require each person who holds both a type certificate and a production certificate issued under section 44704 of title 49, United States Code, to adopt, not later than the earlier of the date that is 180 days after the issuance of the regulation required under this subsection or the date that is 4 years after the date of enactment of this Act, a safety management system consistent with the standards and recommended practices contained in annex 19 to the Convention on International Civil Aviation (61 Stat. 1180) in effect on the earlier of the date of the issuance of such regulations or the date that is 4 years after the date of enactment of this Act.

(b) CONTENTS OF REGULATIONS.—The regulations issued under subsection (a) shall, at a minimum, include provisions for the Administrator's approval of, and regular oversight of adherence to, a certificate holder's safety management system adopted pursuant to such regulations.

(c) DEADLINE.—Not later than 12 months after the end of the comment period for the proposed rule issued pursuant to subsection (a), the Administrator shall issue a final rule with respect to such proposed rule.

(d) SAFETY REPORTING PROGRAM.—The regulations issued under subsection (a) shall require a safety management system to include a confidential employee reporting system through which employees can report hazards, issues, concerns, occurrences, and incidents. A reporting system under this subsection shall include provisions for non-punitive reporting of such items by employees in a manner consistent with other confidential employee reporting systems administered by the Administrator. Such regulations shall also require a certificate holder described in subsection (a) to submit a summary of reports received under this subsection to the Administrator at least twice per year.

(e) CODE OF ETHICS.—The regulations issued under subsection (a) shall require a safety management system to include establishment of a code of ethics applicable to all employees of a certificate holder, including officers, which clarifies that safety is the organization's highest priority.

(f) PROTECTION OF SAFETY INFORMATION.—Section 44735(a) of title 49, United States Code, is amended—

(1) by striking "title 5 if the report" and inserting the following: "title 5—

"(1) if the report";

(2) by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(2) if the report, data, or other information is submitted to the Federal Aviation Administration pursuant to section 2(d) of the Aircraft Certification Reform and Accountability Act."

SEC. 3. EXPERT REVIEW OF ORGANIZATION DESIGNATION AUTHORIZATIONS FOR TRANSPORT AIRPLANES.

(a) EXPERT REVIEW.—

(1) **ESTABLISHMENT.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall convene an expert panel (in this section referred to as the “review panel”) to review and make findings and recommendations on the matters listed in paragraph (2).

(2) **CONTENTS OF REVIEW.**—With respect to each holder of an organization designation authorization for the design and production of transport airplanes, the review panel shall review the following:

(A) The extent to which the holder has implemented a safety culture consistent with the principles of the International Civil Aviation Organization Safety Management Manual, Fourth Edition (International Civil Aviation Organization Doc. No. 9589) or any similar successor document.

(B) The effectiveness of measures instituted by the holder to instill, among employees and contractors of such holder that support organization designation authorization functions, a commitment to safety above all other priorities.

(C) The holder’s capability, based on the holder’s organizational structures, requirements applicable to officers and employees of such holder, and safety culture, of making reasonable and appropriate decisions regarding functions delegated to the holder pursuant to the organization designation authorization.

(D) Any other matter determined by the Administrator for which inclusion in the review would be consistent with the public interest in aviation safety.

(3) **COMPOSITION OF REVIEW PANEL.**—The review panel shall consist of—

(A) 2 representatives of the National Aeronautics and Space Administration;

(B) 2 employees of the Administration’s Aircraft Certification Service with experience conducting oversight of persons not involved in the design or production of transport airplanes;

(C) 1 employee of the Administration’s Aircraft Certification Service with experience conducting oversight of persons involved in the design or production of transport airplanes;

(D) 2 employees of the Administration’s Flight Standards Service with experience in oversight of safety management systems;

(E) 1 appropriately qualified representative, designated by the applicable represented organization, of each of—

(i) a labor union representing airline pilots involved in both passenger and all-cargo operations;

(ii) a labor union, not selected under clause (i), representing airline pilots with expertise in the matters described in paragraph (2);

(iii) a labor union representing employees engaged in the assembly of transport airplanes;

(iv) the certified bargaining representative under section 7111 of title 5, United States Code, for field engineers engaged in the audit or oversight of an organization designation authorization within the Aircraft Certification Service of the Administration; and

(v) the certified bargaining representative for safety inspectors of the Administration;

(F) 2 independent experts who have not served as a political appointee in the Administration and—

(i) who hold either a baccalaureate or postgraduate degree in the field of aerospace engineering or a related discipline; and

(ii) who have a minimum of 20 years of relevant applied experience;

(G) 4 air carrier employees whose job responsibilities include administration of a safety management system; and

(H) 4 individuals representing 4 different holders of organization designation authorizations, with preference given to individuals

representing holders of organization designation authorizations for the design or production of aircraft other than transport airplanes or for the design or production of aircraft engines, propellers, or appliances.

(4) **RECOMMENDATIONS.**—The review panel shall make recommendations to the Administrator regarding suggested actions to address any deficiencies found after review of the matters listed in paragraph (2).

(5) **REPORT.**—

(A) **SUBMISSION.**—Not later than 270 days after the date on which the review panel is established, the review panel shall transmit to the Administrator and the congressional committees of jurisdiction a report containing the findings and recommendations of the review panel regarding the matters listed in paragraph (2), except that such report shall include—

(i) only such findings endorsed by 10 or more individual members of the review panel; and

(ii) only such recommendations described in paragraph (4) endorsed by 18 or more of the individual members of the review panel.

(B) **DISSENTING VIEWS.**—In submitting the report required under this paragraph, the review panel shall append to such report the dissenting views of any individual member or group of members of the review panel regarding the findings or recommendations of the review panel.

(C) **PUBLICATION.**—Not later than 5 days after receiving the report under subparagraph (A), the Administrator shall publish such report, including any dissenting views appended to the report, on the website of the Administration.

(D) **TERMINATION.**—The review panel shall terminate upon submission of the report under subparagraph (A).

(6) **ADMINISTRATIVE PROVISIONS.**—

(A) **ACCESS TO INFORMATION.**—The review panel shall have authority to perform the following actions if a majority of the total number of review panel members consider each action necessary and appropriate:

(i) Entering onto the premises of an organization designation authorization holder described in subsection (a) for access to and inspection of records or other purposes.

(ii) Notwithstanding any other provision of law, accessing and inspecting unredacted records in the possession of an employee or appointed political official of the Administration.

(iii) Interviewing employees of such organization designation authorization holder or the Administration as necessary for the panel to complete its work.

(B) **DISCLOSURE OF FINANCIAL INTERESTS.**—Each individual serving on the review panel shall disclose to the Administrator any financial interest held by such individual, or a spouse or dependent of such individual, in a business enterprise engaged in the design or production of transport airplanes, aircraft engines designed for transport airplanes, or major systems, components, or parts thereof. The Administrator shall publicly post such disclosure on the website of the Administration in a de-identified form.

(C) **PROTECTION OF PROPRIETARY INFORMATION; TRADE SECRETS.**—

(i) **MARKING.**—The custodian of a record accessed under subparagraph (A) may mark such record as proprietary or containing a trade secret. A marking under this subparagraph shall not be dispositive with respect to whether such record contains any information subject to legal protections from public disclosure.

(ii) **NONDISCLOSURE FOR NON-FEDERAL GOVERNMENT PARTICIPANTS.**—

(I) **NON-FEDERAL GOVERNMENT PARTICIPANTS.**—Prior to participating on the review panel, each individual serving on the review

panel representing a non-Federal entity, including a labor union, shall execute an agreement with the Administrator in which the individual shall be prohibited from disclosing at any time, except as required by law, to any person, foreign or domestic, any non-public information made accessible to the panel under subparagraph (A).

(II) **FEDERAL EMPLOYEE PARTICIPANTS.**—Federal employees serving on the review panel as representatives of the Federal Government and who are required to protect proprietary information and trade secrets under section 1905 of title 18, United States Code, shall not be required to execute agreements under this subparagraph.

(iii) **PROTECTION OF VOLUNTARILY SUBMITTED SAFETY INFORMATION.**—Information subject to protection from disclosure by the Administration in accordance with sections 40123 and 44735 of title 49, United States Code, is deemed voluntarily submitted to the Administration under such sections when shared with the review panel and retains its protection from disclosure (including protection under section 552(b)(3) of title 5, United States Code). The custodian of a record subject to such protection may mark such record as subject to statutory protections. A marking under this subparagraph shall not be dispositive with respect to whether such record contains any information subject to legal protections from public disclosure. Members of the review panel will protect voluntarily submitted safety information and other otherwise exempt information to the extent permitted under applicable law.

(iv) **PROTECTION OF PROPRIETARY INFORMATION AND TRADE SECRETS.**—Members of the review panel will protect proprietary information, trade secrets, and other otherwise exempt information to the extent permitted under applicable law.

(v) **RESOLVING CLASSIFICATION OF INFORMATION.**—If the review panel and an organization designation authorization holder subject to review under this section disagree as to the proper classification of information described in this subparagraph, then the deputy chief counsel of the Administration shall determine the proper classification of such information and whether such information will be redacted.

(D) **APPLICABLE LAW.**—Public Law 92-463 shall not apply to the panel established under this subsection.

(E) **FINANCIAL INTEREST DEFINED.**—In this paragraph, the term “financial interest”—

(i) excludes securities held in an index fund; and

(ii) includes—

(I) any current or contingent ownership, equity, or security interest;

(II) an indebtedness or compensated employment relationship; or

(III) any right to purchase or acquire any such interest, including a stock option or commodity future.

(b) **FAA AUTHORITY.**—

(1) **IN GENERAL.**—After reviewing the findings of the review panel submitted under subsection (a)(5), the Administrator may limit, suspend, or terminate an organization designation authorization subject to review under this section.

(2) **REINSTATEMENT.**—The Administrator may condition reinstatement of a limited, suspended, or terminated organization designation authorization on the holder’s implementation of any corrective actions determined necessary by the Administrator.

(3) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to limit the Administrator’s authority to take any action with respect to an organization designation authorization, including limitation, suspension, or termination of such authorization.

(c) ORGANIZATION DESIGNATION AUTHORIZATION PROCESS IMPROVEMENTS.—Not later than 1 year after receipt of the recommendations submitted under subsection (a)(5), the Administrator shall—

(1) report to the congressional committees of jurisdiction on—

(A) whether the Administrator has concluded that such holder is able to safely and reliably perform all delegated functions in accordance with all applicable provisions of chapter 447 of title 49, United States Code, title 14, Code of Federal Regulations, and other orders or requirements of the Administrator, and, if not, the Administrator shall outline—

(i) the risk mitigations or other corrective actions, including the implementation timelines of such mitigations or actions, the Administrator has established for or required of such holder as prerequisites for a conclusion by the Administrator under subparagraph (A); or

(ii) the status of any ongoing investigatory actions; and

(B) the status of implementation of each of the recommendations of the review panel, if any, with which the Administrator concurs; and

(2) report to the congressional committees of jurisdiction on—

(A) the status of procedures under which the Administrator will conduct focused oversight of such holder's processes for performing delegated functions with respect to the design of new and derivative transport airplanes and the production of such airplanes; and

(B) the Administrator's efforts, to the maximum extent practicable and subject to appropriations, to increase the number of engineers, inspectors, and other qualified technical experts, as necessary to fulfill the requirements of this section, in—

(i) each office of the Administration responsible for dedicated oversight of such holder; and

(ii) the System Oversight Division, or any successor division, of the Aircraft Certification Service.

(d) NON-CONCURRENCE WITH RECOMMENDATIONS.—Not later than 6 months after receipt of the recommendations submitted under subsection (a)(5), with respect to each recommendation of the review panel with which the Administrator does not concur, if any, the Administrator shall publish on the website of the Administration and submit to the congressional committees of jurisdiction a detailed explanation as to why, including if the Administrator believes implementation of such recommendation would not improve aviation safety.

SEC. 4. CERTIFICATION OVERSIGHT STAFF.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator \$27,000,000 for each of fiscal years 2021 through 2023 to recruit and retain engineers, safety inspectors, human factors specialists, and software and cybersecurity experts and other qualified technical experts who perform duties related to the certification of aircraft, aircraft engines, propellers, and appliances.

(b) RECRUITMENT AND RETENTION.—

(1) BARGAINING UNITS.—Not later than 30 days after the date of enactment of this Act, the Administrator shall begin collaboration with the exclusive bargaining representatives of engineers, safety inspectors, systems safety specialists, and other qualified technical experts certified under section 7111 of title 5, United States Code, to improve recruitment of employees for, and to implement retention incentives for employees holding, positions with respect to the certification of aircraft, aircraft engines, propellers,

and appliances. If the Administrator and such representatives are unable to reach an agreement collaboratively, the Administrator and such representatives shall negotiate in accordance with section 40122(a) of title 49, United States Code, to improve recruitment and implement retention incentives for employees described in subsection (a) who are covered under a collective bargaining agreement.

(2) OTHER EMPLOYEES.—Notwithstanding any other provision of law, not later than 30 days after the date of enactment of this Act, the Administration shall improve recruitment of, and implement retention incentives for, any individual described in subsection (a) who is not covered under a collective bargaining agreement.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to vest in any exclusive bargaining representative any management right of the Administrator, as such right existed on the day before the date of enactment of this Act.

(4) AVAILABILITY OF APPROPRIATIONS.—Any action taken by the Administrator under this section shall be subject to the availability of appropriations authorized under subsection (a).

SEC. 5. DISCLOSURE OF SAFETY-CRITICAL INFORMATION.

(a) PROHIBITION.—Section 44704 of title 49, United States Code, is amended by striking subsection (e) and inserting the following:

“(e) DISCLOSURE OF SAFETY-CRITICAL INFORMATION.—

“(1) IN GENERAL.—Notwithstanding a delegation described in section 44702(d), the Administrator shall require an applicant for, or holder of, a type certificate for a transport-category aircraft covered under part 25 of title 14, Code of Federal Regulations, to submit safety-critical information with respect to such aircraft to the Administrator in such form, manner, or time as the Administrator may require. Such safety-critical information shall include—

“(A) any design and operational details, intended functions, and failure modes of any system that, without being commanded by the flight crew, commands the operation of any safety-critical function or feature required for control of an aircraft during flight or that otherwise changes the flight path or airspeed of an aircraft;

“(B) the design and operational details, intended functions, failure modes, and mode annunciations of autopilot and autothrottle systems, if applicable;

“(C) any failure or operating condition that the applicant or holder anticipates or has concluded would result in an outcome with a severity level of hazardous or catastrophic, as defined in the appropriate Administration airworthiness requirements and guidance applicable to transport-category aircraft defining risk severity;

“(D) any adverse handling quality that fails to meet the requirements of applicable regulations without the addition of a software system to augment the flight controls of the aircraft to produce compliant handling qualities; and

“(E) a system safety assessment with respect to a system described in subparagraph (A) or (B) or with respect to any component or other system for which failure or erroneous operation of such component or system could result in an outcome with a severity level of hazardous or catastrophic, as defined in the appropriate Administration airworthiness requirements and guidance applicable to transport-category aircraft defining risk severity.

“(2) ONGOING COMMUNICATIONS.—

“(A) NEWLY DISCOVERED INFORMATION.—The Administrator shall require that an applicant for, or holder of, a type certificate dis-

close to the Administrator, in such form, manner, or time as the Administrator may require, any newly discovered information or design or analysis change that would materially alter any submission to the Administrator under paragraph (1).

“(B) AIRCRAFT SYSTEM DEVELOPMENT CHANGES.—The Administrator shall establish multiple milestones throughout the certification process at which a proposed aircraft system will be assessed to determine whether any change to such system during the certification process is such that such system should be considered novel or unusual by the Administrator.

“(3) FLIGHT MANUALS.—The Administrator shall ensure that an aircraft flight manual and a flight crew operating manual (as appropriate or applicable) for an aircraft contains a description of the operation of a system described in paragraph (1)(A) and flight crew procedures for responding to a failure or aberrant operation of such system.

“(4) CIVIL PENALTY.—

“(A) AMOUNT.—Notwithstanding section 46301, an applicant for, or holder of, a type certificate that knowingly violates paragraph (1), (2), or (3) of this subsection shall be liable to the Administrator for a civil penalty of not more than \$1,000,000 for each violation.

“(B) PENALTY CONSIDERATIONS.—In determining the amount of a civil penalty under subparagraph (A), the Administrator shall consider—

“(i) the nature, circumstances, extent, and gravity of the violation, including the length of time that such safety-critical information was known but not disclosed; and

“(ii) with respect to the violator, the degree of culpability, any history of prior violations, and the size of the business concern.

“(5) REVOCATION AND CIVIL PENALTY FOR INDIVIDUALS.—

“(A) IN GENERAL.—The Administrator shall revoke any airline transport pilot certificate issued under section 44703 held by any individual who, while acting on behalf of an applicant for, or holder of, a type certificate, knowingly makes a false statement with respect to any of the matters described in subparagraphs (A) through (D) of paragraph (1).

“(B) AUTHORITY TO IMPOSE CIVIL PENALTY.—The Administrator may impose a civil penalty under section 46301 for each violation described in subparagraph (A).

“(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect or otherwise inhibit the authority of the Administrator to deny an application by an applicant for a type certificate or to revoke a type certificate of a holder of such certificate.

“(7) DEFINITION OF TYPE CERTIFICATE.—In this subsection, the term ‘type certificate’—

“(A) means a type certificate issued under subsection (a) or an amendment to such certificate; and

“(B) does not include a supplemental type certificate issued under subsection (b).”.

(b) CIVIL PENALTY AUTHORITY.—Section 44704 of title 49, United States Code, is further amended by adding at the end the following:

“(f) HEARING REQUIREMENT.—The Administrator may find that a person has violated subsection (a)(6) or paragraph (1), (2), or (3) of subsection (e) and impose a civil penalty under the applicable subsection only after notice and an opportunity for a hearing. The Administrator shall provide a person—

“(1) written notice of the violation and the amount of penalty; and

“(2) the opportunity for a hearing under subpart G of part 13 of title 14, Code of Federal Regulations.”.

SEC. 6. PERIODIC REVIEWS OF ORGANIZATION DESIGNATION AUTHORIZATIONS.

Section 44736 of title 49, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) PERIODIC REVIEWS.—

“(1) IN GENERAL.—Not less than once every 7 years, the Administrator shall conduct a comprehensive review of the capability of each ODA holder for the design of an aircraft, aircraft engine, propeller, or appliance pursuant to a delegation by the Administrator under section 44702(d) to meet the requirements of subpart D of part 183 of title 14, Code of Federal Regulations, based on the holder's organizational structures, requirements applicable to officers and employees, and safety culture.

“(2) CONTENTS OF REVIEW.—A comprehensive review under this subsection shall include an assessment of the effectiveness of, and organization-wide adherence to, an ODA holder's procedures manual and voluntary safety reporting system.”.

SEC. 7. LIMITATIONS ON DELEGATION.

Section 44702(d) of title 49, United States Code, is amended by adding at the end the following:

“(4) Notwithstanding any other provision of law, the Administrator may not delegate a matter under this subsection—

“(A) with respect to the certification of the design of a novel or unusual design feature that results in a major change to a type design, except when the Administrator determines—

“(i) a matter is a routine task; or

“(ii) during the course of the certification process, that a matter no longer relates to a novel or unusual design feature; or

“(B) on the sole basis that the Federal Aviation Administration lacks a sufficient number of personnel qualified or with the requisite expertise to perform the function.”.

SEC. 8. OVERSIGHT OF ORGANIZATION DESIGNATION AUTHORIZATION UNIT MEMBERS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, as amended by this Act, is amended by adding at the end the following:

“§ 44741. Approval of organization designation authorization unit members

“(a) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of the Aircraft Certification Reform and Accountability Act, each individual who is selected on or after such date to become a member of an ODA unit by an ODA holder engaged in the design of an aircraft, aircraft engine, propeller, or appliance and performs an authorized function pursuant to a delegation by the Administrator of the Federal Aviation Administration under section 44702(d)—

“(1) shall be an employee, a contractor, or the employee of a supplier of the ODA holder; and

“(2) may not become a member of such unit unless approved by the Administrator pursuant to this section.

“(b) PROCESS AND TIMELINE.—

“(1) IN GENERAL.—The Administrator shall maintain an efficient process for the review and approval of an individual to become a member of an ODA unit under this section.

“(2) PROCESS.—An ODA holder described in subsection (a) may submit to the Administrator an application for an individual to be approved to become a member of an ODA unit under this section. The application shall be submitted in such form and manner as the Administrator determines appropriate. The Administrator shall require an ODA holder

to submit with such an application information sufficient to demonstrate an individual's qualifications under subsection (c).

“(3) TIMELINE.—The Administrator shall approve or reject an individual that is selected by an ODA holder to become an ODA unit member under this section not later than 30 days after the receipt of an application by an ODA holder.

“(4) DOCUMENTATION OF APPROVAL.—Upon approval of an individual to become a member of an ODA unit under this section, the Administrator shall provide such individual a letter confirming that such individual has been approved by the Administrator under this section to be an ODA unit member.

“(5) REAPPLICATION.—An ODA holder may submit an application under this subsection for an individual to become a member of an ODA unit under this section regardless of whether an application for such individual was previously rejected by the Administrator.

“(c) QUALIFICATIONS.—

“(1) IN GENERAL.—The Administrator shall issue minimum qualifications for an individual to become a member of an ODA unit under this section. In issuing such qualifications, the Administrator shall consider existing qualifications for Administration employees with similar duties and whether such individual—

“(A) is technically proficient and qualified to perform the authorized functions sought;

“(B) has no recent record of serious enforcement action, as determined by the Administrator, taken by the Administrator with respect to any certificate, approval, or authorization held by such individual;

“(C) is of good moral character (as such qualification is applied to an applicant for an airline transport pilot certificate issued under section 44703);

“(D) possesses the knowledge of applicable design or production requirements in this chapter and in title 14, Code of Federal Regulations, necessary for performance of the authorized functions sought;

“(E) possesses a high degree of knowledge of applicable design or production principles, system safety principles, or safety risk management processes appropriate for the authorized functions sought; and

“(F) meets such testing, examination, training, or other qualification standards as the Administrator determines are necessary to ensure the individual is competent and capable of performing the authorized functions sought.

“(2) PREVIOUSLY REJECTED APPLICATION.—In reviewing an application for an individual to become a member of an ODA unit under this section, if an application for such individual was previously rejected, the Administrator shall ensure that the reasons for the prior rejection have been resolved or mitigated to the Administrator's satisfaction before making a determination on the individual's reapplication.

“(d) RESCISSION OF APPROVAL.—The Administrator may rescind an approval of an individual as a member of an ODA unit granted pursuant to this section at any time and for any reason the Administrator considers appropriate. The Administrator shall develop procedures to provide for notice and opportunity to appeal rescission decisions made by the Administrator. Such decisions by the Administrator are not subject to judicial review.

“(e) RECORDS AND BRIEFINGS.—

“(1) IN GENERAL.—Beginning on the date described in subsection (a), an ODA holder shall maintain, for a period to be determined by the Administrator and with proper protections to ensure the security of sensitive and personal information—

“(A) any data, applications, records, or manuals required by the ODA holder's approved procedures manual, as determined by the Administrator;

“(B) the names, responsibilities, qualifications, and example signature of each member of the ODA unit who performs an authorized function pursuant to a delegation by the Administrator under section 44702(d);

“(C) training records for ODA unit members and ODA administrators; and

“(D) any other data, applications, records, or manuals determined appropriate by the Administrator.

“(2) CONGRESSIONAL BRIEFING.—Not later than 90 days after the date of enactment of the Aircraft Certification Reform and Accountability Act, and every 90 days thereafter through September 30, 2023, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate a briefing on the implementation and effects of this section, including—

“(A) the Administration's performance in completing reviews of individuals and approving or denying such individuals within the timeline required under subsection (b)(3);

“(B) for any individual rejected by the Administrator under subsection (b) during the preceding 90-day period, the reasoning or basis for such rejection; and

“(C) any resource, staffing, or other challenges within the Administration associated with implementation of this section.

“(f) SPECIAL REVIEW OF QUALIFICATIONS.—

“(1) IN GENERAL.—Not later than 30 days after the issuance of minimum qualifications under subsection (c), the Administrator shall initiate a review of the qualifications of each individual who on the date on which such minimum qualifications are issued is a member of an ODA unit of a holder of a type certificate for a transport airplane to ensure such individual meets the minimum qualifications issued by the Administrator under subsection (c).

“(2) UNQUALIFIED INDIVIDUAL.—For any individual who is determined by the Administrator not to meet such minimum qualifications pursuant to the review conducted under paragraph (1), the Administrator—

“(A) shall determine whether the lack of qualification may be remedied and, if so, provide such individual with an action plan or schedule for such individual to meet such qualifications; or

“(B) may, if the Administrator determines the lack of qualification may not be remedied, take appropriate action, including prohibiting such individual from performing an authorized function.

“(3) DEADLINE.—

“(A) The Administrator shall complete the review required under paragraph (1) not later than 18 months after the date on which such review was initiated.

“(B) If the Administrator fails to complete the review in compliance with subparagraph (A), the Secretary of Transportation shall assume the responsibility for completing the review.

“(C) The Secretary's completion of the review under subparagraph (B)—

“(i) may not be delegated to the Administration; and

“(ii) shall be completed within 120 days of the date the Secretary's assumption of responsibility following the Administrator's failure to complete the review in compliance with subparagraph (A).

“(4) SAVINGS CLAUSE.—An individual approved to become a member of an ODA unit of a holder of a type certificate for a transport airplane under subsection (a) shall not be subject to the review under this subsection.

“(g) PROHIBITION.—The Administrator may not authorize an organization or ODA holder to approve an individual selected by an ODA holder to become an ODA unit member under this section.

“(h) DEFINITIONS.—

“(1) GENERAL APPLICABILITY.—The definitions contained in section 44736 shall apply to this section.

“(2) TRANSPORT AIRPLANE.—The term ‘transport airplane’ means a transport-category airplane designed for operation by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an airplane.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2021 through 2023.

“§ 44742. Interference with the duties of organization designation authorization unit members

“(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continuously seek to eliminate or minimize interference by an ODA holder that affects the performance of authorized functions by members of an ODA unit.

“(b) PROHIBITION.—

“(1) IN GENERAL.—It shall be unlawful for any individual who is employed by an ODA holder to commit an act of interference with an ODA unit member’s performance of authorized functions.

“(2) CIVIL PENALTY.—

“(A) INDIVIDUALS.—An individual shall be subject to a civil penalty under section 46301(a)(1) for each violation under paragraph (1).

“(B) SAVINGS CLAUSE.—Nothing in this paragraph shall be construed as limiting or restricting any other authority of the Administrator to pursue an enforcement action against an individual or organization for violation of applicable Federal laws or regulations of the Administration.

“(c) REPORTING.—

“(1) REPORTS TO ODA HOLDER.—A member of an ODA unit shall promptly report any instances of interference experienced or witnessed by such member to the office of the ODA holder that is designated to receive such reports.

“(2) REPORTS TO THE FAA.—

“(A) IN GENERAL.—The ODA holder office described in paragraph (1) shall submit to the office of the Administration designated by the Administrator to accept and review such reports any credible instances of interference reported under paragraph (1).

“(B) CONTENTS.—A report to the Administration under this paragraph shall be submitted in a manner, at a time, and in a form prescribed by the Administrator. Such report shall include the results of any investigation conducted by the ODA holder in response to a report of interference, a description of any action taken by the ODA holder as a result of the report of interference, and any other information or potentially mitigating factors the ODA holder or the Administrator deems appropriate.

“(C) USE OF REPORT.—The Administrator may use the information submitted in a report under this paragraph, including the actions taken by an ODA holder in response to a report under paragraph (1), in determining whether to issue a civil penalty pursuant to subsection (b) or whether such civil penalty should be subject to a setoff or compromised.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude a member of an ODA unit from reporting an instance of interference reported under paragraph (1) directly to the Administration. Each ODA holder shall provide no-

tice to each member of such holder’s ODA unit stating that such individual may report an instance of interference reported under paragraph (1) directly to the Administration.

“(d) DEFINITIONS.—

“(1) GENERAL APPLICABILITY.—The definitions contained in section 44736 shall apply to this section.

“(2) INTERFERENCE.—In this section, the term ‘interference’ means—

“(A) blatant or egregious statements or behavior, such as harassment, beratement, or threats, that a reasonable person would conclude was intended to improperly influence or prejudice an ODA unit member’s performance of his or her duties; or

“(B) the presence of non-ODA unit duties or activities that conflict with the performance of authorized functions by ODA unit members.”

(b) LATERAL COMMUNICATIONS.—

(1) CONTACT WITH ADMINISTRATION.—The Administrator shall ensure that employees of the Administration with responsibility for aircraft certification functions may directly contact non-managerial employees of an aircraft manufacturer for consultation regarding the certification of aircraft design, production, and other matters.

(2) PROHIBITION.—It shall be a violation of section 44736(a)(2)(C) of title 49, United States Code, for a manufacturer to prohibit employees from contacting any employee of the Administration or otherwise impose any condition, restriction, or penalty (including by requiring prior notice to or the approval of any supervisor or manager) with respect to such contact, except that such manufacturer may institute reasonable, company-wide policies requiring documentation of communications regarding aircraft design or production between the manufacturer’s employees and Administration employees.

(c) ODA PROGRAM ENHANCEMENTS.—Section 44736 of title 49, United States Code, is further amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking the semicolon and inserting “; and”;

(ii) by striking subparagraph (B);

(iii) in subparagraph (C) by striking “; and” and inserting a period;

(iv) by striking subparagraph (D); and

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

(B) in paragraph (3) by striking “shall—” and all that follows through the end and inserting “shall conduct regular oversight activities by inspecting the ODA holder’s delegated functions and taking action based on validated inspection findings.”; and

(2) in subsection (b)(3)—

(A) in subparagraph (A)—

(i) by striking clause (i) and redesignating clauses (ii), (iii), and (iv) as clauses (i), (ii), and (iii), respectively;

(ii) in clause (i) as redesignated by inserting “, as appropriate,” after “require”;

(iii) in clause (ii) as redesignated by inserting “, as appropriate,” after “require”; and

(iv) in clause (iii) as redesignated by inserting “when appropriate,” before “make a reassessment”;

(B) by striking subparagraph (B);

(C) in subparagraph (F) by inserting “, when appropriate,” before “approve”; and

(D) by redesignating subparagraphs (C), (D), (E), and (F) as subparagraphs (B), (C), (D), and (E), respectively.

(d) TECHNICAL CORRECTIONS.—

(1) SECTION 44737.—Chapter 447 of title 49, United States Code, is further amended by redesignating the second section 44737 (as added by section 581 of the FAA Reauthorization Act of 2018) as section 44740.

(2) ANALYSIS.—The analysis for chapter 447 of title 49, United States Code, is amended—

(A) by striking the item relating to the second section 44737 (as added by section 581 of the FAA Reauthorization Act of 2018); and

(B) by inserting after the item relating to section 44739 the following new items:

“44740. Special rule for certain aircraft operations.

“44741. Approval of organization designation authorization unit members.

“44742. Interference with the duties of organization designation authorization unit members.”

(3) SPECIAL RULE FOR CERTAIN AIRCRAFT OPERATIONS.—Section 44740 of title 49, United States Code (as redesignated by paragraph (1)), is amended—

(A) in the heading by striking the period at the end;

(B) in subsection (a)(1) by striking “chapter” and inserting “section”;

(C) in subsection (b)(1) by striking “(1)” the second time it appears; and

(D) in subsection (c)(2) by adding a period at the end.

SEC. 9. INTEGRATED PROJECT TEAMS.

(a) IN GENERAL.—Upon receipt of an application for a type certificate for a new transport airplane, the Administrator shall convene an interdisciplinary integrated project team responsible for coordinating review of such application.

(b) MEMBERSHIP.—In convening an interdisciplinary integrated project team under subsection (a), the Administrator shall appoint employees of the Administration with specialized expertise and experience in the fields of engineering, systems design, human factors, and pilot training, including, at a minimum—

(1) not less than 1 designee of the Associate Administrator for Aviation Safety whose duty station is in the Administration’s headquarters;

(2) representatives of the Aircraft Certification Service of the Administration;

(3) representatives of the Flight Standards Service of the Administration;

(4) experts in the fields of human factors, aerodynamics, flight controls, software, and systems design; and

(5) any other subject matter expert whom the Administrator determines appropriate.

SEC. 10. OVERSIGHT INTEGRITY BRIEFING.

Not later than 1 year after the date of enactment of this Act, the Administrator shall brief the congressional committees of jurisdiction on specific measures the Administrator has taken to reinforce that each employee of the Administration responsible for overseeing an organization designation authorization with respect to the certification of aircraft perform such responsibility in accordance with safety management principles and in the public interest of aviation safety.

SEC. 11. APPEALS OF CERTIFICATION DECISIONS.

(a) IN GENERAL.—Section 44704, of title 49, United States Code, is further amended by adding at the end the following:

“(g) CERTIFICATION DISPUTE RESOLUTION.—

“(1) DISPUTE RESOLUTION PROCESS AND APPEALS.—

“(A) IN GENERAL.—Not later than 60 days after the date of enactment of this subsection, the Administrator shall issue an order establishing—

“(i) an effective, timely, and milestone-based issue resolution process for type certification activities under subsection (a); and

“(ii) a process by which a decision, finding of compliance or noncompliance, or other act of the Administration, with respect to compliance with design requirements, may be appealed by a covered person directly involved with the certification activities in dispute on the basis that such decision, finding, or act is erroneous or inconsistent with

this chapter, regulations, or guidance materials promulgated by the Administrator, or other requirements.

“(B) ESCALATION.—The order issued under subparagraph (A) shall provide for—

“(i) resolution of technical issues at pre-established stages of the certification process, as agreed to by the Administrator and the type certificate applicant;

“(ii) automatic elevation to appropriate management personnel of the Administration and the type certificate applicant of any major certification process milestone that is not completed or resolved within a specific period of time agreed to by the Administrator and the type certificate applicant;

“(iii) resolution of a major certification process milestone elevated pursuant to clause (ii) with a specific period of time agreed to by the Administrator and the type certificate applicant;

“(iv) initial review by appropriate Administration employees of any appeal described in subparagraph (A)(ii); and

“(v) subsequent review of any further appeal by appropriate management personnel of the Administration and the Associate Administrator for Aviation Safety.

“(C) DISPOSITION.—

“(i) WRITTEN DECISION.—The Associate Administrator for Aviation Safety shall issue a written decision on each appeal submitted under subparagraph (A)(ii), stating the grounds for the decision of the Associate Administrator.

“(ii) REPORT TO CONGRESS.—Not later than December 31 of each calendar year through calendar year 2025, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing each appeal resolved under this subsection.

“(D) FINAL REVIEW.—

“(i) IN GENERAL.—A written decision of the Associate Administrator under subparagraph (C) may be appealed to the Administrator for a final review and determination.

“(ii) DECLINE TO REVIEW.—The Administrator may decline to review an appeal initiated pursuant to clause (i).

“(iii) JUDICIAL REVIEW.—Notwithstanding any other provision of law, neither a final determination of the Administrator under clause (i) nor a decision to decline to review an appeal under clause (ii) shall be subject to judicial review.

“(2) PROHIBITED CONTACTS.—

“(A) PROHIBITION GENERALLY.—During the course of an appeal under this subsection, no covered official may engage in an ex parte communication with an individual representing or acting on behalf of an applicant for, or holder of, a certificate under this section in relation to such appeal unless such communication is disclosed pursuant to subparagraph (B).

“(B) DISCLOSURE.—If, during the course of an appeal under this subsection, a covered official engages in, receives, or is otherwise made aware of an ex parte communication, the covered official shall disclose such communication in the public record at the time of the issuance of the written decision in accordance with subsection (g)(1)(C), including the time and date of the communication, subject of communication, and all persons engaged in such communication.

“(3) DEFINITIONS.—In this subsection:

“(A) COVERED PERSON.—The term ‘covered person’ means either—

“(i) an employee of the Administration whose responsibilities relate to the certification of aircraft, engines, propellers, or appliances; or

“(ii) an applicant for, or holder of, a type certificate or amended type certificate issued under this section.

“(B) COVERED OFFICIAL.—The term ‘covered official’ means the following officials:

“(i) The Executive Director or any Deputy Director of the Aircraft Certification Service.

“(ii) The Deputy Executive Director for Regulatory Operations of the Aircraft Certification Service.

“(iii) The Director or Deputy Director of the Compliance and Airworthiness Division of the Aircraft Certification Service.

“(iv) The Director or Deputy Director of the System Oversight Division of the Aircraft Certification Service.

“(v) The Director or Deputy Director of the Policy and Innovation Division of the Aircraft Certification Service.

“(vi) The Executive Director or any Deputy Executive Director of the Flight Standards Service.

“(vii) The Associate Administrator or Deputy Associate Administrator for Aviation Safety.

“(viii) The Deputy Administrator of the Federal Aviation Administration.

“(ix) The Administrator of the Federal Aviation Administration.

“(x) Any similarly situated or successor FAA management position, as determined by the Administrator.

“(C) MAJOR CERTIFICATION PROCESS MILESTONE.—The term ‘major certification process milestone’ means a milestone related to the type certification basis, type certification plan, type inspection authorization, issue paper, or other major type certification activity agreed to by the Administrator and the type certificate applicant.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall apply to the communication of a good-faith complaint by any individual alleging—

“(A) gross misconduct;

“(B) a violation of title 18; or

“(C) a violation of any of the provisions of part 2635 or 6001 of title 5, Code of Federal Regulations.”.

(b) CONFORMING AMENDMENT.—Section 44704(a) is amended by striking paragraph (6).

SEC. 12. EMPLOYMENT RESTRICTIONS.

(a) DISQUALIFICATION BASED ON PRIOR EMPLOYMENT.—An employee of the Administration with supervisory responsibility may not direct, conduct, or otherwise participate in oversight of a holder of a certificate issued under section 44704 that previously employed such employee in the preceding 1-year period.

(b) POST-EMPLOYMENT RESTRICTIONS.—Section 44711(d) of title 49, United States Code, is amended to read as follows:

“(d) POST-EMPLOYMENT RESTRICTIONS FOR INSPECTORS AND ENGINEERS.—

“(1) PROHIBITION.—A person holding a certificate issued under part 21 or 119 of title 14, Code of Federal Regulations, may not knowingly employ, or make a contractual arrangement that permits, an individual to act as an agent or representative of such person in any matter before the Administration if the individual, in the preceding 2-year period—

“(A) served as, or was responsible for oversight of—

“(i) a flight standards inspector of the Administration; or

“(ii) an employee of the Administration with responsibility for certification functions with respect to a holder of a certificate issued under section 44704(a); and

“(B) had responsibility to inspect, or oversee inspection of, the operations of such person.

“(2) WRITTEN AND ORAL COMMUNICATIONS.—For purposes of paragraph (1), an individual

shall be considered to be acting as an agent or representative of a certificate holder in a matter before the Administration if the individual makes any written or oral communication on behalf of the certificate holder to the Administration (or any of its officers or employees) in connection with a particular matter, whether or not involving a specific party and without regard to whether the individual has participated in, or had responsibility for, the particular matter while serving as an individual covered under paragraph (1).”.

SEC. 13. PROFESSIONAL DEVELOPMENT AND SKILLS ENHANCEMENT.

(a) IN GENERAL.—The Administrator shall—

(1) develop a program for regular recurrent training of engineers, inspectors, and other subject-matter experts employed in the Aircraft Certification Service of the Administration in accordance with the training strategy developed pursuant to section 231 of the FAA Reauthorization Act of 2018 (Public Law 115-254; 132 Stat. 3256); and

(2) to the maximum extent practicable, implement measures, including assignments in multiple divisions of the Aircraft Certification Service, to ensure that such engineers and other subject-matter experts in the Aircraft Certification Service have access to diverse professional opportunities that expand their knowledge and skills.

(b) IMPLEMENTATION.—The Administrator shall, to the maximum extent practicable, ensure that actions taken pursuant to subsection (a)—

(1) permit engineers, inspectors, and other subject matter experts to continue developing knowledge of, and expertise in, new and emerging technologies in systems design, flight controls, principles of aviation safety, system oversight, and certification project management;

(2) minimize the likelihood of an individual developing an inappropriate bias toward a designer or manufacturer of aircraft, aircraft engines, propellers, or appliances;

(3) are consistent with any applicable collective bargaining agreements; and

(4) account for gaps in knowledge and skills between Administration employees and private-sector employees, as identified by the exclusive bargaining representatives certified under section 7111 of title 5, United States Code, for each group of Administration employees covered under this section.

SEC. 14. VOLUNTARY SAFETY REPORTING PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall begin collaboration with the exclusive bargaining representatives of engineers, safety inspectors, systems safety specialists, and other subject matter experts certified under section 7111 of title 5, United States Code, to implement a confidential voluntary safety reporting program, in a manner that is consistent with other voluntary reporting programs administered by the Administrator. The program shall include provisions addressing, at a minimum—

(1) participation in all facets of the program by the exclusive bargaining representatives for employees identified in the matter preceding this paragraph;

(2) protections for frontline employees from adverse employment actions related to their participation in the program;

(3) identification of exclusionary criteria; and

(4) creation of a corrective action process in order to address safety issues that are identified through the program.

(b) NEGOTIATIONS.—If the Administrator and the representatives described in subsection (a) are unable to reach an agreement

collaboratively, the Administrator and such representatives shall negotiate in accordance with section 40122(a) of title 49, United States Code, to reach agreement on the terms and conditions of such a program.

SEC. 15. COMPENSATION LIMITATION.

Notwithstanding any other provision of law, an employee of the Administration may not receive an adjustment to the employee's compensation solely on the basis of the employee's performance in meeting or exceeding a deadline related to the completion of certification functions.

SEC. 16. SYSTEM SAFETY ASSESSMENTS AND OTHER REQUIREMENTS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall issue such regulations as are necessary to amend title 14, Code of Federal Regulations, and any associated advisory circular, guidance, or policy of the Administration, in accordance with this section.

(b) SYSTEM SAFETY ASSESSMENTS AND OTHER REQUIREMENTS.—In developing regulations under subsection (a), the Administrator shall—

(1) require an applicant for an amended type certificate for a transport airplane to—

(A) perform a system safety assessment with respect to each proposed design change that the Administrator determines is significant, with such assessment considering the airplane-level effects of individual errors, malfunctions, or failures and realistic pilot response times to such errors, malfunctions, or failures related to such change;

(B) update such assessment to account for each subsequent proposed design change that the Administrator determines is significant; and

(C) provide appropriate employees of the Administration with the data and assumptions underlying each assessment and amended assessment; and

(2) work with other civil aviation authorities representing states of design to ensure such regulations remain harmonized internationally.

(c) FAA REVIEW.—Appropriate employees of the Aircraft Certification Service and the Flight Standards Service of the Administration shall review each system safety assessment required under subsection (b)(1)(A), updated assessment required under subsection (b)(1)(B), and supporting data and assumptions required under subsection (b)(1)(C), to ensure that each such assessment sufficiently considers the matters listed under subsection (b)(1).

SEC. 17. FLIGHT CREW ALERTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall fully implement National Transportation Safety Board recommendations A-19-11 and A-19-12 (as contained in the safety recommendation report adopted on September 9, 2019).

(b) PROHIBITION.—Beginning on the date that is 2 years after the date of enactment of this Act, the Administrator may not issue a type certificate for a transport-category aircraft unless—

(1) in the case of a transport airplane, such airplane incorporates a flight crew alerting system that, at a minimum, displays and differentiates among warnings, cautions, and advisories, and includes functions to assist the flight crew in prioritizing corrective actions and responding to systems failures; or

(2) in the case of a transport-category aircraft other than a transport airplane, the type certificate applicant provides a means acceptable to the Administrator to assist the flight crew in prioritizing corrective actions and responding to systems failures (including by cockpit or flight manual procedures).

SEC. 18. AMENDED TYPE CERTIFICATES.

(a) REVIEW AND REEVALUATION OF AMENDED TYPE CERTIFICATES.—

(1) INTERNATIONAL LEADERSHIP.—The Administrator shall exercise leadership in the creation of international policies and standards relating to the issuance of amended type certificates within the group of international civil aviation authorities known as the Certificate Management Team.

(2) REEVALUATION OF AMENDED TYPE CERTIFICATES.—In carrying out this subsection, the Administrator shall—

(A) encourage Certificate Management Team members to examine and address any relevant covered recommendations (as defined in section 22) relating to the issuance of amended type certificates;

(B) reevaluate existing assumptions and practices inherent in the amended type certificate process and assess whether such assumptions and practices are valid; and

(C) ensure, to the greatest extent practicable, that Federal regulations relating to the issuance of amended type certificates are harmonized with the regulations of other international states of design.

(b) AMENDED TYPE CERTIFICATE REPORT AND RULEMAKING.—

(1) REPORT ON CERTIFICATE MANAGEMENT TEAM EFFORTS.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report to the congressional committees of jurisdiction on the efforts by the Certificate Management Team to modify and harmonize policies and regulations relating to the issuance of amended type certificates.

(2) INITIATION OF ACTION.—Not later than 2 years after the date of enactment of this Act, the Administrator shall revise and improve the process of issuing amended type certificates in accordance with this section. Such action may include the revision of guidance, the initiating of a rulemaking, or such other action as the Administrator determines necessary to implement this section.

(3) CONTENTS.—In taking an action required under paragraph (2), the Administrator shall—

(A) consider—

(i) the findings and work of the Certificate Management Team and other similar international harmonization efforts;

(ii) any relevant covered recommendations (as defined in section 22); and

(iii) whether a fixed time beyond which a type certificate may not be amended would improve aviation safety; and

(B) establish the extent to which the following design characteristics should preclude the issuance of an amended type certificate:

(i) A new or revised flight control system.

(ii) Any substantial changes to aerodynamic stability resulting from a physical change that may require a new or modified software system or control law in order to produce positive and acceptable stability and handling qualities.

(iii) A flight control system or augmented software to maintain aerodynamic stability in any portion of the flight envelope that was not required for a previously certified derivative.

(iv) A change in structural components (other than a stretch or shrink of the fuselage) that results in a change in structural load paths or the magnitude of structural loads attributed to flight maneuvers or cabin pressurization.

(v) A novel or unusual system, component, or other feature whose failure would present a hazardous or catastrophic risk.

(4) DEADLINE.—The Administrator shall finalize the actions initiated under paragraph

(2) not later than 3 years after the date of enactment of this Act.

(c) INTERNATIONAL LEADERSHIP.—The Administrator shall exercise leadership within the International Civil Aviation Organization and among other civil aviation regulators representing states of aircraft design to advocate for the adoption of requirements equivalent to those described in this section.

SEC. 19. WHISTLEBLOWER PROTECTIONS.

Section 4121 of title 49, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) PROHIBITED DISCRIMINATION.—A holder of a certificate under section 44704 or 44705 of this title, or contractor or subcontractor of such holder, may not discharge an employee or otherwise discriminate against an employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—

“(1) provided, caused to be provided, or is about to provide (with any knowledge of the employer) or cause to be provided to the employer or Federal Government information relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration or any other provision of Federal law relating to aviation safety under this subtitle or any other law of the United States;

“(2) has filed, caused to be filed, or is about to file (with any knowledge of the employer) or cause to be filed a proceeding relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration or any other provision of Federal law relating to aviation safety under this subtitle or any other law of the United States;

“(3) testified or is about to testify in such a proceeding; or

“(4) assisted or participated or is about to assist or participate in such a proceeding.”;

(2) by striking subsection (d) and inserting the following:

“(d) NONAPPLICABILITY TO DELIBERATE VIOLATIONS.—Subsection (a) shall not apply with respect to an employee of a holder of a certificate issued under section 44704 or 44705, or a contractor or subcontractor thereof, who, acting without direction from such certificate-holder, contractor, or subcontractor (or such person's agent), deliberately causes a violation of any requirement relating to aviation safety under this subtitle or any other law of the United States.”; and

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

“(e) CONTRACTOR DEFINED.—In this section, the term ‘contractor’ means—

“(1) a person that performs safety-sensitive functions by contract for an air carrier or commercial operator; or

“(2) a person that performs safety-sensitive functions related to the design or production of an aircraft, aircraft engine, propeller, appliance, or component thereof by contract for a holder of a certificate issued under section 44704.”.

SEC. 20. PILOT TRAINING.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, as amended by section 8, is further amended by adding at the end the following:

“§ 44743. Pilot training requirements

“(a) IN GENERAL.—

“(1) ADMINISTRATOR'S DETERMINATION.—In establishing any pilot training requirements with respect to a new transport airplane, the Administrator of the Federal Aviation Administration shall independently review any proposal by the manufacturer of such airplane with respect to the scope, format, or minimum level of training required for operation of such airplane.

“(2) ASSURANCES AND MARKETING REPRESENTATIONS.—Before the Administrator has established applicable training requirements, an applicant for a new or amended type certificate for an airplane described in paragraph (1) may not, with respect to the scope, format, or magnitude of pilot training for such airplane—

“(A) make any assurance, whether verbal or in writing, to a potential purchaser of such airplane unless a clear and conspicuous disclaimer (as defined by the Administrator) is included regarding the status of training required for operation of such airplane; or

“(B) provide financial incentives (including rebates) to a potential purchaser of such airplane regarding the scope, format, or magnitude of pilot training for such airplane.

“(b) PILOT RESPONSE TIME.—Beginning on the day after the date on which regulations are issued under section 20(b)(5) of the Aircraft Certification Reform and Accountability Act, the Administrator may not issue a new or amended type certificate for an airplane described in subsection (a) unless the applicant for such certificate has demonstrated to the Administrator that the applicant has accounted for realistic assumptions regarding the time for pilot responses to non-normal conditions in designing the systems and instrumentation of such airplane. Such assumptions shall—

“(1) be based on test data, analysis, or other technical validation methods; and

“(2) account for generally accepted scientific consensus among experts in human factors regarding realistic pilot response time.

“(c) DEFINITION.—In this section, the term ‘transport airplane’ means a transport-category airplane designed for operation by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an airplane.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

“44743. Pilot training requirements.”

(c) EXPERT SAFETY REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate an expert safety review of assumptions relied upon by the Administration and manufacturers of transport-category aircraft in the design and certification of such aircraft.

(2) CONTENTS.—The expert safety review required under paragraph (1) shall include—

(A) a review of Administration regulations, guidance, and directives related to pilot response assumptions relied upon by the FAA and manufacturers of transport-category aircraft in the design and certification of such aircraft;

(B) a focused review of the assumptions relied on regarding the time for pilot responses to non-normal conditions in designing such aircraft’s systems and instrumentation;

(C) a review of revisions made to the airman certification standards for certificates over the last four years, including any possible effects on pilot competency in basic manual flying skills;

(D) consideration of the global nature of the aviation marketplace, varying levels of pilot competency, and differences in pilot training programs worldwide; and

(E) a process for aviation stakeholders, including pilots, airlines, inspectors, engineers, test pilots, human factors experts, and other aviation safety experts, to provide and discuss any observations, feedback, and best practices.

(3) REPORT AND RECOMMENDATIONS.—Not later than 30 days after the conclusion of the

expert safety review pursuant to paragraph (1), the Administrator shall submit to the congressional committees of jurisdiction a report on the results of the review, any recommendations for actions or best practices to ensure the FAA and the manufacturers of transport-category aircraft have accounted for pilot response assumptions to be relied upon in the design and certification of transport-category aircraft.

(4) TERMINATION.—The expert safety review shall end upon submission of the report required pursuant to paragraph (3).

(5) REGULATIONS.—The Administrator shall issue such regulations as are necessary to implement the recommendations of the expert safety review that the Administrator determines are necessary to improve aviation safety.

(d) CALL TO ACTION ON AIRMAN CERTIFICATION STANDARDS.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall initiate a call to action safety review of pilot certification standards in order to bring stakeholders together to share lessons learned, best practices, and implement actions to address any safety issues identified.

(2) CONTENTS.—The call to action safety review required under paragraph (1) shall include—

(A) a review of Administration regulations, guidance, and directives related to the pilot certification standards, including the oversight of those processes;

(B) a review of revisions made to the pilot certification standards for certificates over the last four years, including any possible effects on pilot competency in manual flying skills and effectively managing automation to improve safety; and

(C) a process for aviation stakeholders, including aviation students, instructors, designated pilot examiners, pilots, airlines, labor, and aviation safety experts, to provide and discuss any observations, feedback, and best practices.

(3) REPORT AND RECOMMENDATIONS.—Not later than 90 days after the conclusion of the call to action safety review pursuant to paragraph (1), the Administrator shall submit to the congressional committees of jurisdiction a report on the results of the review, any recommendations for actions or best practices to ensure pilot competency in basic manual flying skills and in effective management of automation, and actions the Administrator will take in response to the recommendations.

(e) INTERNATIONAL PILOT TRAINING.—

(1) IN GENERAL.—The Secretary of Transportation, the Administrator, and other appropriate officials of the Government shall exercise leadership in setting global standards to improve air carrier pilot training and qualifications for—

(A) monitoring and managing the behavior and performance of automated systems;

(B) controlling the flightpath of aircraft without autoflight systems engaged;

(C) effectively utilizing and managing autoflight systems, when appropriate;

(D) effectively identifying situations in which the use of autoflight systems is appropriate and when such use is not appropriate; and

(E) recognizing and responding appropriately to non-normal conditions.

(2) INTERNATIONAL LEADERSHIP.—The Secretary, the Administrator, and other appropriate officials of the Government shall exercise leadership under subsection (a) by working with—

(A) foreign counterparts of the Administrator in the International Civil Aviation Organization and its subsidiary organizations;

(B) other international organizations and fora; and

(C) the private sector.

(3) CONSIDERATIONS.—In exercising leadership under paragraph (1), the Secretary, the Administrator, and other appropriate officials of the Government shall consider—

(A) the latest information relating to human factors;

(B) aircraft manufacturing trends, including those relating to increased automation in the cockpit;

(C) the extent to which cockpit automation improves aviation safety and introduces novel risks;

(D) the availability of opportunities for pilots to practice manual flying skills;

(E) the need for consistency in maintaining and enhancing manual flying skills worldwide;

(F) recommended practices of other countries that enhance manual flying skills and automation management; and

(G) whether a need exists for initial and recurrent training standards for improve pilots’ proficiency in manual flight and in effective management of autoflight systems.

(4) CONGRESSIONAL BRIEFING.—The Secretary, the Administrator, and other appropriate officials of the Government shall provide to the congressional committees of jurisdiction regular briefings on the status of efforts undertaken pursuant to this section.

SEC. 21. NONCONFORMITY WITH APPROVED TYPE DESIGN.

Section 44704(a) of title 49, United States Code, is further amended by adding at the end the following:

“(6) NONCONFORMITY WITH APPROVED TYPE DESIGN.—

“(A) IN GENERAL.—Except as provided in subparagraph (D), a holder of a production certificate for an aircraft may not present a nonconforming aircraft to the Administrator for issuance of an airworthiness certificate.

“(B) CIVIL PENALTY.—Notwithstanding section 46301, a production certificate holder who knowingly violates subparagraph (A) shall be liable to the Administrator for a civil penalty of not more than \$1,000,000 for each nonconforming aircraft.

“(C) PENALTY CONSIDERATIONS.—In determining the amount of a civil penalty under subparagraph (B), the Administrator shall consider—

“(i) the nature, circumstances, extent, and gravity of the violation, including the length of time the nonconformity was known but not disclosed; and

“(ii) with respect to the violator, the degree of culpability, any history of prior violations, and the size of the business concern.

“(D) REMEDIAL ACTION.—The Administrator may permit a production certificate holder to present a nonconforming aircraft to the Administrator for an airworthiness certificate if—

“(i) the Administrator determines the nonconformity, when compared to the configuration approved as part of the type design, does not diminish by any degree the aircraft’s safe operation without any change in flight crew operating procedures;

“(ii) the Administrator determines the nonconformity was not the product of an intentional decision by the production certificate holder to alter the aircraft’s configuration from the approved type design;

“(iii) the production certificate holder has fully complied with subparagraph (E);

“(iv) the production certificate holder agrees to correct the nonconformity on all nonconforming aircraft within a timeframe that is—

“(I) prescribed by the Administrator; and

“(II) commensurate with the severity of the nonconformity;

“(v) the production certificate holder informs a person who is to take delivery of the nonconforming aircraft of the nonconformance prior to its delivery; and

“(vi) the production certificate holder agrees not to impose any penalty, financial or otherwise, on a person that chooses to delay the delivery of a nonconforming aircraft until the production certificate holder, to the Administrator’s satisfaction, conforms the aircraft to the approved type design of such aircraft.

“(E) NOTIFICATION AND PROPOSED REMEDIAL ACTION.—A production certificate holder shall, within 5 days of determining that such production certificate holder delivered a nonconforming aircraft, notify the Administrator, the purchaser of the airplane, and (if the purchaser is a lessor) the intended operator of the airplane, if known. A notification under this clause shall describe—

“(i) the nonconformity in detail; and

“(ii) the production certificate holder’s initial proposal for actions necessary to eliminate the nonconformity.

“(F) NONCONFORMING AIRCRAFT DEFINED.—In this paragraph, the term ‘nonconforming aircraft’ means an aircraft that does not conform to the approved type design for such aircraft type.”

SEC. 22. IMPLEMENTATION OF RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit a report to the congressional committees of jurisdiction on the status of the Administration’s implementation of covered recommendations.

(b) CONTENTS.—The report required under subsection (a) shall contain, at a minimum—

- (1) a list and description of all covered recommendations;
- (2) a determination of whether the Administrator concurs, concurs in part, or does not concur with each covered recommendation;
- (3) an implementation plan and schedule for all covered recommendations the Administrator concurs or concurs in part with; and
- (4) for each covered recommendation with which the Administrator does not concur (in whole or in part), a detailed explanation as to why.

(c) COVERED RECOMMENDATIONS DEFINED.—In this section, the term “covered recommendations” means recommendations made by the following entities in any review initiated in response to the accident of Lion Air flight 610 on October 29, 2018, or Ethiopian Airlines flight 302 on March 10, 2019, that recommend Administration action:

- (1) The National Transportation Safety Board.
- (2) The Joint Authorities Technical Review.
- (3) The inspector general of the Department of Transportation.
- (4) The Safety Oversight and Certification Advisory Committee, or any special committee thereof.
- (5) Any other entity the Administrator may designate.

SEC. 23. OVERSIGHT OF FAA COMPLIANCE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish an Executive Council within the Administration to oversee the use and effectiveness across program offices of the Administration’s Compliance Program, described in Order 8000.373A dated October 31, 2018.

(b) COMPLIANCE PROGRAM OVERSIGHT.—The Executive Council established under this section shall—

- (1) monitor, collect, and analyze data on the use of the Compliance Program across program offices of the Administration, in-

cluding data on enforcement actions and compliance actions pursued against regulated entities by such program offices;

(2) conduct an evaluation of the Compliance Program, not less frequently than annually each calendar year through 2023, to assess the functioning and effectiveness of such program in meeting the stated goals and purpose of the program;

(3) provide reports to the Administrator containing the results of any evaluation conducted under paragraph (2), including identifying in such report any nonconformities or deficiencies in the implementation of the program and compliance of regulated entities with safety standards of the Administration;

(4) make recommendations to the Administrator on regulations, guidance, performance standards or metrics, or other controls that should be issued by the Administrator to improve the effectiveness of the Compliance Program in meeting the stated goals and purpose of the program and to ensure the highest levels of aviation safety; and

(5) carry out any other oversight duties with respect to implementation of the Compliance Program and assigned by the Administrator.

(c) EXECUTIVE COUNCIL.—

(1) EXECUTIVE COUNCIL MEMBERSHIP.—The Compliance Program Executive Council shall be comprised of representatives from each program office with regulatory responsibility as provided in Order 8000.373A.

(2) CHAIRPERSON.—The Executive Council shall be chaired by a person, who shall be appointed by the Administrator and shall report directly to the Administrator.

(3) INDEPENDENCE.—The Secretary of Transportation, the Administrator, or any officer or employee of the Administration may not prevent or prohibit the chair of the Executive Council from performing the activities described in this section or from reporting to Congress on such activities.

(4) DURATION.—The Executive Council shall terminate on October 1, 2023.

(d) ANNUAL BRIEFING.—Each calendar year through 2023, the chair of the Executive Council shall provide a briefing to the congressional committees of jurisdiction on the effectiveness of the Administration’s Compliance Program in meeting the stated goals and purpose of the program and the activities of the office described in subsection (b), including any reports and recommendations made by the office during the preceding calendar year.

SEC. 24. SETTLEMENT AGREEMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should fully exercise all rights and pursue all remedies available to the Administrator under any settlement agreement between the Administration and the holder of a type certificate and production certificate for transport airplanes executed on December 18, 2015, including a demand for full payment of any applicable civil penalties deferred under such agreement, if the Administrator concludes that such holder has not fully performed all obligations incurred under such agreement.

(b) CONGRESSIONAL BRIEFING.—Not later than February 1, 2021, and every 6 months thereafter until a certificate holder described in subsection (a) has fully performed all obligations incurred by such certificate holder under such settlement agreement, the Administrator shall brief the congressional committees of jurisdiction on action taken consistent with subsection (a).

SEC. 25. HUMAN FACTORS.

(a) AIRCRAFT CERTIFICATION PROCESS.—

(1) EVALUATION.—Not later than 18 months after the date of enactment of this Act, the Administrator (acting through the Associate

Administrator for Aviation Safety of the Administration) shall—

(A) conduct an evaluation of the development of tools and methods to support the integration of human factors assessment and system safety assessments of human interaction with flight deck and flight control systems for transport airplanes into the aircraft certification process under section 44704 of title 49, United States Code; and

(B) develop a framework to better integrate human factors throughout such aircraft certification process with the objective of improving safety by designing systems and training pilots in a manner that accounts for contemporary knowledge to reduce the possibility of an accident resulting in whole or in part from the pilot’s interaction with the aircraft.

(2) REPORT TO CONGRESS.—Not later than 60 days after the completion of the evaluation required under paragraph (1), the Administrator shall submit to Congress a report detailing the findings of such report and a plan for implementation based on such findings of such report.

(3) IMPLEMENTATION.—Upon submission of the report required under paragraph (2), the Administrator shall implement the findings of such evaluation.

(b) HUMAN FACTORS EDUCATION PROGRAM.—

(1) IN GENERAL.—The Administrator shall develop a human factors education program that addresses the effects of modern flight deck systems, including automated systems, on human performance for transport airplanes and the approaches for better integration of human factors in aircraft design and certification.

(2) TARGET AUDIENCE.—The human factors education program shall be integrated into the training protocol in existence as of the date of the enactment of this Act such that such program is routinely administered to the following:

(A) Appropriate employees within the Flight Standards Service.

(B) Appropriate employees within the Aircraft Certification Service.

(C) Other employees or authorized representatives determined to be necessary by the Administrator.

(c) TRANSPORT AIRPLANE MANUFACTURER INFORMATION SHARING.—The Administrator shall—

(1) require each transport airplane manufacturer to provide the Administrator with the information or findings necessary for flight crew to be trained on flight deck systems;

(2) ensure the information or findings under paragraph (1) adequately includes consideration of human factors; and

(3) ensure that each transport airplane manufacturer identifies any technical basis, justification or rationale for the information and findings under paragraph (1).

SEC. 26. TECHNICAL CORRECTIONS.

Section 46301 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(A) by striking “(except sections 44717 and 44719–44723)” and inserting “(except sections 44704(a)(6), 44704(e)(4), 44717, and 44719–44723)”;

(2) in subsection (a)(5)(A) by striking “(except sections 44717–44723)” and inserting “(except sections 44704(a)(6), 44704(e)(4), and 44717–44723)”;

(3) in subsection (d)(2) by striking “(except sections 44717 and 44719–44723)” and inserting “(except sections 44704(a)(6), 44704(e)(4), 44717, and 44719–44723)”;

(4) in subsection (f)(1)(A)(i) by striking “(except sections 44717 and 44719–44723)” and inserting “(except sections 44704(a)(6), 44704(e)(4), 44717, and 44719–44723)”.

SEC. 27. DEFINITIONS.

In this Act:

(1) **ADMINISTRATION; FAA.**—The terms “Administration” and “FAA” mean the Federal Aviation Administration.

(2) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the FAA.

(3) **ORGANIZATION DESIGNATION AUTHORIZATION.**—The term “organization designation authorization” has the same meaning given such term in section 44736 of title 49, United States Code.

(4) **CONGRESSIONAL COMMITTEES OF JURISDICTION.**—The term “congressional committees of jurisdiction” means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(5) **HUMAN FACTORS.**—The term “human factors” means a multidisciplinary set of principles developed to holistically explain and predict pilot behavior in relation to the management of the operation of an aircraft, including the pilot’s management of aircraft systems and response to systems failures and non-normal conditions.

(6) **TRANSPORT AIRPLANE.**—The term “transport airplane” means a transport-category airplane designed for operation by an air carrier or foreign air carrier type-certificated with a passenger seating capacity of 30 or more or an all-cargo or combi derivative of such an airplane.

(7) **TYPE CERTIFICATE.**—The term “type certificate”—

(A) means a type certificate issued pursuant to section 44704(a) of title 49, United States Code, or an amendment to such certificate; and

(B) does not include a supplemental type certificate issued under section 44704(b) of such section.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. **DEFAZIO**) and the gentleman from Missouri (Mr. **GRAVES**) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. **DEFAZIO**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 8408, as amended.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. **DEFAZIO**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 8408, the bipartisan Aircraft Certification Reform Accountability Act, today because a U.S. commercial airplane manufacturer and, candidly, the Federal Aviation Administration broke the public trust. 346 innocent people died on two Boeing 737 MAX airplanes in October 2018 and March 2019.

Despite the crashes, both Boeing and the FAA found that the certification of the 737 MAX was compliant with FAA regulations. It was compliant with regulations, yet 346 people died. I believe that that shows that there are problems with the regulatory system that need to be addressed.

Ranking Member **GRAVES**, Aviation Subcommittee Chair **LARSEN**, Aviation Subcommittee Ranking Member

GRAVES, and I actively worked on this bill over a number of months. I think I can speak for all of us when I say our intent is to ensure a U.S.-manufactured airplane never again crashes due to design issues or regulatory failures.

The Boeing 737 MAX has been grounded since the second crash, that of Ethiopian Airlines flight 302 on March 10, 2019. This has been the longest grounding of a transport plane in the history of commercial aviation and will likely end this week when the FAA judges that Boeing’s modifications to the deadly system that caused the crashes are sufficient.

The FAA and Boeing have spent the last 20 months doing what they should have done before the 737 MAX ever entered service, so consideration of this bill is timely.

There is a long litany of negligence, recklessness, corporate greed—particularly at the executive level—and errors in the design and certification of the 737 MAX that culminated in the crashes of Lion Air flight 610 and Ethiopian Airlines flight 302 and, ultimately, this legislation.

I am not going to go over all of the stunning acts and omissions within Boeing and the regulatory capture that prevented the FAA from detecting and correcting those acts and omissions because they have been laid bare in numerous reports since the accidents, including those of the Committee on Transportation and Infrastructure, which recently concluded the longest and most comprehensive investigation in the committee’s history with a nearly 250-page report on the technical and regulatory failures in this story; the Joint Authorities Technical Review, a team of U.S. and international safety regulators who assessed the design and certification of the 737 MAX; the National Transportation Safety Board; a special committee convened by the Department of Transportation to evaluate the FAA’s certification process with respect to the 737 MAX; the Indonesian National Transportation Safety Committee, which investigated the crash of Lion Air flight 610; and the Ethiopian Civil Aviation Authority, which investigated the crash of Ethiopian Airlines flight 302.

Lion Air 610 and Ethiopian flight 302 crashed, ultimately, because of a system called the Maneuvering Characteristics Augmentation System, or MCAS, which forced the airplane into dives with forces so great the pilots were physically unable to counteract them. Through numerous investigations, we know Boeing intentionally concealed the existence of MCAS in cases from the airlines and pilots, partly to save money on pilot training and partly to avoid increased regulatory scrutiny by the FAA.

Level B non-simulator pilot training was a design objective for the 737 MAX from the outset, according to Boeing’s former chief project engineer; and as early as 2014, 2 years before the FAA made a pilot training determination, a

Boeing press release and marketing materials declared this level of training for prospective 737 MAX customer airlines. In one case, they promised to pay a penalty of \$1 million per plane to a purchaser if a higher level of training was necessary.

We also know that Boeing’s safety assessment with respect to MCAS was horribly incomplete. MCAS activated on both flights because of a tiny, fragile vane, called an alpha vane, protruding from the left side of the nose. The alpha vane measures the angle of attack between the airplane and oncoming air.

When it failed, as these tiny, fragile vanes are wont to do, it triggered a complex computerized response, which included a jarring stick shaker, which vibrates the column so violently that if you are holding onto it, your teeth are going to rattle to warn of a stall; unrelated other cautions and warnings, and this plane has a primitive alert system unlike all Boeings made in the last 25 years, as the dozens of prioritized things; and warnings that airspeed, altitude is unreliable.

More importantly, the MCAS system, an invisible system, left out of the first manual, or deleted from the first manuals distributed with the plane, forced the nose down repeatedly and inexorably toward the Earth.

Now, Boeing assumed pilots would respond to all that and apply the proper corrective procedure within 4 seconds. I would challenge most experienced pilots to sort through that blizzard of alerts in 4 seconds, not knowing of the existence of the system, to determine what is going on and apply proper procedure.

A Boeing test pilot in a simulator in 2012 couldn’t do that, as the committee staff investigation revealed. It took that pilot more than 10 seconds to respond correctly and found the condition to be “catastrophic,” meaning the situation would have been unsalvageable. The plane would have crashed. The simulator crashed. And it did not share that information with the FAA or its MAX customers.

But Boeing and the FAA never assessed the airplane-level effects of an alpha vane failure, how it would trigger erroneous MCAS activation, and how pilots would respond; not that there wasn’t plenty of opportunity within Boeing to stop and think about MCAS and the hazardous situations it would create.

At one juncture, a Boeing employee was authorized by the FAA as part of the ODA, Organization Designation Authorization, to determine the plane’s compliance with the FAA requirements, asked in an email if the airplane was vulnerable to a single alpha vane failure. The employee was given a summary assurance that MCAS was not vulnerable, but that assurance was incorrect. The eyes and ears of the FAA on the ground at Boeing left the FAA largely in the dark regarding issues that affected the airplane certification.

We uncovered numerable instances of similar missed opportunities in our investigation. The culture of profits at any cost with the company may well have been a factor in the failure to root out safety problems.

According to a 2016 internal survey of similar Boeing employees, who, at the time, were called authorized representatives of the FAA, 39 percent said they felt undue pressure from Boeing management to make decisions in the company's interest.

And then there was the FAA, whose complacency rendered the agency virtually a nonpresence in this story until then-Acting Administrator Elwell grounded the airplane after the second one crashed and after virtually every other agency in the world had grounded these airplanes.

The FAA was either unable or unwilling to conduct rigorous oversight of Boeing during the certification process. A Boeing employee wrote an internal email in 2015 that, during a presentation of the 737 MAX, FAA officials were like "dogs watching TV." And they hid the mention of MAX in two lines in a very lengthy presentation of MCAS.

Throughout our investigation, we learned the FAA and Boeing separately performed an analysis after the first crash, that of Lion Air, which concluded that, if left uncorrected, the design flaw in the 737 MAX could result in as many as 15 future crashes. And despite the calculations and the agency's own Transport Airplane Risk Assessment Methodology, or TARAM, the FAA let it continue to fly.

In fact, the head of safety for the FAA came to my office in February after the first crash and said that was a one-off, there is no problem with this plane. But that report had been produced before he came to see me. Now, when we finally got him to a 7-hour recorded testimony, he said he never heard of anything that said 15 of the planes would crash.

Well, what does the head of safety do at the FAA? Seriously.

Now, here is the most outrageous indication of a broken safety culture within the very agency that is supposed to be the leading champion of strong safety cultures. In a recent survey of FAA aviation safety employees, 56 percent of those involved in certification activities believed there was too much external influence on the agency and that this influence was affecting FAA safety decisions.

This is 25 years after the horrible crash of Value Jet in Florida, when I finally got the law changed to say that the FAA is not to promote and regulate in the public interest and safety; it is only to regulate in the public interest and safety, not to promote the industry.

All of these factors alone, and more, all part of a broken system that broke the public's trust culminated in 2018 and 2019 MAX accidents. And the bill we are considering today will fix that broken system.

It requires the FAA to approve authorized representatives at all aviation manufacturers by examining their qualifications and character so that, when they are considering a proposed design, they will remember that public safety rests on their shoulders.

Any person who interferes with an authorized representative's performance of his or her critical duties on behalf of the FAA will be subject to civil penalties going forward.

It also imposes civil penalties for a manufacturer's failure to disclose the details of a system like MCAS that manipulate flight controls without direct pilot input and for a manufacturer's delivery of an airplane that does not conform to an FAA-approved design.

The bill requires two FAA rulemakings that, together, will require manufacturers to provide the agency with thorough assessments measuring the risk created by changes to existing aircraft designs so FAA can ascertain whether a manufacturer has sufficiently minimized any given risk.

The bill requires the FAA to hire more staff to rigorously review new designs and authorizes enough funding for 100 of them.

It also requires the FAA to implement a nonpunitive voluntary safety reporting system for FAA employees to report safety concerns, prohibits agency officials from talking with manufacturers about formal objections to FAA career employees' decisions unless publicly disclosing information about those communications, and it extends to manufacturers' employees the same whistleblower protections that apply to airline employees today, and much more.

I want to make it clear that this bill is not meant in any way to interfere with the victims or their families' access to the judicial system and all available remedies when tragedies occur. Compliance with the provisions of H.R. 8408 will not adversely affect any existing remedies available to families of the Boeing victims and any other future victims under State, Federal, statutory, or common law. Families who have already suffered tragic loss must be able to seek compensation when their loved ones are injured or killed in aircraft crashes due to negligence or other wrongdoing.

The 346 sons, daughters, brothers, sisters, fathers, mothers who died on Lion Air flight 610 and Ethiopian flight 302 placed their trust in a broken system. Today, we take the next big step toward fixing that system.

Mr. Speaker, I thank Ranking Member GRAVES, Aviation Subcommittee Chair LARSEN, and Subcommittee Ranking Member GRAVES for their partnership in advancing this legislation, and I look forward to continuing to work with them and our Senate colleagues, and hopefully we can get it enacted into law this year.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 8408, the Aircraft Certification Reform and Accountability Act.

I want to thank Chairman DEFAZIO and Chairman LARSEN for working with us to put together this bipartisan bill.

The Committee's response following the Lion Air and Ethiopian Airlines tragedies has been to take the time that is necessary to understand all the contributing factors in these accidents.

□ 1515

Throughout this process, I have taken the position that if the safety experts recommend improvement to our certification system, then Congress should act.

We now have the benefit of a number of nonpartisan reviews by aviation safety experts confirming that multiple factors were involved. There is only so much the United States can do to influence factors outside of our borders, but the experts identified issues to address those things that are within our control and made recommendations to improve our system, and that is the focus of this bill.

We can all agree that the United States and the Federal Aviation Administration has to—must—continue to be the gold standard in aviation. The safety of the traveling public depends on that, but so does our economy, our competitiveness, and hundreds of thousands of American jobs.

Plain and simple, we can't remain the gold standard if our system isn't safe. And one reason for our achievements in aviation has been our ability to leave partisan politics at the door and work together on critical safety issues, and that is what we have done today in this bill.

This bill before us today is going to require additional improvements beyond those which the FAA and Boeing have already undertaken. These changes are going to make our safe system even safer.

To be clear, the experts have concluded that the current system does not need to be dismantled, but that we can and should take action to improvement.

H.R. 8408 thoughtfully addresses the multiple contributing factors involved in the Lion Air and Ethiopian Airlines accidents that are within our control, as well as the many expert recommendations to improve safety within our own system.

This is a well-reasoned, comprehensive, and bipartisan bill.

Mr. Speaker, I urge support for this legislation, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. LARSEN), the subcommittee chairman.

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of H.R. 8408, the Aircraft Certification Reform and Accountability Act.

This comprehensive, bipartisan legislation will help improve the U.S. aircraft certification process, strengthen Federal Aviation Administration oversight, and ensure the safety of air travel.

As chair of the Aviation Subcommittee, I am very pleased that this critical legislation is now before this Chamber for a vote.

After two tragic Boeing 737 MAX crashes, the Transportation and Infrastructure Committee launched a thorough investigation into the design, development, and certification of the 737 MAX.

Since March 2019, the committee has received more than 500,000 pages of documents, held five oversight hearings, interviewed key employees at Boeing and the FAA, and listened to testimony from victims' families and from several whistleblowers.

The resulting Aircraft Certification Reform and Accountability Act improves aviation safety culture, enhances transparency and accountability, addresses undue pressure on employees acting on behalf of the FAA within an aviation manufacturer, and reinforces the importance of human factors in aircraft design and certification.

The 346 victims of the two tragic crashes and their families have always remained at the forefront of this committee's work.

A vital part of the committee's process was the advocacy of the victims' families. For nearly 2 years, the families have championed necessary reforms to the FAA certification process to ensure that no other families experience such unthinkable loss.

This bill reinforces the integrity of the FAA and U.S. aviation manufacturing.

I thank Chairman DEFAZIO for his leadership. I thank Ranking Member GRAVES of Missouri of the full committee for his leadership. And I thank the ranking member of the Aviation Subcommittee, Mr. GRAVES of Louisiana, for his leadership on coming together in a bipartisan way to make this bill a reality.

Mr. Speaker, I encourage all of my colleagues to support this bill.

Mr. GRAVES of Missouri. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. GRAVES), the ranking member of the Aviation Subcommittee.

Mr. GRAVES of Louisiana. Mr. Speaker, I really can't dispute many of the previous speakers' comments. The bottom line is that the aviation industry, the aviation mode of transportation is the safest mode of transportation. It is the safest way to travel. And the United States has the gold standard in regard to aviation safety.

However, we are all aware of two very tragic accidents that resulted in 346 lives that were lost, 346. Just because we have the best, we have the safest, does not mean that we should ever stop striving for better, we should ever stop striving for perfection.

Mr. Speaker, we had five hearings on this legislation. There were numerous expert panels that were put together to review this, to extract every single lesson learned.

I thank the acting administrator at the time, Dan Elwell—and I want to congratulate him on his retirement—for his steady hand in ensuring that, as we move forward, we base our decisions on facts. I thank him for some of the changes within the FAA to ensure that we apply lessons learned.

Mr. Speaker, as previous speakers noted, this legislation is the result of all of these nonpartisan, independent expert reviews. We took the lessons learned and we adapted it into legislation to make sure that we can, as I said, continue to strive for perfection; to continue to focus on, as my friend Mr. LARSEN noted, the families; to keep a face on this; to ensure that we never subject future families to the same losses that we had in this case. And that is just what we did.

I thank Michael Stumo, one of the leaders of the families who called us often and reminded us what it was that we were doing. We were focusing on safety because this is about people, about real lives.

Mr. Speaker, this bill has a number of improvements, as I noted, including ensuring that safety management systems are applied by manufacturers and better controls over project management. The bill integrates project review within the FAA to make sure that different entities within the FAA are aware of what the others are doing.

The bill ensures that there is disclosure of safety critical information in systems, including close inspection and review of new or novel technologies that are introduced into the design to ensure that we fully understand the impact of those. It ensures that there is conformance with the FAA design type; meaning that you can't come in and simply amend the design type if you are making significant changes to the aircraft or if the aircraft design evolves over time to where if initially it couldn't simply be an amended design.

Mr. Speaker, it also includes something that is very important. It integrates human factors, ensuring that we understand how humans, how pilots and others will behave in the instance of some type of safety issue on aircraft.

Mr. Speaker, when an aircraft has a problem, you can't simply pull it over to the side of the road and check it out. We have to make sure that this continues to be the safest mode of transportation. We have to continue to ensure that the United States truly has a gold standard.

I thank Chairman DEFAZIO and my friend, Chairman LARSEN, as well as full committee Ranking Member GRAVES of Missouri, for the work on this bill because this bill didn't start out as something that was bipartisan that everybody was on board with, but it did evolve to this point. Candidly,

there are few perfections in here that I would like to see, but this is a really good bill, and it does simply take the recommendations, the findings of the expert reports and it does turn this into legislation.

I thank all my friends for working together on this. I thank Holly and Hunter, whose baby Theo didn't comply with our schedule in this legislation, for all of their hard work here.

Mr. GRAVES of Missouri. Mr. Speaker, H.R. 8408 addresses the nonpartisan expert safety recommendations to improve the FAA's aircraft certification process in the aftermath of tragic Lion Air and Ethiopian Airlines accidents in 2018 and 2019.

This bill is responsible, comprehensive, bipartisan, and it is going to improve aviation safety.

I thank again Chairman DEFAZIO and Ranking Member GARRET GRAVES and the committee staff on both sides, with special thanks to Holly Woodruff Lyons, Hunter Presti, Jamie Hopkins, Corey Cooke, Jack Ruddy, and Paul Sass for their work on this important piece of legislation.

Mr. Speaker, I urge all Members to support this legislation, and I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I, too, want to recognize the staff on both sides and the Members. Early on, this did appear like it could be a contentious piece of legislation, but in the end we all came together in the public safety interest for needed reforms to this Federal agency and the process by which we certify aircraft.

I thank the investigative staff of the committee, who put together an extraordinary report. I also thank the aviation staff on both sides of the aisle for their work.

Mr. Speaker, I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, the tragic deaths of 346 people on two Boeing 737 MAX jet crashes in October 2018 and March of 2019 were entirely preventable. As was said in the final report prepared by the Majority Staff of the House Committee on Transportation and Infrastructure on "The Design, Development & Certification of the Boeing 737 Max" released on September 16, 2020, "The MAX crashes were not the result of a singular failure, technical mistake, or mismanaged event. They were the horrific culmination of a series of faulty technical assumptions by Boeing's engineers, a lack of transparency on the part of Boeing's management, and grossly insufficient oversight by the FAA—the pernicious result of regulatory capture on the part of the FAA with respect to its responsibilities to perform robust oversight of Boeing and to ensure the safety of the flying public."

The 737 MAX tragedies require us to make sure that certification alone can never become a legal shield for aircraft design or manufacturing defects. Even with the enactment of this legislative reform, it will be impossible to eliminate all risk. Indeed, as the Committee's report shows, "FAA management has undercut the authority and judgment of its own technical experts and sided with Boeing on design issues that failed to adequately address safety

issues and appear to have violated FAA regulations or guidance, in some instances.”

We need to incentivize the industry to do everything possible to ensure the safety of their planes and components. H.R. 8408 seeks to accomplish this goal by making both manufacturers and regulators responsible for updating and upgrading safety and technology standards as new systems and information are developed and become available.

I also want to make it clear that this bill is not meant, in anyway, to interfere with victims’ or their families’ access to the judicial system and all available remedies when tragedies occur. Compliance with the provisions of H.R. 8408 will not adversely affect any existing remedies available to families of the Boeing victims and any other future victims under state or Federal statutory or common law. Families, who have already suffered tragic loss, must be able to seek compensation when their loved ones are injured or killed in aircraft crashes due to negligence or other wrongdoing.

Many of the families of the Boeing 737 MAX crashes attended hearing after hearing as the House Committee on Transportation and Infrastructure conducted a comprehensive review of everything that went wrong with the 737 MAX. They were there to remind us of the human element—that we are here to work for the people. The bill does nothing to interfere with or affect the ability of the families of victims of air tragedies to hold industry accountable, now or in the future.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 8408, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FEMA ASSISTANCE RELIEF ACT OF 2020

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8266) to modify the Federal cost share of certain emergency assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to modify the activities eligible for assistance under the emergency declaration issued by the President on March 13, 2020, relating to COVID-19, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8266

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 “FEMA Assistance Relief Act of 2020”.

SEC. 2. COST SHARE.

(a) TEMPORARY FEDERAL SHARE.—Notwithstanding sections 403(b), 403(c)(4), 404(a), 406(b), 408(d), 408(g)(2), 428(e)(2)(B), and 503(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), for any emergency or major disaster

declared by the President under such Act during the period beginning on January 1, 2020 and ending on December 31, 2020, the Federal share of assistance provided under such sections shall be not less than 90 percent of the eligible cost of such assistance.

(b) COST SHARE UNDER COVID EMERGENCY DECLARATION.—Notwithstanding subsection (a), assistance provided under the emergency declaration issued by the President on March 13, 2020, pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)), and under any subsequent major disaster declaration under section 401 of such Act (42 U.S.C. 5170) that supersedes such emergency declaration, shall be at a 100 percent Federal cost share.

(c) APPLICABILITY.—This section shall apply to funds appropriated on or after the date of enactment of this Act.

SEC. 3. CLARIFICATION OF ASSISTANCE.

(a) IN GENERAL.—For the emergency declared on March 13, 2020 by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191), the President may provide assistance for activities, costs, and purchases of States, Indian tribal governments, or local governments, including—

(1) activities eligible for assistance under sections 301, 415, 416, and 426 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5141, 5182, 5183, 5189d);

(2) backfill costs for first responders and other essential employees who are ill or quarantined;

(3) increased operating costs for essential government services due to such emergency, including costs for implementing continuity plans, and sheltering or housing for first responders, emergency managers, health providers and other essential employees;

(4) costs of providing guidance and information to the public and for call centers to disseminate such guidance and information, including private nonprofit organizations;

(5) costs associated with establishing and operating virtual services;

(6) costs for establishing and operating remote test sites, including comprehensive community based testing;

(7) training provided specifically in anticipation of or in response to the event on which such emergency declaration is predicated;

(8) personal protective equipment and other critical supplies and services for first responders and other essential employees, including individuals working in public schools, courthouses, law enforcement, and public transit systems;

(9) medical equipment, regardless of whether such equipment is used for emergency or inpatient care;

(10) public health costs, including provision and distribution of medicine and medical supplies;

(11) costs associated with maintaining alternate care facilities or related facilities currently inactive but related to future needs tied to the ongoing pandemic event;

(12) costs of establishing and operating shelters and providing services, including transportation, that help alleviate the need of individuals for shelter; and

(13) costs, including costs incurred by private nonprofit organizations, of procuring and distributing food to individuals affected by the pandemic through networks established by State, local, or Tribal governments, or other organizations, including restaurants and farms, and for the purchase of food directly from food producers and farmers.

(b) APPLICATION TO SUBSEQUENT MAJOR DISASTER.—The activities described in sub-

section (a) may also be eligible for assistance under any major disaster declared by the President under section 401 of such Act (42 U.S.C. 5170) that supersedes the emergency declaration described in such subsection.

(c) FINANCIAL ASSISTANCE FOR FUNERAL EXPENSES.—For any emergency or major disaster described in subsection (a) or (b) and subject to the availability of appropriations, the President shall provide financial assistance to an individual or household to meet disaster-related funeral expenses under section 408(e)(1) of such Act (42 U.S.C. 5174(e)).

(d) ADVANCED ASSISTANCE.—

(1) IN GENERAL.—In order to facilitate activities under this section, the President, acting through the Administrator of the Federal Emergency Management Agency, may provide assistance in advance to an eligible applicant if a failure to do so would prevent the applicant from carrying out such activities.

(2) ANNUAL REPORT.—The Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs a report on assistance provided in advance pursuant to paragraph (1).

(3) AUDIT BY DEPARTMENT OF HOMELAND SECURITY INSPECTOR GENERAL.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall conduct a follow-up review of assistance provided in advance pursuant to paragraph (1).

(4) REVIEW.—The audit under paragraph (2) shall include, at a minimum—

(A) a review of the assumptions and methodologies used to determine eligibility for advanced assistance; and

(B) a determination of whether the advanced assistance was used appropriately.

(5) REPORT TO CONGRESS.—The Inspector General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the review carried out under this subsection.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to make ineligible any assistance that would otherwise be eligible under section 403, 408, or 502 of such Act (42 U.S.C. 5170b, 5192).

(f) STATE; INDIAN TRIBAL GOVERNMENT; LOCAL GOVERNMENT DEFINED.—In this section, the terms “State”, “Indian tribal government”, and “local government” have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(g) APPLICABILITY.—This section shall apply to funds appropriated on or after the date of enactment of this Act.

SEC. 4. REPORT ON STAFFORD ACT RESPONSE CAPABILITIES.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall seek to enter into an agreement with the National Academy of Sciences to convene a committee of experts to conduct a comprehensive study on the use of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to respond to an emergency which does not cause physical damages, such as the emergency declaration issued by the President on March 13, 2020, including—

(1) how non-physical damages can be quantified;

(2) consideration of any factors that allow for an adjustment of cost shares;

(3) recommendations to Congress on thresholds or criteria to be met to trigger a future declaration; and

(4) other items that the Administrator determines necessary to increase future preparedness to such events.

SEC. 5. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(f)(3)(J)(iii) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(f)(3)(J)(iii)) is amended by striking “2 years” and inserting “3 years”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from North Carolina (Mr. ROUZER) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 8266, the FEMA Assistance Relief Act, as amended.

H.R. 8266 is a bipartisan bill I introduced with Subcommittee Chair TITUS, Representatives THOMPSON, LOWEY, ROYBAL-ALLARD, WALDEN, and several other Members representing districts ravaged by natural disasters this year.

Simply put, this legislation would increase the Federal cost share of certain assistance provided by the Federal Emergency Management Agency, FEMA, under the Stafford Act.

Specifically, the bill would address the Federal cost share for all declared disasters in the year 2020, the year of the pandemic, the year of record wildfires, the year of record floods, the year of more hurricanes than any other time in history, from 75 percent to not less than 90 percent and further adjust the Federal cost share for COVID-related declarations to 100 percent.

Communities across this country, including my district in Oregon, continue to struggle to recover from the twin crises: Combating the COVID-19 pandemic while also facing extreme weather events, fires, and other issues that science has linked to climate change.

State, local, Tribal, and territorial governments are seeing their public health emergency management resources stretched thin or outright depleted and overdrawn. It is Congress' responsibility to ensure they have the financial support necessary to address these crises.

I first implored President Trump to direct FEMA to authorize a Federal cost share adjustment back in March when he invoked a rarely used clause in the Stafford Act to declare the pandemic a national emergency and issue a Presidential emergency declaration for each State and many protectorates and Federally recognized Tribes.

Thus far, both the President and the agency have not taken action to shift the cost share more equitably on to the shoulders of the Federal Government, who invoked this clause in an unprecedented way.

While Federal regulations allow for Presidential or administrative cost share adjustment, the requests from the National Governors Association, National Conference of State Legislatures, the National Association of Counties, National Emergency Management Association, International Association of Emergency Managers, and

others for this much-needed assistance have gone unanswered in a time when States and locals have seen their revenues all but disappear due to the impact of public health measures taken to combat the pandemic.

□ 1530

On several occasions during the last 15 years, Congress has seen fit to statutorily increase the Federal cost share of FEMA assistance, notably after a couple of hurricanes.

This year has already seen the busiest tornado, hurricane, and wildfire seasons on record. The burdens of response and recovery to an unprecedented number of natural disasters are compounding atop a global pandemic.

If ever there was a moment for another statutory adjustment, 2020 is the year in which that should happen.

Further, by establishing a national emergency and pulling FEMA into the response in mid-March, the President invoked section 501(b) of the Stafford Act, which declares the “United States exercises exclusive or preeminent responsibility and authority.” One would think that exclusive and/or preeminent responsibility and authority would justify the 100-percent cost share for COVID-related expenses.

H.R. 8266 would provide much-needed assistance to ease the financial burden on State, local, Tribal, and territorial communities that have been granted Stafford declarations this year.

Additionally, this bill clarifies and encourages FEMA to reimburse for personal protective equipment and disinfection costs for public schools, public transit, courthouses, and other traditionally eligible nonmedical entities, which were excluded from eligibility in FEMA's September 1 interim policy—for some unknown reason—on eligible public assistance expenses tied to fighting the spread of the global pandemic.

Mr. Speaker, I thank, in particular, Congressmen PAYNE and MALINOWSKI, members of the committee, for their efforts to address this with a stand-alone bill. I am glad we are able to address the matter here.

Just to reflect for a moment on the wildfires in the West, these were wildfires of a magnitude and intensity never seen in recorded history and, according to some scientists who have been studying our forests through history, prehistory.

In my district, we had three major conflagrations, one just upriver from my house, which took out the entire town of Blue River, and toward the McKenzie River Corridor. The winds were gusting to hurricane force. Humidity dropped to 6 percent. That is the Sahara Desert; that is not Oregon. They blew down the McKenzie River Corridor. Forest scientists say there has never been what is called a stand-replacement fire event in that corridor in history or prehistory. It is wet, it is damp, but not this year. These conditions were unbelievable.

In the north part of my district and in KURT SCHRADER's district, we lost three towns and had massive damage.

Then down in southern Oregon, not in a forested area, in Representative WALDEN's district, the towns of Phoenix and Talent were dramatically impacted. Many, many residences and businesses were lost. One of the fires was set by a transient in a field, but again, the winds were blowing at a level never, ever seen before out of the northeast.

The city manager of Talent said to me: You know, I grew up in southern California. This looks to me like the worst that southern California ever had in the past. This doesn't look like Oregon.

These things are due to the changing climate. There are going to be more of them, and we have to be ready. This bill at least will help with this year's response.

Mr. Speaker, I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

This bill recognizes that 2020 has been an unusual year with multiple and layered disaster declarations, and it would adjust the Federal cost share for disasters declared this year, including for COVID.

H.R. 8266 would also clarify the types of FEMA assistance available for the COVID response, including testing, food distribution, and personal protective equipment, and it would strengthen oversight of these funds.

Mr. Speaker, I commend Chairman DEFAZIO for his work on this bill, as well as his staff, and many other Members who have contributed. I urge support of this legislation.

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 8266, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DEFAZIO. Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

Mr. ROUZER. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Speaker, I rise today in support of H.R. 8266, the FEMA Assistance Relief Act of 2020.

This year has been difficult for everyone, but our small local governments have been some of the hardest hit due to extreme losses in tax revenue. This is especially true in southwest Alabama.

In September, Hurricane Sally made landfall in Gulf Shores, bringing record-breaking rainfall, over 30 inches in some places, and winds above 110 miles per hour. Just weeks later, Hurricane Zeta passed through our State,

causing further devastation, especially in rural parts of Mobile, Washington, and Clark Counties.

That is right. I have had two hurricanes in one season in my district. These storms caused tens of millions of dollars in damage and left significant amounts of debris.

This would be difficult on a small town's budget in a normal year, but pandemic-related issues coupled with unexpected costs from severe storm damage will further stretch the already limited budgets of many of our communities.

Already, a local government in south Alabama has made the difficult decision not to purchase a much-needed new police vehicle due to the impacts of COVID-19 and Hurricane Sally on their budget.

The current 75–25 percent FEMA Federal-State cost share is simply unworkable in this challenging year.

This important legislation will raise the Federal cost share of pandemic-related disaster relief to 100 percent and all other relief for disasters this year, including the hurricanes that have devastated the Gulf Coast, to a minimum of 90 percent. Making this adjustment will help reduce the burden on our local communities and help strengthen the recovery process.

Mr. Speaker, I hope that Members from both sides will join me in supporting this critical legislation.

Mr. ROUZER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES), my good friend, who I understand has a little different viewpoint on this bill than some of us but definitely deserves the right to be heard.

Mr. GRAVES of Louisiana. Mr. Speaker, I thank the gentleman from North Carolina (Mr. ROUZER), my friend, for yielding.

Look, I understand I am in the minority on this legislation in more ways than one.

Mr. Speaker, years ago, there was a movie called “Brewster’s Millions.” “Brewster’s Millions” featured Richard Pryor, John Candy, and others. In that movie, Richard Pryor was tasked with spending \$30 million in 30 days in order to get access to \$300 million in inheritance. So what he did in that movie is he just went out there and carelessly spent money hand over fist, just spending it irresponsibly and recklessly because it wasn’t his money. He didn’t have to really care about if it was spent in a wise or principled manner.

Mr. Speaker, I am concerned that perhaps we are doing a little bit of that here.

I want to be clear: I agree that our local governments and our State governments deserve relief, but, Mr. Speaker, in 2018, just 2 years ago, we actually passed, we enacted, section 1232 of the Disaster Recovery Relief Act that requires that FEMA look at the cumulative impact of disasters in a region to determine what the cost share should be. So, the law already

provides a mechanism to reduce the cost share.

I agree that they have not done a good job implementing it, but I do believe it is important for us to ensure that local and State governments have some concern with the dollars that are being spent, some skin in the game.

Lastly, Mr. Speaker, look, whether it is a State or local or Federal Government, you have three options: you can reduce spending; you can raise taxes; or, you can incur debt. All we are doing is we are probably going to incentivize this irresponsible spending, and we are going to increase the Federal debt. I think that the better way to address this would be forcing FEMA to implement section 1232 of the DRRRA law of 2018 the way that we intended, therefore achieving a similar objective.

Mr. Speaker, I urge that we revisit this legislation.

Mr. ROUZER. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), the chairman, to close.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding me the time. I thought we just had that one additional speaker, or I wouldn’t have yielded back all my time.

I would like to point out that after Katrina, the gentleman’s home State got 100 percent.

In this case, when we are talking about COVID, there were unprecedented invocations of the Stafford Act for every State and every territory of the United States of America, and I believe that warrants the 100 percent for COVID, which has already occurred and is past tense.

In addition, COVID has devastated local revenue sources for States that have sales taxes. Mine doesn’t. You know, their revenues are down phenomenally, and for other reasons.

I don’t really want to belabor this. We are going to win overwhelmingly.

Mr. Speaker, I thank the gentleman for yielding his time.

Mr. ROUZER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Louisiana (Mr. GRAVES), my friend.

Mr. GRAVES of Louisiana. Mr. Speaker, I just want to quickly make note for the record that Hurricane Katrina was largely the result of the Federal Government’s actions, the devastation that was caused, the loss of life. The Chief of Engineers of the U.S. Army Corps of Engineers acknowledged their fault in that incident. Yes, it was unique.

I also want to make clear that I said that I don’t necessarily object to the outcome of the legislation, but I think the way of getting there is inappropriate. We need to have consistent standards on how to achieve the right cost share for different disasters.

Mr. ROUZER. Mr. Speaker, H.R. 8266 will help communities recovering from recent disasters and support the nationwide effort to respond to the COVID pandemic.

Mr. Speaker, I urge support of this important legislation, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in strong support of H.R. 8266, the FEMA Assistance Relief Act which will provide additional funding to state and local governments to help victims of disasters rebuild and will make an important difference in the lives of my constituents who are victims of the CZU Lightning Complex Fire.

2020 has been a difficult year for so many Americans. As our nation grappled with the COVID–19 pandemic, California endured a record-breaking wildfire season. In my Congressional District, the CZU Lightning Complex Fire burned for 37 straight days this summer, destroying nearly a thousand homes and forcing 77,000 of my constituents to evacuate.

The fires could not have come at a worse time for local governments who are facing major budget cuts due to the pandemic. Santa Cruz County projected a \$23 million decrease in revenue, and the cost of the fires has placed further strain on its ability to help residents affected by the fires. The President declared the fires to be a major disaster, providing much-needed federal funding, but FEMA only covers 75 percent of the cost of disaster relief, with state and local governments having to pick up the rest of the costs. The FEMA Assistance Relief Act increases the federal government’s share of the costs to 90 percent, alleviating the financial burden on local governments and allowing them to focus on rebuilding their communities.

I am deeply grateful for the extraordinary work of thousands of first responders who helped fight these terrible fires. Thanks to them and their work, the fires have long since been contained, but much work remains to be done to provide relief to my constituents. I’m proud to be an original cosponsor of the FEMA Assistance Relief Act to provide critical resources to communities around the country affected by natural disasters this year, and I urge my colleagues to vote for it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 8266, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

OCEAN POLLUTION REDUCTION ACT II

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4611) to modify permitting requirements with respect to the discharge of any pollutant from the Point Loma Wastewater Treatment Plant in certain circumstances, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4611

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 “Ocean Pollution Reduction Act II”.

SEC. 2. SAN DIEGO POINT LOMA PERMITTING REQUIREMENTS.

(a) IN GENERAL.—Notwithstanding any provision of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Administrator may issue a permit under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) for a discharge from the Point Loma Plant into marine waters that requires compliance with the requirements described in subsection (b).

(b) CONDITIONS.—A permit issued under this section shall require—

(1) maintenance of the currently designed deep ocean outfall from the Point Loma Plant with a discharge depth of not less than 300 feet and distance from the shore of not less than 4 miles;

(2) as applicable to the term of the permit, discharge of not more than 12,000 metric tons of total suspended solids per year commencing on the date of enactment of this section, not more than 11,500 metric tons of total suspended solids per year commencing on December 31, 2025, and not more than 9,942 metric tons of total suspended solids per year commencing on December 31, 2027;

(3) discharge of not more than 60 milligrams per liter of total suspended solids, calculated as a 30-day average;

(4) removal of not less than 80 percent of total suspended solids on a monthly average and not less than 58 percent of biochemical oxygen demand on an annual average, taking into account removal occurring at all treatment processes for wastewater upstream from and at the Point Loma Plant;

(5) attainment of all other effluent limitations of secondary treatment as determined by the Administrator pursuant to section 304(d)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1314(d)(1)), other than any requirements otherwise applicable to the discharge of biochemical oxygen demand and total suspended solids;

(6) compliance with the requirements applicable to Federal issuance of a permit under section 402 of the Federal Water Pollution Control Act, including State concurrence consistent with section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341) and ocean discharge criteria evaluation pursuant to section 403 of the Federal Water Pollution Control Act (33 U.S.C. 1343);

(7) implementation of the pretreatment program requirements of paragraphs (5) and (6) of section 301(h) of the Federal Water Pollution Control Act (33 U.S.C. 1311(h)) in addition to the requirements of section 402(b)(8) of such Act (33 U.S.C. 1342(b)(8));

(8) that the applicant provide 10 consecutive years of ocean monitoring data and analysis for the period immediately preceding the date of each application for a permit under this section sufficient to demonstrate to the satisfaction of the Administrator that the discharge of pollutants pursuant to a permit issued under this section will meet the requirements of section 301(h)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1311(h)(2)) and that the applicant has established and will maintain throughout the permit term an ocean monitoring program that meets or exceeds the requirements of section 301(h)(3) of such Act (33 U.S.C. 1311(h)(3)); and

(9) to the extent potable reuse is permitted by Federal and State regulatory agencies, that the applicant demonstrate that at least 83,000,000 gallons per day on an annual average of water suitable for potable reuse will be produced by December 31, 2035, taking into account production of water suitable for potable reuse occurring at all treatment processes for wastewater upstream from and at the Point Loma Plant.

(c) MILESTONES.—The Administrator shall determine development milestones necessary

to ensure compliance with this section and include such milestones as conditions in each permit issued under this section before December 31, 2035.

(d) SECONDARY TREATMENT.—Nothing in this section prevents the applicant from alternatively submitting an application for the Point Loma Plant that complies with secondary treatment pursuant to section 301(b)(1)(B) and section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1311(b)(1)(B)); 33 U.S.C. 1342).

(e) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) BIOCHEMICAL OXYGEN DEMAND.—The term “biochemical oxygen demand” means biological oxygen demand, as such term is used in the Federal Water Pollution Control Act.

(3) POINT LOMA PLANT.—The term “Point Loma Plant” means the Point Loma Wastewater Treatment Plant owned by the City of San Diego on the date of enactment of this Act.

(4) STATE.—The term “State” means the State of California.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. ROUZER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4611, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

□ 1545

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4611. The legislation introduced by Representative SCOTT PETERS clarifies that the city of San Diego, California, can utilize the standard Clean Water and National Pollutant Discharge Elimination System permit process to continue operation of the Point Loma Wastewater Treatment Plant with alternative standards.

The legislation provides regulatory accountability and consistency to the city and has the support of surrounding localities, local public work departments, and water districts, as well as nongovernmental and environmental organizations.

I am unaware of any opposition to this legislation currently. The Point Loma Wastewater Treatment Plant applies for and receives a waiver under the Clean Water Act to discharge wastewater with less than full secondary treatment—the baseline requirement of the Clean Water Act. The facility qualifies for the waiver by meeting certain criteria and renews its application every 5 years.

As part of a long-term effort, the Point Loma Wastewater Treatment

Plant is working to reduce its discharge into coastal waters. This effort involves water recycling and will direct a portion of the facility's discharge. However, the facility's discharges into coastal waters will never be eliminated.

To be clear, this legislation is not a waiver of all the requirements of the Clean Water Act, and the facility will need to comply with the other requirements of the act.

I thank Representative PETERS and the city of San Diego for continuing to work with us on this legislation. I support this legislation and ask my colleagues to do the same. I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, November 12, 2020.

Hon. PETER A. DEFazio,
Chair, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.

DEAR CHAIR DEFazio: In recognition of the goal of expediting consideration of H.R. 4611 the “Ocean Pollution Reduction Act II,” the Committee on Natural Resources agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee on Natural Resources.

The Committee on Natural Resources takes this action with the mutual understanding that, in doing so, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. Our Committee also reserves the right to seek appointment of conferees to any House-Senate conference involving this or similar legislation.

Thank you for agreeing to include our exchange of letters in the Congressional Record. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

RAÚL M. GRIJALVA,
Chair, House Natural Resources Committee.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, November 12, 2020.

Hon. RAÚL M. GRIJALVA,
Chair, Committee on Natural Resources,
House of Representatives, Washington, DC.

DEAR CHAIR GRIJALVA: Thank you for your letter regarding H.R. 4611, the Ocean Pollution Reduction Act II. I appreciate your decision to waive formal consideration of the bill.

I agree that the Committee on Natural Resources has valid jurisdictional claims to certain provisions in this important legislation, and I further agree that by forgoing formal consideration of the bill, the Committee on Natural Resources is not waiving any jurisdiction over any relevant subject matter. Additionally, I will support the appointment of conferees from the Committee on Natural Resources should a House-Senate conference be convened on this legislation. Finally, this exchange of letters will be included in the Congressional Record when the bill is considered on the floor.

Thank you again, and I look forward to continuing to work collaboratively with the

Committee on Natural Resources on this important issue.

Sincerely,

PETER A. DEFazio
Chair.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4611, the Ocean Pollution Reduction Act II. This bill would modify and simplify the city of San Diego's required permitting process under the Clean Water Act to operate the city's Point Loma Wastewater Treatment Plant.

The bill would make permanent a regulatory exemption under the Clean Water Act, and, in exchange, the city would promote water recycling and conservation efforts at its facility. This would result in increased water supply for the region and reduce treated wastewater discharges to the ocean.

The bill will help ensure that San Diego has long-term certainty for its water supply, all while saving the city and regional ratepayers millions of dollars by simplifying our permitting process.

I urge support of this legislation, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. PETERS). This is his legislation.

Mr. PETERS. Mr. Speaker, I thank the gentlewoman for yielding.

For 40 years, the city of San Diego has treated the region's sewage through the Point Loma Wastewater Treatment Plant. It is a chemically enhanced primary treatment facility that treats wastewater to a level that can be discharged into the ocean without harming the environment.

The Clean Water Act generally requires sewer systems to implement a secondary level of treatment. However, scientists at the Scripps Institution of Oceanography have consistently said that forcing San Diego ratepayers to pay billions of dollars to upgrade the Point Loma facility to secondary treatment would be a waste of money because the enhanced advanced treatment the plant currently provides, combined with its 4-mile-long outfall, causes no harm to the ocean environment. In fact, the construction of a new facility along the coastline could do more harm than good. For these reasons, San Diego has been allowed to avoid building a new facility through a Federal waiver process at a cost of millions of dollars every 5 years.

Water has always been in short supply in southern California, yet, during my first years on the San Diego City Council in the early 2000s, I was one of only three council members to support blackwater recycling to improve the reliability of our regional water supply.

Even though all water is recycled, our opponents at the time dubbed it "toilet to tap." Now, however, we recognize that historic droughts, combined with the shortage of melting snow, have made our water supply

shortage a permanent challenge for the West. And today, San Diego's proposed water recycling plan with the more accurate moniker, the "pure water program," has widespread support from among local elected leaders, environmental advocates, and State regulators.

In 2019, I introduced the Ocean Pollution Reduction Act II, or OPRA II, to support the dual goals of increasing fresh water supply and reducing pollution output to the ocean.

Under OPRA II, the city of San Diego must demonstrate that the pure water program can produce 83 million gallons a day of water by 2036. This is an estimated one-third of the entire city's drinking water needs. Over the same period, the program is expected to reduce pollution discharge from the Point Loma plant by over 100 million gallons.

Pure water will still require substantial investment from San Diego ratepayers; however, this bill replaces the complex and expensive secondary treatment waiver application with a simpler and more environmentally effective process if the city meets stringent water recycling milestones.

OPRA II has been a decades-long labor of love among the city of San Diego, its regional partners, and State and Federal Government. It will deploy cost-effective technology and will protect our region's water sources, technology that could one day be deployed by other vulnerable communities to help address water shortage issues.

I urge my colleagues to support this legislation, and I thank my colleagues.

Mr. ROUZER. Mr. Speaker, in closing, the simplified permitting process under H.R. 4611 will provide more certainty to communities in the San Diego area, will increase water recycling and conservation efforts there, as well as reduce treated wastewater discharges into the Pacific Ocean.

I urge support of this bill, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 4611, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CHILD CARE IS ECONOMIC DEVELOPMENT ACT OF 2020

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 8326) to amend the Public Works and Economic Development Act of 1965 to require eligible recipients of certain grants to develop a comprehensive economic development strategy that directly or indirectly increases the accessibility of affordable, quality child care, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8326

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 "Child Care is Economic Development Act of 2020" or the "CED Act".

SEC. 2. COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES.

(a) IN GENERAL.—Section 302(a)(3)(A) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3162(a)(3)(A)) is amended—

(1) by striking "and" before "balances resources"; and

(2) by inserting ", and directly or indirectly increases the accessibility of affordable, quality child care" after "sound management of development".

(b) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Health and Human Services, shall issue guidance on implementing the amendments made by subsection (a) to include the accessibility of affordable, quality child care in a comprehensive economic development strategy developed under section 302 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3162).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. ROUZER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on H.R. 8326.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 8326, the Child Care is Economic Development Act, or the CED Act.

Access to childcare is essential to economic development but it is often ignored in planning. This legislation changes that by making sure that local Economic Development Districts consider the availability and accessibility of affordable, quality childcare when creating their Comprehensive Economic Development Strategy.

Job creation is an important part of economic development. But doing so without considering childcare leaves an enormous blind spot. For many communities large and small, access to affordable childcare remains one of the

largest barriers to job recruitment. If people cannot find quality and affordable childcare, they may not relocate to a region for a new job no matter how good the job may be.

A report from the Center for American Progress found that more than half of American households live in a childcare desert. This is especially problematic in smaller and rural communities where the rate of families with childcare deserts grows to three in five households without adequate childcare.

If our economic development plans don't consider childcare, we are limiting the type of workforce that is available to compete for jobs and limiting our economic development and competitiveness. Jobs that don't work for working families don't work for our communities.

The childcare crisis in our country has been further exacerbated by COVID-19. As many as 4.5 million childcare slots may be permanently lost due to COVID-19, further reducing the limited supply of affordable childcare nationwide. With declining childcare options, many families are forced to reduce working hours or leave the workforce altogether, oftentimes leaving women with the greatest share household duties.

Limited childcare availability has for years reduced women's participation in the workforce, and the COVID-19 pandemic has pushed that even further. In September alone, four times as many women as men left the labor force—over 865,000 women in one month alone. And women and children who have remained in the workforce report reducing their working hours by 20 to 50 percent to provide childcare services to their families.

Left unchecked, the childcare crisis, coupled with the COVID-19 pandemic, will reverse decades of progress for women's equity and opportunity in the workforce, including reducing pay equity and opportunity gaps.

While there is a lot we need to do to address the childcare crisis in our country, the CED Act provides us a first step forward by recognizing the intrinsic connection between economic development and access to childcare. It allows communities to identify their needs and strategies and forces an integration of early childhood needs into broader economic plans.

I am proud to support this legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, November 13, 2020.

Hon. PETER A. DEFAZIO,
Chairman, House Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 8326, the "Child Care is Economic Development Act of 2020." In order to permit H.R. 8326 to proceed expeditiously to the House Floor, I agree to forgo formal consideration of the bill.

The Committee on Financial Services takes this action to forego formal consider-

ation of H.R. 8326 with our mutual understanding that, by foregoing formal consideration of H.R. 8326, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward with regard to any matters in the Committee's jurisdiction. I appreciate your commitment to work with the Committee to address any outstanding issues as the bill is considered in the Senate. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation that involves the Committee's jurisdiction and request your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 8326.

Sincerely,

MAXINE WATERS,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,
Washington, DC, November 13, 2020.

Hon. MAXINE WATERS,
*Chairwoman, Committee on Financial Services,
House of Representatives, Washington, DC.*

DEAR CHAIRWOMAN WATERS: Thank you for your letter regarding H.R. 8326, the Childcare is Economic Development Act of 2020. I appreciate your decision to waive formal consideration of the bill.

I agree that the Committee on Financial Services has valid jurisdictional claims to certain provisions in this important legislation, and I further agree that by forgoing formal consideration of the bill, the Committee on Financial Services is not waiving any jurisdiction over any relevant subject matter. Additionally, I will support the appointment of conferees from the Committee on Financial Services should a House-Senate conference be convened on this legislation. Finally, this exchange of letters will be included in the Congressional Record when the bill is considered on the floor.

Thank you again, and I look forward to continuing to work collaboratively with the Committee on Financial Services on this important issue.

Sincerely,

PETER A. DEFAZIO,
Chair.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 8326 ensures that recipients of Economic Development Administration grants consider childcare availability as they develop comprehensive economic development strategies.

These strategies currently incorporate various considerations, and this legislation would ensure childcare availability is also considered, which obviously helps women to contribute to the workforce.

I urge support of this legislation, and I reserve the balance of my time.

□ 1600

Ms. NORTON. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, in closing, H.R. 8326 will ensure that childcare availability is incorporated in the eco-

nomics development strategies that are required for EDA grants.

Mr. Speaker, I urge support of this bill, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Judiciary, Homeland, and Budget Committees, and Founding Chair of the Congressional Children's Caucus, I rise in strong support of H.R. 8326, the "Child Care is Economic Development Act".

First and foremost, I wish to thank my colleague, Congresswoman ABBY FINKENAUER, for her leadership on this vital, bipartisan piece of legislation.

H.R. 8326 requires grant applicants for certain public works and economic development projects to describe in their comprehensive economic development strategy how they will increase the accessibility of affordable, quality child care.

By doing so, this bill makes it easier for child care to be an essential part of plans for local economic development projects.

The child care industry has served as a crucial backbone to the United States' economy for decades, and it, too, continues to be rocked by the devastating effects of the coronavirus.

Mr. Speaker, over the last few weeks, we have seen a tremendous surge in the number of coronavirus cases across the United States.

As of today, health authorities have identified more than 11 million COVID-19 cases throughout the United States since the start of the pandemic in January.

Just last week, my home state of Texas surpassed 1 million cases and reported over 20,000 related deaths.

At the county level, Harris County, which includes my district, has reported more than 175,000 cases and over 2,360 related deaths.

Before the pandemic, Texas had more than 11,000 child care operations.

Yet, as a result of this disease, that number has reduced dramatically as these facilities have had to permanently close their doors.

According to a survey conducted by the Bipartisan Policy Center, nearly two-thirds (63 percent) of parents across the United States had difficulty finding child care amidst COVID-19.

Furthermore, about 47 percent of parents are concerned they won't be able to afford child care when they can return to the workforce.

As we seek to regain control over this virus and poise our economy to rebound from the effects of the coronavirus, these closures will, without a doubt, affect parents and families who need to return to work yet no longer have a child care provider.

Child care facilities provide an immense and unquestionable public value.

Workers in every industry rely on child care centers to provide capable care for their children, helping them juggle both parenting and employment responsibilities.

The child care industry is even more essential to single parent households.

In 2019, 15.76 million children lived with a single mother and approximately 3.23 million children lived with a single father.

For these millions of families, child care is a lifeline.

I have been a long-standing advocate for the child care industry because I understand the challenges many working families face when it comes to obtaining reliable, affordable, and quality child care.

Throughout my tenure in Congress, I have supported numerous initiatives that strengthen the viability of the child care sector.

Most recently, I supported:

H.R. 7327, the “Child Care for Economic Recovery Act”;

H.R. 7027, the “Child Care is Essential Act”; and

H.R. 7909, the “Ensuring Children and Child Care Workers are Safe Act”.

Mr. Speaker, I stand here today, voicing my support for H.R. 8326 because it serves as a vital component to our nation’s economic reopening strategy.

According to the U.S. Chamber of Commerce, approximately 50 percent of parents who have not yet returned to work cite childcare as a reason they have not returned.

By passing H.R. 8326 today, we have the opportunity expand access to quality child care, so that individuals who are pursuing opportunities with these public works projects will not have to worry about choosing between employment opportunities and child care.

I urge all Members to join me in voting for H.R. 8326, the “Child Care is Economic Development Act.”

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 8326.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL CHILDREN’S MUSEUM ACT

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5919) to amend title 40, United States Code, to require the Administrator of General Services to enter into a cooperative agreement with the National Children’s Museum to provide the National Children’s Museum rental space without charge in the Ronald Reagan Building and International Trade Center, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5919

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 “National Children’s Museum Act”.

SEC. 2. NATIONAL CHILDREN’S MUSEUM.

(a) FINDINGS.—Congress finds that—

(1) the Museum and Library Services Act of 2003 (Public Law 108–81) designated the Capital Children’s Museum, the predecessor to the National Children’s Museum, as the “National Children’s Museum”;

(2) the National Children’s Museum operates under section 501(C)(3) of the Internal Revenue Code of 1986 and is organized under the laws of the District of Columbia;

(3) the mission of the National Children’s Museum is to inspire children to care about and change the world; and

(4) the National Children’s Museum is located in the federally-owned Ronald Reagan Building and International Trade Center.

(b) NATIONAL CHILDREN’S MUSEUM.—Chapter 67 of title 40, United States Code, is amended by adding at the end the following: “§ 6735. National Children’s Museum

“(a) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the Administrator of General Services shall enter into a cooperative agreement with the National Children’s Museum for the operation of the National Children’s Museum in the approximately 32,369 square feet of space commonly known as suite C-001 (hereinafter referred to as the ‘Space’) of the Ronald Reagan Building and International Trade Center for the duration of the retail space license agreement between Trade Center Management Associates, LLC, or a successor entity, and the Museum, dated December 4, 2017, including any exercised renewal options.

“(b) CONTENTS.—The cooperative agreement under subsection (a) shall include provisions that—

“(1) require, for the period in which the General Services Administration owns or controls the Space, the General Services Administration to provide rent for the Space; and

“(2) terminate such agreement if—

“(A) the Museum does not continue to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986; and

“(B) the Museum no longer uses the Space as a children’s museum; and

“(3) prohibits the Museum from transferring the interest in such agreement.

“(c) SOURCE OF FUNDS.—To carry out this section, the Administrator shall use funds derived from—

“(1) the Pennsylvania Avenue Development Corporation fund; or

“(2) the International Trade Center fund.

“(d) REPORT.—The cooperative agreement under subsection (a) shall require the National Children’s Museum to submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate an annual report on the operations and finances of the Museum.”.

(c) CLERICAL AMENDMENT.—The analysis for chapter 67 of title 40, United States Code, is amended by adding at the end the following:

“§ 6735. National Children’s Museum.”.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. ROUZER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 5919, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5919, the National Children’s Museum Act. This is a bill that I wrote and am grateful that the House is considering it today. I thank Chairman DEFAZIO and Ranking Member GRAVES for their support of this bill.

This bipartisan bill would require the General Services Administration to enter into a cooperative agreement with the National Children’s Museum, a congressionally designated museum, to allow the museum to remain in the Ronald Reagan Building and International Trade Center, as it is called, a federally owned building in the Nation’s Capital, without charge for the duration of its existing lease. There is precedent for Congress’ requiring the General Services Administration to enter into a cooperative agreement for the use of a Federal building in the District of Columbia by a private museum without charge. The National Building Museum operates under such an agreement.

This bill would allow the National Children’s Museum—the Nation’s first combination children’s museum and science center—to remain centrally located in the Nation’s Capital for the benefit of the millions who visit and live in the city and the national capital region. Originally named the Capital Children’s Museum, the National Children’s Museum was a staple in the District for decades. The institution opened in 1974 in a former convent on H Street Northeast. In 2003, Congress recognized the immense value of having a children’s museum in D.C. and officially designated the museum as the National Children’s Museum. Now the museum is bringing new and innovative science, technology, engineering, arts, and math—or STEAM—exhibits to the Nation’s Capital, building on more than 30 years of educating D.C. children and families.

Importantly, this bill would relieve concerns about the ability of the museum to survive the coronavirus pandemic. When the museum reopened in the Ronald Reagan Building and International Trade Center this year, it immediately attracted many visitors from throughout the national capital region and the Nation but was forced by the pandemic to close 18 days later.

At this time, the museum remains temporarily closed until further notice. Still, the museum has continued to offer valuable STEAM resources to our children as they navigate these new challenging learning circumstances, including over 75 at-home experiment and project video programs, monthly

podcasts, virtual field trips, and a Climate Action Heroes Digital Exhibit, among other resources.

When the museum does open, capacity will be restricted by at least 70 percent under social distancing guidelines. Due to the anticipated reduction in capacity, the museum is estimating operating revenues will amount to only 30 percent of the original goal for next year. Once returned to full capacity, the museum expects to serve half a million visitors a year, filling the STEAM content void in our Nation's Capital and throughout the country.

Despite the many benefits it brings to the Nation's Capital, the museum is an outlier. It is the only congressionally designated museum expected to pay rent in a Federal building. This bill will allow the museum to remain in its current Federal location and allow staff to focus on bringing 21st century STEAM learning techniques to the Nation's Capital.

Mr. Speaker, I strongly urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5919 directs GSA to provide rent relief to the National Children's Museum currently housed in the Federal Ronald Reagan Building and International Trade Center. This bill will provide the National Children's Museum with similar relief afforded to other congressionally designated museums. I want to thank the fine gentleman from Illinois (Mr. RODNEY DAVIS) for working with Ms. NORTON on this bipartisan piece of legislation.

Mr. Speaker, I urge support for this legislation, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. BEYER), who is my good friend from our region.

Mr. BEYER. Mr. Speaker, I rise in support of the National Children's Museum Act. I give great thanks to ELEANOR HOLMES NORTON, RODNEY DAVIS, PETER DEFazio, and others who worked so hard on this legislation.

Children's museums are extraordinary gifts for the life of the mind. We give our kids imaginations, dreams, possibilities, and whole new universes. Children's museums change the trajectories of their lives, and this is the legacy of the National Children's Museum in the Nation's Capital.

For decades, the museum was much beloved in the city. We often took our kids to the old convent in northeast D.C., but after moving in 2004 in order to grow, it has been fighting to get back to its roots ever since.

We are lucky to have it located now in the Ronald Reagan Building and International Trade Center, again in the heart of D.C., but still it faces barriers to reach its past success.

Even though this august body made it a congressionally designated museum in 2003, it is the only such con-

gressionally designated museum expected to pay rent in a Federal building. With this bill, the nonprofit museum will be able to thrive and remain financially viable and accessible to our Nation's children and work with the GSA in a way that makes sense.

Mr. Speaker, I urge my friends not just to vote for this bill, but after we have crushed the pandemic to bring their children and grandchildren to be thrilled and inspired by our National Children's Museum.

Mr. ROUZER. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), who is my good friend.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my good friend, Mr. ROUZER, for the time, and I do want to say thank you to my colleague and partner on the Highways and Transit Subcommittee, Ms. HOLMES NORTON, and also to Mr. BEYER and all who work to make sure that we are here today to do what is right.

We are here to make sure that the National Children's Museum here in Washington, D.C., is able, because of the COVID-19 pandemic, to still be able to provide the entertainment and offer its offerings of activities to our kids, not just here in Washington, D.C., but throughout this great country.

Today is the day we can celebrate in a bipartisan way so that we can allow GSA to give them a break, to help this community, and to help them find some sense of normalcy by being able to safely attend and participate in the activities of the National Children's Museum.

Pre-pandemic, the museum offered our children the ability to interact with exhibits focused on science, technology, engineering, arts and math. This allowed our kids to be able to foster a greater appreciation for STEM fields.

Who knows?

The next great member of the next pandemic response team could have had their interest piqued in working in science by going to the children's museum here in Washington, D.C.

We need STEM education now more than ever, and this is an opportunity to show the world that Republicans and Democrats in this institution can agree to get things done.

I thank Ms. HOLMES NORTON for working with me and working with all of us on this very important piece of legislation, and I ask my colleagues to support it.

Ms. NORTON. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, in closing, H.R. 5919 will provide much-needed rental relief for the National Children's Museum consistent with the policy for other congressionally designated museums.

Mr. Speaker, I again want to thank Ranking Member DAVIS for his work on this legislation.

Mr. Speaker, I urge its support, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 5919, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SECURE FEDERAL LEASES FROM ESPIONAGE AND SUSPICIOUS ENTANGLEMENTS ACT

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1869) to require the disclosure of ownership of high-security space leased to accommodate a Federal agency, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1869

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

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “Secure Federal Leases from Espionage And Suspicious Entanglements Act” or the “Secure Federal LEASEs Act”.

(b) FINDINGS.—Congress finds that—

(1) the Government Accountability Office has reported that the Federal Government often leases high-security space from private sector landlords;

(2) the General Services Administration collects highest-level and immediate ownership information through the System for Award Management, but it is not currently required to collect beneficial ownership information and lacks an adequate system for doing so;

(3) the General Services Administration and Federal agencies with leasing authority may not know if foreign owners have a stake in the buildings leased by the agencies, either through foreign-incorporated legal entities or through ownership in United States-incorporated legal entities, even when the leased space is used for classified operations or to store sensitive data; and

(4) according to a report of the Government Accountability Office, dated January 2017, that examined the risks of foreign ownership of Government-leased real estate, “leasing space in foreign-owned buildings could present security risks such as espionage and unauthorized cyber and physical access”.

SEC. 2. DEFINITIONS.

In this Act:

(1) BENEFICIAL OWNER.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “beneficial owner” means, with respect to a covered entity, each natural person who, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

(i) exercises control over the covered entity; or

(ii) has a substantial interest in or receives substantial economic benefits from the assets of the covered entity.

(B) EXCEPTIONS.—The term “beneficial owner” does not include, with respect to a covered entity—

(i) a minor child;

(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

(iii) a person acting solely as an employee of the covered entity and whose control over or economic benefits from the covered entity derives solely from the employment status of the person;

(iv) a person whose only interest in the covered entity is through a right of inheritance, unless the person also meets the requirements of subparagraph (A); or

(v) a creditor of the covered entity, unless the creditor also meets the requirements of subparagraph (A).

(C) **ANTI-ABUSE RULE.**—The exceptions under subparagraph (B) shall not apply if used for the purpose of evading, circumventing, or abusing the requirements of this Act.

(2) **CONTROL.**—The term “control” means, with respect to a covered entity—

(A) having the authority or ability to determine how a covered entity is utilized; or

(B) having some decision-making power for the use of a covered entity.

(3) **COVERED ENTITY.**—The term “covered entity” means—

(A) a person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group; or

(B) any governmental entity or instrumentality of a government.

(4) **EXECUTIVE AGENCY.**—The term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(5) **FEDERAL AGENCY.**—The term “Federal agency” means any Executive agency or any establishment in the legislative or judicial branch of the Government.

(6) **FEDERAL LESSEE.**—The term “Federal lessee” means—

(A) means the Administrator of General Services, the Architect of the Capitol, or the head of any Federal agency, other than the Department of Defense, that has independent statutory leasing authority; and

(B) does not include the head of an element of the intelligence community.

(7) **FEDERAL TENANT.**—The term “Federal tenant” means—

(A) means a Federal agency that is occupying or will occupy a high-security leased space for which a lease agreement has been secured on behalf of the Federal agency; and

(B) does not include an element of the intelligence community.

(8) **FOREIGN ENTITY.**—The term “foreign entity” means a covered entity that is headquartered or incorporated in a country that is not the United States.

(9) **FOREIGN PERSON.**—The term “foreign person” means an individual who is not a United States person.

(10) **HIGH-SECURITY LEASED SPACE.**—The term “high-security leased space” means a space leased by a Federal lessee that—

(A) will be occupied by Federal employees for nonmilitary activities; and

(B) has a facility security level of III, IV, or V, as determined by the Federal tenant in consultation with the Interagency Security Committee, the Department of Homeland Security, and the General Services Administration.

(11) **HIGHEST-LEVEL OWNER.**—The term “highest-level owner” means the entity that owns or controls an immediate owner of the offeror of a lease, or that owns or controls 1 or more entities that control an immediate owner of the offeror.

(12) **IMMEDIATE OWNER.**—The term “immediate owner” means an entity, other than the offeror of a lease, that has direct control of the offeror, including ownership or interlocking management, identity of interests

among family members, shared facilities and equipment, and the common use of employees.

(13) **INTELLIGENCE COMMUNITY.**—The term “intelligence community” has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(14) **SUBSTANTIAL ECONOMIC BENEFITS.**—The term “substantial economic benefits” means, with respect to a natural person described in paragraph (1)(A)(ii), having an entitlement to the funds or assets of a covered entity that, as a practical matter, enables the person, directly or indirectly, to control, manage, or direct the covered entity.

(15) **UNITED STATES PERSON.**—The term “United States person” means an individual who—

(A) is a citizen of the United States; or

(B) is an alien lawfully admitted for permanent residence in the United States.

(16) **WIDELY HELD.**—The term “widely held” means a fund that has not less than 100 natural persons as direct or indirect investors.

SEC. 3. DISCLOSURE OF OWNERSHIP OF HIGH-SECURITY SPACE LEASED FOR FEDERAL AGENCIES.

(a) **REQUIRED DISCLOSURES.**—Before entering into a lease agreement with a covered entity or approving a novation agreement with a covered entity involving a change of ownership under a lease that will be used for high-security leased space, a Federal lessee shall require the covered entity to identify and disclose whether the immediate or highest-level owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign entity, including the country associated with the ownership entity.

(b) **NOTIFICATION.**—If a disclosure is made under subsection (a), the Federal lessee shall notify the Federal tenant of the building or other improvement that will be used for high-security space in writing, and consult with the Federal tenant, regarding security concerns and necessary mitigation measures, if any, prior to award of the lease or approval of the novation agreement.

(c) **TIMING.**—

(1) **IN GENERAL.**—A Federal lessee shall require a covered entity to provide the information described in subsection (a) when first submitting a proposal in response to a solicitation for offers issued by the Federal lessee.

(2) **UPDATES.**—A Federal lessee shall require a covered entity to submit an update of the information described in subsection (a) annually, beginning on the date that is 1 year after the date on which the Federal tenant began occupancy, with information including—

(A) the list of immediate or highest-level owners of the covered entity during the preceding 1-year period of Federal occupancy; or

(B) the information required to be provided relating to each such immediate or highest-level owner.

SEC. 4. IMMEDIATE, HIGHEST-LEVEL, AND BENEFICIAL OWNERS.

(a) **PLAN.**—The General Services Administration, in coordination with the Office of Management and Budget, shall develop a Government-wide plan for agencies (as such term is defined in section 551 of title 5, United States Code) for identifying all immediate, highest-level, or beneficial owners of high-security leased spaces before entering into a lease agreement with a covered entity for the accommodation of a Federal tenant in a high-security leased space.

(b) **REQUIREMENTS.**—

(1) **CONTENTS.**—The plan described in subsection (a) shall include a process for collecting and utilizing the following information on each immediate, highest-level, or beneficial owner of a high-security leased space:

(A) Name.

(B) Current residential or business street address.

(C) An identifying number or document that verifies identity as a United States person, foreign person, or foreign entity.

(2) **DISCLOSURES AND NOTIFICATIONS.**—The plan described in subsection (a) shall—

(A) require the disclosure of any immediate, highest-level, or beneficial owner that is a foreign person;

(B) require that, if the Federal lessee is assigning the building or other improvement that will be used for high-security space to a Federal tenant, the Federal tenant shall be notified of the disclosure described in subparagraph (A); and

(C) exclude collecting ownership information on widely held pooled-investment vehicles, mutual funds, trusts, or other pooled-investment vehicles.

(c) **REPORT AND IMPLEMENTATION.**—The General Services Administration shall—

(1) not later than 1 year after the date of enactment of this Act, submit the plan described in subsection (a) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives;

(2) not later than 2 years after the date of enactment of this Act, implement the plan described in subsection (a); and

(3) not later than 1 year after the implementation of the plan described in subsection (a), and each year thereafter for years, submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the implementation of the plan, including the number of disclosures made under subsection (b)(2).

SEC. 5. OTHER SECURITY AGREEMENTS FOR LEASED SPACE.

A lease agreement between a Federal lessee and a covered entity for the accommodation of a Federal agency in a building or other improvement that will be used for high-security leased space shall include language that provides that—

(1) the covered entity and any member of the property management company who may be responsible for oversight or maintenance of the high-security leased space shall not—

(A) maintain access to the high-security leased space; or

(B) have access to the high-security leased space without prior approval from the Federal tenant;

(2) access to the high-security leased space or any property or information located within that space will only be granted by the Federal tenant if the Federal tenant determines that the access is clearly consistent with the mission and responsibilities of the Federal tenant; and

(3) the Federal lessee shall have written procedures in place, signed by the Federal lessee and the covered entity, governing access to the high-security leased space in case of emergencies that may damage the leased property.

SEC. 6. AGENCY NOTIFICATIONS.

Not later than 60 days after the date of enactment of this Act, the Administrator of General Services, in consultation with the Office of Management and Budget, shall provide notification to relevant Executive branch agencies with independent leasing authorities of the requirements of this Act.

SEC. 7. APPLICABILITY.

Except where otherwise provided, this Act shall apply with respect to any lease or novation agreement entered into on or after the date that is 6 months after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. ROUZER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1869, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

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Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1869, the Secure Federal Leases from Espionage and Suspicious Entanglement Act, or the Secure Federal LEASES Act, introduced by Senator PETERS from Michigan.

In 2017, the Government Accountability Office published a report that found that several Federal agencies were unknowingly leasing office space in foreign-owned properties, some of which were used for high-security purposes. While the General Services Administration subsequently implemented some policies to improve this lack of awareness, more needs to be done.

S. 1869, the Secure Federal LEASES Act, requires agencies to verify the identity of a property's immediate or highest level owners if the space will be used for high-security purposes. It does this by requiring a property's owner to identify and disclose whether they are a foreign person or entity, or if they are financed by foreign persons or entities, before the Federal agency enters into a new or amended lease agreement.

The bill also requires GSA and other agencies to include provisions in future leases for high-security spaces that will require owners to agree to having limited access, except where allowed by the tenant agency.

To tackle the issue of foreign beneficial owners, this bill also directs GSA to develop a governmentwide system that will enable Federal property managers to collect individual information about each beneficial owner of a property—including name, address, and some government-issued identification—within 2 years of passage. This would allow for the identification and disclosure of foreign ownership that might otherwise elude detection under GSA's current system.

GSA has made some positive changes in response to the 2017 GAO report on this issue, but this legislation ensures that their best-practice policies are followed uniformly by all agencies, particularly those with independent leasing authority, and improved going forward.

While a lessor may be approved by the Federal Government, it may not be appropriate for an agency to lease a high-security space from the lessor. This legislation will require agencies to evaluate the risks of doing so. By developing a new, more rigorous beneficial owner identification system, the Federal Government can be more vigilant in ensuring that foreign governments do not have access to our most sensitive leased properties.

Mr. Speaker, I support this legislation and urge my colleagues to do the same, and I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1869, the Secure Federal LEASES Act, would require entities that lease commercial space to high-security Federal agencies to identify any foreign ownership interest in the property.

In 2017, the General Accountability Office issued a report revealing that there was insufficient information on the ownership of certain high-security federally leased buildings.

The GAO recommended additional information be collected and reported to tenant Federal agencies to determine if security precautions are necessary. The General Services Administration, GSA, has already taken steps to address the vulnerabilities raised by GAO, and this bill will help support those efforts.

S. 1869 would require Federal agencies with leasing authority to collect this information to improve the security of Federal facilities.

I thank the sponsors of this legislation for working with us on amendments to this bill that will help to ensure its effectiveness.

Mr. Speaker, S. 1869 will help identify any foreign ownership interest in proposed leases for high-security agencies and improve the security of sensitive Federal facilities.

Mr. Speaker, I urge support for this legislation, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, S. 1869, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PREVENTING DISASTER REVICTIMIZATION ACT

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5953) to amend the Disaster Recovery Reform Act of 2018 to require

the Administrator of the Federal Emergency Management Agency to waive certain debts owed to the United States related to covered assistance provided to an individual or household, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5953

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Disaster Revictimization Act”.

SEC. 2. FLEXIBILITY.

Section 1216(a) of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5174a(a)) is amended—

(1) by amending paragraph (2)(A) to read as follows:

“(A) except as provided in subparagraph (B), shall—

“(i) waive a debt owed to the United States related to covered assistance provided to an individual or household if the covered assistance was distributed based on an error by the Agency and such debt shall be construed as a hardship; and

“(ii) waive a debt owed to the United States related to covered assistance provided to an individual or household if such assistance is subject to a claim or legal action, including in accordance with section 317 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5160); and”;

and

(2) in paragraph (3)(B)—

(A) by striking “REMOVAL OF” and inserting “REPORT ON”; and

(B) in clause (ii) by striking “the authority of the Administrator to waive debt under paragraph (2) shall no longer be effective” and inserting “the Administrator shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate actions that the Administrator will take to reduce the error rate”.

SEC. 3. REPORT TO CONGRESS.

The Administrator of the Federal Emergency Management Agency shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing a description of the internal processes used to make decisions regarding the distribution of covered assistance under section 1216 of the Disaster Recovery and Reform Act of 2018 (42 U.S.C. 5174a) and any changes made to such processes.

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5953, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5953, the Preventing Disaster Revictimization Act, introduced by Committee on Transportation and Infrastructure Ranking Member GRAVES from Missouri, Representative HUFFMAN, Representative THOMPSON, Representative LAMALFA from California, and Congresswoman PLASKETT from the U.S. Virgin Islands.

This legislation is designed to ensure disaster survivors are not revictimized by recoupment—or clawbacks—of Federal disaster assistance they have received from the Federal Emergency Management Agency.

Unfortunately, FEMA has repeatedly instructed disaster survivors to register for individual assistance for which they were ultimately not eligible or granted qualified survivors more assistance than they qualified for. However, once FEMA identifies its error, it forces these survivors into a bureaucratic nightmare to appeal the debt that they now owe as a result of FEMA's error.

I am not surprised this still goes on, but I am disappointed that, given the technology and data we have at our fingertips, we have not been able to improve this system for survivors, more so given how small a piece of the Federal disaster recovery apparatus this is.

H.R. 5953 would waive survivors' debt owed to the Federal Government in instances where FEMA erroneously distributed assistance.

This bill would also provide a similar waiver to disaster survivors who may be involved in legal action against a party deemed responsible for a disaster event. While this scenario is less common, it is currently playing out in California and jeopardizing disaster relief for tens of thousands of families displaced by unprecedented wildfires of the last few years.

Survivors have already been traumatized by a disaster. The Federal Government should not force them to endure a convoluted process to correct FEMA's mistake or decision to pursue legal action years after the event against a liable party.

Mr. Speaker, I support this legislation and ask my colleagues to do the same, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am the proud sponsor of H.R. 5953, the Preventing Disaster Revictimization Act. In the 2018 Disaster Recovery Reform Act, Congress made the recovery process fairer and

more equitable for most communities. This bill builds upon those efforts by ensuring that spent funds aren't clawed back.

When a disaster victim applies in good faith to FEMA for assistance and receives it from the Agency, we fully expect those individuals need to move quickly to use the assistance for eligible expenses, like home repairs, to speed up recovery, to begin rebuilding their lives. These victims should never expect FEMA to come back weeks or months or sometimes even years later and say: Sorry, we made a mistake. Now, you, the victim, have to give back those funds that we have already distributed to you and that you have already put to good use.

To add insult to injury, FEMA's information on how disaster victims can appeal these decisions is incredibly confusing, and it is insufficient. Through no fault of their own, many disaster victims are faced with debt collectors and the full force of the Federal Government seeking repayment.

People acting in good faith to rebuild should not be revictimized because they relied upon FEMA's determination that they were qualified for assistance that they did receive.

Unfortunately, disaster victims have experienced this recently in my own district in a few of my communities, and one in particular, Craig, Missouri, and in other communities all across the country.

One constituent in my district was awarded just over \$12,000 only to have FEMA show up after the money was spent to say that they messed up, that that individual didn't actually qualify for the money, in their determination, and that it needed to be paid back. That is simply wrong, and it can devastate someone who is already facing some very difficult circumstances.

H.R. 5953 is going to clarify that if FEMA makes an error and there is no evidence of fraud, the victim will not be revictimized, and their debt is automatically viewed as a hardship and waived.

In addition, the bill would also require FEMA to report back to Congress on its error rates and tell us what they are doing to be more accountable.

Mr. Speaker, I urge support for this legislation to ensure that the government does not revictimize disaster victims, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I thank the Committee on Transportation and Infrastructure Ranking Member SAM GRAVES for leading this bill to prevent the Federal Emergency Management Agency from being able to collect disaster assistance funds that it has previously awarded to individuals and

families who applied for Federal funding after they were affected by natural disasters.

I think this bill, H.R. 5953, the Preventing Disaster Revictimization Act, is more important than ever with the history we have in the past, with hurricanes and earthquakes here in the Nation as well. And we are experiencing all of those examples that he just mentioned.

□ 1630

This legislation is the result of the management of funding and poor recordkeeping practices, which are not the fault of those affected by natural disasters. I truly believe that FEMA should be there to support individuals and families when they need it most, not revictimize them when they are starting over.

As an example, in Puerto Rico, the island was devastated by hurricanes in 2017, then again by earthquakes earlier this year. We received more than \$60 billion in disaster recovery funding that has been awarded to Puerto Rico and my constituents. How, now, can we tell those rebuilding that some of the funding that was given to them was by mistake? How does the Federal Government re-collect funding that was already used to buy materials to rebuild a home? It can't.

I think this legislation makes sure our constituents and our people are not on the hook for FEMA's mistakes. I think this is a great opportunity to use those funds wisely. That is the reason I want to say thank you, again, to Representative SAM GRAVES for leading this issue, protecting those who have already become victims, and I urge its passage.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, in closing, this bill, H.R. 5953, is going to ensure that disaster victims applying for FEMA assistance in good faith are not revictimized by the Agency if it realizes that it did make an error.

Residents in north Missouri and across this country need to be able to rely on FEMA's determination on eligibility for assistance and not have to look over their shoulder as they rebuild, wondering if they are going to have to give back money sometime down the road.

This bill also ensures that FEMA is working to prevent such errors in the future, making it a much better steward of the taxpayers' dollars and vital disaster funding.

Mr. Speaker, I urge support for this very important piece of legislation, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of

Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 5953, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PRELIMINARY DAMAGE ASSESSMENT IMPROVEMENT ACT OF 2020

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4358) to direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessment and to establish damage assessment teams in the Federal Emergency Management Agency, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4358

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 "Preliminary Damage Assessment Improvement Act of 2020".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Preliminary damage assessments play a critical role in assessing and validating the impact and magnitude of a disaster.

(2) Through the preliminary damage assessment process, representatives from the Federal Emergency Management Agency validate information gathered by State and local officials that serves as the basis for disaster assistance requests.

(3) Various factors can impact the duration of a preliminary damage assessment and the corresponding submission of a major disaster request, however, the average time between when a disaster occurs, and the submission of a corresponding disaster request has been found to be approximately twenty days longer for flooding disasters.

(4) With communities across the country facing increased instances of catastrophic flooding and other extreme weather events, accurate and efficient preliminary damage assessments have become critically important to the relief process for impacted states and municipalities.

SEC. 3. REPORT TO CONGRESS.

(a) *IN GENERAL.*—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report describing the preliminary damage assessment process, as supported by the Federal Emergency Management Agency in the 5 years before the date of enactment of this Act.

(b) *CONTENTS.*—The report described in subsection (a) shall contain the following:

(1) The process of the Federal Emergency Management Agency for deploying personnel to support preliminary damage assessments.

(2) The number of Agency staff participating on disaster assessment teams.

(3) The training and experience of such staff described in paragraph (2).

(4) A calculation of the average amount of time disaster assessment teams described in paragraph (1) are deployed to a disaster area.

(5) The efforts of the Agency to maintain a consistent liaison between the Agency and State, local, Tribal, and territorial officials within a disaster area.

SEC. 4. PRELIMINARY DAMAGE ASSESSMENT.

(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall establish a training regime under section 206.33(b) of title 44, Code of Federal Regulations, within the Federal Emergency Management Agency to ensure preliminary damage assessments are conducted and reviewed under consistent guidelines.

(b) *ANNUAL REPORT.*—The Administrator shall annually submit to Congress a report on the number and type of instances under which Federal Emergency Management Agency personnel have overturned decisions made by personnel in the field.

(c) *REPORT TO CONGRESS.*—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report—

(1) describing the establishment of disaster guidelines from Federal Emergency Management Agency personnel described under subsection (a);

(2) assessing whether the duration of the deployment of Federal Emergency Management Agency personnel to conduct a preliminary damage assessment is longer based on specific disaster conditions; and

(3) containing legislative recommendations to improve the operation, deployment, and staffing of disaster personnel.

(d) *DEFINITION OF STATE AND LOCAL GOVERNMENT.*—For purposes of this Act, the terms "State" and "local government" have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4358, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4358, as amended, the Preliminary Damage Assessment Improvement Act of 2020, introduced by Mr. KATKO from New York.

H.R. 4358, as amended, would direct the Federal Emergency Management Agency to produce a report examining the preliminary damage assessment, or PDA, process and establish a more consistent training regime for FEMA personnel to effectively support these assessments at State, local, Tribal, and territorial units of government.

FEMA uses PDA findings in the wake of a disaster to determine the extent of damage and the subsequent unmet needs of individuals, businesses, and the public sector in the affected community.

This bill would ensure greater consistency for PDAs across FEMA's 10 regions by creating a training program with a goal of ensuring that data col-

lected and reviewed is done in a more consistent manner.

As communities across the country experience more extreme weather events, timely and consistent PDAs have never been more important to the recovery process of disaster-declared areas.

Mr. Speaker, I support this legislation and ask my colleagues to do the same, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4358 is going to improve consistency in FEMA's preliminary damage assessments to better help communities hit by disaster.

Inconsistencies in FEMA training and personnel on the ground following a disaster often slow the recovery process down dramatically. This bill is going to help ensure that there is more consistency within FEMA to support State and local communities as they navigate the preliminary damage assessment process to determine eligibility for assistance.

Ultimately, the bill is about helping Americans impacted by disasters to get the help that they need sooner and more reliably.

I want to thank Ranking Member KATKO for his leadership and work on this piece of legislation.

I urge support for the bill, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KATKO).

Mr. KATKO. Mr. Speaker, I am honored to be the sponsor of H.R. 4358, the Preliminary Damage Assessment Improvement Act, along with the gentleman from South Carolina (Mr. CUNNINGHAM).

Preliminary damage assessments, or PDAs, play a critical role in assessing and validating the impact of a disaster. PDAs establish a foundation for further assistance requests and are essential to the overall disaster relief process.

Inaccurate PDAs can impact the types of Federal Emergency Management Agency, or FEMA, assistance available to communities following a disaster.

Although FEMA is currently required to designate officials to support States and local communities in the PDA process, inconsistencies and turnovers in staffing can endanger access to critical relief. H.R. 4358 requires FEMA to report on FEMA's role in the PDA process, including staffing and training.

The bill also directs FEMA to take measures to ensure FEMA teams involved in damage assessments are appropriately trained and consistent. Whether FEMA is responding to flooding in my district on Lake Ontario's southern shore, which happens often,

or hurricanes in South Carolina's Lowcountry or natural disasters in any other impacted community nationwide, consistency and dependability are crucial.

I want to thank the American Flood Coalition for working with Representative CUNNINGHAM and me on this important legislation.

In closing, H.R. 4358 will help communities across the country recover from disasters by improving the consistency, dependability, and accuracy in the preliminary damage assessment process for FEMA disaster relief.

Mr. Speaker, I urge support of this legislation.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, H.R. 4358, as I mentioned earlier, is going to improve FEMA support for communities that have been hit by disasters by ensuring more consistency in the preliminary damage assessment process.

This bill will provide much better and faster government assistance to those whose lives have been impacted by floods, by hurricanes, and by so many other disasters that we see.

Again, I want to thank and I want to commend the gentleman from New York (Mr. KATKO) for his leadership on this issue.

I urge support of this important legislation, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 4358, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HOUSING SURVIVORS OF MAJOR DISASTERS ACT OF 2020

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2914) to make available necessary disaster assistance for families affected by major disasters, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2914

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 "Housing Survivors of Major Disasters Act of 2020".

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEMA.**—The term "FEMA" means the Federal Emergency Management Agency.

(2) **ADMINISTRATOR.**—The term "Administrator" means the Administrator of FEMA.

SEC. 3. ELIGIBILITY FOR AND USE OF DISASTER ASSISTANCE.

(a) **FINANCIAL ASSISTANCE.**—Notwithstanding any other provision of law, individuals and households described in subsection (c) may be eligible for assistance made available under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) in connection with a major disaster declared by the President under section 401 of such Act (42 U.S.C. 5170), including Hurricane Maria of 2017.

(b) **USE OF FUNDS.**—Any assistance provided pursuant to subsection (a) may include costs relating to obtaining title for a property described in subsection (c)(1), including the cost of land surveys and any other taxes or fees associated with obtaining the title for such property.

(c) **ELIGIBLE INDIVIDUALS OR HOUSEHOLDS.**—With respect to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), an individual or household described in this subsection is an individual or household who—

(1) is residing on a property located in the area for which the major disaster was declared but does not have documented ownership rights to such property and is not renting such property; or

(2) is or was residing in an area for which a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), during the designated incident period, including residing in any housing accommodation or property upon which a housing accommodation is located, including any living quarters, board-in-house, bunkhouse, manufactured home, mobile home, or travel trailer.

(d) **EVIDENCE.**—

(1) **CONSIDERATION.**—In making a determination to provide assistance pursuant to this Act, the Administrator shall consider a wide range of evidence.

(2) **ALTERNATIVE FORMS OF EVIDENCE.**—In determining if an individual or household is eligible for assistance pursuant to this Act, the Administrator shall accept either a declarative statement or the presentation of at least one item of alternative evidence, including the following:

(A) A utility (including gas, electric, sewer, or water) bill with the name and address of the individual.

(B) A merchant's statement (including a credit card, delivery notice, or first class mail) with the name and address of the individual.

(C) A pay stub from an employer with the name and address of the individual.

(D) A current driver's license or State-issued identification card of the individual.

(E) The deed or title for the applicable property.

(F) A mortgage payment booklet or another mortgage document.

(G) Property title of mobile home certificate of title.

(H) A real estate property tax receipt.

(I) A school registration containing the address of self, child, or children.

(J) A will and testament with the name and address of the individual.

(K) In a State that does not require a will and testament for the transfer of immovable property, a death certificate and birth certificate that establishes an automatic transfer of legal ownership.

(L) Medical records that list the name and address of the individual.

(M) A charitable donation receipt that list the name and address of the individual.

(N) Any other documentation, certification, identification, or proof of occupancy or ownership not included on this list that

can reasonably link the individual requesting assistance to the applicable property.

(e) **APPLICABILITY.**—This section shall apply to funds appropriated on or after the date of enactment of this Act.

SEC. 4. DECLARATIVE STATEMENT.

(a) **DEVELOPMENT OF DECLARATIVE STATEMENT.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall create, in coordination with the appropriate authorities of the applicable jurisdiction, and distribute, where necessary, a declarative statement form that an applicant for assistance provided pursuant to section 3 may use to self-certify such applicant's eligibility for assistance pursuant to this Act.

(2) **PROHIBITION OF NOTARIZATION.**—The Administrator may not require the declarative statement form created under paragraph (1) to require notarization by the applicant.

(b) **EXEMPTIONS.**—A declarative statement form created under subsection (a)(1) is exempt from publication notice, public comment periods, and agency information collection review and approval by the Office of Management and Budget required by the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

(c) **GUIDANCE.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall provide written notification and guidance to employees of FEMA regarding the requirements of this Act.

(d) **PUBLICATION.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall—

(1) make the declarative statement form created under subsection (a)(1) available in Spanish and English at all active Disaster Recovery Centers; and

(2) publish in English, Spanish, and any other locally predominant languages on the website of FEMA and on social media the declarative statement form and instructions on how applicants can reopen or seek further appeal of relevant determinations.

(e) **PAST DISASTERS.**—For applicants of assistance provided pursuant to section 3 since January 1, 2017, the Administrator shall provide an applicant not fewer than 180 days to submit the declarative statement form to reopen or appeal a case after such applicant has received notice of the right to do so.

SEC. 5. REPAIR AND REBUILDING.

Section 408(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174) is amended—

(1) in paragraph (2)(A)(i) by striking "to a safe and sanitary living or functioning condition" and inserting "to ensure that such residences are habitable during longer term recovery (including through coordination with other sources for repair and rebuilding of such residences)"; and

(2) in paragraph (4) by striking "in cases in which" and all that follows through the end and inserting "if the President determines such assistance is a cost effective alternative to other housing solutions, including the costs associated with temporary housing provided under this section.".

SEC. 6. POST-DISASTER HOUSING ASSISTANCE ANALYSIS AND REPORT.

(a) **ANALYSIS.**—The Administrator, in coordination with the Secretary of Housing and Urban Development, shall conduct an analysis comparing the costs, benefits, and effectiveness of assistance provided under the Disaster Housing Assistance Program, including any case management services provided, with other temporary housing options provided by the Administrator under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(b) **PROVISION OF DATA.**—The Secretary shall ensure that public housing authorities

engaged in carrying out the Disaster Housing Assistance Program relay data concerning the extent and effectiveness of case management services in transitioning individuals and households toward self-sufficiency under the Program compared to other alternative disaster assistance programs available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains the analysis required under subsection (a) and an analysis of the oversight mechanisms, program integrity checks, and financial management measures utilized in carrying out the Program compared to alternative disaster housing assistance programs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 7. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

□ 1645

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2914, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2914, the Housing Survivors of Major Disasters Act, introduced by Mr. ESPAILLAT of New York and Miss GONZÁLEZ-COLÓN of Puerto Rico.

This bipartisan legislation is aimed at reducing the bureaucratic burden placed on the disaster survivors when applying for Federal assistance. In the wake of Hurricanes Irma and Maria, and several other disasters in the continental United States, including wildfires near California or near Oregon, many disaster survivors have struggled to produce documents necessary to prove their residency. This is particularly difficult when those disasters have decimated all of their possessions and records.

Additionally, qualified survivors have had trouble registering for assistance because they resided in homes passed down from generation to gen-

eration, in areas where title record-keeping hasn't been adequately maintained to track these transfers. We have seen this issue time and again over the last decade and a half since Hurricane Katrina.

FEMA has worked to address these challenges, but all efforts to this point have been ad hoc. H.R. 2914 formalizes the home certification process that FEMA has developed over the years, allowing survivors to self-certify their residency with an expanded list of acceptable supported documentation.

Survivors should not be expected to wade through bureaucratic red tape after their lives have been upended by a disaster.

Mr. Speaker, I support H.R. 2914, and I would ask my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2914, which would help disaster victims verify residency and homeownership following a disaster. When disasters strike, essential property and possessions are often destroyed. Disaster victims may not be able to easily obtain the paperwork needed for them to verify their residency, which delays needed assistance and the recovery process.

This bill is going to clarify how the Federal Emergency Management Agency addresses alternate verification.

Mr. Speaker, I thank the gentlewoman from Puerto Rico, Miss GONZÁLEZ-COLÓN, for her work with Mr. ESPAILLAT of New York on this bill.

Mr. Speaker, I would urge support of the legislation, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ESPAILLAT), my good friend.

Mr. ESPAILLAT. Mr. Speaker, I thank Ms. NORTON for her contributions to this bill. I also want to extend my appreciation to Ranking Member GRAVES, Chairwoman TITUS, Subcommittee Ranking Member KATKO, and committee staff for advancing this important legislation.

Mr. Speaker, Aaron Davis with the committee has been particularly helpful to my team, my staff, for the past year and a half to get this bill over the line. I know it would have been very difficult without his help and expertise.

Since Hurricanes Maria and Irma devastated the island of Puerto Rico in the fall of 2017, I have visited the island several times, including with some of my congressional colleagues. I have spoken about this with the Congresswoman from Puerto Rico, Miss GONZÁLEZ-COLÓN, who has command of this issue.

I have seen firsthand how public policy failures, our failures, have manifested on the island. The Housing Sur-

vivors of Major Disasters Act, which I was proud to introduce with Congresswoman GONZÁLEZ-COLÓN, addresses some of these policy failures within the housing assistance programs our government deploys after natural disasters.

Some of these programs' shortcomings have left thousands of Americans in Puerto Rico without the means to rebuild their homes. Our bill aims to fix this. Currently, folks applying for assistance must furnish the deed of their home and/or notarized statements confirming the ownership of their home.

Mr. Speaker, I vividly remember when Hurricane Sandy struck my home State of New York. The last thing people were thinking about as they sought cover was where to find pieces of paper. And I can attest to the hurt of communities in Puerto Rico, Florida, and elsewhere, in the wake of Hurricanes Maria and Irma were devastating.

How can we expect families to find their deeds through rubble, destruction, and pain left by these storms?

I am equally stretched by the idea that in the most vulnerable time and in the wake of destruction, the American Government is asking its citizens to find a notary before they can receive help.

What is more, in places like Puerto Rico, thousands of individuals have no formal documentation, properties and ownership is passed on generation to generation, very often five and six generations. Given all these challenges, we crafted this bipartisan legislation to remove these barriers and establish new and more realistic standards for natural disaster survivors applying for Federal housing assistance.

Along with Chairman DEFAZIO, Ranking Member GRAVES, my colleagues on the Committee, and Congresswoman GONZÁLEZ-COLÓN, I thank Senator ELIZABETH WARREN, her staff, and the numerous advocates for their tireless efforts in crafting and advancing this legislation over the past 2 years, which is vital if we wish to make the people of Puerto Rico whole again and avoid similar calamities in the future.

Mr. GRAVES of Missouri. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I thank again my ranking member and his staff for all the help to make this bill able to come to the floor today.

Mr. Speaker, I rise in support of H.R. 2914, the Housing Survivors of Major Disasters Act. I thank Representative ESPAILLAT for leading this bill with me, to ensure not just people in the Nation, but actually on the island of Puerto Rico, constituents that I do represent here in Congress and those affected by Hurricane Maria have increased flexibility in providing ownership of property when applying for Federal disaster funding. This was a major issue, and actually still is, many times.

FEMA changed the way the documents were going to be accepted. Then they changed it again. And they did that more than five times during the course of Hurricanes Irma and Maria. So at the beginning, no papers were accepted, and then they changed it. So there was a difficult situation for people, even in the center of the island.

The documents that were requested in the north part of the island were different from those in the south, from those in the west, or in the countryside. And that is the reason this bill is so important.

This bill will provide necessary flexibilities in the form of documents that individuals that were residing in the area during the natural disaster got to apply for disaster assistance. Individuals may now use their driver's license, deeds, or title to properties, utilities bills, or any of the 13 forms included in this bill as evidence of occupancy.

In our case, you got many people that were affected. There was no doubt in terms of FEMA or the government that they were affected by the hurricanes, yet they did not have the papers at the time because they lose them because of disaster, and it was so difficult to get the government actually to use or redo those papers in time. So that took almost a year for many of the individuals affected by hurricanes in Puerto Rico just to provide the documents.

As you may know, many of the dates expired. Most of the people didn't qualify then to receive the Federal funds that were available for disaster survivors. That is the reason H.R. 2914 also includes language for a report on the Disaster Housing Assistance Program, and how effective this program is. The Federal Emergency Management Agency decided against using this disaster housing program in Puerto Rico following Hurricanes Irma and Maria, as the agency looks to other efficient programs to more effectively meet the immediate needs of those affected by the two hurricanes.

After those crazy 1 and 2 years, I may say that FEMA is helping and providing and using many of the forms that are now included in this bill to get those funds available. But, again, that can change if we don't have it in law, and that is the reason this bill is so important.

Mr. Speaker, I thank, again, Representatives ESPAILLAT, and leadership on the Committee, as well as my ranking member for supporting this legislation and working with me and my staff to improve this bill for the past year. I urge its passage.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2914 is going to help speed up the recovery following a disaster by helping disaster victims who have lost their personal records, and likely much more, to verify residency and homeownership. It is a very good piece of legislation, and I would

urge support of this, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2914, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

OCEAN POLLUTION REDUCTION ACT II

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4611) to modify permitting requirements with respect to the discharge of any pollutant from the Point Loma Wastewater Treatment Plant in certain circumstances, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 395, nays 4, not voting 30, as follows:

[Roll No. 221]

YEAS—395

Adams	Calvert	Davis (CA)
Agullar	Carbajal	Davis, Danny K.
Allen	Cárdenas	Davis, Rodney
Allred	Carson (IN)	Dean
Armstrong	Carter (GA)	DeFazio
Arrington	Carter (TX)	DeGette
Axne	Cartwright	DeLauro
Babin	Case	DelBene
Bacon	Casten (IL)	Delgado
Baird	Castor (FL)	Demings
Balderson	Castro (TX)	DeSaulnier
Banks	Chabot	DesJarlais
Barr	Cheney	Deutch
Barragán	Chu, Judy	Diaz-Balart
Bass	Cicilline	Dingell
Beatty	Cisneros	Doggett
Bera	Clark (MA)	Doyle, Michael
Bergman	Clarke (NY)	F.
Beyer	Clay	Duncan
Biggs	Cleaver	Dunn
Bilirakis	Cline	Emmer
Bishop (GA)	Cloud	Engel
Bishop (NC)	Clyburn	Escobar
Blumenauer	Cohen	Eshoo
Blunt Rochester	Cole	Espallat
Bonamici	Comer	Estes
Bost	Conaway	Evans
Boyle, Brendan	Connolly	Ferguson
F.	Cooper	Finkenauer
Brady	Correa	Fitzpatrick
Brindisi	Costa	Fleischmann
Brooks (AL)	Courtney	Fletcher
Brown (MD)	Cox (CA)	Flores
Brownley (CA)	Craig	Fortenberry
Buchanan	Crawford	Foster
Buck	Crenshaw	Fox (NC)
Bucshon	Crist	Frankel
Budd	Crow	Fudge
Burchett	Cuellar	Fulcher
Burgess	Cunningham	Gabbard
Bustos	Curtis	Gaetz
Butterfield	Davids (KS)	Gallagher
Byrne	Davidson (OH)	Gallego

Garamendi	Lofgren	Sarbanes
Garcia (CA)	Long	Scalise
Garcia (IL)	Loudermilk	Scanlon
Garcia (TX)	Lowenthal	Schakowsky
Gibbs	Lowe	Schiff
Golden	Lucas	Schneider
Gomez	Luján	Schrader
Gonzalez (OH)	Luria	Schrier
Gonzalez (TX)	Lynch	Schweikert
Gooden	Maloney,	Scott (VA)
Gosar	Carolyn B.	Scott, Austin
Gottheimer	Maloney, Sean	Scott, David
Granger	Marshall	Serrano
Graves (LA)	Massie	Sewell (AL)
Graves (MO)	Mast	Shalala
Green (TN)	Matsui	Sherman
Green, Al (TX)	McAdams	Sherrill
Grijalva	McBath	Shimkus
Grothman	McCarthy	Sires
Guest	McCaul	Slotkin
Guthrie	McClintock	Smith (MO)
Haaland	McCollum	Smith (NE)
Hagedorn	McEachin	Smith (NJ)
Harder (CA)	McGovern	Smith (WA)
Harris	McHenry	Smucker
Hartzler	McKinley	Soto
Hastings	McNerney	Spanberger
Hayes	Meeks	Spano
Heck	Meng	Speier
Hern, Kevin	Meuser	Stanton
Herrera Beutler	Mfume	Staubert
Hice (GA)	Miller	Stefanik
Higgins (LA)	Moolenaar	Steil
Higgins (NY)	Mooney (WV)	Steube
Hill (AR)	Moore	Stevens
Himes	Morelle	Stewart
Holding	Moulton	Stivers
Hollingsworth	Mucarsel-Powell	Suozy
Horn, Kendra S.	Mullin	Swalwell (CA)
Horsford	Murphy (FL)	Takano
Houlahan	Murphy (NC)	Taylor
Hoyer	Nadler	Thompson (CA)
Hudson	Napolitano	Thompson (MS)
Huffman	Neal	Thompson (PA)
Hurd (TX)	Neguse	Thornberry
Jackson Lee	Norcross	Tiffany
Jacobs	Norman	Timmons
Jayapal	Nunes	Tipton
Jeffries	O'Halleran	Titus
Johnson (GA)	Ocasio-Cortez	Tlaib
Johnson (LA)	Omar	Tonko
Johnson (OH)	Palazzo	Torres (CA)
Johnson (SD)	Pallone	Torres Small
Johnson (TX)	Palmer	(NM)
Jordan	Panetta	Trahan
Joyce (OH)	Pappas	Trone
Joyce (PA)	Pascarell	Turner
Kaptur	Payne	Underwood
Katko	Pence	Upton
Keating	Perry	Van Drew
Keller	Peters	Vargas
Kelly (IL)	Peterson	Veasey
Kelly (MS)	Phillips	Vela
Kelly (PA)	Pingree	Velázquez
Kennedy	Pocan	Vislosky
Khanna	Porter	Wagner
Kildee	Posey	Walden
Kilmer	Pressley	Walker
Kim	Price (NC)	Walorski
Kind	Quigley	Wasserman
Kinzing	Raskin	Schultz
Kirkpatrick	Reed	Waters
Krishnamoorthi	Reschenthaler	Watkins
Kuster (NH)	Rice (NY)	Watson Coleman
Kustoff (TN)	Riggleman	Weber (TX)
LaHood	Roby	Webster (FL)
LaMalfa	Rodgers (WA)	Welch
Lamb	Roe, David P.	Wenstrup
Langevin	Rogers (AL)	Westerman
Larsen (WA)	Rose (NY)	Wexton
Larson (CT)	Rose, John W.	Wild
Latta	Rouda	Williams
Lawrence	Rouzer	Wilson (FL)
Lawson (FL)	Roy	Wilson (SC)
Lee (CA)	Roybal-Allard	Wittman
Lee (NV)	Ruiz	Womack
Levin (CA)	Ruppersberger	Yarmuth
Levin (MI)	Rush	Yoho
Lieu, Ted	Rutherford	Zeldin
Lipinski	Ryan	
Loeback	Sánchez	

NAYS—4

Amash	Griffith
Gohmert	Rice (SC)

NOT VOTING—30

Abraham	King (NY)	Richmond
Aderholt	Lamborn	Rogers (KY)
Amodei	Lesko	Rooney (FL)
Bishop (UT)	Luetkemeyer	Sensenbrenner
Brooks (IN)	Malinowski	Simpson
Collins (GA)	Marchant	Walberg
Cook	Mitchell	Waltz
Gianforte	Newhouse	Woodall
Huizenga	Olson	Wright
King (IA)	Perlmutter	Young

□ 1748

Mr. DUNCAN changed his vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE
RESOLUTION 965, 116TH CONGRESS

Barragán (Beyer)	Hastings	Payne
Blumenauer	(Wasserman)	(Wasserman)
(Beyer)	Schultz)	Schultz)
Bonomici (Clark)	Higgins (NY)	Peterson
(MA)	(Sánchez)	(McCollum)
Boyle, Brendan	Jayapal (Raskin)	Pingree (Kuster
F. (Jeffries)	Johnson (TX)	(NH))
Brownley (CA)	(Jeffries)	Pocan (Raskin)
(Clark (MA))	Keating (Kuster	Porter (Wexton)
Bustos (Kuster	(NH))	Price (NC)
(NH))	Khanna (Gomez)	(Butterfield)
Castro (TX)	Kirkpatrick	Rose (NY)
(Garcia (TX))	(Stanton)	(Golden)
Clay (Cleaver)	Langevin	Roybal-Allard
Cohen (Beyer)	(Courtney)	(Bass)
Costa (Cooper)	Lawrence	Ruiz (Dingell)
DeGette (Blunt	(Kildee)	Rush
Rochester)	Lawson (FL)	(Underwood)
DeSaulnier	(Demings)	Ryan (Kildee)
(Matsui)	Lieu, Ted (Beyer)	Schrier (Kilmer)
Escobar (Garcia	Lofgren (Jeffries)	Serrano
(TX))	Lowenthal	(Jeffries)
Frankel (Clark	(Beyer)	Speier (Scanlon)
(MA))	Lowey (Tonko)	Titus (Connolly)
Garamendi	McEachin	Vargas (Correa)
(Sherman)	(Wexton)	Watson Coleman
Gonzalez (TX)	Meng (Kuster	(Pallone)
(Gomez)	(NH))	Welch
Grijalva (Garcia	Moore (Beyer)	(McGovern)
(IL))	Nadler (Jeffries)	Wilson (FL)
	Napolitano	(Hayes)
	(Correa)	

MESSAGE FROM THE SENATE

A message from the Senate by Ms. BYRD, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 770

Whereas, on May 19, 1926, Mark Andrews was born in Fargo, North Dakota;

Whereas, Mark Andrews was a cadet at the United States Military Academy in West Point, New York, from 1944 until 1946, when he received a disability discharge;

Whereas, Mark Andrews graduated from North Dakota State University in 1949;

Whereas, Mark Andrews began his career as a farmer in the Red River Valley when he served as an operator of a cattle feeding lot, and subsequently served in numerous agriculture-related positions throughout the State of North Dakota, including serving as—

(1) a member of numerous farmer organizations;

(2) the Director of the Garrison Conservancy District from 1955 until 1964; and

(3) the president of the North Dakota Crop Improvement Association;

Whereas, Mark Andrews ran for Governor of North Dakota in 1962 and, during a special election in 1963, was elected as a member of the House of Representatives, a position he held until 1981;

Whereas, on January 3, 1981, Mark Andrews was sworn in as a United States Senator from North Dakota, serving until January 3, 1987; and

Whereas, Mark Andrews, during his time as a Senator, was known for his steadfast support for numerous issues, including—

(1) issues affecting the men and women who served in the Armed Forces of the United States;

(2) issues affecting the agricultural producers, including farmers and ranchers, in the State of North Dakota and throughout the United States;

(3) water issues, including the Garrison Diversion; and

(4) issues affecting Tribal communities, particularly during his time serving as Chairman of the Select Committee on Indian Affairs of the Senate from 1983 to 1987; Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) has heard with profound sorrow and deep regret the announcement of the death of Mark Andrews, former member of the United States Senate from the State of North Dakota; and

(B) respectfully requests that the Secretary of the Senate—

(i) communicate this resolution to the House of Representatives; and

(ii) transmit an enrolled copy of this resolution to the family of Mark Andrews; and

(2) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Mark Andrews.

The message also announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 835. An Act to impose criminal sanctions on certain persons involved in international doping fraud conspiracies, to provide restitution for victims of such conspiracies, and to require sharing of information with the United States Anti-Doping Agency to assist its fight against doping, and for other purposes.

H.R. 3589. An Act to award a Congressional Gold Medal to Greg LeMond, in recognition of his service to the Nation as an athlete, activist, role model, and community leader.

H.R. 4104. An Act to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of the Negro Leagues baseball.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1830. An act to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Hall of Honor.

H.R. 6395. An Act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 732. An Act to amend the PROTECT Act to expand the national AMBER Alert system to territories of the United States, and for other purposes.

S. 1342. An Act to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and

Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes.

S. 2174. An Act to expand the grants authorized under Jennifer's Law and Kristen's Act to include processing of unidentified remains, resolving missing persons cases, and for other purposes.

S. 2981. An Act to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 3312. An Act to establish a crisis stabilization and community reentry grant program, and for other purposes.

S. 4054. An Act to reauthorize the United States Grain Standards Act, and for other purposes.

S. 4462. An Act to establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, and for other purposes.

S. 4612. An Act to designate methamphetamine as an emerging threat, and for other purposes.

PERMISSION FOR MEMBER TO BE
CONSIDERED AS FIRST SPONSOR
OF H.R. 4292

Mr. JOHN W. ROSE of Tennessee. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 4292, a bill originally introduced by Representative Mark Meadows of North Carolina, for the purpose of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore (Mrs. TRAHAN). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PENNSYLVANIANS NEED RELIEF

(Ms. HOULAHAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HOULAHAN. Madam Speaker, Pennsylvania, like the rest of the country, is in the midst of both a public health and an economic crisis. This clearly isn't news to anyone. We have been here for months now.

My community—the people whom I represent—are looking to us—the people whom they just cast ballots for—to comprehensively address this crisis. No matter which side of the aisle that you are on, Madam Speaker, we have a collective responsibility to address the COVID pandemic from both the public health and economic perspective.

I have been in my community talking to small business owners. Hard-working Pennsylvanians need Federal support to weather this crisis. An economic recovery cannot ignore the needs of our small businesses. That is not recovery at all.

We need to pass my Paycheck Protection Small Business Forgiveness Act to expedite forgiveness for Paycheck Protection Program loans for less than \$150,000, which accounts for more than 90 percent of PPP borrowers across the country.

This pandemic has taken lives and livelihoods from so many Pennsylvanians. We have the opportunity here to contain this virus and reverse this economic fallout. I urge the passage of the Paycheck Protection Small Business Forgiveness Act.

HIRE VETS MEDALLION

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

Mr. CLINE. Madam Speaker, I rise today to recognize two businesses in the Sixth District who have committed themselves to serving those who served our Nation.

Tactical & Survival Specialties, Incorporated, of Harrisonburg was awarded the Department of Labor's HIRE Vets Medallion for the second year in a row, while Rubicon Planning of Roanoke earned this distinction for the first time.

This prestigious honor is the only program within the Federal Government that recognizes the meaningful and verifiable efforts undertaken by job creators to hire and retain our Nation's veterans.

These two patriotic businesses understand why veterans are such an asset to any workforce.

According to a new Census report, veterans are more willing than civilians to work longer hours and seek full-time employment. Further, by nature, veterans work well in a team and have a sense of duty. They are disciplined, determined, and confident. They are trained to be problem-solvers, to adapt to changing situations, and they have a work ethic that is simply unmatched. For these reasons, I encourage all businesses to hire veterans.

I applaud and thank Rubicon Planning and TSSi for being one of a select few awardees across the Nation who have already committed themselves to doing so.

COVID RELIEF

(Mr. CRIST asked and was given permission to address the House for 1 minute.)

Mr. CRIST. Madam Speaker, we need a COVID relief package, and we need it now. America is the richest country in the world. In fact, America is the richest country in history.

The CARES Act and the Fed pumped trillions of dollars into the economy this spring all while interest rates sank to historic lows. Our economic might was built for this moment—for this emergency. We can afford to meet the needs of our people and our economy in this pandemic. The economists, in fact, are urgently telling us that the problems of today vastly outweigh the potential debt problems of tomorrow. This is especially true if inaction means laying off firefighters and people losing their homes.

We know we can help our people, and experts agree we should help our people.

But all my constituents know is that that has not happened. We have a sacred duty to get it done.

THE GROWING THREAT OF CHINA

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

Mr. LAMALFA. Madam Speaker, China continues to grow as a threat to freedom and human rights worldwide, and the People's Liberation Army is one of their strongest tools.

Unfortunately, large U.S. investment funds are shelling out millions of dollars to Chinese companies that support the PLA. Individuals, banks, and companies should not be putting our financial security at risk in order to inflate their financial portfolios.

President Trump has been consistently tough on China and recently issued an executive order banning American investment in these dangerous companies. Similarly, Congressman BANKS, Congressman GALLAGHER, and I introduced the Stop Funding the PLA Act to prohibit American funds from going to entities that support China's growing military presence.

Madam Speaker, I urge my House colleagues to join us in making this bill a permanent part of our strategy to hold China accountable. We should stand strong and never support the Chinese Communist Party or any of its entities.

COVID-19

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, just recently I read an article that indicated that one in six Texans had been infected with COVID-19. As the study indicates in our local newspaper, that may be the case for States around the Nation. So I think it is extremely important that the General Services Administration and the administrator of that department follow their administrative duties to allow the President-elect and Vice President-elect to be engaged in COVID-19 briefings to save lives.

In addition, I think it is crucial that we move forward on the Heroes Act that will provide for PPEs, will provide for payroll protection, and, of course, testing. Early on, testing was supposed to be 5 million a day. We have only tested 1.6 million a day minimally in the United States at least. We have to do more to save lives. Testing, social distancing, washing your hands, and wearing a mask will save lives. It will save lives here, and it will save lives across America.

Finally, we must pass this legislation to help with the mental health stress people are facing and the economic stress they are facing.

The General Services Administration needs to do their job and do it now so

that the American people's lives can be saved.

□ 1800

MAINTAINING EXPANSION OF TELEMEDICINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. SCHWEIKERT. Madam Speaker, with all the chaos and the activity going on around us, as we all know, we are all organizing our conferences. I wanted to touch on a couple of pieces of legislation that are out there right now that I am hoping, if we do some packages between now and the end of the year, we will all consider. And I love using the little boards because I think it sort of helps concentrate.

One of the things, if there is any positive of what we have gone through in the pandemic, is the skepticism that was this body about telemedicine I hope is over, if you see the adoption rate of what has happened with, particularly, our seniors in embracing, having positive experiences, and actually even demanding telemedicine services.

My understanding is now that there is open enrollment in Medicare part D, that is actually now one of the common requests: What type of telemedicine services do you provide and offer?

If we understand, as a body, that the access for our seniors to use telemedicine functionally—the expansion of the reimbursements, the rules—expires when the pandemic is declared over, I am desperately hoping that our brothers and sisters around here on the right and the left hear that and understand if the community has embraced the price efficiency, the additional access to healthcare—that is, the telemedicine—let's make sure we don't let it expire when the vaccine and those come onto the market, are widely adopted, and we start to see the declaration that the pandemic is over. So, this is just sort of the benchmark of starting.

Now, if I am making the argument that telemedicine has expanded access, and we are seeing the opportunity for some real cost efficiency—because, as we know, it is always hard to talk about, but Medicare is one of the greatest drivers of U.S. debt. As a matter of fact, it is the greatest driver of U.S. debt.

It is demographics. Our brothers and sisters who are 65 years and older—and I am going to be there soon—earn this benefit. But the fact of the matter is, the unfunded liabilities, the substantial portion of it, come out of the general fund. It is a major driver.

We should be excited that we had a proof of concept during this sort of miserable several months, that it expanded access. We are seeing the price efficiency.

And the skepticism that seniors were going to have discomfort on using FaceTime and other things on their electronic devices, the arrogance of this place was wrong. We underestimated our fellow Americans in their ability to use the technology.

Now, the next wave of what else we can be doing to actually expand, we have something that we have introduced called the Safe Testing at Residence Telehealth, because we had to come up with a title that would create the word "START," as we often do around here.

As you all saw, about 2 months ago, there were some home COVID tests that received approval. If we would tie those home COVID tests with telemedicine, those who are vulnerable in our communities could actually not have to risk getting in their cars, being part of the vulnerable population going to a clinic or the drive-through, or other things where there is testing. They can do it at home with these home test kits that are approved. We think that is part of the concept of the expansion of what is telemedicine.

If we like this, I can expand the thought experiment: Americans who want to do their COVID tests at home and then use telemedicine as part of the experience, should that be allowed? Of course, it should.

Why wouldn't you also go a little bit further? I don't have a board on this next one, but we have talked about it here, the ability to use technology also to help us be part of that expansion of telemedicine. This could be everything from the oxygen patch to the portable EKG.

My understanding is that there is an American company coming up with a smartwatch that is going to do your oxygen, your temperature, your pulse rate, even your blood pressure. It turns out those things, put into an algorithm, can do some pretty amazing things to help you manage your healthcare.

That is, in many ways, the future of telemedicine. It is not just talking to a healthcare professional. It is the ability to use technology to watch yourself, to keep yourself healthy, to diagnose if you are catching something, and then use that information with your healthcare professional.

These are pieces of legislation that have demonstrated they are here. Adoption, particularly with seniors, I am hoping that the body thinks about it. If we do any type of stimulus or COVID package between now and the end of the year, that we think about telemedicine and keeping it permanently with us, the expansion.

Let's walk through a couple of other things.

Another piece of legislation we have is, if many of us have seen the economic, emotional, you know, future income, the damage we did by shutting down so much of our society, economically, in trying to slow down the spread of COVID, how do we help busi-

nesses stay operating, keep their doors open, but also know they are providing a safe workplace? We have a tax credit that would help those businesses provide testing but also get that partial reimbursement, that partial credit, quickly.

We came up with a quirky idea. Every couple of weeks or every month, most businesses have to contribute on the payroll tax. Put the credit there so the cash comes back in very, very quickly, or the credit comes in very quickly.

We have a workplace testing tax credit piece of legislation. If we are going to move forward with a package, something like that should be there because if we are trying to keep our communities open but keep them healthy, we need that testing at the small business level. This makes it affordable.

Another thing I would like us to think about, and this is more global, the White House, the administration, those of us in this body, the resources we put forward months ago, and then the management of Operation Warp Speed, other than the stock market, I thought we would see more collective joy on how quickly we are moving to a vaccine. If it is true that there is a vaccine out there that was—what?—94.5 percent effective in its first statistical abstract, this is wonderful. We have done something that has never been done before, bringing this type of vaccine and heading toward approval and emergency authorization.

If this is our benchmark, that we know we have light at the end of this tunnel, then we need to also now step up and do the things that spur the economic expansion once again. Americans deserve to live in a healthy, prosperous country. If the vaccine, Operation Warp Speed, is working, which now we know we have multiple vaccines that are on the cusp of being here with amazing efficacy, it is time to do some other things that make the economy grow.

The first one I want to give is just a simple thought. When we did tax reform, we stopped something that was part of the ObamaCare financing. The ACA had a mechanism where your ability to deduct your healthcare expenses was going to go up. You didn't get to deduct anything until your healthcare expenses were over 10 percent of your income. That was one of the mechanisms that kicked a lot of seniors, particularly, in the teeth, and that was part of the ACA financing.

When we did tax reform at the end of 2017, we held it for a couple more years at 7.5 percent. If you had \$100 of income and \$7.50, the next portion of that, you get to deduct. If you are under that, you don't get to take it off your taxes, if that helps explain it.

We have a piece of legislation that for the next 2 years would make it that you only have to hit 5 percent. Then every incremental dollar above that, you could deduct.

Considering how many folks in the United States this year, and poten-

tially into next year, are going to have some unusual healthcare expenses, why wouldn't we do this as part of the package?

The other part is: Then, let's hold it at the 7.5 percent for perpetuity. Let's make that permanent.

I know that it will offend some folks who wanted to raise it because that was one of the financing mechanisms of the ACA, ObamaCare, to raise those functionally—take away that tax benefit to folks who had high medical expenses. But I think that we could all agree, with what we have been through, this would be a healthy thing, particularly for those who have had some difficulty this year and into next year.

The last one I want to give you is—in some ways, it is a little bit of a quirky idea, but I want to beg of the body to think about what we can do to spur economic expansion, to spur the animal spirits, the investment in our society, in our country, and into our communities but without piling on the debt.

We all know a number of the things we did this year were necessary. These were unprecedented times. But we are going to have to start paying for this. The amount of interest costs, the Federal Reserve creating liquidity, eventually, that does dial back. We will have to, in the future, pay for these times. So, what do you do to spur the economy?

We have a quirky idea that would say: If you would be willing to buy an asset, make investments in plant and equipment, do those sorts of things that, in today's world, I am buying this hoping I get traditional capital gains in the future—but the problem with capital gains tax holidays, from a conceptual standpoint, is you are often being given a discounted tax rate on gains you have already produced. How about you get those people who are willing to invest around the country to invest money in the hope that what they buy today will go up in value in the future? It is not guaranteed.

The idea is if we are seeing with the Federal Reserve and the Beige Book, and many of these other things, that there are stunning amounts of cash sitting in bank accounts all around this country that we need circulating, that we need that velocity back into our society and our communities, something that might be a fun incentive is saying: If you will buy assets, if you will invest in plant and equipment, if you will take a risk today, we don't know, we can't guarantee it, but a couple of years from now, if that value goes up and you sell, you will get a discounted capital gains tax rate because you invested during this window when we needed to functionally goose the economy along.

We wanted to make sure that the curve that we are seeing, where our brothers and sisters have work opportunities, and the number of small businesses that disappeared permanently,

that those small business owners who now have lost their businesses have access to investors who are willing to give them another chance.

The beauty of this is it doesn't require a large check from the Treasury today. We are sort of saying: Take a risk on the American people. Take a risk on our economy today. A couple of years from now, if it worked, you get a benefit.

We need to be looking more for ideas, I believe, like this that we can demonstrate a stimulus into our society and our communities without immediately putting ourselves more into debt.

□ 1815

So these are just a handful of ideas that, if the body—and being in the minority, you know, sometimes we have to sort of persuade by hopefully having

good ideas and just getting here on the floor and telling everyone about them. But there are ideas like this, whether it is the permanency of telemedicine, expanding the definition of such, providing individuals that ability to do testing at home, ideas like this or the previous one, and ideas of allowing small businesses to be able to get a tax credit for providing testing to their employees to keep them healthy.

But I think this one is sort of how a reverse capital gains tax holiday actually works. It is creative, and we can put in some turning rules so someone doesn't take an asset and sell it and then immediately buy it again. Those things actually already exist in the IRS Code.

But these are ideas that I am hoping the body will step up, move forward, and say we can get this economy roar-

ing again, we can get back to the economic miracle that 2018 and 2019 were, using creativity like this.

And that is my pitch for this evening.

Madam Speaker, I thank the Chair for allowing me to tell our story, and I yield back the balance of my time.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 967, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate and noon for legislative business.

Thereupon (at 6 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 18, 2020, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 2281, the Easy MAT for Opioid Addiction Act, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 2281

	By fiscal year, in millions of dollars—													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021– 2025	2021– 2030		
Statutory Pay-As-You-Go Impact	–7	–8	–8	–9	–9	–10	–10	–11	–11	–11	–41	–94		

Components may not sum to totals because of rounding.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 2610, the Fraud and Scam Reduction Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 2914, the Housing Survivors of Major Disasters Act of 2020, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 2914

	By fiscal year, in millions of dollars—													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021– 2025	2021– 2030		
Statutory Pay-As-You-Go Impact	19	8	0	0	0	0	0	0	0	0	27	27		

Components may not sum to totals because of rounding.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 3878, the Block, Report, And Suspend Suspicious Shipments Act of 2020, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 4806, the DEBAR Act of 2020, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 4812, the Ensuring Compliance Against Drug Diversion Act of 2019, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 5919, the National Children's Museum Act, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 5919

	By fiscal year, in millions of dollars—													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021– 2025	2021– 2030		
Statutory Pay-As-You-Go Impact	0	1	1	1	1	1	1	1	1	1	4	9		

Components may not sum to totals because of rounding.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, the attached estimate of the costs of H.R. 5953, the Preventing Disaster Revictimization Act, as amended, for printing in the CONGRESSIONAL RECORD.

ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR H.R. 5953

By fiscal year, in millions of dollars—

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021– 2025	2021– 2030
Statutory Pay-As-You-Go Impact	4	0	0	–1	–1	–2	0	0	0	0	2	0

Components may not sum to totals because of rounding.

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 6435, the Combating Pandemic Scams Act of 2020, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-5613. A letter from the Deputy Director, Legislative Affairs, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting the Commission's Major final rule — Capital Requirements of Swap Dealers and Major Swap Participants (RIN: 3038-AD54) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC-5614. A letter from the Chief of Staff, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting the Commission's Major final rule — Prohibitions and Restrictions on Proprietary Trading and Certain Interests in, and Relationships With, Hedge Funds and Private Equity Funds (RIN: 3038-AE93) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC-5615. A letter from the Administrator, Regulations Management Division, Rural Development Innovation Center, Rural Development-RBCS, Department of Agriculture, transmitting the Department's Major interim final rule — Guaranteed Loanmaking and Servicing Regulations [Docket No.: RBS-20-BUSINESS-0016] (RIN: 0570-AB07) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

EC-5616. A letter from the Director, Bureau of Consumer Financial Protection, transmitting the Bureau's Major final rule — Qualified Mortgage Definition under the Truth in Lending Act (Regulation Z): Extension of Sunset Date [Docket No. CFPB-2020-0021] (RIN: 3170-AA98) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5617. A letter from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's Major final rule — Procedural Requirements and Resubmission Thresholds under Exchange Act Rule 14a-8 [Release No.: 34-89964; File No. S7-23-19] (RIN: 3235-AM49) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5618. A letter from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting the Commission's Major final rule — Use of Derivatives by Registered Investment Companies and Business Development Companies

[Release No.: IC-34078; File No. S7-24-15] (RIN: 3235-AL60) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5619. A letter from the Secretary, Division of Investment Management, U.S. Securities and Exchange Commission, transmitting the Commission's Major final rule — Fund of Funds Arrangements [Release Nos.: 33-10871; IC-34045; File No. S7-27-18] (RIN: 3235-AM29) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5620. A letter from the Secretary, Division of Trading and Markets, U.S. Securities and Exchange Commission, transmitting the Commission's Major final rule — Publication or Submission of Quotations Without Specified Information [Release Nos.: 33-10842; 34-89891; File No. S7-14-19] (RIN: 3235-AM54) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5621. A letter from the Acting Deputy Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's Major final rule — Regulatory Capital Rule: Revised Transition of the Current Expected Credit Losses Methodology for Allowances (RIN: 3064-AF42) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5622. A letter from the Secretary, Office of General Counsel, Securities and Exchange Commission, transmitting the Commission's final rule — Whistleblower Program Rules [Release No.: 34-89963; File No. S7-16-18] (RIN: 3235-AM11) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-5623. A letter from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major interim final rule — Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency RIN: 1210-AB98) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

EC-5624. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's Major final rule — Importation of Prescription Drugs [Docket No. FDA-2019-N-5711] (RIN: 0910-A145) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-5625. A letter from the Biologist, Branch of Delisting and Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Endangered and Threatened Wildlife and Plants; Removing the Gray Wolf (*Canis lupus*) From the List of Endangered and Threatened Wildlife [Docket No. FWS-HQ-ES-2018-0097; FXES1113090FEDR212] (RIN: 1018-BD60) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-5626. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major Notice — Medicare Program; CY 2021 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts [CMS-8074-N] (RIN: 0938-AU14) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-5627. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major notice — Medicare Program; CY2021 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8075-N] (RIN: 0938-AU15) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

EC-5628. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible Beginning January 1, 2021 [CMS-8076-N] (RIN: 0938-AU16) received November 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PALLONE: Committee on Energy and Commerce. H.R. 7310. A bill to require the Assistant Secretary of Commerce for Communications and Information to submit to Congress a plan for the modernization of the

information technology systems of the National Telecommunications and Information Administration, and for other purposes (Re pt. 116-592, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MORELLE: Committee on Rules. House Resolution 1224. Resolution providing for consideration of the bill (H.R. 8294) to amend the National Apprenticeship Act and expand the national apprenticeship system to include apprenticeships, youth apprenticeships, and pre-apprenticeship registered under such Act, to promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, and for other purposes (Re pt. 116-593). Referred to the House Calendar.

Mr. ENGEL: Committee on Foreign Affairs. H.R. 4644. A bill to clarify United States policy toward Libya, advance a diplomatic solution to the conflict in Libya, and support the people of Libya; with an amendment (Re pt. 116-594, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on the Judiciary and Financial Services discharged from further consideration. H.R. 5644 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 7310 referred to the Committee of the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2328. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than December 31, 2020.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RIGGLEMAN:

H.R. 8756. A bill to amend title XVIII of the Social Security Act to ensure adequate payment for certain physicians' services furnished under part B of the Medicare program during the COVID-19 public health emergency; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCK (for himself, Mr. SENSENBRENNER, Mr. GOHMERT, Mr. BIGGS, Mr. STEUBE, Mr. MCCLINTOCK, Mr. TIFFANY, Mr. GIBBS, Mr. BUDD, Mr. RIGGLEMAN, Mr. KING of Iowa, Mr. DUNCAN, Mr. POSEY, Mr. GOSAR, Mr. ROUZER, Mr. WEBER of Texas, Mr. MURPHY of North Carolina, Mr. PERRY, and Mr. CRAWFORD):

H.R. 8757. A bill to amend title 18, United States Code, by increasing the maximum term of imprisonment for the offense of rioting, and for other purposes; to the Committee on the Judiciary.

By Ms. ADAMS:

H.R. 8758. A bill to direct the Comptroller General of the United States to submit a report on changes in the use of the beneficiary travel program of the Department of Veterans Affairs during COVID-19, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BUSTOS (for herself and Mr. HAGEDORN):

H.R. 8759. A bill to approve certain advanced biofuel registrations, to require the consideration of certain advanced biofuel pathways, and to reduce greenhouse gas emissions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CLEAVER (for himself and Ms. TLAB):

H.R. 8760. A bill to require the Board of Governors of the Federal Reserve System and the Securities and Exchange Commission to issue an annual report to the Congress projecting and accounting for the economic costs directly and indirectly caused by the impacts of climate change, and to require the Federal Retirement Thrift Investment Board to establish a Federal Advisory Panel on the Economics of Climate Change, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIANFORTE:

H.R. 8761. A bill to reduce premiums under the National Flood Insurance Program for certain properties, and for other purposes; to the Committee on Financial Services.

By Mr. KIM (for himself and Mr. NORCROSS):

H.R. 8762. A bill to direct the Secretary of Labor to make a determination on whether to approve an occupation as an apprenticeship occupation in a timely manner, and for other purposes; to the Committee on Education and Labor.

By Mr. KRISHNAMOORTHY (for himself and Mr. STEWART):

H.R. 8763. A bill to direct the Director of National Intelligence to award contracts or grants, or enter into transactions other than contracts, to encourage microelectronics research in support of artificial intelligence; to the Committee on Intelligence (Permanent Select).

By Mrs. LESKO (for herself, Mr. GAETZ, Mr. VAN DREW, Mr. BIGGS, Mr. HICE of Georgia, Mr. PERRY, Mr. STEUBE, Mr. RIGGLEMAN, and Mr. BROOKS of Alabama):

H.R. 8764. A bill to prohibit certain members of the Chinese Communist Party from entering the United States until such time as the government of the People's Republic of China ceases the theft of the intellectual property of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. LUETKEMEYER (for himself, Mr. LONG, Mr. FULCHER, and Mr. BANKS):

H.R. 8765. A bill to codify the Industry-Recognized Apprenticeship Programs of the Department of Labor; to the Committee on Education and Labor.

By Mr. PAPPAS:

H.R. 8766. A bill to direct the Secretary of Labor to provide for data collection and dissemination of information regarding programs under the national apprenticeship system, and for other purposes; to the Committee on Education and Labor.

By Mr. SMITH of Washington:

H.R. 8767. A bill to authorize the Secretary of Health and Human Services, acting through the Assistant Secretary for Mental

Health and Substance Use, to award grants to States, territories, political subdivisions of States and territories, Tribal governments, and consortia of Tribal governments to establish an unarmed 911 response program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WEBER of Texas (for himself, Ms. GARCIA of Texas, Mr. RICHMOND, Mr. JOHNSON of Louisiana, Mr. GONZALEZ of Texas, Mr. YOUNG, Mr. CLOUD, Mr. OLSON, and Mr. CUELLAR):

H.R. 8768. A bill to amend the Immigration and Nationality Act to include aliens passing in transit through the United States to board a vessel on which the alien will perform ship-to-ship liquid cargo transfer operations within a class of nonimmigrant aliens, and for other purposes; to the Committee on the Judiciary.

By Ms. BASS (for herself, Ms. NORTON, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. HASTINGS, Ms. JOHNSON of Texas, Mr. RUSH, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. DANNY K. DAVIS of Illinois, Mr. MEEKS, Ms. LEE of California, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. GREEN of Texas, Ms. MOORE, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Ms. FUDGE, Mr. RICHMOND, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. PAYNE, Mrs. BEATTY, Mr. JEFFRIES, Mr. VEASEY, Ms. KELLY of Illinois, Ms. ADAMS, Mrs. LAWRENCE, Ms. PLASKETT, Mrs. WATSON COLEMAN, Mr. EVANS, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mrs. DEMINGS, Mr. LAWSON of Florida, Mr. MCEACHIN, Mr. HORSFORD, Mr. NEGUSE, Ms. OMAR, Ms. PRESSLEY, Mr. MFUME, Ms. CASTOR of Florida, and Ms. WATERS):

H. Res. 1225. A resolution celebrating the National Urban League on its 110th year of service to the United States; to the Committee on Education and Labor.

By Mr. LARSEN of Washington (for himself, Mr. GRAVES of Louisiana, and Ms. DAVIDS of Kansas):

H. Res. 1226. A resolution expressing support for the designation of November 16-22, 2020, as "National Drone Safety Awareness Week"; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RIGGLEMAN:

H.R. 8756.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the US Constitution to "make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution."

By Mr. BUCK:

H.R. 8757.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. ADAMS:

H.R. 8758.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section VII of the Constitution of the United States

By Mrs. BUSTOS:

H.R. 8759.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. CLEAVER:

H.R. 8760.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution.

By Mr. GIANFORTE:

H.R. 8761.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 13

By Mr. KIM:

H.R. 8762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. KRISHNAMOORTHY:

H.R. 8763.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section I of the Constitution

By Mrs. LESKO:

H.R. 8764.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. LUETKEMEYER:

H.R. 8765.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common Defense and general welfare of the United States, as enumerated in Article I, Section 8, Clause 1. Thus, Congress has the authority not only to increase taxes, but also, to reduce taxes to promote the general welfare of the United States of America and her citizens. Additionally, Congress has the Constitutional authority to regulate commerce among the States and with Indian Tribes, as enumerated in Article I, Section 8, Clause 3.

By Mr. PAPPAS:

H.R. 8766.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 18 provides Congress with the power "to make all Laws which shall be necessary and proper for car-

rying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. SMITH of Washington:

H.R. 8767.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. WEBER of Texas:

H.R. 8768.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 292: Ms. FOXX of North Carolina.

H.R. 414: Miss RICE of New York.

H.R. 784: Mr. LUCAS.

H.R. 852: Mrs. NAPOLITANO.

H.R. 945: Ms. DELBENE.

H.R. 1002: Mr. CHABOT.

H.R. 1407: Ms. STEVENS and Mr. PERRY.

H.R. 1541: Mr. TRONE.

H.R. 1571: Mr. SHERMAN.

H.R. 1899: Mr. SIRES.

H.R. 1979: Mr. GRIFFITH.

H.R. 2009: Ms. DEGETTE.

H.R. 2264: Mr. POCAN.

H.R. 2442: Mrs. DINGELL.

H.R. 2645: Mr. RIGGLEMAN.

H.R. 2767: Mr. KHANNA and Mr. RUSH.

H.R. 3155: Ms. FINKENAUER and Mr. CLEAVER.

H.R. 3297: Miss RICE of New York.

H.R. 3711: Mr. NORCROSS.

H.R. 4290: Mr. BYRNE.

H.R. 4326: Mrs. MURPHY of Florida.

H.R. 4540: Ms. SPEIER.

H.R. 4636: Ms. HOULAHAN.

H.R. 4644: Mr. TAYLOR.

H.R. 4681: Mr. KELLY of Mississippi.

H.R. 5002: Mr. GONZALEZ of Texas, Mr. CONOLLY, and Mr. ALLRED.

H.R. 5788: Mr. GOTTHEIMER.

H.R. 5900: Ms. SCHRIER.

H.R. 6132: Ms. FINKENAUER.

H.R. 6383: Ms. SEWELL of Alabama.

H.R. 6788: Mr. SCHRAMMER, Ms. SCHRIER, Mr. RUSH, and Ms. BONAMICI.

H.R. 6958: Mr. KRISHNAMOORTHY.

H.R. 7052: Mr. SCHIFF and Mr. KHANNA.

H.R. 7059: Mr. BARR and Mr. CLINE.

H.R. 7101: Mr. NEGUSE.

H.R. 7148: Mr. MOONEY of West Virginia.

H.R. 7153: Mr. KILMER.

H.R. 7324: Mrs. NAPOLITANO.

H.R. 7344: Ms. FOXX of North Carolina.

H.R. 7391: Mr. ROSE of New York, Mr. CARTWRIGHT, and Mr. BAIRD.

H.R. 7400: Mr. LOUDERMILK.

H.R. 7432: Mr. EVANS.

H.R. 7541: Mr. RIGGLEMAN.

H.R. 7585: Ms. ESHOO.

H.R. 7663: Mr. COLE, Ms. DELAURO, Mr. PALAZZO, and Mr. WILSON of South Carolina.

H.R. 7806: Mr. KILMER.

H.R. 7854: Mr. MEUSER.

H.R. 7879: Mrs. MURPHY of Florida and Mr. RIGGLEMAN.

H.R. 7900: Mr. CARSON of Indiana.

H.R. 7940: Mr. HUFFMAN.

H.R. 7947: Mrs. RODGERS of Washington.

H.R. 8082: Ms. SANCHEZ.

H.R. 8125: Mr. JOHNSON of Ohio.

H.R. 8178: Mrs. BEATTY.

H.R. 8187: Mr. SIRES.

H.R. 8190: Mr. SAN NICOLAS.

H.R. 8254: Mr. GALLAGHER, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. PENCE.

H.R. 8260: Mrs. WAGNER.

H.R. 8359: Mr. LAMBORN.

H.R. 8367: Ms. WILSON of Florida.

H.R. 8407: Mr. KELLER.

H.R. 8476: Ms. SCANLON.

H.R. 8494: Mr. PETERS.

H.R. 8496: Mr. SAN NICOLAS and Ms. JACKSON LEE.

H.R. 8498: Mr. SPANO and Mr. GROTHMAN.

H.R. 8540: Mr. NEGUSE.

H.R. 8574: Mr. PANETTA.

H.R. 8598: Mr. LOWENTHAL, Mr. PERLMUTTER, and Mr. BRINDISI.

H.R. 8609: Ms. GARCIA of Texas and Ms. JAYAPAL.

H.R. 8662: Mr. HIGGINS of Louisiana, Ms. DEGETTE, Mr. BRADY, Mr. CRAWFORD, Mr. STANTON, Mr. CROW, Mr. SMITH of Missouri, Mrs. MURPHY of Florida, Mr. THOMPSON of Pennsylvania, and Mr. AUSTIN SCOTT of Georgia.

H.R. 8675: Mr. FERGUSON.

H.R. 8702: Mr. BRINDISI, Mr. KRISHNAMOORTHY, Mr. LANGEVIN, and Mrs. FLETCHER.

H.R. 8707: Mr. MEEKS and Mr. NADLER.

H.R. 8723: Mr. GOSAR.

H.R. 8727: Mr. MORELLE and Mr. VAN DREW.

H.R. 8736: Mr. PERRY and Ms. DEAN.

H.R. 8744: Ms. NORTON.

H. Con. Res. 36: Mr. SHERMAN.

H. Con. Res. 116: Mr. LUCAS.

H. Res. 809: Mr. TAYLOR.

H. Res. 823: Mr. CICILLINE.

H. Res. 861: Ms. NORTON.

H. Res. 902: Mrs. AXNE.

H. Res. 1050: Mr. BAIRD.

H. Res. 1062: Mr. TAYLOR.

H. Res. 1178: Mr. PAYNE.

H. Res. 1209: Ms. CASTOR of Florida.

H. Res. 1217: Ms. STEVENS.

H. Res. 1220: Mr. GROTHMAN.

H. Res. 1221: Mr. SCOTT of Virginia.



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Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

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WASHINGTON, TUESDAY, NOVEMBER 17, 2020

No. 195

Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

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

Let us pray.

Mighty God, help our lawmakers to not put their complete trust in mere humans, who are as frail as each breath. Instead, give them the wisdom to totally trust You to guide them in doing what is best for our Nation and world.

Lord, remind them that eventually all will be well for those who pursue Godliness and that You reward those who diligently seek You.

May they remember that You will judge their work and reward their faithfulness, for they are accountable to You.

Inspire them to continue to plant and water the seeds of peace, knowing that a bountiful harvest will surely come. Keep their motives pure, as they seek to glorify You.

We pray in Your Merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 17, 2020.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE BUSINESS

Mr. MCCONNELL. Madam President, there is significant outstanding business that Congress needs to complete before the end of the year.

My Republican colleagues and I have stated over and over that we still want to pass more coronavirus relief for the American people. Senate Republicans have voted multiple times to send hundreds of billions of dollars to schools, small businesses, healthcare, and laid-off workers.

If Speaker PELOSI and Leader SCHUMER had not made the calculation to block it, that money could have been out the door many weeks ago.

Instead, our Democratic colleagues have spent months—literally months—holding all of that urgent help hostage over unrelated, leftwing wish list items.

Their so-called “Heroes” proposal is so unrealistic and poorly targeted that Speaker PELOSI’s own moderate Democrats ridiculed the bill the instant she put it out and said it will never become law.

It includes things like a massive tax cut for wealthy people in blue States

and huge sums of money for State and city governments with no linkage to demonstrated COVID needs.

Some blue States, including New York and California, have actually seen higher State income tax revenues this autumn than they saw during the same months last year, in part, because they are taxing a chunk out of vulnerable people’s unemployment benefits. They are receiving more tax revenue now than they did in 2019. Some of these blue States are receiving more revenue now than they did in 2019.

But, alas, Democrats still want coronavirus relief for the entire country held hostage over a massive slush fund for their own use.

Well, even if our Democratic colleagues continue to block any bipartisan pandemic relief from becoming law, there are other responsibilities we still need to tackle together.

The Federal Government is currently funded through December 11. The next few days will tell us a lot about whether Congress can pull off the bipartisan, bicameral appropriations process that I believe both sides would like to deliver.

Last week, our colleagues on the Senate Appropriations Committee released all 12 bills for fiscal year 2021. The bills would fully fund all kinds of crucial priorities, from securing our border to caring for our veterans, to supporting public health at this particularly critical time.

What needs to happen now is quite simple. Our colleagues on the committee and their counterparts in the House need to continue their bicameral discussions and settle on topline dollar amounts for each separate bill.

I hope they will be able to reach this broad agreement by the end of this very week. That would help keep us on course to deliver full-year funding legislation, which helps our Armed Forces and all Federal agencies plan and get ahead of the curve by the December deadline.

For nearly 2 years now, we have avoided the drama that has become a

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Washington routine and funded our government on a bipartisan basis. Last August, we passed a 2-year bipartisan funding agreement that let our committees do their work even amid this divided government.

When both sides have honored the agreement and kept bills clean of poison pills, Chairman SHELBY has been able to deliver full-year bills without drama. I hope we can replicate that successful pattern this year.

Congress should also reach a bipartisan, bicameral compromise on the National Defense Authorization Act and pass a conference report before the end of the year.

Our men and women in uniform need every tool and resource to confront the great-power competitors, rogue states, and terrorists who wish us harm. Congress should be an asset to our own servicemembers, not a liability.

This year would make the 60th consecutive year Congress will have passed an NDAA. This is no time to break that streak and leave our forces in the lurch. Let's get this done and pass a conference report through both Chambers this year.

JUDICIAL NOMINATIONS

Mr. McCONNELL. Madam President, on another matter, while our committees are working, the full Senate is keeping busy with one of the core constitutional responsibilities we have: continuing to confirm well-qualified men and women to lifetime appointments to the Federal judiciary.

Yesterday, we voted to advance the nomination of Kristi Haskins Johnson, the current solicitor general of Mississippi, with multiple impressive clerkships under her belt, to serve as a district judge for the Southern District of Mississippi. She will make history as the first woman to join the bench in that district.

This is just the first of several nominations we will consider this week. We will also vote on Benjamin Beaton, a Kentuckian who has been nominated to be a district judge for the Western District of Kentucky. This Paducah native is yet another outstanding choice by President Trump.

Mr. Beaton received a first-rate education from Kentucky's Centre College and then Columbia Law School, where he edited the law review. He clerked on the DC Circuit and on the Supreme Court for the late Justice Ruth Bader Ginsburg.

Since then, Mr. Beaton has excelled at some of the country's top law firms. He has also undertaken a substantial pro bono caseload and shown a dedication to community service.

At each step, the nominee has demonstrated a firm commitment to the Constitution and the rule of law. The American Bar Association has confirmed what Kentuckians already knew—Mr. Beaton is well qualified to serve as a district judge.

Last month, our colleagues on the Judiciary Committee advanced this

brilliant nominee with no Members voting in opposition. I urge all my colleagues to join me in voting to confirm him later today and our other impressive nominees this week.

Now, this week's nominees are only the latest example of the incredible qualifications that have characterized President Trump's nominees.

Take the metric that our Democratic colleagues have called the "gold standard," the ratings of the left-leaning American Bar Association. As of a few months ago, across all the people that President Trump had nominated to the Federal District Courts, 68.8 percent had earned the ABA's top rating—top rating—of "well qualified."

If you look back over the last seven Presidential administrations, only one—Bush 43—has managed to post a higher average rating for judicial nominations. Even then, it was only higher by just a hair—just a hair.

Even the Democrats' own supposed "gold standard" destroys the talking point that President Trump's nominees have been less thoroughly qualified. It is just not factual. It is not true.

Earlier this year, looking at clerkships and professional experience, one liberal commentator admitted that "the average Trump appointee has a far more impressive resume than any past president's nominees."

Let me say that again. This is a liberal commentator who follows these things and admitted that "the average Trump appointee has a far more impressive resume than any past president's nominees."

So it is pretty hard to argue that these haven't been extraordinary additions to our Federal courts. This is a tremendous accomplishment. These are judges who will serve our Nation honorably for generations to come.

Our colleagues here in the Senate should be rightly proud to have confirmed them, and we are going to continue doing just that.

Madam President, I ask unanimous consent that the mandatory quorum call with respect to the Beaton nomination be waived.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. McCONNELL. I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Madam 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.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

MASKS

Mr. SCHUMER. Now, before I begin, Madam President, I want to remind Senators to wear a mask as much as possible on the floor. I personally take my mask off when addressing the Chair, so long as other Senators or staff are not nearby. Otherwise, a mask should be worn at all times on the floor.

This is not only for the safety of other Senators. This is for the safety of our staffs, everyone who works here on the floor, and everyone who works here in this building, as well as setting the right example for the American people.

NOMINATION OF JUDY SHELTON

Mr. SCHUMER. Madam President, on Judy Shelton, today the Senate will vote on the nomination of Judy Shelton to serve as a member of the Board of Directors of the Federal Reserve.

Ms. Shelton is, without a doubt, one of the most unqualified nominees I have ever seen for our Nation's central bank. When her nomination first came before the Senate Banking Committee, a former Republican aide to a Senator on the Banking Committee said that she was so unqualified and so far out of the mainstream that the "idea of even calling Ms. Shelton as a witness for something was beyond the pale."

That is a former Republican aide saying that Shelton wasn't qualified to be a witness in a committee hearing, let alone a nominee to the Federal Reserve Board of Governors.

It is not hard to understand why. For years, Ms. Shelton has advocated for the resurrection of the gold standard, a long since discarded policy that in part led to the Great Depression. She has questioned the independence of the Fed and, beyond that, has even questioned whether the Fed should exist.

Ms. Shelton has also suggested that we put an end to Federal deposit insurance, an institution that has protected American savings since the 1930s. That is why over 130 of the nation's top economists, including seven Nobel laureates, have opposed her nomination, as have countless alumni of the Federal Reserve Board of Governors.

Ms. Shelton's views have another strange quality: They seem to change when it is politically convenient. When President Obama was in office, Ms. Shelton harangued the Fed to increase interest rates, despite the economic downturn. But in 2017, when President Trump took office, Ms. Shelton abruptly switched her position and argued that the Fed should reduce rates, in her words, "as fast, as efficiently, as expeditiously as possible."

It may surprise few to learn that she was an adviser to President Trump's 2016 campaign. She has defended his candidacy and his policies and encouraged world banks to hold international conferences at Mar-a-Lago. Imagine—a nominee for the Federal Reserve, which is supposed to be an independent body.

I have fought both Democrats and Republicans when they have tried to interfere with the independence of the Fed, but Ms. Shelton doesn't seem to care about it at all. So that might be the most concerning thing about her nomination: her stunning lack of independence.

The Federal Reserve Board must make decisions based on objective economic analysis and judgment, not whatever is best for one party or one occupant of the Oval Office. That is why terms on the Federal Reserve board last 14 years. We are supposed to trust Federal Reserve Governors to be neutral arbiters, no matter which party is in power in Washington. We are supposed to trust that everyone who serves on the Fed is first and foremost well qualified and truly independent.

But, unfortunately, Judy Shelton is neither. Ms. Shelton has shown herself to be an economic weathervane, pointing whichever direction she thinks the partisan winds are blowing.

Every single Democrat will oppose her nomination today. I understand a few of our Republican colleagues will oppose her nomination as well. The question is, Will enough of our colleagues on the other side stand up and do the right thing today?

Members of this Chamber have stood up before to prevent President Trump from putting unqualified partisan advocates on the Federal Reserve. During these final few weeks of the Trump Presidency, it is time to do it again. I plead with my Republican colleagues, for the sake of an economy that is hurting from COVID, for the sake of our future economy and its growth, to reject Ms. Shelton's nomination.

CORONAVIRUS

Mr. SCHUMER. Madam President, on COVID, by all rights, the Senate should not be spending its time this week on so many nominees, especially such unqualified nominees, while COVID-19 is surging throughout the country.

The urgent need for another relief bill has been confronting the Senate since March of this year. The Republican leader put the Senate on "pause," as he said, all summer, while the virus got worse and worse. And when he finally decided it was time to do another bill, he crafted a partisan, emaciated proposal that fell drastically short of what was needed to address a burgeoning health and economic crisis.

Now, President-Elect Biden has urged the Senate to pass a comprehensive bill that actually meets the needs of the American people. He pointed to the HEROES Act, and that is the right focus. We need a comprehensive bill that meets the needs of the American people, but, of course, we would want to sit down and negotiate with our Republican colleagues.

The Republican leader should come to the table and negotiate with Democrats on a bipartisan COVID relief bill

with a bipartisan process that addresses all of the challenges we now face.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Kristi Haskins Johnson, of Mississippi, to be United States District Judge for the Southern District of Mississippi.

CORONAVIRUS

Mr. THUNE. Madam President, for the second Monday now in a row, we have received tremendous news about the prospects for a COVID vaccine.

Last week, Pfizer announced that the initial results of its COVID vaccine showed a greater than 90-percent rate of effectiveness. And yesterday, Moderna announced its COVID vaccine is showing a similarly high effectiveness rate, raising the possibility that not one but two COVID vaccines may be available in the very near future.

This success is a tribute to the innovative power of the private sector and the efforts of Congress and the Trump administration to expedite development of COVID vaccines. Operation Warp Speed has helped fund development of Moderna's vaccine and will help fund distribution of both Moderna's and Pfizer's products.

While vaccine trials and development continue, so does research into new COVID treatments. Drugmaker Eli Lilly just received emergency use authorization for an antibody drug that will be used to treat COVID in patients with mild or moderate illness. Another company, Regeneron, has also filed for emergency use authorization for a potential antibody treatment. And there are a lot of other clinical trials going on right now for COVID vaccines and

therapeutics, meaning there may be more good news to come.

Meanwhile, we are also strengthening domestic production of personal protective equipment for medical personnel and other essential workers.

And 3M, which manufactures N95 masks, received two contracts under the Defense Production Act to expand N95 production. I recently visited the 3M plant in Aberdeen, SD, to celebrate the opening of the plant's new N95 manufacturing lines. These new lines will help 3M's N95 production increase from 22 million to more than 95 million respirators per month. That is critical progress on the PPE front, not to mention the jobs that are being created.

ECONOMIC GROWTH

Madam President, on the economic front, the good news continues. The October jobs report showed yet another reduction in the unemployment rate and revealed that the economy created more than 600,000 jobs in October.

While we definitely have a ways to go to get back to where we need to be, the speed and strength of our recovery are encouraging. It is a testament to the strength of our economy before the virus hit. Thanks to Republican tax relief and regulatory reform, our economy was thriving before the coronavirus descended, and that economic strength provided the groundwork for a strong recovery.

Republican-led coronavirus initiatives like the Paycheck Protection Program have also helped keep the economy going during the virus. More than 5 million small businesses, including more than 23,000 in South Dakota, have taken advantage of the Paycheck Protection Program's forgivable loans to help keep their businesses operating and their employees on the payroll.

CORONAVIRUS

Madam President, of course, while there is much to be hopeful about, the virus is still very much with us, and cases are surging. My home State of South Dakota has been hit hard, as have many other areas of the country.

While we wait for final approval of vaccines, it is essential that we keep following best practices and do what we can to slow the virus's spread, like social distancing, wearing masks, washing hands frequently, avoiding large gatherings, and more.

While the money Congress has already invested in COVID relief has gone a long way toward meeting the country's needs, we should pass additional targeted relief to help Americans weather the rest of the pandemic.

Senate Republicans have introduced additional COVID relief legislation that would provide the hardest hit businesses with a second round of Paycheck Protection Program loans, help schools and colleges operate safely, and provide additional healthcare resources to fight the virus.

Our legislation would also provide for an additional \$300 per week over and above regular unemployment benefits for those who have lost their jobs as a result of the pandemic.

I am very pleased that our legislation includes an additional \$20 billion in funding to allow the Department of Agriculture to continue to assist ag producers and processors.

We have also made sure to include liability protections for schools and businesses that are doing their best to protect others from the virus. Predatory trial lawyers are already lining up to exploit the COVID crisis for financial gain. We need to protect our economic recovery by ensuring that schools, businesses, and medical professionals aren't subjected to frivolous lawsuits for coronavirus infections that were beyond their control.

I would love to be able to say that Republicans will pass our coronavirus bill in the next couple of weeks, but, unfortunately, that depends on my Democratic colleagues. The Democratic leadership hasn't shown much inclination to work with Republicans. In fact, it has shown the opposite.

Speaker PELOSI spent more than 3 months—3 months—supposedly negotiating a coronavirus relief package that never arrived. Why? Because Democrats refused to put a reasonable offer on the table.

Members of the Speaker's own party pleaded with her to arrive at an agreement, but the Speaker wouldn't listen, and she is still not listening.

Despite the fact that her party lost a number of seats in the House in the election, the Speaker and the Democratic leader in the Senate are still refusing to come to the table to work with Republicans. In fact, the Speaker and the leader have doubled down—doubled down—on their unreasonable demands.

I get that Democratic leaders would like to be able to design their own coronavirus bill with no input from anyone else, but that is not what happens in a divided government.

In a divided government, both sides have to compromise in order to pass legislation. Republicans know that, and we are willing to compromise to get relief into the hands of the American people, but Democrats are not. Even as the coronavirus surges around the country, Democrats continue to insist on their way or the highway.

It is hard not to think that the Democratic leadership is more interested in exploiting this crisis for political gain than in actually getting relief to Americans.

We could have another COVID relief bill ready for passage tomorrow if Democrats would just come to the table. It is inexcusable that they haven't. But Republicans aren't giving up. We will continue to invite our Democratic colleagues to work with us to develop compromise legislation.

I hope that at least some of my colleagues from the other side of the aisle will decide that a pandemic is not the time to play politics and will work with us to deliver a bill to the American people.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. LOEFFLER). Without objection, it is so ordered.

VOTE ON JOHNSON NOMINATION

Under the previous order, all postcloture time on the nomination has expired.

The question is, Will the Senate advise and consent to the Johnson nomination?

Mr. THUNE. Madam President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Iowa (Mr. GRASSLEY) would have voted "yea," and the Senator from Florida (Mr. SCOTT) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 230 Ex.]

YEAS—53

Barrasso	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Hawley	Risch
Boozman	Hoeven	Roberts
Braun	Hyde-Smith	Romney
Burr	Inhofe	Rounds
Capito	Johnson	Rubio
Cassidy	Jones	Sasse
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sinema
Cramer	Loeffler	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

NAYS—43

Baldwin	Hassan	Sanders
Bennet	Heinrich	Schatz
Blumenthal	Hirono	Schumer
Booker	Kaine	Shaheen
Brown	King	Smith
Cantwell	Klobuchar	Stabenow
Cardin	Leahy	Tester
Carper	Markey	Udall
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warren
Duckworth	Murray	Whitehouse
Durbin	Peters	Wyden
Feinstein	Reed	
Gillibrand	Rosen	

NOT VOTING—4

Alexander	Harris
Grassley	Scott (FL)

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Benjamin Joel Beaton, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Mitch McConnell, Mike Crapo, Tom Cotton, David Perdue, Mike Rounds, Pat Roberts, Cindy Hyde-Smith, Kevin Cramer, Lindsey Graham, Thom Tillis, Tim Scott, James E. Risch, Michael B. Enzi, John Cornyn, Roger F. Wicker, John Thune, John Boozman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on Benjamin Joel Beaton, of Kentucky, to be United States District Judge for the Western District of Kentucky, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Iowa (Mr. GRASSLEY) would have voted "yea," and the Senator from Florida (Mr. SCOTT) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 231 Ex.]

YEAS—52

Barrasso	Enzi	McConnell
Blackburn	Ernst	McSally
Blunt	Fischer	Moran
Boozman	Gardner	Murkowski
Braun	Graham	Paul
Burr	Hawley	Perdue
Capito	Hoeven	Portman
Cassidy	Hyde-Smith	Risch
Collins	Inhofe	Roberts
Cornyn	Johnson	Romney
Cotton	Kennedy	Rounds
Cramer	Lankford	Rubio
Crapo	Lee	Sasse
Cruz	Loeffler	Scott (SC)
Daines	Manchin	Shelby

Sinema
Sullivan
Thune

Tillis
Toomey
Wicker

Young

NAYS—44

Baldwin Hassan Rosen
Bennet Heinrich Sanders
Blumenthal Hirono Schatz
Booker Jones Schumer
Brown Kaine Shaheen
Cantwell King Smith
Cardin Klobuchar Stabenow
Carper Leahy Tester
Casey Markey Udall
Coons Menendez Van Hollen
Cortez Masto Merkley Warner
Duckworth Murphy Warren
Durbin Murray Warren
Feinstein Peters Whitehouse
Gillibrand Reed Wyden

NOT VOTING—4

Alexander Harris
Grassley Scott (FL)

The PRESIDING OFFICER. The yeas are 52, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Benjamin Joel Beaton, of Kentucky, to be United States District Judge for the Western District of Kentucky.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:17 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

VOTE ON BEATON NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Beaton nomination?

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea", the Senator from Iowa (Mr. GRASSLEY) would have voted "yea", and the Senator from Florida (Mr. SCOTT) would have voted "yea".

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 44, as follows:

[Rollcall Vote No. 232 Ex.]

YEAS—52

Barrasso Gardner Portman
Blackburn Graham Risch
Blunt Hawley Roberts
Boozman Hoeven Romney
Braun Hyde-Smith Rounds
Burr Inhofe Rubio
Capito Johnson Sasse
Cassidy Kennedy Scott (SC)
Collins Lankford Shelby
Cornyn Lee Sinema
Cotton Loeffler Sullivan
Cramer Manchin Thune
Crapo McConnell Tillis
Cruz McSally Toomey
Daines Moran Wicker
Enzi Murkowski Young
Ernst Paul
Fischer Perdue

NAYS—44

Baldwin Hassan Rosen
Bennet Heinrich Sanders
Blumenthal Hirono Schatz
Booker Jones Schumer
Brown Kaine Shaheen
Cantwell King Smith
Cardin Klobuchar Stabenow
Carper Leahy Tester
Casey Markey Udall
Coons Menendez Van Hollen
Cortez Masto Merkley Warner
Duckworth Murphy Warren
Durbin Murray Whitehouse
Feinstein Peters Wyden
Gillibrand Reed

NOT VOTING—4

Alexander Harris
Grassley Scott (FL)

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

Mr. THUNE. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the Shelton nomination be waived.

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Judy Shelton, of California, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010.

Mitch McConnell, John Thune, Marsha Blackburn, Joni Ernst, Pat Roberts, John Cornyn, Lindsey Graham, Deb Fischer, Tim Scott, Lamar Alexander, Kevin Cramer, Mike Braun, John Hoeven, Mike Crapo, Michael B. Enzi, John Boozman, Thom Tillis.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Judy Shelton, of California, to be a

Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2010, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay," the Senator from Florida (Mr. SCOTT) would have voted "yea," and the Senator from Iowa (Mr. GRASSLEY) would have voted "yea."

The PRESIDING OFFICER (Mrs. BLACKBURN). Are there any other Senators in the Chamber desiring to vote?

[Rollcall Vote No. 233 Ex.]

YEAS—47

Barrasso Fischer Perdue
Blackburn Gardner Portman
Blunt Graham Risch
Boozman Hawley Roberts
Braun Hoeven Rounds
Burr Hyde-Smith Rubio
Capito Inhofe Sasse
Cassidy Johnson Scott (SC)
Cornyn Kennedy Shelby
Cotton Lankford Sullivan
Cramer Lee Thune
Crapo Loeffler Tillis
Cruz McSally Toomey
Daines Moran Wicker
Enzi Murkowski Young
Ernst Paul

NAYS—50

Baldwin Hassan Romney
Bennet Heinrich Rosen
Blumenthal Hirono Sanders
Booker Jones Schatz
Brown Kaine Schumer
Cantwell King Shaheen
Cardin Klobuchar Sinema
Carper Leahy Smith
Casey Manchin Stabenow
Collins Markey Tester
Coons McConnell Udall
Cortez Masto Menendez Van Hollen
Duckworth Merkley Warner
Durbin Murphy Warren
Feinstein Murray Whitehouse
Gillibrand Peters Wyden
Harris Reed

NOT VOTING—3

Alexander Grassley Scott (FL)

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 50, and the motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

MOTION TO RECONSIDER

Mr. MCCONNELL. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the Crouse nomination be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

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

Mitch McConnell, James E. Risch, Joni Ernst, Marsha Blackburn, Mike Crapo, James Lankford, Thom Tillis, Roy Blunt, Roger F. Wicker, Pat Roberts, Mike Rounds, John Cornyn, John Hoeven, Jerry Moran, Lamar Alexander, Mike Braun, David Perdue.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Toby Crouse, of Kansas, to be United States District Judge for the District of Kansas, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Iowa (Mr. GRASSLEY) would have voted "yea," and the Senator from Florida (Mr. SCOTT) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 234 Ex.]

YEAS—51

Barrasso	Fischer	Paul
Blackburn	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Hawley	Risch
Braun	Hoeven	Roberts
Burr	Hyde-Smith	Romney
Capito	Inhofe	Rounds
Cassidy	Johnson	Rubio
Collins	Kennedy	Sasse
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Shelby
Cramer	Loeffler	Sullivan
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young

NAYS—44

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Markey	Tester
Coons	Menendez	Udall
Cortez Masto	Merkley	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gillibrand	Reed	

NOT VOTING—5

Alexander	Harris	Warren
Grassley	Scott (FL)	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The clerk will report the nomination.

The legislative clerk read the nomination of Toby Crouse, of Kansas, to be United States District Judge for the District of Kansas.

The PRESIDING OFFICER. The Senator from Utah.

ORRIN G. HATCH UNITED STATES COURTHOUSE

Mr. LEE. Madam President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4902, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 4902) to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the "Orrin G. Hatch United States Courthouse".

The PRESIDING OFFICER. Without objection, the Senate will proceed to the measure.

The Senator from Utah.

Mr. LEE. Madam President, this is legislation that would name the Federal courthouse in Salt Lake City, which was completed a few years ago, after my friend and former colleague and also a longtime mentor of mine, Senator Orrin G. Hatch.

Senator Hatch, long before he became a statesman, was a lawyer—and not just any lawyer, he was a lawyer's lawyer. He was really good. He received the prestigious Martindale-Hubbell AV rating as a litigator. His skills as a litigator were so good that they helped convince some of his friends and neighbors that he ought to seek public office. The first public office he sought as an elected official was to the U.S. Senate. He was elected in 1976.

He then served in the U.S. Senate from 1977 all the way up until 2019. During that 42-year time period, Senator Hatch had a profound impact not only on the U.S. Senate and his colleagues here—and he certainly did; he was a friend to everyone who knew him—but he also had a much broader impact, one that will have far-reaching, lasting, durable impacts on the Federal court system.

I took a look at a list of all Federal district judges—the trial court judges who have served on the Federal bench from Utah ever since our statehood. There are only about 20 people on that list. All but five of those came on to the court either during or right after; in other words, with some input—significant input from Senator Hatch.

Senator Hatch has also been a part of every judicial nomination in the con-

firmation process during that same 42-year period. I can't think of any other Utahian in the history of our State who has had anywhere near the kind of impact on the Federal judiciary as Senator Hatch. It is not just that he served on the committee throughout that time period that confirmed judicial nominees, whether to Federal district courts, to the courts of appeals, or to the Supreme Court—he certainly did have a lot of impact there—but his impact even went further than that, you see, because he sought to be a mentor to people interested in the law and in public policy everywhere. His service had an impact certainly on me as one of countless lawyers and other people interested in law and public policy in this country.

I remember watching proudly and with great admiration as he conducted himself as a member of the Senate Judiciary Committee during the Robert Bork confirmation hearings. He had a certain commitment to the rule of law and to fundamental fairness that would be owed to anyone nominated to that or any other judicial position, and he was willing to make sure that the Senate did its job and that it didn't get mired in the politics of the day.

He had a great quote on this topic. He said: "Politics must not undermine the principles and standards we apply to every judicial nomination."

I watched over the years, in part, because I had first seen him participate in the Bork hearings. That got me interested in the Senate. In part, because of that example, that got me interested as a teenager to apply to be a Senate page. I later became a Senate page, appointed by Senator Hatch. I got to see him carry out his activities as a member of the Senate Judiciary Committee. And from then on, I always watched with careful attention when he was handling a judicial confirmation hearing.

I watched through the years as he handled the nomination hearings of individuals including: Justice Thomas, Justice Ginsburg, and, later, Justice Alito, my former boss. In each instance, he treated judicial nominees and literally hundreds of others like them with dignity and respect but also with the amount of thorough attention that lifetime appointment to the Federal judiciary demands.

In addition to this, he also liked to try to foster in others a genuine interest in the law. I remember, when I was serving as a law clerk to Federal District Judge Dee Benson in Salt Lake City—one of the brightest and most capable jurists ever to serve on the Federal bench, whether in Utah or anywhere else. He was a good friend, longtime ally and confidant of Senator Hatch's. I remember, while I was clerking for Judge Benson, right after I graduated from law school, Senator Hatch came by and just held a roundtable discussion with all the Federal judges. He not only seemed but was in fact conversant on all kinds of issues of

the law—not just the hot-button issues that people think of when they watch the news, but he was delving into arcane details of the law that really made me proud to have him representing me in the U.S. Senate from the State of Utah.

I got to know Senator Hatch even better after I got elected to the Senate, and he and I had the opportunity to work together as colleagues. Throughout all these experiences, I have come to revere him as someone who reveres the law.

For these reasons, I conclude that it is fitting for us to name this Federal courthouse in Utah after him. It is difficult to imagine anyone who has had the same impact on the Federal judiciary who has ever lived in or served from our State as Senator Hatch.

Madam President, I would like to yield some time to my colleague, the Senator from Utah.

Mr. ROMNEY. Senator LEE, thank you for your excellent remarks with regard to Senator Orrin Hatch. I rise to second what you said and to add a few words, some duplicative.

As you indicated, Senator Hatch dedicated his life to serving our country and our State, and he served in this body for some 42 years—a remarkable and extraordinary career of public service. And, of course, he was one of the longest serving chairmen of the Senate Judiciary Committee and, therefore, played a pivotal role in confirming many, many current and now-retired Supreme Court Justices. And while serving as chairman, he also helped shepherd hundreds of district and appellate judges through confirmation, including the majority of Utah's Federal judges.

His impact on the State of Utah is not just professional but also personal. Virtually anybody who stopped Senator Hatch and asked his opinion on a topic—he would stop, shake their hand, smile, and give them a full rapt attention. He is a tall drink of water, so you have to look up to Senator Hatch.

I came to him, following the crisis of 9/11, asking for his help in securing essential security funding for the Olympic Winter Games of 2002. Senator Hatch immediately took me to meet with other Senators, and he, along with others, was able to secure the funding necessary to make sure that our games were safe and were ultimately produced successfully in a way that made them the most successful Olympic Winter Games in history. He was and is an honorable public servant who continues to have tremendous impact on our State; therefore, it is only appropriate that Utah's Federal courthouse be named in his honor, and I am glad to support this legislation.

I yield my time back to Senator LEE.

Mr. LEE. I ask unanimous consent that S. 4902 be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 4902) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4902

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

SECTION 1. ORRIN G. HATCH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 351 South West Temple in Salt Lake City, Utah, shall be known and designated as the “Orrin G. Hatch United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Orrin G. Hatch United States Courthouse”.

Mr. LEE. Madam President, I am grateful my colleagues have chosen to allow this to pass into law. It is a great day for Senator Hatch, the State of Utah, and the United States.

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.

EXECUTIVE SESSION—Continued

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

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

CORONAVIRUS

Mr. DURBIN. Mr. President, the United States surpassed 11 million COVID-19 cases this past week. This comes just 6 days after our Nation recorded 10 million cases—1 million added to the 10 million in 6 days—making it the fastest transmission of 1 million new cases since the pandemic began. Nearly a quarter of a million Americans have died. This runaway crisis is alarming, it is deadly, and it demands action.

The city of Chicago began a stay-at-home advisory to help encourage people to contain the virus in our communities. Across Illinois, more than 5,000 patients have been hospitalized with COVID-19 each night for the past week. We have shattered new infection records nearly every day this month. Illinois has now experienced more than 597,000 cases, and we have sadly lost 10,875. My heart goes out to everyone who has lost a loved one.

In addition to trying to keep ourselves and our loved ones healthy and safe from the virus, Americans have also been struggling to deal with economic uncertainty, job loss, food insecurity, childcare—the list goes on and on and on. Here we are just days before Thanksgiving, and many of our neighbors are trying to pick the right day to go to the food bank so they can feed their families on this day of thanks.

Where is the sense of urgency on Capitol Hill when it comes to providing another round of economic impact payments, enhanced unemployment bene-

fits, funding for the food stamps—the SNAP program? Our country is in desperate need of help, and they are counting on us.

You would think a crisis of this scale would be the first order of business for the Republican-controlled Senate this week. Yet, while this pandemic continues to rage, too many Republicans in Congress refuse to even come to the table to negotiate a comprehensive, bipartisan relief bill. There are those who will, and I commend them. It takes real courage. Instead, their leader, Senator MCCONNELL, has scheduled votes this week on six barely qualified judicial nominees. The average age of this week's judicial nominees is 38.

You see, these are lifetime appointments. If you get somebody with the right answers to their political questions, then they will give you 20, 30, or more years while you have control of that court, and control of the court is more important, obviously, than coronavirus.

The youngest one of these nominees is Kathryn Mizelle. She is 33 years old. The American Bar Association took a look at her record and judged her “not qualified.” This is the 10th Trump nominee for a lifetime appointment to the Federal court who has been judged “not qualified” by the American Bar Association. You might say: I am sure that happens. Well, it didn't happen at all in the 8 years of the Obama Presidency. Not a single nominee who was judged “unqualified” was sent to Congress.

Another nominee, Stephen Vaden, who has been nominated for a lifetime position at the Court of International Trade, has never appeared before the Court of International Trade. He has never tried a case in any court. He will be a great judge once he figures it out.

We voted on Dr. Judy Shelton's nomination to the Federal Reserve Board. She is uniquely unqualified. Her economic views are almost humorous, they are so out of touch with reality. We are experiencing the worst recession in 75 years, and Dr. Shelton, by her stated views, is unprepared to contribute to dealing with this economic crisis.

It is the story of the 116th Congress. The Republican-controlled Senate spends month after month after month ignoring a raging pandemic and refusing to even consider the House-passed relief legislation.

Here is a good question for Members of the Senate: How many amendments has the Senate voted on this calendar year of 2020? Not counting impeachment—set that aside. But how many amendments to legislation have we considered in this calendar year? The answer is 27—27 amendments in this calendar year. That is an improvement, incidentally. In 2019, we considered exactly 22 amendments. Six of them were forced on us by Senator RAND PAUL of Kentucky, who basically said: I won't let you go home until you vote on this amendment. And, as Senator PAUL has

said, of course he lost every one of those amendments.

Twenty-seven amendments in 1 year; 22 the previous year. Do you know why? We don't legislate. We don't debate. We don't offer amendments. We don't pass bills. We come here with a new set of nominations every week from the Republican majority. We don't have any legislation on the pandemic. We have no legislation on economic recovery. We just have to get these lifetime appointees, some who have been found categorically unqualified. That is what this Senate is all about.

In this last week before the Thanksgiving recess, is this really all we are going to do? How about the 28 rural hospitals in Kentucky that are facing the risk of closure? How about the \$1.3 billion of uncompensated losses for these hospitals across Kentucky? The Republican proposal a few weeks ago didn't provide any economic relief for hospitals, clinics, or healthcare providers like those.

Americans need leadership. They need for the Senate to step up and say: For goodness' sake, whatever the political agenda is here, how can it be more important than this pandemic?

Isn't there enough talent or will on the floor of the Senate—on the Republican side and on the Democratic side—to find a way to help Americans who are struggling, to provide unemployment assistance, to provide help to small businesses, these restaurants and small businesses that are facing closure, to give some money to local units of government that through no fault of their own lost revenue to this COVID-19 crisis? These are not wild ideas; these address the very basics that face families, businesses, and governments across this country. For some reason, that particular issue can't make the agenda.

PRESIDENTIAL ELECTION

Mr. President, losing an election hurts. I know. I lost three elections before I ever won one. I suspect that anyone who has ever lost an election has had to grapple with the disappointments, the what-ifs, and even a kind of sadness, bordering on anger, but that is the risk you take when you run for office. The voters have the last word.

Never, until now, have we ever heard it suggested that a losing Presidential candidate ought to be allowed to put America's national security at risk because he is struggling mightily to accept his own loss in the election. Never, until now, have we tolerated a losing Presidential candidate's deliberately undermining Americans' faith in the integrity of our electoral system.

Never before have we witnessed a losing Presidential candidate refuse, out of spite and anger, to follow the law and allow the peaceful, orderly transfer of power to his successor. Never before now could many Americans even imagine an outgoing President deliberately sabotaging our Nation's heroic efforts

to bring an end to the deadliest health crisis in our country, but that is what is happening. It is shocking. It is dangerous. It is shameful. It needs to stop now.

Some of my Republican colleagues ask: What harm can it do? We want to humor the President. He is going through a period of adjustment here. He lost an election. It hurts. The poor President—we have to stick with him. We have to parrot his theories of how there will be massive numbers of votes discovered somewhere. We know that he is raging in his tweets regularly. So he still must be in pain, the poor man, and we have to humor him. We have to tell him: Yes, Mr. President. You must be right. This election must have been stolen from you.

Let me tell you what harm it can do. Every minute of every hour, an American dies from COVID-19. Every day, 1,000 Americans are dying from COVID. That is nearly a 50-percent increase from a month ago. We are nearing 1 million new COVID infections every week. The pandemic is surging in every single State, and public health experts warn the worst is yet to come.

Over the weekend, we learned that President Trump has not attended a single meeting of the White House's coronavirus task force in 5 months. He told us why. I am tired of this COVID-19, he says. He has gone AWOL. By refusing to concede the results of the election, President Trump is preventing our Federal health officials from meeting with President-Elect Biden's COVID task force and starting to coordinate the efforts for the transition that is going to take place on January 20, and failing to put the time, personnel, and resources into the distribution of a vaccine, which we pray to God will be available soon. In doing this, the President is jeopardizing America's ability to successfully distribute a COVID vaccine and bring this pandemic, once and for all, under control.

He is deepening our Nation's economic crisis because the first step to healing our economy is in defeating this virus—all because of the pain he is going through personally. Well, I wish I could share that pain, but I am overwhelmed by the pain of America's going through a pandemic. The President's hurt feelings don't compare. The grief of losing an election is nothing compared to the grief of 246,000 American families who have lost loved ones to this pandemic. That is the grief we ought to be concerned about.

More Americans voted in these elections than ever before—in history. Now that the election is over, the results are clear: President-Elect Biden and Vice President-Elect Harris received 306 electoral votes versus 232 electoral votes for President Trump and Vice President PENCE. Four years ago, the President referred to exactly the same vote totals in his favor as a landslide. Today, he refuses to acknowledge them. He is so full of himself that he

can't feel the pain of others. Joe Biden and KAMALA HARRIS received at least 5 million more votes than President Trump and Vice President PENCE. That is the largest popular vote margin of victory in a Presidential election since 1932.

In the 2 weeks since the election has ended, the Trump campaign and its allies have decided to strike back and file a flurry of lawsuits in six different States, challenging the vote counts. Well, how are they doing? These lawsuits have only affirmed the integrity of the election results that we knew. Many of the complaints have been dismissed, and not a single vote has been invalidated. Even Trump campaign officials privately and publicly agree that none of the remaining legal challenges can change the outcome of the election.

Last Thursday, members of the Election Infrastructure Government Coordinating Council, within this administration's own Department of Homeland Security, called the 2020 election “the most secure in American history.”

Over the weekend, a senior Federal election official who was nominated by President Trump condemned the President's false postelection claims of vote fraud, calling them baffling, laughable, and insulting. The same official warned “these conspiracy theories that are flying around have consequences.”

They are dangerous to our national security. Over the weekend, John Bolton, who is President Trump's former National Security Advisor, urged Republican leaders to finally acknowledge Mr. Trump's defeat and get on with it.

Another former Trump security adviser, LTG H.R. McMaster, rejected Mr. Trump's claim on Twitter that the Presidential election was rigged. “What the President says in this tweet—it's just wrong,” the general said. “It's regrettable, it's counter-productive.”

John Kelly, once Chief of Staff to the same President, told POLITICO that a delayed transition was detrimental to the country's national security. His concerns were echoed by more than 150 former national security, senior military, and elected officials who called on the leader of the General Services Administration, Ms. Emily Murphy, to recognize the election of President-Elect Biden and Vice President-Elect HARRIS.

Yet Administrator Murphy refuses to gauge what is known as “ascertainment” to establish who the real winners were. She continues to deny President-Elect Biden and his team access to resources and the knowledge they need to begin the massive task of setting up a new government. Administrator Murphy's actions are in defiance of the Federal Presidential Transition Act, the law that has governed the transfer of Presidential power in America since 1963.

Quite stunningly, what we are hearing from our American President—the

leader of the free world—are the same kind of nonsense claims that petty dictators use to deny citizens democracy and the peaceful transfers of power. One need only look at Belarus, at the moment, for a timely comparison. America is the country that stands against these kinds of undemocratic attempts at power around the world, not a nation that cowers in fear.

Leader MCCONNELL has compared President Trump's refusal to accept the election results to the delay in determining the winner of the 2000 election, which sounds right until you look at the facts. He is wrong. The comparison is wrong. The 2000 election between President Bush and former Vice President Gore ultimately came down to a difference of not 5 million votes but 537 votes in one State—Florida—not tens of thousands of votes in many States. Even Republican attorney and elections expert Ben Ginsberg rejects the comparison. He ought to know. Ginsberg was part of the team that led President Bush's recount effort in 2000.

The refusal by President Trump and some around him to accept the election results is damaging faith in our elections and our democracy. The goal is clear: to undermine the legitimacy of the Biden-Harris administration even before it is sworn in. He is damaging the ability of President-Elect Biden and his team to get to work now on the deep and painful challenges we confront as a nation.

People close to President Trump tell reporters off the record that the President knows he can't win. Some say he just needs to very gradually come to accept the reality of his defeat.

Well, with all due respect, Mr. President, your duty is to preserve this democracy. Your moral obligation is to prevent unnecessary suffering and death and to defend this country.

For 4 years, Donald Trump has feasted on chaos and the discord of America. Time and time again, he has placed his own self-interest over our national interest. He has damaged the institutions of our democracy and abused his power. We shouldn't be surprised by his destructive actions on his way out, but we shouldn't tolerate them either.

It is time for Donald Trump to accept the clear results of the election and for his administration to work with President-Elect Biden's team for a successful, peaceful, productive transition of power. It is time for the President's friends, allies, and political pals to finally level with the President. It is time for a confrontation, perhaps—a moment of truth, perhaps—and to say to the President: It is over. Now be a man. Stand up, and show this Nation that we can have a peaceful transition of power. Show this Nation we are prepared to accept the will of the American people.

Subverting faith in democracy is not a winning strategy, and it should be beneath the dignity of any American President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I was listening to our friend, the Democratic whip, and his advice to President Trump to capitulate before the recounts and before the litigation that has been filed has been finally decided. I know they would like to have him do so, but he is completely within his rights to use the existing procedures in the States and in the local jurisdictions where these elections were conducted to review the results to see if there are discrepancies.

I also know they would like to say it is just about President Trump, but more candidates other than President Trump were on the ballot. We ought to be in the position of trying to preserve every legal vote for every candidate and making sure there are no mistakes, and there is a process in place to make that happen.

I don't know what the ultimate outcome will be—I sort of have a sneaking suspicion about what the trend line looks like—but 72 million-plus people voted for President Trump and Vice President PENCE. Out of respect for them, at least, if not for the President and the Vice President themselves, we ought to let this process play itself out. There will be a peaceful transition of power. I have no doubt whatsoever.

CORONAVIRUS

Mr. President, I would like to also take a second to respond to the Senator's comments about our needing to do something about this pandemic—that we need to pass another piece of legislation and that we need to collaborate with the incoming administration to make sure that we don't miss distributing this vaccine on a timely basis.

My friend from Illinois, at least on three occasions, has voted against bills that would help to facilitate the delivery of the vaccine and would ensure that small businesses and other individuals get the economic help they need during this crisis that has been through no fault of their own.

By my count, our Democratic colleagues voted against a \$1 trillion HEALS bill. They voted against two separate, more targeted pieces of legislation that totaled a half a trillion dollars each. Those are three occasions on which they voted against continuing to provide the aid that we had voted on, on a bipartisan basis, by the end of March—four bills worth \$3.8 trillion.

I could only have wished that the sort of bipartisan cooperation we saw up through and including the CARES Act in late March would have continued, but that wasn't to be. Time and again, Speaker PELOSI stood on a \$3 trillion piece of legislation that she knew had no chance of passing. Why? Because it included things like tax cuts for millionaires and billionaires in blue States. She wanted to eliminate the cap on State and local tax deductions in the Tax Cuts and Jobs Act, which we passed a few years ago, and reward mil-

lionaires and billionaires, which was not exactly dealing with the virus, either its economic fallout or the public health consequences.

Then, if that weren't enough—stiff-arming every effort that we tried to undertake since March to try to pass additional relief, both from a public health and economic perspective—today, the Speaker and the Democratic leader of the Senate took the bold step—the bold step—of writing a letter to Majority Leader MCCONNELL. Man, that was a bold step to protect the public health and protect those who, through no fault of their own, find themselves out of a job or in financial distress.

Well, I have been around here long enough to know the only reason you write a letter to somebody and then release it to the press before it gets to its intended recipient is for political purposes. It is posturing. That is what we continue to see from our friends across the aisle—political posturing.

Now they are saying—I think the Vice President himself said this—unless you drop the lawsuits, you drop the efforts to review the vote and to make sure all the ballots—all the legal ballots—are correctly counted and the ballots that are not appropriate are not counted, then people will die, unless you capitulate and give up all those rights.

In the wake of these partisan efforts to defeat any meaningful, additional relief post-March, it should be held up to ridicule because that is exactly what it deserves. It is not serious. It is partisan posturing.

If the Speaker and the Democratic leader wanted to get to work on another COVID-19 bill, do you know what they could do? They could pick up the telephone. You know, they could do a Zoom call. They wouldn't even have to socially distance or wear masks. They wouldn't have to worry about that. They could do it virtually. Or, if they wanted to do it in person, then they could come over, socially distance, and do it safely.

But this is all partisan posturing. This is not about the public health of the American people. This is not about helping people who are desperately in need of additional financial assistance—the small businesses and others that continue to struggle and lay off their workforce.

If we are serious about solving this problem, then we need to work together as we did during four separate pieces of legislation, ending with the CARES Act in late March.

But ever since that time, ever since we have offered additional assistance, Speaker PELOSI has shut it down. Our Democratic colleagues have all voted against it.

If they were serious about it, they would have voted to get on the bill, offer amendments, try to make it better, and let the Senate do its job. But, no, they wanted to make things worse in the runup to the election because

one of their main arguments against President Trump was that he mishandled the COVID-19 pandemic.

I know and you know that hindsight is 20/20. We know that the public health guidance provided by the CDC has evolved over time. We have learned a lot since then. But they were more interested in the blame game to advance their political cause in the runup to the November 3 election than they were in actually trying to help the very people who sent us here to represent them, and I think it is just shameful.

TERRORISM

On another matter, over the last 4 years, our country has made serious progress in the decades-long fight against terrorism and to lay the foundation for peace and stability in the Middle East.

We have virtually wiped out the ISIS caliphate, which was the most recent manifestation of this poisonous ideology embraced by al-Qaida that led to the attacks on 9/11. We have brought down high-ranking terrorists like al-Baghdadi, and we have eliminated the head of the Quds Force, the IRGC in Iran, that is the No. 1 state sponsor of terrorism in the world—Mr. Soleimani.

We have actually strengthened our relationship with allies in the region, like Israel and Jordan, and taken a tougher approach on a unified basis against enemies like Iran. And the recent Abraham Accords Peace Agreement marked a historic step in normalizing relations between Israel and the United Arab Emirates and Bahrain.

There is no question in my mind that the world is safer today than it was 4 years ago because of the historic progress that we have made, not only against terrorists but to provide the foundation of peace and stability in the Middle East by encouraging Israel and its neighbors to work together where they can.

But our job is not finished. Dangerous and destabilizing forces still remain, and America's military continues to play a vital role.

I personally appreciated General Mattis's doctrine of fighting terrorists by, with, and through our allies on the ground. That meant that we didn't need to put hundreds of thousands of American soldiers and marines, Special Forces on the ground. We could work through and with our allies, and that was largely successful at eliminating the ISIS threat in the Middle East.

So I was alarmed by Acting Secretary of Defense Christopher Miller's announcement today that without any real consultation either with our allies at NATO or elsewhere—certainly not with Congress—the Pentagon plans to withdraw troops from Afghanistan and Iraq to a potentially unstable and dangerous level.

I happen to be a member of the Senate Intelligence Committee, and one of the things our military does in forward-deployed locations like the Middle East is provide enabling and force

protection for our intelligence officers, who quietly work without any particular attention, hopefully. That is the nature of their work. But they need the military to be there to provide that force protection if they need it to enable their important work.

So a precipitous retreat, which would reverse the progress we have made and fought so hard to make, I think, is deeply troubling.

If we have learned one thing, it is about—maybe you call it the—I don't know if you call it the physics of military conflict or leadership, but history has taught us that power vacuums are not often filled by the good guys. It is the tyrants, it is the thugs, it is the dictators, it is the terrorists who fill those power vacuums, and if we mistakenly, even with the best of intentions, create a power vacuum, we could see once again the rise of ISIS like we saw with President Obama's premature withdrawal from Iraq.

We simply need to learn from our experience and not make the same mistake again. A precipitous withdrawal would not empower our allies. Indeed, we have heard from some of those allies. For example, NATO—the North Atlantic Treaty Organization—has a significant number of troops in these areas that are providing training and support for our friends on the ground.

It could well give rise to an opportunity for our adversaries—to the terrorists and insurgents who would love nothing more than to see American troops packing their bags so they could claim that they have defeated the Great Satan, as some of them have referred to it.

We would also, I think, cause our allies to question our reliability, while unintentionally, perhaps, emboldening our enemies and jeopardizing the lives of civilians in the region.

So I think we need to have a conversation here. We need to have a consultation. We need to get the military leaders before the appropriate committees in the Senate so that we can ask questions and understand the process and what the end goal is, particularly this close to the close of this administration's current term of office.

I understand the desire to bring our troops home. But in doing so, we can't undermine the gains that they and thousands of other brave Americans have made in the fight against terrorism and those who would do us harm.

E-CIGARETTES

Mr. President, on another matter, I have said here on the Senate floor many times over the last several months that COVID-19 is the most urgent threat facing our country right now. But as I just got through saying, it is not the only one.

Both here and abroad, the same threats and challenges that existed before COVID-19 are still with us and may have been exaggerated by the current crisis. I spoke about one example here on the Senate floor yesterday—

the strain on mental health resources. The stresses this virus are taking on our people—on the American people—are serious, as many cope with isolation, health anxieties, job losses, and financial struggles.

We are seeing a correlation with another health crisis that has been exacerbated by COVID-19. Last fall, one of the biggest health threats making headlines was the nationwide use of e-cigarettes by our young people. Folks of all ages were experiencing a range of mysterious medical conditions linked to these devices, with vaping-related injuries reported in all 50 States. What is most concerning to me is that most of those affected were otherwise healthy children and teens.

I met one of those teenagers in Fort Worth last December when I visited the University of North Texas Health Science Center for a roundtable discussion on the use of e-cigarettes. Sixteen-year-old Anna Carey was one of the many students at her high school who became addicted to e-cigarettes. She started to see symptoms that are uncommon for an otherwise healthy teenager. She was extremely lethargic and would experience random and severe pains in her chest.

Two initial x rays came back clear, so doctors released her, but she continued to struggle. Eventually, she was admitted to Cook Children's Hospital and diagnosed with chemical-induced pneumonia in both of her lungs.

Well, I am glad to report that Anna has now fully recovered and is using her story to encourage more teens not to go down the same path that she traveled down.

Now, with the additional public health concern of COVID-19, the need for action to prevent children and teens from using these devices could not be higher.

When it comes to the coronavirus, we know those who are older or who have underlying health conditions are most likely to experience severe cases. But there is a recent study by researchers at Stanford University School of Medicine that looked at the connection between vaping and COVID-19 among young people.

Researchers found that those who use e-cigarettes were five to seven more times likely to be diagnosed than nonusers. Dr. Bonnie Halpern-Felsher is a professor of pediatrics and the senior author of the study. She said: "Teens and young adults need to know that if you use e-cigarettes, you are likely at immediate risk of COVID-19 because you are damaging your lungs."

Now, one of the simplest and most effective ways to discourage children and teens from becoming addicted to these devices is to prevent them from even trying in the first place. But, unfortunately, our current laws make that easier said than done.

If you want to buy tobacco at a convenience store or gas station, you have to show an ID to prove you are over 18. So whether a teen is trying to buy e-

cigarettes or traditional cigarettes, the same guardrails are in place.

But there are two different sets of rules when it comes to online purchases. For traditional cigarettes, the buyer has to sign and show an ID at the time of delivery, just the same as they would have to do for in-person purchases. But e-cigarettes are operating on a different playing field. Anyone, no matter how old or young, can go online and buy e-cigarettes and have them delivered to their front door, no questions asked—no age verification is required, no ID, no nothing.

These devices, we know, are just as addictive and dangerous as traditional cigarettes and should be subject to the same restrictions. That is why the Senate passed legislation that Senator FEINSTEIN from California and I introduced called the Preventing Online Sales of E-Cigarettes to Children Act. This legislation would put in place the same safeguards for e-cigarettes as traditional cigarettes purchased online. It is not to change the law; it is just to make sure we enforce the existing law. It would require online retailers to verify the age of the customer and release deliveries only to adults with an ID. Again, it simply applies the same safeguards already in place for online purchases of regular cigarettes and smokeless tobacco products to e-cigarettes.

These are commonsense, straightforward reforms, and that is why our legislation in the Senate passed unanimously this summer.

It includes an amendment offered by our colleague from Kentucky, Senator PAUL, which requires the National Institutes of Health to conduct a study on the short- and long-term health impact of e-cigarettes on those under 21.

When we talk about passing consensus legislation, this is about as simple and straightforward as they come, and there could not be a more important time to take action. If we are going to turn the tide on e-cigarettes and prevent more young people from facing the deadly health consequences, this is an important and necessary step. This bipartisan bill would keep e-cigarettes out of the hands of our children, and I hope our House Democratic colleagues will pass this critical legislation without additional delay.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, it is timely that I should be giving my "Time to Wake Up" speech with the distinguished Senator from Louisiana presiding because I am going to be talking about sea level rise, and seeing him in the chair reminds me of a recent report on what sea level rise is doing to the great State of Louisiana, "the sportsman's paradise," in which a scientist from Tulane University—a Tulane University geologist—was asked about the report about what the State had to look forward to from sea level rise, and he said: "What it says is

we're screwed." NOLA, the news website in New Orleans, in Louisiana, ran that headline. So I know the Senator is sympathetic to it.

But today, all eyes are on Georgia, which for the first time in generations voted for a Democratic Presidential candidate, and the two Senate races are headed for runoff elections, which will decide the balance of power in this body.

Georgians of every race and background turned out to reject the politics of fear and division that came from the White House for the last 4 years and to reject the disdain for facts and science that has cost Americans so much in battles like COVID and climate change.

Perhaps buried in the election outcome in Georgia was Georgia's knowing the threat of climate change. For people along Georgia's coast, climate change is no Chinese hoax; it is a clear and present danger.

In the spring of 2014, I took a climate trip along the coast of the Carolinas, Georgia, and Florida. I met with scientists and students, outdoorsmen, faith leaders, and State and local officials, who cherish their coastal communities, as Louisianans do and as Rhode Islanders do. They saw the seas rising and acidifying due to carbon pollution. Georgians told me how deeply they care about their coast. That caring has powered them through some tough battles. They fought hard against fossil fuel development off Georgia's shores, and they won.

It is not hard to understand why Georgians fight for their coasts against fossil fuel pollution. Near Savannah, I visited Fort Pulaski and Tybee Island. NOAA has a tide gauge at Fort Pulaski. It has been measuring sea level since 1935. The tide gauge takes straightforward measurements—clear, irrefutable facts. That tide gauge showed sea levels up over 8 inches since it was installed. For low-lying areas, those 8 inches of sea level rise are a problem already, but it is going to get worse.

Climate change worsens coastal flooding in two ways. First, it raises the level of the sea as glaciers and ice sheets melt into the sea and as warmer oceans expand. Second, climate change powers up stronger and more frequent hurricanes, which send those higher seas as higher storm surges farther inland. So it is important to look at how far and how often sea level rise and storm surges will flood coastal areas.

This is the map of Georgia's coastal area around Savannah. Here is Savannah. Here is the coastline. Here is the ocean. Here is Tybee Island. This dot here is Fort Pulaski, where the tide gauge is. That is what it looks like now, but "now" is not going to stay because here is what Georgia has coming at it.

Based on NOAA information, this is the risk of flooding along the Georgia coast. It takes NOAA's intermediate prediction of sea level rise—"inter-

mediate" meaning it is not the most extreme scenario; it is the midrange prediction—and it shows the risk in any year of a 4-foot-deep flood.

So here we are in 2020, and the risk is negligible. It is about 3 percent, meaning in present circumstances, you get a 4-foot flood through that area every 33 years. But by 2040, the risk is over 40 percent, which means that a 4-foot flood in that area is now not happening every 33 years, it is happening virtually every other year. By 2060, you hit 100 percent. You are getting a 4-foot flood in coastal Georgia every year. Of course this tops out at one flood per year based on the percentages, but if you look at this trajectory, clearly we are headed for multiple 4-foot floods per year in the outyears.

When I was on Tybee Island, I met city councilman Paul Wolff, who showed me the city of Tybee's new stormwater tide gate, which they just installed to protect the island from sea level rise. He explained that the road out to Tybee Island, which is here, running along that edge, flooded already 45 times per year with just 1 foot of sea level rise.

The city had already put in place a short-term plan for 14 to 20 inches of sea level rise by 2060. They were already thinking what the community would need to do as seas rise and acting on the best science back at that time. But now consider this: Consider sea level rise and storm surges combining to produce a 4-foot flood every year, at least once a year.

Here is what that map looks like when you put 4 feet of water there. This is the Savannah area, and here is Tybee Island. This is all land in gray, and now all of this is underwater. Tybee Island has turned into just a tiny little atoll, basically, out in the ocean. The road that I was talking about is now not just occasionally washed over with water; for 5 miles, that road is underwater.

Now, 4 feet of flooding happening every year is obviously bad, but remember, that wasn't the worst-case scenario; that was the intermediate NOAA scenario.

Here is an extreme case—10 feet of sea level rise. That was Tybee Island. There is nothing left. Do you want an island now? Your island is Savannah—Savannah Island, surrounded by water.

Well before the physical disaster of sea level rise and storm surge and flooding happens, something else comes first: an economic disaster, because we are not the only people looking at these projections of 4 feet and 10 feet of flooding. So do insurance companies. So do banks selling mortgages.

In these populated areas that are now land, how do you insure against a 4-foot flood that will happen every year? You can't buy a flood insurance policy for an event that happens every year. How do you get a 30-year mortgage for a property that will have flooded at least 30 times by the end of the mortgage? That economic punch—when you

can't get insurance and when you can't get a mortgage on the property, that punch lands long before the floods come.

Take Chatham County and Glynn County. According to a report by Climate Central, over \$2 billion in property value would be lost in those two counties with 3 feet of sea level rise. Up the flooding to 8 feet, and it is over \$7 billion in property value destroyed—people's homes, people's businesses. When a buyer can't get insurance and when a buyer can't get a mortgage, sellers face plummeting property values. The market unbalances rapidly because all of a sudden, you don't have many eligible buyers. The only buyers you have are people who can afford the property without having to borrow and who can afford to take the hit of an annual flood without insurance. That is not a big crowd. So the bottom falls out of the coastal property market.

That collapse in the coastal property market is what financial experts call a systemic risk. "Systemic risk" is the mildest and blandest term for a catastrophe that I know. It means that the whole economy is threatened by the economic collapse of coastal property values.

It is not just me saying it. In 2016, the top economists for U.S. mortgage giant Freddie Mac projected that climate-driven flooding along U.S. coasts will cause a property value collapse, leading to economy-wide losses "greater . . . than those experienced in the housing crisis and the Great Recession."

For those of us who remember 2008 and the pain and the difficulty and the harm and the fear that was caused by that mortgage meltdown—greater than that, is what Freddie Mac says. That is not an environmental group, by the way; that is Freddie Mac.

It has already begun. Lenders are already requiring bigger and bigger downpayments in coastal areas, sometimes as much as 40 percent of a home's value before they will insure the remainder. Flood insurance premiums continue to rise, and coverage limits leave many seaside property owners exposed to huge losses.

The people who own this flooded property are going to want to know why Congress paid more attention to fossil fuel polluters than we paid to coastal property owners; why we would only listen to the people causing this problem and not listen to the innocent property owners who are going to suffer billions and, if you multiply it out, trillions of dollars in losses.

When I was in Georgia in 2014, a local clammer named Charlie Phillips took me out over the marshes on his airboat. It was a boat he built himself. He is a member of the South Atlantic Fishery Management Council, which runs the regional fishery, so Charlie knows his stuff. He has been an outdoorsman his whole life, and he needs fresh, clean water for his Georgia clams. Charlie told me that changes in

the climate are hurting the ecosystem that supports his and his employees' livelihoods. Six years ago, Charlie was worried about a perilous future, one that looks even more perilous now and one to which we have not responded for 6 long years.

Well, one hopeful change is that we have a President-elect now—a President-elect who understands what is happening to our climate and who understands what is happening to our coastal communities. He is from Delaware. He gets it. The question is, How will Congress respond? Will Republicans allow a strong, comprehensive climate bill? So far, there is no sign of that, not in this building.

At some point, we will—mark my words—we will finally cast off the grim and malign grip of the fossil fuel polluters and their massive political influence machines. At some point, we will finally listen to the people now on dry land whose homes and businesses are going to be predictably flooded out because we did nothing. I will tell you that it had better be soon because time is not on our side. As these coasts flood—not just the Georgia coast but the New Jersey coast, the Rhode Island coast—as these coasts flood, coastal property owners will demand answers, and the Georgia voters who live near the Georgia coast are entitled to an explanation of why nothing is being done. I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Oklahoma.

RELIGIOUS FREEDOM

Mr. LANKFORD. Madam President, in my neighborhood and my community, you can walk down the street and visit with some really great neighbors—Christians, Jews, Muslims, Hindus. They all live in the same neighborhood and are friends.

My kids are grown now. We watched all our kids playing together in the community and in the neighborhood. We can see just from this one community and just from this one neighborhood this beautiful thing our Founding Fathers dreamed of—the right of every individual to be able to choose a faith of their own decision, to be able to live that faith out, to be able to change that faith if they choose to, or to be able to have no faith at all.

There are plenty of people in my neighborhood that I have no idea what faith they have. They don't have to post it. They don't have to print it. They don't have to say it because they are an American. They don't have to be a certain faith or be able to maintain that faith.

The Declaration of Independence makes known that every person has the right to life, liberty, and the pursuit of happiness. Our Constitution protects our right to a free press, to speak, to assemble, to petition the government, and to have any faith we choose and to be able to live that faith without fear that the government is going to impose a faith on them.

Our founding government documents explicitly state these rights. We know that, inherently, these rights should be for all people. As such, I believe it is the responsibility of every American not just to cherish the freedoms that we have but to also be able to state those freedoms worldwide and to be able to encourage people worldwide to also live those basic human rights and dignities.

The Trump administration is heavily focused on sharing these ideals with the world. In fact, right now, Poland is hosting the Third Ministerial to Advance Freedom of Religion or Belief Alliance. The United States has hosted the first two of those. In fact, I was a participant in the second one, and I was a participant online with the third one that was just in process.

It was implemented with the help of Secretary Pompeo and Ambassador-at-large for International Religious Freedom Sam Brownback. It brought people of all faiths and of all countries together who choose to discuss religious liberty.

This year's ministerial definitely looks very different based on COVID worldwide and its restrictions, but it is remarkable to see Foreign Ministers from all over the world, many from countries that don't practice religious liberty, in the middle of a conversation about religious liberty.

Eighty percent of the world's population live where religious freedom is threatened or denied, which puts an extra obligation on those of us who live in freedom to be able to display that freedom to people worldwide. We should condemn religious persecution and work to ensure that all people have the freedom of faith, to live their faith, to change their faith, or to have no faith at all.

In addition to the ministerial, I am really encouraged by the growing support of the International Freedom Alliance, which has a membership now of 32 countries. They are dedicated to advancing this basic right of religious freedoms. Not only are we seeing countries gathering in this ministerial to discuss religious liberty, many from countries that don't allow religious liberty, but we now have 32 countries that are dedicating together to say: We do practice religious liberty in our country, and we want to spread that.

The alliance of these 32 countries, which we are a part of, has two core functions; the first of which is to enhance global advocacy to protect the right of freedom of religion or belief for all and to hold all accountable to those who violate that freedom of religion or belief; and the second thing is to serve as a platform to better coordinate the efforts of governments, parliamentarians, and civil societies to advance this right.

I hope this alliance continues to grow and continues to have gaining influence on the world's stage. I hope they continue to condemn bad actors who facilitate or condone discrimination

and violence toward people of faith, while encouraging leaders to protect the rights of their religious communities and neighbors.

The United States has a strong history and commitment to religious freedom, but some throughout the world do not have that privilege. One-third of the world's countries have laws that prohibit expression deemed as blasphemous, heretical, apostate, or insulting to religion.

Depending on the country, punishment for individuals who participate in this type of expression that they call blasphemy range from fines to imprisonment, to even the death sentence in places like Pakistan.

These laws affect Christians, Muslims, Hindus, secularists, and all other groups. They scare people into hiding because of their faith. They punish people for changing their faith, and they remove the most basic dignity of the individual: the right to believe.

We should continue to expose those who take away that basic human freedom. That is who we are as Americans. That is what we stand for worldwide.

The independent and nonpartisan U.S. Commission on International Religious Freedom has identified 84 countries that still have blasphemy laws on the books. That is why I joined Senator COONS in cosponsoring the bipartisan resolution to condemn blasphemy and apostasy laws around the world and called for the release of individuals who have been prosecuted or imprisoned for charges of blasphemy.

That proposal is ready to go and ready to be passed and has cleared everyone on the Republican side of the aisle and most everyone on the Democratic side of the aisle.

To ensure that religious liberty is a core pillar of our engagement with other countries, the President issued an Executive order on Advancing International Religious Freedom—the first of its kind. It is a recommitment of the United States to protecting the freedom to live out your faith, regardless of where you live.

Under this order, the United States places an even greater prioritization on religious freedom with our foreign assistance programs of the Department of State and with USAID.

It is interesting, in addition to religious liberty, this administration has also partnered with other countries to protect and uphold the sanctity of human life, while prioritizing the rights and safety of women worldwide.

Last month, the administration, along with the Governments of Brazil, Egypt, Hungary, Indonesia, and Uganda, led a coalition of more than 30 government leaders representing 1.6 billion people from every part of the planet to sign the Geneva Consensus Declaration. The declaration reaffirms that “all are created equal before the law” and that the “human rights of women are an inalienable, integral, and indivisible part of all human rights and fundamental freedoms.”

This historic document also strengthens our international commitment to the protection of the most basic human right, “the inherent ‘dignity and worth of the human person,’ that ‘every human being has the right to life.’” It seems like that would be just a natural thing to say. It seems like that would be apparent, that we as a nation and that people around the world would recognize this most basic right of an individual to live.

We believe in the right for people to be able to practice whatever faith they choose. We should at least agree before they choose whatever faith they are that they are allowed to live at all.

This document that was signed by the Governments of the United States, Brazil, Egypt, Hungary, Indonesia, and Uganda has the simple statement, along with multiple others. It says: We “[r]eaffirm the inherent ‘dignity and worth of the human person,’ that ‘every human being has the inherent right to life,’ and the commitment ‘to enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant.’”

I am proud of this administration and the 1.6 billion people who are represented by the other governments that have joined into this simple declaration to protect the rights of women, to stand up for the equal rights of those women, and to be able to stand up for the rights of every single child. The historic document strengthens our international commitment to this basic right.

This is a critical tool for the United States and like-minded countries to preserve equal rights for all families, for all individuals in every society. It has four pillars: better health for women, preservation of human life, strengthening of the family as the foundational unit of society, and protecting every nation's national sovereignty in global politics.

As I have said on this floor before, abortion takes a life; it doesn't preserve it. It is not a right, and we as a nation should not promote an action to the rest of the world that is antithetical to the most basic of all human rights—the right to live, to make your own decisions.

I am encouraged that we are partnering with other like-minded nations, that there are people all over the world who are standing up for the rights of women to have equality, the rights to be able to protect human life, to strengthen families, and the rights to be able to protect national sovereignty—something we should be able to stand up for.

In the days ahead, I pray we continue to stand up for that because every individual should have the right to live as they live, have the right to be able to have whatever faith they choose to have—to have that faith, live that faith, change that faith, or to have no faith at all.

But they don't even get to choose that if they are not even allowed to

live first. That is something I would hope that we, as Americans, could also stand for.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

ARMENIA AND AZERBAIJAN

Mr. MENENDEZ. Madam President, I come to the floor today in solidarity with ethnic Armenians all over the world who have experienced terrible losses in recent weeks. This is a tragic moment for Armenians everywhere.

Words cannot describe the devastation inflicted on the region by Azerbaijani President Aliyev with the full support of President Erdogan of Turkey. Thousands of ethnic Armenian civilians and soldiers have lost their lives due to Azerbaijan's aggression, with an unknown number more injured. More than half of the population has been driven from their longtime homes. Every day, more are forced to leave.

Every day, more are forced to leave. Azerbaijan's aggression has created a massive humanitarian crisis that will require a significant response, especially in light of the worsening pandemic. The historically and religiously significant city of Shushi now sits in Azerbaijani hands, and the security of many sacred Christian sites falls to President Aliyev and his backer Erdogan. The world will be watching if these holy sites are desecrated.

These are dark days, indeed, and it did not have to be this way. American leadership could have averted much of this tragedy. Unfortunately, after the conflict began in late September, the highest ranking Trump administration officials decided to remain largely absent and silent.

Certainly, other world leaders engaged. President Macron made calls and actively tried to reduce tensions, as one would expect from one of the leaders of the Organization for Security and Cooperation in Europe Minsk Group cochair country.

Unfortunately, others with less noble goals were also at the table. President Erdogan fueled Azerbaijan's aggression, fanning the flames by providing devastating drone technology and Syrian mercenaries.

President Putin and Foreign Minister Lavrov worked the phones from the early days of the conflict. The result? Russia has a new foothold in the southern Caucasus. Evidently, Russia was never fully committed to the Minsk goals and now has what they wanted since the 1990s.

All of this happened while Donald Trump slept—yet another example of diplomatic malpractice at the highest levels of an administration which will, thankfully, conclude in January. President Trump's departure is little solace for the ethnic Armenians who have been driven from their homes and seen their livelihoods go up in flames.

So what is the region left with at the end of the day? The security of the Armenian people, who have already suffered brutal violence at the hands of

Presidents Aliyev and Erdogan, now rests with peacekeepers sent by Vladimir Putin—a flawed agreement that does nothing about the jihadis sent there by Turkey, who, if allowed to remain, could commit further atrocities against Christian Armenians.

Without any commitments to the status of Artsakh, there is no incentive for Azerbaijan to make peace with Armenia. Will we see another case of ethnic cleansing in the future? Do we sit silent?

We now have a trio of authoritarians running the show in the southern Caucasus. It should alarm anyone dedicated to a peaceful solution for this long-outstanding conflict. It should alarm anyone dedicated to democratic reform in the region. It should alarm anyone concerned about basic human rights and respect for international law.

We in the United States should be concerned about national security issues that would affect us in the Caucasus. So, my colleagues, we are witnessing the return of great power politics in this critical region. Yet the world's sole superpower is conspicuously absent. This needs to change.

First and most urgently, the United States must lead a response to the humanitarian needs created by this violence, particularly for the tens of thousands of ethnic Armenians forcibly displaced from their homes by the 6-week war.

Winter is fast approaching. The COVID-19 pandemic is raging. There is no time to waste. Congress and the Trump administration must act quickly to save these families. The United States must make a substantial investment in humanitarian and development assistance, along the lines of \$100 million, to make a difference for those on the ground. This includes funding for efforts to demine the affected area.

In April, I sent a letter cosigned by 30 other Senators calling for the Senate to appropriate \$1.5 million in fiscal year 2021 funds for demining, robust funding for rehabilitation services in Nagorno-Karabakh, and money for an independent assessment of remaining mine contamination to help inform future efforts.

Given the widespread use by Azerbaijan of cluster munitions, rockets, and other such weapons in this conflict, I again urge this body to include those provisions in the final appropriations bill.

Second, the United States must immediately—immediately—suspend the provision of defense articles to Turkey and Azerbaijan. We cannot and must not enable any future atrocities by either of those authoritarian countries.

Either we had a tremendous intelligence failure or the State Department lied when it issued the waiver to section 907 of the FREEDOM Support Act. Either way, we should be gravely concerned about reports that Azerbaijan has utilized U.S.-origin defense equipment in this conflict.

The administration must fully investigate these reports and respond appropriately to any violations of U.S. law. Indeed, Canada suspended arms sales to Turkey in response to the conflict for this very reason, and I applaud Prime Minister Trudeau for doing so.

The United States must do the same and work diplomatically to encourage others to join us in common cause.

To that end, I have introduced two resolutions that will require the State Department to report on human rights abuses by Azerbaijan and Turkey and on the role that U.S. security assistance and arms transfers may be playing in those abuses. I urge my colleagues to support those resolutions.

Third, the administration must follow the law. It should not waive section 907 of the FREEDOM Support Act, which states that Azerbaijan should “cease all blockades and other offensive uses of force” against Armenia and Nagorno-Karabakh as a condition to receive U.S. assistance.

The facts tell us that the Government of Azerbaijan has done the exact opposite. America has no business rewarding this kind of aggressive behavior.

I call on the administration to terminate the waiver of section 907. Congress can also address this injustice in the fiscal year 2021 appropriations bill by stripping the existing waiver authority so that this security relationship stops. It needs to stop, once and for all.

In addition, at my request, the Government Accountability Office is currently reviewing the impact of U.S. security assistance to Azerbaijan, which has skyrocketed under the Trump administration. The Pentagon alone has provided more than \$120 million in equipment to the Aliyev regime in recent years. This is simply unacceptable and must change. The GAO review will shed light on the impact of the repeated waivers of section 907 of the FREEDOM Support Act.

Fourth and finally, Turkey's aggression in this conflict must be addressed. President Erdogan clearly aspires to be a modern-day Ottoman Sultan, putting down stakes in Libya, in Syria, across the Eastern Mediterranean, and now in the southern Caucasus.

Under Erdogan, Turkey has engaged in unbridled aggression outside of its borders, in violation of NATO's founding principles and international norms.

Here is what we know: This Turkey is proving to be an unreliable ally in NATO. It is not a democracy, and it is not a responsible actor on the world stage.

The aggression unfolding in Azerbaijan should make crystal clear what we have long known: Erdogan is, without a doubt, trying to claim the title of most destructive actor in the region today. Without a strong response, he will continue these advances and aggression.

I urge the incoming Biden administration to stop him, and Congress has a role to play as well. We must finally

sanction Turkey for its purchase of the S-400 from Russia, which is a clear violation of the CAATSA law.

I expect that the fiscal year 2021 NDAA will take this long overdue step and result in S-400 sanctions on Turkey.

I would also urge the incoming Biden administration to reassert American leadership in the region. The United States must join with Europe in solidarity against Turkey's violations of the sovereignty of Greece and Cyprus, which destabilize the Eastern Mediterranean region.

Sanctions against those conducting illegal exploration activities on behalf of Turkey would be a strong show of support for our European allies, not to mention for the rule of law. Indeed, I have every confidence that President-Elect Biden and his team will live up to America's responsibilities on the world stage by actually engaging on all of these issues.

And though the OSCE Minsk Group process appears to be on life support, we can and must reinvigorate it with senior-level engagement. We must send a clear message to Ankara, Baku, and Moscow that violence as a means to solve the conflict will not succeed and pressure on Armenia from its eastern and western borders will not be tolerated.

I would like to close with this. Above the road between Yerevan and Stepanakert lies the ancient monastery of Dadivank. Father Hovhannes, a priest at the monastery, has vowed to stay even though the area has fallen under Azerbaijani control. His neighbors have mostly fled, on their way to Yerevan, displaced by weeks of horrific fighting.

The courage of Father Hovhannes is hard for most of us to understand, to even comprehend. It comes from a place of deep connection to the land, deep connection to one's culture, and deep connection to one's faith. The world will be watching as to what happens to Father Hovhannes and the ancient monastery of Dadivank.

A neighbor of Father Hovhannes who also committed to stay in the area said:

We are here to stay until the end. This is our God. It's our church. Our cross bears a heavy weight. We are here to carry that weight.

Throughout this war, Armenians across the region have carried that weight under relentless assault from Azerbaijan and Turkey. The Trump administration let them down.

The horror of recent weeks will be very difficult to undo, but we must start the work. Yes, we must start the work. By taking the steps I have described here tonight, we can begin a new chapter of U.S. policy in the region and right past wrongs. And I am committed, as I have always been, alongside the Armenian-American community in New Jersey and across our country, to see this just work through to the end.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

NOMINATION OF TOBY CROUSE

Mr. MORAN. Madam President, I rise this evening in support of the nomination of Toby Crouse to serve as a U.S. district judge for the District of Kansas. I am joined on the floor this evening by the senior Senator from Kansas, Senator ROBERTS, and we take our responsibility seriously in vetting judicial nominees, particularly true when the seat that is under consideration—when the seat that is vacant—is from our home State of Kansas. We need good, solid judges who interpret the Constitution in ways that enforce the law and provide justice and equity.

I can tell my colleagues that Toby Crouse is highly qualified, both professionally and personally, to fill this seat.

Toby has had a distinguished career since earning a law degree from the University of Kansas. He completed two Federal clerkships, including one that was with the Tenth Circuit. He then became a partner at Kansas's largest law firm, Foulston Siefkin, before he was appointed as the State's solicitor general in 2013, a position he currently holds while maintaining a solo law practice.

Throughout his career, Toby has come to possess extensive trial and appellate experience in both State and Federal courts. As the solicitor general, he has argued before the Supreme Court three times.

I have had the opportunity to have numerous conversations with Toby, with his law professors, with his colleagues, and members of the bar in Kansas, and he comes highly recommended. The bar in Kansas, as well as the bench, is anxious for this position to be filled so that justice will not be delayed. And the American Bar Association rates Toby as "well qualified."

I want to thank Chairman GRAHAM and the Judiciary Committee for approving this nomination and Leader MCCONNELL for bringing this nomination to the floor for our consideration this evening. I am confident that Mr. Crouse will serve on the Federal bench with distinction, and I encourage my colleagues to vote for his final confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

HEALTHCARE

Mr. BARRASSO. Madam President, I come to the floor today to talk about the work of my good friend and colleague, the junior Senator from Georgia, Senator KELLY LOEFFLER. Republicans, including the Senator from Georgia, continue to put forward solutions to address one of our country's most pressing problems, and that, of course, is healthcare. As a doctor, I recognize that healthcare remains a top priority for families all across this great country.

Senator LOEFFLER also knows how important healthcare is to families, not just across her State of Georgia but to families all around America. She has a proposal. It is called Modernizing Americans' Health Care. It is a plan, and this plan is another example of the important contribution that she is making here in the Senate to the well-being of the entire Nation.

Her plan emphasizes that Americans with preexisting conditions must be protected. My colleague is absolutely right: Everyone knows someone with a preexisting condition. My own wife Bobbi is a breast cancer survivor. She has had three operations. She has had chemotherapy twice, and she has now survived that cancer by over 15 years. That is a preexisting condition.

Let there be no doubt: Republicans will always make sure that patients are able to get insurance regardless of their medical condition.

Senator LOEFFLER's plan also recognizes the need for more insurance choices. Americans need the coverage that works for them and their families. It should be available, affordable, and appropriate for them—what they need, not what the government says they have to have. Families need more options.

Association health plans let small businesses and community organizations come together with the buying power of large corporations. This helps lower the cost of care. Main Street, I believe, deserves the same opportunity to buy insurance as Wall Street, and that is what Senator LOEFFLER is proposing.

Her plan also lets consumers save more of their own money to pay for healthcare. Right now, as a result of the Obama healthcare law, Americans can only use a health savings account when it is tied to a high deductible healthcare plan. My colleague from Georgia wants to expand these accounts for anyone with health insurance coverage regardless of their type of insurance plan.

Everyone knows over the last year—since the Obama healthcare law was passed—that deductibles have continued to keep climbing. We need to give families relief by letting them save more of their own money tax-free through a health savings account. That way, families could use their money to pay for deductibles and other kinds of healthcare expenses that right now they are not allowed to do.

As a doctor, one thing in particular that I strongly support, of course, is direct primary care. We have it running successfully in my home State of Wyoming. That is when someone pays your healthcare provider a flat monthly fee instead of a fee every time you visit the doctor or the nurse or the nurse practitioner.

Consumers like this arrangement. They like it because it takes the uncertainty out of a doctor's visit. They always know what they are going to pay month to month to month. Providers

like it because they get to focus on patients over all of the paperwork that is so often required by insurance companies.

I talk to doctors who are tired of practicing medicine and want to retire: What is it you don't like? They love taking care of patients, but they hate the paperwork that comes with it, so often related to the law, the mandates, and the things that happen with trying to comply with the insurance paperwork.

A lot more can be done, and we know this as a result of coronavirus in terms of providing healthcare using telemedicine. Especially, Madam President, in your home State and mine, where there are great distances and lots of rural communities, it is a great opportunity for people to receive healthcare from a distance, using the newest technology of the day.

I think we have seen much more about telemedicine due to the COVID-19 pandemic. Patients have tried it. They like it. The providers I have talked to around the State of Wyoming like it a lot.

There have been issues in the past, though—the issues of how to reimburse and how many visits and the distance. And did they need to come into the office? Would it be covered by insurance? Would it be covered by Medicare? Would it be covered by Medicaid? All of these are issues—hassles—for the patient and the provider, but, to me, telemedicine is now here to stay.

These direct primary care practices truly have been on the leading edge of telemedicine because they didn't have to worry about insurance company reimbursements based on the number of face-to-face visits. They could just visit and talk to the patient using telemedicine.

Speaking of COVID-19, this plan also ensures that we continue fighting back against this virus. There is tremendous news today about the vaccines—two vaccines, one that is 90 percent effective and one that is 94 percent effective.

As a doctor, I will tell you, these are breakthroughs. These are modern-day miracles of medicine. If you think about it, not that long ago Dr. Fauci said that if we could get a vaccine that was 50 percent effective, that would be tremendous. But we are talking much, much higher rates of effectiveness than that.

My colleague in her proposal also calls for focus on something we can all support, and that is making drugs and personal protective equipment here in the United States—producing here at home in America. We need to bring the manufacturing of these critical supplies back to our own communities, certainly back to our country. Never again—never again—should our patients and healthcare workers be held hostage by China or any other nation.

Senator LOEFFLER knows that Americans should not be the sole payers for the innovation that supports the rest

of the world. My colleague's plan reinforces the fact that our trade policies must reflect when countries freeloader off of American innovation.

Finally, she wants to make sure that pharmacy discounts benefit the patients, not large pharmacies' so-called benefit managers. This is a common-sense legislative proposal that will mean lower drug prices for patients who have to take expensive medications. When discounts go directly to patients, Americans will see much lower costs when they pay at the pharmacy counter.

This is by no means an exhaustive list of what is in Senator LOEFFLER's proposal. But I am sure that in the days ahead, the Senate will have a chance to hear more about her important work on healthcare. I look forward to continuing to work with her and all of my colleagues as Republicans get these important policies enacted into law.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BARRASSO. I yield back the rest of our time.

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Is it the sense of the Senate that debate on the nomination of Toby Crouse, of Kansas, to be United States District Judge for the District of Kansas, shall be brought to a close?

Mr. JOHNSON. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," and the Senator from Iowa (Mr. GRASSLEY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER), the Senator from California (Mrs. FEINSTEIN), and the Senator from California (Ms. HARRIS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 43, as follows:

[Rollcall Vote No. 235 Ex.]

YEAS—50

Barrasso	Fischer	Perdue
Blackburn	Gardner	Portman
Blunt	Hawley	Risch
Boozman	Hoever	Roberts
Braun	Hyde-Smith	Romney
Burr	Inhofe	Rounds
Capito	Johnson	Rubio
Cassidy	Kennedy	Sasse
Collins	Lankford	Scott (SC)
Cornyn	Lee	Shelby
Cotton	Loeffler	Sullivan
Cramer	Manchin	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—43

Baldwin	Hirono	Schatz
Bennet	Jones	Schumer
Blumenthal	Kaine	Shaheen
Booker	King	Sinema
Brown	Klobuchar	Smith
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Casey	Menendez	Udall
Coons	Merkley	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warren
Durbin	Peters	Whitehouse
Gillibrand	Reed	Wyden
Hassan	Rosen	
Heinrich	Sanders	

NOT VOTING—7

Alexander	Graham	Scott (FL)
Carper	Grassley	
Feinstein	Harris	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action in relation to the Crouse nomination.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. LEE. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

VOTE EXPLANATION

Ms. STABENOW. Madam President, I was unable to attend the rollcall vote No. 227 on the motion to invoke cloture on the nomination of Aileen Cannon to the United States Southern District of Florida. Had I been able to attend, I would have voted to oppose cloture.

I was unable to attend the roll call vote No. 228 on the motion to confirm the nomination of Aileen Cannon to the United States Southern District of Florida. Had I been able to attend, I would have voted to oppose confirmation.

VOTE EXPLANATION

Ms. SINEMA. Madam President, I was necessarily absent, but had I been present would have voted yes on rollcall vote 225, on the Motion to Invoke Cloture on the nomination of James Ray Knepp II to be U.S. District Judge for the Northern District of Ohio.

I was necessarily absent, but had I been present would have voted yes on rollcall vote 226, on the Confirmation of James Ray Knepp II to be U.S. District Judge for the Northern District of Ohio.

RECOGNIZING THE BICENTENNIAL OF TOURMALINE IN MAINE

Ms. COLLINS. Madam President, this year, in addition to celebrating the bicentennial of the State of Maine, we are also commemorating the bicentennial of the first major find in North America of the treasured semiprecious stone tourmaline in the mountains of western Maine. It is a fascinating historical coincidence that the State of Maine and the discovery of its official State gemstone share the same anniversary.

Maine became our Nation's 23rd State on March 15, 1820. In late autumn of that year, college students Elijah Hamlin and Ezekiel Holmes were pursuing their studies in mineralogy on an expedition to Mount Mica in Paris, ME. As they headed down the mountain at sunset, they spotted a vivid green sparkle amid the tangled roots of a fallen tree. The beautiful crystal was an exciting find, but the encroaching darkness prevented further exploration.

Their plan to continue their search the next morning was cancelled by an overnight snowfall that blanketed the ground until spring. When the two students did return months later, they were astonished by the amount and variety of the crystals among the rocky ledges. The many shades of green, red, white, and yellow translucent stones they found explain why the word "tourmaline," which comes from an ancient language of Sri Lanka, roughly translates to "many colors."

News of the discovery spread, and the region soon became the foremost hunting grounds in North America for these remarkable gems, rivaling famous sites in South America and Asia. Among the early Maine rock hounds was Elijah Hamlin's younger brother Hannibal, who four decades later would serve as President Lincoln's first Vice President.

Today, Maine tourmaline is treasured by jewelers, artists, and collectors. Our distinctive watermelon tourmaline, which combines pink, white, and green in one stone, is especially prized. Residents and visitors alike delight in searching for these gorgeous stones amid the marvelous scenery of our western mountains.

The Hamlin Necklace, containing stones of various colors from the original find, can be seen at the Harvard

University Mineralogical Museum. In 1972, a spectacular discovery in Newry, ME, yielded hundreds of pounds of red and green crystals, including the "Jolly Green Giant," a 10-inch crystal now in the Smithsonian's National Museum of Natural History collection. The State of Maine tourmaline necklace was designed using Newry gems and presented to the State in 1975 by the Maine Retail Jewelers Association.

On Presidents Day 2010, a major discovery included a 120-carat blue tourmaline crystal, among the most rare of hues. This was named "The President" and was cut into nine gems. The largest was presented as a gift from the State of Maine to President Barack Obama when he visited that year.

How and why such large deposits of tourmaline are found in Maine, so distant from the usual locales, remains a puzzle for geologists to solve. It is worth noting, however, that tourmaline is said to bestow on its bearer fearlessness, happiness, and self-confidence—qualities that define the people of our State.

Mr. President, Maine is renowned for the stunning beauty of its mountains, forests, and seacoast. The 200th anniversary of the discovery of tourmaline is a reminder that some of the most beautiful things are not as readily apparent but are well worth looking for.

ADDITIONAL STATEMENTS

TRIBUTE TO DONNA VILLERE

• Mr. CASSIDY. Madam President, Donna Villere will make 70 years old on December 1, 2020. Donna was born at Touro Hospital in New Orleans; Donna has lived her whole life in Jefferson Parish, except for 1 year in New Orleans when she was first married. Donna grew up in Harahan; her maiden name was Gunckel. Donna attended St. Rita's Church and was the first person to be baptized, make their first communion and confirmation, and be married at St. Rita's. Donna attended Chapelle High School and LSUNO College.

She is married 51 years to Roger Villere; they have 3 sons Roger, III, Mark, and Jacques; four granddaughters Madison, Masey, Victoria, and Shelby; and 2 great-grandsons Isaiah and Myles. Donna is co-owner of Villere's Florist, which she opened when she was only 18 years old on the corner of Focis Street and Metairie Road. Donna is Secretary/Treasurer, Villere Corporation.

Donna's hobby is volleyball; she is a great volleyball player, and she started varsity as a freshman at Chapelle HS. Donna has been a volleyball coach for over 35 years at Lakeshore playground in Metairie and has coached at Metairie playground and Harahan playgrounds. Donna likes to attend volleyball tournaments, one of her favorite is Fudpuckers in Destin, FL, and she has attended for over 20 years.

Donna supports local tournaments at both Coconut Beach and White Sands Beach volleyball locations in Jefferson Parish.

Donna loves to babysit with her two great-grandsons and her nephew Jaxon.●

REMEMBERING SCOTT IRVING PEEK, SR.

• Mr. RUBIO. Madam President, today, I honor the life and legacy of Scott Irving Peek, Sr., who passed away on November 10, 2020 at the age of 94. Known to many as Scotty, he was raised in Jacksonville, FL, with a strong work ethic that carried him through a storied life and career. After high school, Scotty served in the U.S. Merchant Marines during World War II. He then went to the University of Florida on a track scholarship in 1945; however, his service to our Nation took precedence, and he served in the U.S. Army from 1946 through 1948. He then returned to UF, where he played both football and track and in 1952 earned his degree in physical education, health, and recreation.

After college, Scotty heard the calling for public service and began a career on Capitol Hill, serving as an aide to Florida's U.S. Senator George Smathers. His advice and counsel was lauded, and he quickly became an integral member of Senator Smathers' team and family. He served his State and Nation with honor. It was in Washington, DC that he met his wife, Lillian Barretto, and perhaps his greatest accomplishment, together they raised six children: Nancy, Rosemary, Scott Jr., Catherine, William, and George.

After returning to Florida, Scotty started a public relations firm and enjoyed a successful career in many ventures, including real estate. If you knew Scotty, you knew he was passionate about his family and the University of Florida. He served in multiple capacities for the UF Foundation, and that incredible work was honored by three UF Presidents.

Through his devotion to his wife of 65 years, children, grandchildren, great grandchildren, family and friends, there is no doubt that Scotty left a mark on this world. I honor his life and continued legacy.●

TRIBUTE TO JERRY ELMER

• Mr. WHITEHOUSE. Madam President, I rise today to honor Mr. Elmer, one of Rhode Island's leading advocates for humanitarian and environmental causes. Mr. Elmer is set to retire after a long and successful career, most recently with the Conservation Law Foundation.

After graduating from Rhode Island College and Harvard Law School, Mr. Elmer devoted the first part of his career to humanitarian, peace, and security issues. He was codirector of Rhode Island's American Friends Service Committee, where he focused on nu-

clear disarmament and human rights. He also traveled extensively in South and Southeast Asia to research the status of human rights and the effect of Western military and economic aid programs in the region.

Mr. Elmer's work yielded important, lasting change. He authored a key referendum to freeze the production and deployment of nuclear weapons, which appeared as a ballot question in Rhode Island in 1982. He then led the successful statewide campaign for that referendum. The 1982 nuclear freeze measure was, at that time, the largest nationally coordinated voter referendum in U.S. history.

Later in his career, Mr. Elmer turned to the fight for climate action for renewable power in Rhode Island's energy market. At the Conservation Law Foundation, Mr. Elmer appeared before Federal and State courts and the Public Utilities Commission to enforce Rhode Island's renewable energy laws. He was the principal author of several of Rhode Island's major renewable energy statutes. Notably, he drafted the long-term contracting statute, which gave rise to the Nation's first offshore wind project, the Block Island Wind Farm, and helped to write the distributed generation standard contracts law, to create a comprehensive framework to spur development of small, local renewable energy projects across the State. In recent years, Mr. Elmer led successful opposition to the siting of a fossil fuel power plant in Burrillville, RI, and has been one of Rhode Island's great environmental litigators.

Mr. Elmer is a staunch advocate for human rights, peace, and action on climate. His tireless efforts on behalf of the Conservation Law Foundation and Rhode Island echo far beyond our State. I am proud to recognize his service and thank him for such an impressive career in battle for great causes.

MESSAGE FROM THE HOUSE

At 10:57 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, without amendment:

S. 327. An act to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability.

S. 3147. An act to require the Secretary of Veterans Affairs to submit to Congress reports on patient safety and quality of care at medical centers of the Department of Veterans Affairs, and for other purposes.

S. 3587. An act to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, and for other purposes.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 900. An act to designate the community-based outpatient clinic of the Department of

Veterans Affairs in Bozeman, Montana, as the “Travis W. Atkins Department of Veterans Affairs Clinic”.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 910. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1069. An act to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1964. An act to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

H.R. 6237. An act to amend the Indian Health Care Improvement Act to clarify the requirement of the Department of Veterans Affairs and the Department of Defense to reimburse the Indian Health Service for certain health care services.

MEASURES REFERRED

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

H.R. 1964. An act to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes; to the Committee on Indian Affairs.

H.R. 6237. An act to amend the Indian Health Care Improvement Act to clarify the requirement of the Department of Veterans Affairs and the Department of Defense to reimburse the Indian Health Service for certain health care services; to the Committee on Indian 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-5874. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Mefenitrifluconazole” (FRL No. 10015-56-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5875. A communication from the Inspector General, Department of Agriculture, transmitting, pursuant to law, a report relative to an investigation of three Forest Service (FS) employee fatalities that occurred during the Twisp River Fire outside of Twisp, Washington, on August 19, 2015; to

the Committee on Agriculture, Nutrition, and Forestry.

EC-5876. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the Seven-Day-After report for the Continuing Appropriations Act, 2021 (Division A of Public Law 116-159, the Continuing Appropriations Act, 2021 and Other Extensions Act); to the Committee on the Budget.

EC-5877. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “National Emission Standards for Hazardous Air Pollutants: Phosphoric Acid Manufacturing” (FRL No. 10015-94-OAR) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Environment and Public Works.

EC-5878. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Findings of Failure to Submit State Implementation Plan Revisions in Response to the 2016 Oil and Natural Gas Industry Control Techniques Guidelines for the 2008 Ozone National Ambient Air Quality Standards (NAAQS) and for States in the Ozone Transport Region” (FRL No. 10016-24-OAR) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Environment and Public Works.

EC-5879. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Determination of Attainment by the Attainment Date for the Salt Lake City, Utah and Provo, Utah 2006 24-Hour PM_{2.5} Nonattainment Areas” (FRL No. 10016-52-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Environment and Public Works.

EC-5880. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Arkansas: Final Approval of State Underground Storage Tank Program Revisions and Incorporation by Reference” (FRL No. 10014-65-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Environment and Public Works.

EC-5881. 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: Missouri; Removal of Control of Emissions from Solvent Cleanup Operations” (FRL No. 10016-37-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Environment and Public Works.

EC-5882. 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 State Air Quality Plans for Designated Facilities and Pollutants: Arkansas, New Mexico, and Albuquerque-Bernalillo County, New Mexico; Control of Emissions from Existing Commercial and Industrial Solid Waste Incineration Units” (FRL No. 10015-94-OAR) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Environment and Public Works.

EC-5883. A communication from the Regulations Coordinator, Centers for Medicare

and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Additional Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency (CMS-9912-IFC)” (RIN0938-AU35) received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2020; to the Committee on Finance.

EC-5884. 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 “Request for Comments Regarding Protection of Annuity and Spousal Rights Under Section 205 of ERISA with Respect to a Terminating section 403(b) Plan Funded Through the Use of Custodial Accounts” (Notice 2020-80) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Finance.

EC-5885. 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 “Telephonic Hearings Extension” (Rev. Proc. 2020-49) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Finance.

EC-5886. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Distribution of Individual Custodial Accounts in Kind Upon Termination of a Section 403(b) Plan” (Rev. Rul. 2020-23) received during adjournment of the Senate in the Office of the President of the Senate on November 12, 2020; to the Committee on Finance.

EC-5887. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Guidance Related to the Allocation and Apportionment of Deductions and Foreign Taxes, Foreign Tax Redeterminations, Foreign Tax Credit Disallowance Under Section 965(g), Consolidated Groups, Hybrid Arrangements and Certain Payments under Section 951A” ((RIN1545-BP21) (TD 9922)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Finance.

EC-5888. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2020-0088-2020-0090); to the Committee on Foreign Relations.

EC-5889. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2020 through September 30, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-5890. A communication from the Supervisor of the Regulations and Dissemination Team, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Adverse Effect Wage Rate Methodology for the Temporary Employment of H-2A Non-immigrants in Non-Range Occupations in the United States” (RIN1205-ACB89) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on the Judiciary.

EC-5891. A communication from the Acting Register of Copyrights and Director, United States Copyright Office, Library of Congress,

transmitting, pursuant to law, a report relative to the extension of adjustments to certain timing provisions of the Copyright Act for persons affected by the COVID-19 pandemic; to the Committee on the Judiciary.

EC-5892. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Designation of Benzylfentanyl and 4-Anilinoipiperidine, Precursor Chemicals Used in the Illicit Manufacture of Fentanyl, as List I Chemicals" ((21 CFR Part 1310) (Docket No. DEA-497)) received in the Office of the President of the Senate on November 9, 2020; to the Committee on the Judiciary.

EC-5893. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Cenobamate in Schedule V" ((21 CFR Part 1308) (Docket No. DEA-472)) received in the Office of the President of the Senate on November 9, 2020; to the Committee on the Judiciary.

EC-5894. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Listing of Ethylone in the Code of Federal Regulations and Assignment of an Administration Controlled Substances Code Number" ((21 CFR Part 1308) (Docket No. DEA-510)) received in the Office of the President of the Senate on November 9, 2020; to the Committee on the Judiciary.

EC-5895. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Control of the Immediate Precursor Norfentanyl Used in the Illicit Manufacture of Fentanyl as a Schedule II Controlled Substance" ((21 CFR Part 1308) (Docket No. DEA-496)) received in the Office of the President of the Senate on November 9, 2020; to the Committee on the Judiciary.

EC-5896. A communication from the Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Texas Central Railroad High-Speed Safety Standards" (RIN2130-AC84) received during adjournment of the Senate in the Office of the President of the Senate on November 5, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5897. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Vessel Launch, Menominee River, Marinette, Wisconsin and Menominee, Michigan" ((RIN1625-AA00) (Docket No. USCG-2020-0632)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5898. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Atlantic Intracoastal Waterway, Morehead City, North Carolina" ((RIN1625-AA08) (Docket No. USCG-2020-0597)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5899. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special

Local Regulation; Boat Parade; San Diego, California" ((RIN1625-AA08) (Docket No. USCG-2020-0611)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5900. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Firestone Grand Prix of St. Petersburg, St. Petersburg, Florida" ((RIN1625-AA00) (Docket No. USCG-2020-0631)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5901. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Grounds; Atlantic Ocean, Jacksonville, Florida" ((RIN1625-AA01) (Docket No. USCG-2016-0897)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5902. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Spa Creek, Annapolis, Maryland" ((RIN1625-AA00) (Docket No. USCG-2020-0511)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

EC-5903. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Electrical Cable Removal, Menominee River, Michigan, and Marinette, Wisconsin" ((RIN1625-AA00) (Docket No. USCG-2020-0642)) received in the Office of the President of the Senate on November 12, 2020; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-249. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to require the Federal Emergency Management Agency to grant Louisiana full federal funding for disaster expenses associated with Hurricane Laura or to grant Louisiana the ability to utilize alternative sources of federal funding as needed, matching funds if full federal funding is not provided; to the Committee on Homeland Security and Governmental Affairs.

HOSUE CONCURRENT RESOLUTION NO. 3

Whereas, Hurricane Laura was one of the most powerful storms to hit Louisiana in recorded history; and

Whereas, Hurricane Laura's exceptionally strong winds left a scar of damage across our state spanning from the Gulf Coast to our northern border; and

Whereas, while loss and damage totals are still being compiled, the projections across all states impacted by Hurricane Laura are expected to be in the tens of billions of dollars and Louisiana was undoubtedly the state that suffered the brunt of the storm's impact; and

Whereas, between the worldwide slump in oil prices and the COVID-19 pandemic shuttering businesses across the state and with-

ering the state's previously strong tourism revenues, Louisiana's economic prospects for the current and ensuing fiscal years were already strained before Hurricane Laura wreaked her havoc; and

Whereas, before Hurricane Laura arrived, Louisiana was already expecting a budget shortfall for the next fiscal year totaling hundreds of millions of dollars; and

Whereas, the strain of providing for the health and safety of its citizens while also meeting the matching fund requirements for the Federal Emergency Management Agency's assistance in recovering and rebuilding from Hurricane Laura could cripple our state fiscal resources and infrastructure in the next few years; and

Whereas, according to the Congressional Research Service, as of early 2013, over the prior twenty-four years, cost-share adjustments had been made for major disaster declarations two hundred and forty-four times, including for Hurricanes Katrina, Rita, Ike, Gustav, and Sandy; and

Whereas, Louisiana's request to have the state matching portion of its federal disaster assistance waived is not unprecedented and would provide much-needed relief to a state struggling with this year's unexpected hardships. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to require the Federal Emergency Management Agency to grant Louisiana full federal funding for disaster expenses associated with Hurricane Laura or to grant Louisiana the ability to utilize alternative sources of federal funding as needed matching funds if full federal funding is not provided; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States of America and to each member of the Louisiana Congressional Delegation.

POM-250. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to require the Federal Emergency Management Agency to grant Louisiana full federal funding for disaster expenses associated with Hurricane Laura or to grant Louisiana the ability to utilize alternative sources of federal funding as needed, matching funds if full federal funding is not provided; to the Committee on Homeland Security and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 3

Whereas, Hurricane Laura was one of the most powerful storms to hit Louisiana in recorded history; and

Whereas, Hurricane Laura's exceptionally strong winds left a scar of damage across our state spanning from the Gulf Coast to our northern border; and

Whereas, while loss and damage totals are still being compiled, the projections across all states impacted by Hurricane Laura are expected to be in the tens of billions of dollars and Louisiana was undoubtedly the state that suffered the brunt of the storm's impact; and

Whereas, between the worldwide slump in oil prices and the COVID-19 pandemic shuttering businesses across the state and withering the state's previously strong tourism revenues, Louisiana's economic prospects for the current and ensuing fiscal years were already strained before Hurricane Laura wreaked her havoc; and

Whereas, before Hurricane Laura arrived, Louisiana was already expecting a budget

shortfall for the next fiscal year totaling hundreds of millions of dollars; and

Whereas, the strain of providing for the health and safety of its citizens while also meeting the matching fund requirements for the Federal Emergency Management Agency's assistance in recovering and rebuilding from Hurricane Laura could cripple our state fiscal resources and infrastructure in the next few years; and

Whereas, according to the Congressional Research Service, as of early 2013, over the prior twenty-four years, cost-share adjustments had been made for major disaster declarations two hundred and forty-four times, including for Hurricanes Katrina, Rita, Ike, Gustav, and Sandy; and

Whereas, Louisiana's request to have the state matching portion of its federal disaster assistance waived is not unprecedented and would provide much-needed relief to a state struggling with this year's unexpected hardships. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to require the Federal Emergency Management Agency to grant Louisiana full federal funding for disaster expenses associated with Hurricane Laura or to grant Louisiana the ability to utilize alternative sources of federal funding as needed matching funds if full federal funding is not provided; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and House of Representatives of the Congress of the United States of America and to each member of the Louisiana Congressional Delegation.

POM-251. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Senate to take such actions as are necessary to confirm the President of the United States' nomination of Judge Amy Coney Barrett to the United States Supreme Court to fill the seat of the late Justice Ruth Bader Ginsburg; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 23

Whereas, the United States of America was founded on the precepts of freedom, liberty, justice, and diversity; and

Whereas, a primary mission of the United States Senate is to ensure that the judiciary maintains integrity; and

Whereas, Judge Amy Coney Barrett has served on the United States Court of Appeals for the Seventh Circuit since 2017; and

Whereas, Amy Coney Barrett was born in New Orleans, Louisiana, and grew up in Metairie, Louisiana; after graduating from St. Mary's Dominican High School in 1990, she attended Rhodes College and graduated magna cum laude in 1994 with a bachelor of arts degree in English literature; she then studied law at Notre Dame Law School, graduating first in her class summa cum laude in 1997 with a juris doctorate degree and serving as executive editor of the Notre Dame Law Review; and

Whereas, upon completion of her law school studies, Amy Coney Barrett served as judicial law clerk for Judge Laurence Silberman of the United States Court of Appeals for the District of Columbia Circuit from 1997 to 1998 and Justice Antonin Scalia of the United States Supreme Court from 1998 to 1999; and

Whereas, Judge Amy Coney Barrett has worked in both private trial and appellate litigation in Washington, D.C.; during this time, she also worked for more than fifteen years in academia, including at her alma mater, Notre Dame Law School, and has

been published in several prominent journals including the Columbia Law Review, Virginia Law Review, and Texas Law Review; and

Whereas, Judge Amy Coney Barrett has earned accolades and bipartisan praise for her character and work ethic and has demonstrated a steadfast dedication to upholding the United States Constitution as written and not legislating from the bench; her excellent judicial record shows she will protect the rights of Americans and defend the rule of law. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Senate to take such actions as are necessary to confirm the nomination of Judge Amy Coney Barrett to the United States Supreme Court; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and to the Honorable Bill Cassidy and the Honorable John Kennedy.

POM-252. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Senate to take such actions as are necessary to confirm the President of the United States' nomination of Judge Amy Coney Barrett to the United States Supreme Court to fill the seat of the late Justice Ruth Bader Ginsburg; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 23

Whereas, the United States of America was founded on the precepts of freedom, liberty, justice, and diversity; and

Whereas, a primary mission of the United States Senate is to ensure that the judiciary maintains integrity; and

Whereas, Judge Amy Coney Barrett has served on the United States Court of Appeals for the Seventh Circuit since 2017; and

Whereas, Amy Coney Barrett was born in New Orleans, Louisiana, and grew up in Metairie, Louisiana; after graduating from St. Mary's Dominican High School in 1990, she attended Rhodes College and graduated magna cum laude in 1994 with a bachelor of arts degree in English literature; she then studied law at Notre Dame Law School, graduating first in her class summa cum laude in 1997 with a juris doctorate degree and serving as executive editor of the Notre Dame Law Review; and

Whereas, upon completion of her law school studies, Amy Coney Barrett served as judicial law clerk for Judge Laurence Silberman of the United States Court of Appeals for the District of Columbia Circuit from 1997 to 1998 and Justice Antonin Scalia of the United States Supreme Court from 1998 to 1999; and

Whereas, Judge Amy Coney Barrett has worked in both private trial and appellate litigation in Washington, D.C.; during this time, she also worked for more than fifteen years in academia, including at her alma mater, Notre Dame Law School, and has been published in several prominent journals including the Columbia Law Review, Virginia Law Review, and Texas Law Review; and

Whereas, Judge Amy Coney Barrett has earned accolades and bipartisan praise for her character and work ethic and has demonstrated a steadfast dedication to upholding the United States Constitution as written and not legislating from the bench; her excellent judicial record shows she will protect the rights of Americans and defend the rule of law. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Senate to take such actions as are necessary to confirm the nomination of Judge Amy Coney Barrett to the United States Supreme Court; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and to the Honorable Bill Cassidy and the Honorable John Kennedy.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3412. A bill to require a guidance clarity statement on certain agency guidance, and for other purposes (Rept. No. 116-297).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 4222. A bill to amend chapter 8 of title 5, United States Code, to require Federal agencies to submit to the Comptroller General of the United States a report on rules that are revoked, suspended, replaced, amended, or otherwise made ineffective (Rept. No. 116-298).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 2894. A bill to establish a National Shipper Advisory Committee (Rept. No. 116-299).

S. 3191. A bill to increase the capacity of research and development programs of the Federal Government that focus on industries of the future, and for other purposes (Rept. No. 116-300).

S. 3248. A bill to reauthorize the United States Anti-Doping Agency, and for other purposes (Rept. No. 116-301).

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 as indicated:

By Mr. LEE (for himself, Mr. ROMNEY, and Mr. MCCONNELL):

S. 4902. A bill to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the "Orrin G. Hatch United States Courthouse"; considered and passed.

By Ms. HASSAN:

S. 4903. A bill to amend the Higher Education Act of 1965 to encourage entrepreneurship by providing loan deferment and loan cancellation for founders and employees of small business startups, and for other purposes, to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. TOOMEY):

S. 4904. A bill to amend the Victims of Crime Act of 1984 to ensure crime victims are not denied compensation because of rape kit backlogs, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CRAPO (for himself, Ms. HIRONO, Mrs. MURRAY, Mr. RISCH, Mr. SCHUMER, Mr. INHOFE, Ms. CANTWELL, Mr. CRAMER, Ms. BALDWIN, Mr. BARASSO, Mr. DURBIN, Mr. CORNYN, Mr. KAINE, Mr. HOEVEN, Mr. REED, Mr. THUNE, Ms. STABENOW, Mr. DAINES, Mr. PETERS, Mrs. FEINSTEIN, Mr. TESTER, Mr. BOOKER, Mr. BLUMENTHAL, Ms. SINEMA, Mr.

BROWN, Ms. DUCKWORTH, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. SMITH, and Mr. MENENDEZ):

S. Res. 775. A resolution designating September 30, 2020, as "Impact Aid Recognition Day" to recognize and celebrate the 70th anniversary of the establishment of the Impact Aid program; considered and agreed to.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. KING, Mr. BROWN, Mr. MARKEY, Mr. MURPHY, Mr. MENENDEZ, Ms. WARREN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. JONES, Mr. VAN HOLLEN, Mr. CASEY, Ms. BALDWIN, Mrs. MURRAY, Ms. ROSEN, Mr. Kaine, and Ms. SMITH):

S. Res. 776. A resolution designating the week beginning September 13, 2020, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2533

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2533, a bill to amend the Alaska Native Claims Settlement Act to exclude certain payments to Alaska Native elders for determining eligibility for certain programs, and for other purposes.

S. 2633

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2633, a bill to amend title XVIII of the Social Security Act to provide coverage for wigs as durable medical equipment under the Medicare program, and for other purposes.

S. 3067

At the request of Mrs. CAPITO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3684

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3684, a bill to make supplemental appropriations for the Departments of Agriculture, the Interior, Homeland Security, Labor, and Commerce for the fiscal year ending September 30, 2020, and for other purposes.

S. 4166

At the request of Ms. SINEMA, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 4166, a bill to require the Secretary of Veterans Affairs to secure medical opinions for veterans with service-connected disabilities who die from COVID-19 to determine whether their service-connected disabilities were the principal or contributory cases of death, and for other purposes.

S. 4225

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 4225, a bill to establish authority to destroy counterfeit devices offered for import, and for other purposes.

S. 4349

At the request of Mr. Kaine, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 4349, a bill to address behavioral health and well-being among health care professionals.

S. 4494

At the request of Ms. HASSAN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 4494, a bill to amend title VI of the Social Security Act to extend the period with respect to which amounts under the Coronavirus Relief Fund may be expended.

S. 4625

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 4625, a bill to direct the Secretary of the Interior and the Secretary of Agriculture to encourage and expand the use of prescribed fire on land managed by the Department of the Interior or the Forest Service, with an emphasis on units of the National Forest System in the western United States, and for other purposes.

S. 4657

At the request of Ms. ERNST, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 4657, a bill to direct the Secretary of Veterans Affairs to designate one week each year as "Buddy Check Week" for the purpose of outreach and education concerning peer wellness checks for veterans, and for other purposes.

S. 4678

At the request of Mr. LANKFORD, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 4678, a bill to amend the Internal Revenue Code of 1986 to repeal the credit for electricity produced from certain renewable resources, and for other purposes.

S. 4740

At the request of Mrs. MURRAY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4740, a bill to support public health infrastructure.

S. 4757

At the request of Mr. DURBIN, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 4757, a bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes.

S. 4854

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 4854, a bill to provide payments for home health services furnished via visual or audio telecommunication systems during an emergency period.

S. 4860

At the request of Mr. PORTMAN, the names of the Senator from Montana

(Mr. DAINES), the Senator from Massachusetts (Ms. WARREN) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 4860, a bill to exempt payments made from the Railroad Unemployment Insurance Account from sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985.

S. 4898

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 4898, a bill to amend title VI of the Social Security Act to extend the period during which States, Indian Tribes, and local governments may use Coronavirus Relief Fund payments.

S. RES. 98

At the request of Mrs. BLACKBURN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. Res. 98, a resolution establishing the Congressional Gold Star Family Fellowship Program for the placement in offices of Senators of children, spouses, and siblings of members of the Armed Forces who are hostile casualties or who have died from a training-related injury.

S. RES. 684

At the request of Mr. RISCH, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. Res. 684, a resolution calling on the Government of Cameroon and separatist armed groups from the English-speaking Northwest and Southwest regions to end all violence, respect the human rights of all Cameroonians, and pursue a genuinely inclusive dialogue toward resolving the ongoing civil conflict in Anglophone Cameroon.

S. RES. 754

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 754, a resolution requesting information on the Government of Azerbaijan's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

S. RES. 755

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 755, a resolution requesting information on the Government of Turkey's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. LEE (for himself, Mr. ROMNEY, and Mr. McCONNELL):

S. 4902. A bill to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the "Orrin G. Hatch United States Courthouse"; considered and passed.

S. 4902

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

SECTION 1. ORRIN G. HATCH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 351 South West Temple in Salt Lake City, Utah, shall be known and designated as the “Orrin G. Hatch United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Orrin G. Hatch United States Courthouse”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 775—DESIGNATING SEPTEMBER 30, 2020, AS “IMPACT AID RECOGNITION DAY” TO RECOGNIZE AND CELEBRATE THE 70TH ANNIVERSARY OF THE ESTABLISHMENT OF THE IMPACT AID PROGRAM

Mr. CRAPO (for himself, Ms. HIRONO, Mrs. MURRAY, Mr. RISCH, Mr. SCHUMER, Mr. INHOFE, Ms. CANTWELL, Mr. CRAMER, Ms. BALDWIN, Mr. BARRASSO, Mr. DURBIN, Mr. CORNYN, Mr. KAINE, Mr. HOEVEN, Mr. REED, Mr. THUNE, Ms. STABENOW, Mr. DAINES, Mr. PETERS, Mrs. FEINSTEIN, Mr. TESTER, Mr. BOOKER, Mr. BLUMENTHAL, Ms. SINEMA, Mr. BROWN, Ms. DUCKWORTH, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. SMITH, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 775

Whereas September 30, 2020, marks the 70th anniversary of the date on which President Harry S. Truman signed the Act of September 30, 1950 (commonly known as the “Impact Aid Act”) (64 Stat. 1100; chapter 1124), which established the Impact Aid program;

Whereas the community served by the Impact Aid program considers the Impact Aid program to be the “original” Federal elementary and secondary education program;

Whereas the Impact Aid program is administered by the Secretary of Education;

Whereas the Impact Aid program reimburses local educational agencies for the loss of revenue and other costs associated with the presence of tax-exempt Federal property within the boundaries of those local educational agencies;

Whereas payments under the Impact Aid program are dispersed directly to local educational agencies, which allocate those payments based on local context and needs to provide a quality education to the students served by those local educational agencies;

Whereas, in 2020, nearly 880,000 children, including children of individuals in the uniformed services (as defined in section 101 of title 37, United States Code), children residing on Indian lands, children in low-rent public housing, and children of civilians working or living on Federal land, are “federally connected children” who are served by local educational agencies that are eligible for basic support payments under the Impact Aid program;

Whereas there are 4,800,000 acres of federally owned land within the boundaries of local educational agencies for which those local educational agencies are eligible to receive Federal property payments under the Impact Aid program;

Whereas, in fiscal year 2020, \$1,486,112,000 will be provided under the Impact Aid pro-

gram to more than 1,100 local educational agencies that together enroll more than 10,000,000 students;

Whereas, in 1965, Congress passed the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), which amended the Act of September 30, 1950 (commonly known as the “Impact Aid Act”) (64 Stat. 1100; chapter 1124);

Whereas, in 1994, Congress passed the Improving America’s Schools Act of 1994 (Public Law 103-382; 108 Stat. 3518), which repealed the Act of September 30, 1950 (commonly known as the “Impact Aid Act”) (64 Stat. 1100; chapter 1124), and codified the Impact Aid program in the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

Whereas Congress has continued to demonstrate support for the Impact Aid program by reauthorizing that program 16 times between 1950 and 2020;

Whereas, to formalize and energize the broad, bipartisan support for the Impact Aid program, the Senate Impact Aid Coalition was established in 1996 and the House Impact Aid Coalition was established in 1995; and

Whereas the Federal obligation on which the Impact Aid program is based is the same in September 2020 as it was when the Impact Aid program was established 70 years before, in September 1950: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 30, 2020, as “Impact Aid Recognition Day” to recognize the 70th anniversary of the establishment of the Impact Aid program; and

(2) recognizes the importance of—

(A) the Impact Aid program under title VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.); and

(B) the objective of that program to ensure that all children educated in federally impacted school districts receive a high-quality education and have access to the opportunities needed to reach their full potential.

SENATE RESOLUTION 776—DESIGNATING THE WEEK BEGINNING SEPTEMBER 13, 2020, AS “NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK”

Mr. CARDIN (for himself, Ms. COLLINS, Mr. KING, Mr. BROWN, Mr. MARKEY, Mr. MURPHY, Mr. MENENDEZ, Ms. WARREN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Ms. HASSAN, Mr. JONES, Mr. VAN HOLLEN, Mr. CASEY, Ms. BALDWIN, Mrs. MURRAY, Ms. ROSEN, Mr. KAINE, and Ms. SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 776

Whereas direct support professionals, including direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are key to providing publicly funded, long-term support and services for millions of individuals with disabilities;

Whereas, during the Coronavirus Disease 2019 (referred to in this preamble as “COVID-19”) pandemic, many direct support professionals continue to arrive for work every day in order to ensure the health and safety of individuals with disabilities;

Whereas direct support professionals provide essential services that ensure all individuals with disabilities are—

(1) included as a valued part of the communities in which those individuals live;

(2) supported at home, at work, and in the communities of the United States; and

(3) empowered to live with the dignity that all people of the United States deserve;

Whereas, by fostering connections between individuals with disabilities and their families, friends, and communities, direct support professionals ensure that individuals with disabilities thrive, thereby avoiding more costly institutional care;

Whereas direct support professionals build close, respectful, and trusting relationships with individuals with disabilities and provide a broad range of personalized support to those individuals, including—

(1) helping individuals make person-centered choices;

(2) assisting with personal care, meal preparation, medication management, and other aspects of daily living;

(3) assisting individuals in accessing the community and securing competitive, integrated employment;

(4) providing transportation to school, work, religious, and recreational activities;

(5) helping with general daily affairs, such as assisting with financial matters, medical appointments, and personal interests;

(6) assisting individuals in the transition from isolated or congregate settings or services to living in the communities of their choice; and

(7) helping to keep individuals with disabilities safe and healthy during the COVID-19 pandemic, including by volunteering to quarantine with individuals whom they care for to reduce spread of the disease;

Whereas there is a documented critical and increasing shortage of direct support professionals throughout the United States;

Whereas the majority of direct support professionals are employed in home and community-based settings, and that trend is expected to increase over the next decade;

Whereas many direct support professionals—

(1) are the primary financial providers for their families;

(2) are hardworking, taxpaying citizens who provide a critical service in the United States; and

(3) continue to earn low wages, receive inadequate benefits, and have limited opportunities for advancement, resulting in high turnover and vacancy rates that adversely affect the quality of support, safety, and health of individuals with disabilities; and

Whereas the Supreme Court of the United States, in *Olmstead v. L.C.*, 527 U.S. 581 (1999)—

(1) recognized the importance of the deinstitutionalization of, and community-based services for, individuals with disabilities; and

(2) held that, under the Americans with Disabilities Act of 1990 (42 U.S. 12101 et seq.), a State must provide community-based services to individuals with intellectual and developmental disabilities if—

(A) the community-based services are appropriate;

(B) the affected individual does not oppose receiving the community-based services; and

(C) the community-based services can be reasonably accommodated after the community has taken into account the resources available to the State and the needs of other individuals with disabilities in the State: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 13, 2020, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities of all ages;

(3) appreciates the contribution of direct support professionals in supporting individuals with disabilities and their families in the United States;

(4) commends direct support professionals for being integral to the provision of long-term support and services for individuals with disabilities;

(5) encourages the Bureau of Labor Statistics of the Department of Labor to collect data specific to direct support professionals; and

(6) finds that the successful implementation of public policies affecting individuals with disabilities in the United States can depend on the dedication of direct support professionals.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2688. Mr. PORTMAN (for Mr. PETERS) proposed an amendment to the bill S. 2216, to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for the family caregiver program, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

TEXT OF AMENDMENTS

SA 2688. Mr. PORTMAN (for Mr. PETERS) proposed an amendment to the bill S. 2216, to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for the family caregiver program, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, 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 “Transparency and Effective Accountability Measures for Veteran Caregivers Act” or the “TEAM Veteran Caregivers Act”.

SEC. 2. MODIFICATION OF ADMINISTRATION OF CAREGIVER PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FORMAL RECOGNITION OF CAREGIVERS.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report regarding the feasibility and advisability of formally recognizing all caregivers of veterans by identifying any caregiver of a veteran in the electronic health record of the veteran.

(B) CAREGIVERS RECOGNIZED.—The recognition of caregivers described in subparagraph (A) shall include recognition of—

(i) any family caregiver who is approved as a provider of personal care services for an eligible veteran under the program of comprehensive assistance for family caregivers under subsection (a) of section 1720G of title 38, United States Code; and

(ii) any caregiver of a covered veteran participating in the program of general caregiver support services under subsection (b) of such section.

(C) TIMELINE.—If the Secretary determines that formally recognizing all caregivers of veterans as described in subparagraph (A) is feasible and advisable, the report required by such subparagraph shall include a timeline for implementing such recognition.

(2) IMPLEMENTATION.—If the Secretary determines that formally recognizing all care-

givers of veterans as described in paragraph (1)(A) is feasible and advisable, the Secretary shall implement such recognition in accordance with the timeline included in the report required by such paragraph.

(b) NOTIFICATIONS, EXTENSION OF BENEFITS, AND DISCHARGE FROM FAMILY CAREGIVER PROGRAM.—Section 1720G(a) of title 38, United States Code, is amended by adding at the end the following new paragraphs:

“(12)(A) The Secretary shall notify the individuals described in subparagraph (C) regarding decisions affecting the furnishing of assistance under this subsection using standardized letters, as the Secretary determines such notifications and letters to be appropriate.

“(B) A notification provided under subparagraph (A) shall include the elements required for notices of decisions under section 5104(b) of this title to the extent that those elements apply to such notification, unless, not later than 60 days after the date of the enactment of the Transparency and Effective Accountability Measures for Veteran Caregivers Act, the Secretary determines that it would not be feasible to include such elements in such notifications and submits to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report setting forth the reasons for such determination.

“(C) The individuals described in this subparagraph shall include—

“(i) an individual who submits an application for the program established under paragraph (1);

“(ii) an individual determined by the Secretary to be an eligible veteran pursuant to such an application; and

“(iii) a family caregiver of an eligible veteran who is—

“(I) approved as a provider of personal care services under paragraph (6)(B); or

“(II) designated as a primary provider of personal care services under paragraph (7)(A).

“(13)(A) If the Secretary determines that a veteran receiving services under the program established under paragraph (1) is no longer eligible for such program solely because of improvement in the condition of the veteran—

“(i) the effective date of discharge of the veteran from the program shall be not earlier than the date that is 60 days after the date on which the Secretary provides notice of such lack of eligibility under paragraph (12)(A) to the relevant individuals described in paragraph (12)(C); and

“(ii) the Secretary shall extend benefits under the program established under paragraph (1) for a family caregiver of the veteran described in paragraph (12)(C)(iii), including stipends under paragraph (3)(A)(ii)(V), if such an extension is determined appropriate by the Secretary, for a 90-day period following discharge of the veteran from the program.

“(B) This paragraph shall not be construed to limit the authority of the Secretary—

“(i) to prescribe regulations addressing other bases for—

“(I) the discharge of a veteran from the program established under paragraph (1); or

“(II) the revocation of the designation of a family caregiver of a veteran as a primary provider of personal care services under paragraph (7)(A); or

“(ii) to provide advance notice and extended benefits under the program, as appropriate, if another basis for discharge of a veteran described in subclause (I) of clause (i) or revocation of a designation described in subclause (II) of such clause applies.”.

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, November 17, 2020, at 10 a.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 Tuesday, November 17, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Tuesday, November 17, 2020, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 17, 2020, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON MANUFACTURING, TRADE, AND CONSUMER PROTECTION

The Subcommittee on Manufacturing, Trade, and Consumer Protection of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, April 30, 2019, at 2:30 p.m., to conduct a hearing.

TRIBUTE TO COLLEEN HEALY

Mr. LEE. Madam President, in a city divided by politics, a nation riven by disease, and an era defined by partisan opportunism, it is vital to remember that there are among us, mercifully, on Capitol Hill, a few men and women who embody the very highest ideals of honesty, charity, public service, and personal integrity.

As chairman of the Joint Economic Committee for the past 2 years, I have had the privilege of knowing one of these indispensable patriots.

I rise today, before the end of my term as chairman of the Joint Economic Committee and at the end of her 40th year of service on the Joint Economic Committee, to commend to all of my colleagues the personal and professional merits of Ms. Colleen Healy.

Colleen was born in Port Allegany, PA, to Bob and Theresa Healy and is a sister to Bob, Barry, Brian, and Bret. She attended Port Allegany Union High School, where she participated in the school band, chorus, student government, and the Spanish club. As a senior, she was selected by her classmates to compete for the title of Pennsylvania State Laurel Queen of 1969.

Colleen next attended Penn State, where she earned her B.A. in Spanish and Latin American Studies. After graduating and teaching Spanish for several years in Florida, she came to Washington in 1977, first working for Representative Joseph Ammerman of Pennsylvania as his executive secretary. Colleen then found her calling in the Joint Economic Committee, where she has made an indelible mark on generations of Representatives, Senators, and staff ever since.

Colleen has now served on the JEC staff for more than half the time the committee has even been in existence. All great institutions, of course, depend on institutional memory. The Joint Economic Committee depends on Colleen Healy. That is why for decades the first decision every incoming JEC chair has made, whether the chair happens to be from the House or the Senate, happens to be a Democrat or a Republican, the first decision made over and over again is retaining Colleen's invaluable services as financial director.

Colleen is the reason the JEC is known across Capitol Hill for being one of the most cooperative and congenial committees to work for, to work with, or to serve on because both sides trust Colleen. They also know they can trust each other. That has a ripple effect that is undeniably positive.

Staffers trust that they can always go to Colleen with their questions and their problems, whether it is about the committee process or procedure, and receive gracious, knowledgeable, consistent, honest answers.

But even more impressive than her acumen is her essential kindness and grace. Colleen is known to get a flag flown over the Capitol for each new baby born to a coworker. Staffers past and present joke that you can't walk 10 minutes with Colleen from her office in the Dirksen Building and get very far because she has befriended literally everyone across the Capitol complex, remembering personal details about their lives and their families and stopping to talk with each person along the way.

From Members to staffers, to interns and custodians, Colleen never misses an opportunity to make every single person feel important and valued and necessary. That, again, has ripple effects that are always positive in any organization and certainly are on the JEC.

As one former coworker put it, when you talk to Colleen, you are instantly made to feel like the most special, loved, and cared-for person on Earth.

When you step into her office, you know she is ready to laugh, listen, or cry with you.

As another has said, despite the length of time she has worked in Washington, DC, Colleen still exudes warmth and joy—a spirit that permeates the committee and touches everyone she meets. This in a city not necessarily known for those traits.

And though she lives it out quietly, she gives witness to her Catholic faith

each and every day. Mother Teresa once advised: "Let no one ever come to you without leaving better and happier." I can think of no better way to describe how Colleen Healy lives her life.

In the words of the JEC vice chair, Representative DON BEYER, "Colleen is the JEC's administrator, historian, sage, and most important, the heart and soul of the committee. She is respected and beloved by decades of JEC Senate and House Members of both parties, as well as generations of staff. Her decades of service have been invaluable."

We are all better and happier for it.

I thank Colleen for her service to the committee, and I hope we are lucky enough to get another 40 years with her serving on the Joint Economic Committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

CORONAVIRUS

Mr. PORTMAN. Madam President, I am here on the floor of the Senate tonight to talk about the encouraging progress we have seen in finding a vaccine for the COVID-19 virus that has disrupted all of our lives and caused such great damage over the past year.

From the early days of this coronavirus pandemic, a public-private partnership has employed scientists who have worked around-the-clock to prevent people from getting infected by developing effective vaccines. We saw the results of this effort in the last week with announcements from Pfizer and now Moderna that their interim success rates were above 90 percent during their trials. Other companies have vaccines at various stages of development, and there is hope that they will have similar results.

Getting safe and effective vaccines across the finish line will be a monumental achievement. Not only are we witnessing unprecedented progress in creating an effective widespread vaccine, we are doing so at a speed unheard of in modern medical history. This result is going to be our best hope of getting out of this pandemic. With cases rising not only across the country but around the world, we are running out of other tools needed to stop the pandemic. I support the social distancing, wearing of masks, PPE, the testing, but I believe widespread inoculation is the most effective way to avoid the negative economic and social impacts the virus and the subsequent mitigation efforts have caused.

If these vaccines receive the expected emergency use authorization from the Food and Drug Administration over the coming weeks and months, this will be a testament to the unprecedented support that Congress has provided for vaccine development, the Trump administration's innovative approach to cut bureaucratic redtape with Operation Warp Speed, and the

commitment and ingenuity of our researchers, our scientists, and our manufacturers.

The bipartisan CARES Act we passed here in March with unanimous support provided \$27 billion in funding for countermeasures against COVID, including funding this important vaccine development research. It was money well spent.

Thanks to these funds and the innovative approach by the administration, we have been able to invest in building the infrastructure to begin manufacturing these vaccines now so that if the vaccine is approved, we can quickly ramp up distribution. This two-track approach also involves ramping up large-scale clinical trials, which are critical to furthering our scientific understanding of this pandemic and verifying the safety and effectiveness of these vaccines. By using these CARES Act funds to invest in both research and trials and in manufacturing at the same time, we are able to ensure that the trials are thorough and methodical while also ensuring that if and when approved there is vaccine ready to be distributed.

At the same time, the Food and Drug Administration, which is the Federal agency responsible for approving the use of any new vaccine, has followed the science and moved cautiously. As an example, they have actually raised the standards needed for giving an emergency use authorization for a vaccine. Normally, a vaccine only needs to be effective about 50 percent of the time to be approved under the EUA, emergency use authorization, but with the coronavirus vaccine, the standard is much higher. By requiring companies to collect more rigorous information to show longer lasting results from their respective vaccine candidates, this will help ensure greater confidence in the system, and I am grateful that they took these additional careful steps.

This progress on the vaccine is critical for our economic recovery as well. When a vaccine and therapeutics are authorized by the FDA and made widely available and people actually get vaccinated, all of us will feel safer returning to the workplace, retail establishments, restaurants, churches and other places of worship, and schools, as well as feeling more comfortable gathering with friends and family. We will finally be able to truly reopen and get millions of Americans back to work. In short, a widely available vaccine is our best bet for getting America back to normal—something we all are desperate for.

Last month, I received a briefing from CTI Clinical Trial and Consulting Services, a research company that is based in my hometown of Cincinnati, OH. I met with them to receive a briefing to find out what is going on in Ohio and what they are doing around the country. CTI is a global leader in actually executing these clinical trials that we always talk about for these vaccines and therapeutics, and right now

they are helping to conduct clinical trials on a potential COVID vaccine being developed by a number of companies, including Janssen, J & J. That is Janssen, Johnson & Johnson.

I was impressed with the progress they had made in their phase 1 and phase 2 trials for the J & J vaccine, as well as the precautions they are taking with regard to safety and privacy of participants in the trial. In fact, the previous trial of this vaccine found 99 percent of participants developed antibodies to COVID-19, and 98 percent still had these antibodies in their system after 29 days. These are encouraging figures that suggest that this J & J vaccine could prove to be another useful tool in our toolkit to fight COVID-19, but there is still a lot of work to be done.

CTI explained to me that they were focused on encouraging more people to join their trials. I asked if it would help if I signed up, and they said yes. Along with tens of thousands of other participants, I am now joining this trial for this promising new vaccine. Like other participants in the program, I don't know if I got the vaccine or if I got a placebo.

I enrolled in this vaccine trial for really three reasons. One is because I think it is so important to get this vaccine moving, and these trials are really important to having that be successful. In my view, again, the vaccine is the most effective way for us to defeat this coronavirus.

Second, I enrolled because I want to encourage others to join these trials around the country. If you are interested, go online. Look at the vaccine trials and join one in your community.

And, third, I hope it will convince my fellow Ohioans and others that getting vaccinated makes sense.

There is a concerning Gallup poll from last month that found that only half of Americans are comfortable getting a COVID-19 vaccine, and 50 percent of us are not comfortable at this point getting vaccinated. Actually, that is down from August, when two-thirds of Americans said they would be willing to be vaccinated. This concerns me a lot.

I suspect in part this is happening because of the rhetoric we have heard from some public officials casting doubt on a vaccine solely because it may be approved by the Trump administration's FDA. We need to stop playing politics with people's health and let the science and the data determine which vaccines get approved. The FDA is being very cautious, and they are being driven by science. Casting doubt on the efficacy of a vaccine to try to score political points is dangerous and needs to stop.

Public confidence in vaccines is declining at exactly the time that we need these vaccines the most, and we need to do what we can to reverse that trend. My hope is that being involved firsthand I can use my platform as a Senator to help give people confidence

that these new vaccines being developed are safe and effective. The more folks participate in these trials, the sooner they will have the complete data to finalize this phase of the trial and move on to the FDA approval process.

But just as important as participating in these vaccine trials is what we do here as legislators in Congress to ensure that these vaccines can continue to be developed and deployed safely and rapidly. As I mentioned earlier, the CARES Act provided \$27 billion for the development of vaccines and other countermeasures—an unprecedented show of support from Congress in our fight to defeat the underlying healthcare challenges of this pandemic.

Unfortunately, since that bill was passed—the CARES bill—way back in March, 8 months ago, we have been unable to focus on following up with more funding to help this effort. Twenty-seven billion dollars is a lot of money, but it only gets us so far in an effort like this.

What is also missing from the uses for this \$27 billion is the ability to fund a campaign to explain to Americans that there is a safe and effective vaccine out there that they can use, that the science has been followed. As I mentioned, there is a lot of vaccine hesitancy right now. It existed before this pandemic. Unfortunately, it has been made worse by some elected officials trying to politicize this science-driven effort.

That is why I am working on bipartisan legislation to support a national awareness campaign that would empower HHS to cut through the politics and promote the scientific advancements we have made in order to increase public confidence.

We don't have a vaccine yet, and we are still facing another round of shutdowns, with little help to support those who will be impacted by it. That is the reason we need to do more here in Washington right now to ensure that the healthcare response to this pandemic does not falter, because this crisis is getting worse, not better. In my home State of Ohio and around the country, we are seeing this, and we can make a difference here.

In Ohio, the number of daily cases has risen every day for the past month. We are seeing double what we saw just a few weeks ago.

In the United States, we are now averaging more than 100,000 new cases per day, double the rate from just a month ago. As was predicted, it got colder, people are inside more, and the third wave has arrived.

Unfortunately, we have also seen an increase in Ohio in hospitalizations, in ICU patients, and, sadly, in fatalities along with these new cases.

We need to do more to help the economy, too, and that is another reason we need a COVID-19 package—a stimulus package—because as the pandemic has worsened, the impressive economic growth we were seeing has slowed down

at a time when the economy is still down 10 million jobs since February. What we really don't want is for those ten million people, in a slowdown of the economy, to become long-term unemployed and who may never reenter the workforce. And, of course, certain sectors—like hospitality, restaurants, hotels, travel, and entertainment—are still struggling badly, with no end in sight, as some States are beginning to re-implement stricter social distancing measures and even to close down these facilities in order to counter the spread of the virus.

I am pleased that Leader MCCONNELL has called on Congress to work together to pass another coronavirus response package before the end of the year. We can't afford to wait any longer. It is my hope that my Democratic colleagues recognize the urgency as well. And I have talked to a number of them who do. We have to refrain from making this political at this point. We have to figure out how to work together to find common ground.

If we can come together and get a bipartisan coronavirus bill passed before the end of this year that takes a commonsense approach targeting the healthcare challenges of this pandemic, targeting the economic consequences, we will not only help the men and women working tirelessly in labs around the country to fight this disease, but we will send a clear message to the American people that we are with them in this fight.

And as we continue this critical national effort, let's be sure we are doing our part here in Congress to pass legislation that provides additional funding for treatments and therapies for the coronavirus so that we can be sure we have the resources necessary to treat the virus as people get it.

The time is now for us to put the partisanship aside and figure out how we can work together to give the American people a little hope, to address the healthcare crisis that is in all of our States, and to ensure that the economic consequences are not devastating for the people we represent.

I urge my colleagues to come together and to do that before we recess for the holidays.

I yield back my time.

The PRESIDING OFFICER. The Senator from Ohio.

INTERNET OF THINGS CYBERSECURITY IMPROVEMENT ACT OF 2020

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1668, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1668) to establish minimum security standards for Internet of Things devices owned or controlled by the Federal Government, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding?

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

Mr. PORTMAN. I ask unanimous consent that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 1668) was ordered to a third reading, was read the third time, and passed.

INFORMATION TECHNOLOGY MODERNIZATION CENTERS OF EXCELLENCE PROGRAM ACT

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5901, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5901) to establish a program to facilitate the adoption of modern technology by executive agencies, and for other purposes.

The PRESIDING OFFICER. Is there objection?

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

Mr. PORTMAN. I ask unanimous consent that the bill be considered read three times and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 5901) was ordered to a third reading, was read the third time, and passed.

TEAM VETERAN CAREGIVERS ACT

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Calendar No. 540, S. 2216.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2216) to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, 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 "Transparency and Effective Accountability Measures for Veteran Caregivers Act" or the "TEAM Veteran Caregivers Act".

SEC. 2. MODIFICATION OF ADMINISTRATION OF CAREGIVER PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) OFFICIAL DESIGNATION OF CAREGIVERS.—
(1) IN GENERAL.—The Secretary of Veterans Affairs, when determined feasible by the Secretary, shall formally recognize all caregivers of veterans by identifying any caregiver of a veteran in the electronic health record of the veteran.

(2) INCLUSION.—Caregivers recognized under paragraph (1) shall include—

(A) any family caregiver who is approved as a provider of personal care services for an eligible veteran under the program of comprehensive assistance for family caregivers under subsection (a) of section 1720G of title 38, United States Code; and

(B) any caregiver of a covered veteran participating in the program of support services for caregivers under subsection (b) of such section.

(b) STANDARDIZED LETTERS REGARDING CERTAIN DETERMINATIONS UNDER FAMILY CAREGIVER PROGRAM.—

Section 1720G(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(12)(A) The Secretary shall notify the individuals described in subparagraph (B) regarding decisions affecting the furnishing of assistance under this subsection using standardized letters, as the Secretary determines such notifications and letters to be appropriate.

"(B) The individuals described in this subparagraph shall include—

"(i) an individual who submits an application for the program required by paragraph (1);

"(ii) an individual determined by the Secretary to be an eligible veteran pursuant to such an application; and

"(iii) a family caregiver of an eligible veteran who is—

"(I) approved as a provider of personal care services under paragraph (6)(B); or

"(II) designated as a primary provider of personal care services under paragraph (7)(A)."

(c) TEMPORARY EXTENSION OF BENEFITS FOR FAMILY CAREGIVER PROGRAM.—Upon determining that a veteran who was receiving services under the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, is no longer clinically eligible for purposes of such program, the Secretary shall extend benefits under such program, including stipends under paragraph (3)(A)(ii)(V) of such section, for a period of time determined by the Secretary if such an extension is determined appropriate by the Secretary.

Mr. PORTMAN. I further ask that the committee-reported substitute amendment be withdrawn; that the Peters substitute amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be considered read a third time and passed; that the committee-reported title amendment be considered and agreed to; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 2688) in the nature of a substitute 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 "Transparency and Effective Accountability Measures for Veteran Caregivers Act".

ures for Veteran Caregivers Act" or the "TEAM Veteran Caregivers Act".

SEC. 2. MODIFICATION OF ADMINISTRATION OF CAREGIVER PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FORMAL RECOGNITION OF CAREGIVERS.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report regarding the feasibility and advisability of formally recognizing all caregivers of veterans by identifying any caregiver of a veteran in the electronic health record of the veteran.

(B) CAREGIVERS RECOGNIZED.—The recognition of caregivers described in subparagraph (A) shall include recognition of—

(i) any family caregiver who is approved as a provider of personal care services for an eligible veteran under the program of comprehensive assistance for family caregivers under subsection (a) of section 1720G of title 38, United States Code; and

(ii) any caregiver of a covered veteran participating in the program of general caregiver support services under subsection (b) of such section.

(C) TIMELINE.—If the Secretary determines that formally recognizing all caregivers of veterans as described in subparagraph (A) is feasible and advisable, the report required by such subparagraph shall include a timeline for implementing such recognition.

(2) IMPLEMENTATION.—If the Secretary determines that formally recognizing all caregivers of veterans as described in paragraph (1)(A) is feasible and advisable, the Secretary shall implement such recognition in accordance with the timeline included in the report required by such paragraph.

(b) NOTIFICATIONS, EXTENSION OF BENEFITS, AND DISCHARGE FROM FAMILY CAREGIVER PROGRAM.—Section 1720G(a) of title 38, United States Code, is amended by adding at the end the following new paragraphs:

"(12)(A) The Secretary shall notify the individuals described in subparagraph (C) regarding decisions affecting the furnishing of assistance under this subsection using standardized letters, as the Secretary determines such notifications and letters to be appropriate.

"(B) A notification provided under subparagraph (A) shall include the elements required for notices of decisions under section 5104(b) of this title to the extent that those elements apply to such notification, unless, not later than 60 days after the date of the enactment of the Transparency and Effective Accountability Measures for Veteran Caregivers Act, the Secretary determines that it would not be feasible to include such elements in such notifications and submits to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth the reasons for such determination.

"(C) The individuals described in this subparagraph shall include—

"(i) an individual who submits an application for the program established under paragraph (1);

"(ii) an individual determined by the Secretary to be an eligible veteran pursuant to such an application; and

"(iii) a family caregiver of an eligible veteran who is—

"(I) approved as a provider of personal care services under paragraph (6)(B); or

"(II) designated as a primary provider of personal care services under paragraph (7)(A).

"(13)(A) If the Secretary determines that a veteran receiving services under the program

established under paragraph (1) is no longer eligible for such program solely because of improvement in the condition of the veteran—

“(i) the effective date of discharge of the veteran from the program shall be not earlier than the date that is 60 days after the date on which the Secretary provides notice of such lack of eligibility under paragraph (12)(A) to the relevant individuals described in paragraph (12)(C); and

“(ii) the Secretary shall extend benefits under the program established under paragraph (1) for a family caregiver of the veteran described in paragraph (12)(C)(iii), including stipends under paragraph (3)(A)(ii)(V), if such an extension is determined appropriate by the Secretary, for a 90-day period following discharge of the veteran from the program.

“(B) This paragraph shall not be construed to limit the authority of the Secretary—

“(i) to prescribe regulations addressing other bases for—

“(I) the discharge of a veteran from the program established under paragraph (1); or

“(II) the revocation of the designation of a family caregiver of a veteran as a primary provider of personal care services under paragraph (7)(A); or

“(ii) to provide advance notice and extended benefits under the program, as appropriate, if another basis for discharge of a veteran described in subclause (I) of clause (i) or revocation of a designation described in subclause (II) of such clause applies.”

The bill (S. 2216), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The committee-reported title amendment was agreed to as follows:

Amend the title so as to read: “A bill to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for the family caregiver program, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.”

IMPACT AID RECOGNITION DAY

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 775, submitted earlier today.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 775) designating September 30, 2020, as “Impact Aid Recognition Day” to recognize and celebrate the 70th anniversary of the establishment of the Impact Aid program.

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

Mr. PORTMAN. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 775) was agreed to.

Mr. PORTMAN. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 776, submitted earlier today.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 776) designating the week beginning September 13, 2020, as “National Direct Support Professionals Recognition Week”.

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

Mr. PORTMAN. I ask unanimous consent that the resolution be agreed to; that the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 776) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR WEDNESDAY, NOVEMBER 18, 2020

Mr. PORTMAN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, November 18; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Vaden nomination; finally, that notwithstanding the provisions of rule XXII, the remaining cloture motions filed on Thursday, November 12, ripen at 11 a.m. tomorrow.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. PORTMAN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:24 p.m., stands adjourned until Wednesday, November 18, 2020, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 17, 2020:

THE JUDICIARY

TOBY CROUSE, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

BENJAMIN JOEL BEATON, OF KENTUCKY, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY.

KRISTI HASKINS JOHNSON, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI.

EXTENSIONS OF REMARKS

IN HONOR OF REVEREND HAROLD
G. WILLIAMS

HON. JOHN JOYCE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor Harold G. Williams of Huntingdon County for his service in the United States Navy. Harold is an outstanding Pennsylvanian, and I am grateful for his service to our nation, the Commonwealth of Pennsylvania, and our community.

In Pennsylvania and across the country, our veterans have served and sacrificed for Americans' freedom and our values. They answered the call to serve and fight for us—at a great cost. Truly, our veterans are the best of America.

In Congress, it is my privilege—and my responsibility—to stand up for those who have served our country in uniform, as well as to recognize these brave Americans. As a nation, we are indebted to them. On behalf of the 13th Congressional District, I thank Harold for his service to our nation and our community.

HONORING STEVEN M. DYL

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. PASCRELL. Madam Speaker, I rise today to recognize Mr. Steven Dyl in celebration of his decades of work as a father, Fire Chief, and leader in the Town of Kearny and the County of Hudson. I am proud to have such a dedicated and hardworking individual in the Ninth Congressional District of New Jersey. A lifelong resident of Kearny and a product of the Kearny school system, Steven Dyl dedicated his life to the safety and security of his hometown.

Steven's commitment to serve started at a very young age. With the gumption to hold regular meetings with then Mayor Henry Hill, Steven advocated for the establishment of an emergency rescue squad in the Town of Kearny, resulting in the creation of the Kearny Emergency Ambulance squad, an organization responsible for protecting tens of thousands of people. Furthermore, prior to his career in fire safety, Mr. Dyl worked for the McCabe Ambulance in Bayonne and as an EMT for University Hospital in Newark, formally beginning his career in public safety.

Appointed to the Kearny Fire Department (KFD) on October 6, 1984, Steven Dyl would start his thirty-five-year long career with the department. Rising through the ranks from Fire Captain, to Deputy Fire Chief and then Chief in 2007, Steven has a long history of hard work and commitment to reflect upon as he retires. Present for many of the department's greatest challenges such as the attack

on 9/11 and the economic downturn in 2008, Steven's leadership would play a key role in many of the major initiatives enacted by the Kearny Fire Department. I know his guidance and strong force of character will be missed by everyone at the department.

Working closely with other members of his community, Steven has raised money for the people of Kearny and firefighters across New Jersey. While titles may come and go, Mr. Dyl displays the intrinsic qualities that make him a leader irrespective of the title he holds. Regardless of how Steven chooses to spend his retirement, I know he will remain a firefighter in spirit. Retirement means a transition into a new phase of life, and I have every confidence that Steven will make this new phase a wonderful, productive and exciting time.

As the representative for New Jersey's Ninth Congressional District, I have the great honor of representing the residents of Kearny in Congress and it gives me great pride to recognize one of their native sons who has spent his life serving the public. I can say with confidence that Steven is not only a good leader, but an incredible public servant—the kind who can be counted on both in good times and in bad times.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to working with and recognizing the efforts of individuals like Mr. Dyl.

Madam Speaker, I ask that you join our colleagues, friends, family, and the residents of New Jersey in recognizing Steven Dyl for his outstanding work, as we celebrate his decades of distinguished service to the Ninth Congressional District and the members of his family and community.

HONORING THE SERVICE OF
BETTE BOATMUN

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. DESAULNIER. Madam Speaker, I rise today to recognize the service of an esteemed leader in Contra Costa County, Bette Boatmun.

Bette was appointed to the Contra Costa Water District Board of Directors in 1974 and has held that position for the past 46 years. When initially applying for the Contra Costa Water District Board, Bette was driven by her desire to see more women in the water industry. During her time on the Board of Directors, Bette has served as both the President and Vice President. Her leadership has been integral in the implementation of many projects, including the building of the Randall-Bold Water Treatment Plant and the Multi-Purpose Pipeline, construction and expansion of the Los Vaqueros Reservoir, and an upgrade to the Bollman Water Treatment Plant.

Bette is known by her colleagues as an advocate for customers of the Water District,

demonstrated by her work to provide low-income assistance and avid support of water education. One of California's public demonstration gardens, recognized by the U.S. Bureau of Reclamation, was named in her honor: the Bette Boatmun Conservation Garden. One of Bette's many accolades for her outstanding career includes the 2013 Hollingsworth Award of Excellence from the California Special Districts Association.

In addition to her numerous professional contributions, Bette is a member of many community organizations, including the Concord American Association of University Women and League of Women Voters of Diablo Valley. She has also served as President of the Association of California Water Agencies and chair of several organizations, including the Governing Board of East County Water Management Association, the Contra Costa Special Districts' Association, and the Sanitation and Water Agencies of Contra Costa County.

We wish Bette well as she retires from the Contra Costa Water District Board of Directors and thank her for inspiring many more to follow in her footsteps. Please join me in honoring Bette Boatmun for her many contributions to our community.

REMEMBERING THE LIFE OF
FREDERICK HILL McDONALD

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Ms. KAPTUR. Madam Speaker, I rise today to reflect upon the life of Frederick Hill McDonald, an institution of our courts serving almost three decades as a Lucas County Common Pleas judge. A Vietnam War Veteran, a father, a grandfather, a husband, and a missed and cherished member of our community.

A native of Poland, Ohio, Judge McDonald graduated Poland High School and then attended Carleton College graduating with high marks. Following his undergrad, he jumpstarted his law career in receiving his law degree from Georgetown university, then soon after was honorably admitted to the Ohio Bar in 1968.

In the genesis of his career, McDonald joined the Toledo Aid Society in 1970, then took the step into the legal world officially in becoming an assistant county prosecutor. After a few years of service, he was selected as an assistant U.S. attorney in Toledo, and after serving one year as a Judge on the Toledo Municipal Court bench, his candor and professionalism propelled him to be appointed to the Common Pleas Court where his career blossomed.

Judge Frederick McDonald's time on the court was highlighted by his service of equality and equity on the bench and in his own life. In 1997 he received the Arabella Babb Mansfield Award from the Toledo Women's Bar Association, in accordance with his commitment

• 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.

to diversity and his general tenacity and grit on the bench.

In his tenure in our courts of law, Judge McDonald displayed a fervent commitment to decency and democracy like no other. At 71 years of age he retired his robes and was remembered by his peers as a dedicated collaborator and mentor, providing leadership and discernment on challenging issues.

A Toledo resident, his life was one filled with love and devotion to family. His three grandsons look onto a great example of a legal legacy and a profoundly sweet man. His Wife, Holly Sydlow, shared his love of law in her career as an assistant U.S. attorney.

Judge McDonald led everyday with the intention of imparting his legal knowledge unto the next generation of impactful lawyers and legal professionals, passing the merits of his valuable tenure unto the future of our courts.

During his time in the courts, Judge McDonald saved all of his jury instructions from his years of trial digitally and passed them on to a currently seated Judge, thus his legacy and institutional knowledge will live on within the systems that miss him so.

Our courts and our hearts mourn the loss of Judge McDonald. I express my great sympathy for his family and all who were lucky enough to call him friend or peer.

IN RECOGNITION OF TOWNSHIP
SUPERVISOR BRIAN LOFTUS

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mrs. DINGELL. Madam Speaker, I rise today to recognize Brian Loftus and his years of distinguished service to Grosse Ile Township. His leadership and community impact are worthy of commendation.

In 2008, Brian Loftus became Grosse Ile Township Supervisor. In this position, Loftus has moderated the Board of Trustees, led the development of the township budget, overseen property assessment, and maintained township records. In addition, he has been a liaison to the Downtown Development Authority, served on the Elections Commission, and has appointed the members of a variety of other township commissions, among other tasks. Supervisor Loftus's leadership has come at a pivotal moment in our state's history. As communities across Michigan are grappling with the impacts of the coronavirus pandemic, Supervisor Loftus has remained committed to ensuring Grosse Ile Township continues to be a vibrant, diverse, and welcoming residential community for all.

Supervisor Brian Loftus's sense of dedication transcends Grosse Ile Township. Prior to serving Grosse Ile as township supervisor, Loftus served our nation in uniform. Loftus joined the Air Force in 1970 and graduated from the United States Air Force Academy in 1974. He served on active duty as a pilot until being transferred to the Michigan Air National Guard in 1981, where he continued serving in several operation and staff duty positions until his retirement in September 2003. Over the course of 33 years of military service, Loftus has come to deeply understand the meaning of duty, sacrifice, and commitment to bettering one's community. Undoubtedly, he applied

these principles throughout his tenure as township supervisor.

In addition, Loftus has been an active member of several community organizations. He volunteers with the Grosse Ile Historical Society, Friends of the Detroit River, and the Detroit River International Wildlife Refuge Alliance, to name a few. Throughout all capacities, Loftus has been recognized as a humble and compassionate leader who strives to effect lasting change. He has been a strong voice for Grosse Ile Township and used his authority to bring the community together and positively impact the lives of countless residents. Loftus's impact will forever endure, and we are all grateful for his years of service to our community.

Madam Speaker, I ask my colleagues to join me in honoring Township Supervisor Brian Loftus. We are proud to celebrate his work, accomplishments, and significant community impact. We thank him for his outstanding leadership and wish him the best of luck in his future endeavors.

HONORING WES AND JUDY PIERCE

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. CARTER of Texas. Madam Speaker, I am proud to honor Wes and Judy Pierce, two incredible members of our Central Texas community who have devoted their energies and talents toward providing support and aid to our incredible servicemembers, veterans, first responders, and their families.

Originally from Illinois, Wes and Judy married in April 1987. Their journey from child rearing to becoming proud grandparents led them to Texas in 2001. After having five of their own sons serve in the military, Wes and Judy became increasingly aware of the unmet needs of our returning veterans. Through their own children's difficulties with accessing and finding resources, Heroes Night Out was born.

Heroes Night Out is a non-profit community-based organization that is dedicated to enhancing and supporting servicemembers, veterans, first responders, and their family members through programs and services in a caring and safe environment enhanced by the contributions of peers and battle buddies. HNO can quickly address the unique situations they experience by creating an immediate and trusting relationship.

Having nurtured Heroes Night Out into a valued part of the Central Texas community, Wes and Judy are passing the torch to a new generation of leadership. Their richly-deserved retirement is to be celebrated and enjoyed. I proudly join their friends and colleagues in gratitude for their enormous contributions to those who work and sacrifice so much for us.

RANDY DECKER

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. SHIMKUS. Madam Speaker, I rise before you today to remember and honor Randy

Decker, a man of tremendous character who passed away on February 4, 2020 after a brief, yet brave battle with an aggressive illness.

The youngest of 12 children and the first to be born in a hospital, Randy was born on July 25, 1950. Randy was drafted and served in the U.S. Army. After, he attended Illinois State University where he earned his Bachelor of Science in Business. Family was always a priority for Randy. Randy was married to his beloved wife Mona Belle Decker for 49 years. Randy could always be found supporting his children, being involved in their various sports activities throughout the years. Randy spent his civilian career in sales management roles to provide for his family. In his latest years, raising and supporting his five grandchildren was one of his greatest joys. Randy will be laid to rest at Arlington National Cemetery later this year.

Madam Speaker, I thank Randy Decker for his service and the impact he made in his community.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. HUIZENGA. Madam Speaker, I rise today regarding missed votes due to a death in the family. Had I been present for roll call vote number 219, On the Motion to Suspend the Rules and Pass S. 327, the Wounded Veterans Recreation Act, I would have voted "yay." Had I been present for roll call vote number 220, On the Motion to Suspend the Rules and Pass S. 3147, the Improving Safety and Security for Veterans Act, I would have voted "yay."

PERSONAL EXPLANATION

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mrs. ROBY. Madam Speaker, I was unable to vote on Monday, November 16, 2020. Had I been present I would have voted as follows: YEA on Roll Call No. 219, and YEA on Roll Call No. 220.

IN HONOR OF JAMES C. WILCOX

HON. JOHN JOYCE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor James C. Wilcox of Huntingdon County for his service in the United States Marine Corps. James is an outstanding Pennsylvanian, and I am grateful for his service to our nation, the Commonwealth of Pennsylvania, and our community.

In Pennsylvania and across the country, our veterans have served and sacrificed for Americans' freedom and our values. They answered the call to serve and fight for us—at a great

cost. Truly, our veterans are the best of America.

In Congress, it is my privilege—and my responsibility—to stand up for those who have served our country in uniform, as well as to recognize these brave Americans. As a nation, we are indebted to them. On behalf of the 13th Congressional District, I thank James for his service to our nation and our community.

RECOGNIZING BLUE KNIGHTS PENNSYLVANIA CHAPTER IV

HON. DANIEL MEUSER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. MEUSER. Madam Speaker, it is with great pride that I rise today to recognize the Blue Knight's International Law Enforcement Motorcycle Club Pennsylvania Chapter IV.

The Blue Knights is a non-profit fraternal organization of active and retired law enforcement officers and veterans who enjoy riding motorcycles. A group of several law enforcement officers formed the first chapter of the Blue Knights in Bangor, Maine in 1974. Today they have over 600 chapters and nearly 20,000 members all over the world.

The Blue Knights are dedicated to developing a fraternal spirit among those in the law enforcement and veterans community who enjoy riding motorcycles. As a group, the Blue Knights engage in charitable activities such as supporting local law enforcement causes, honoring our veterans, and assisting children in need.

The Blue Knights Pennsylvania Chapter IV is very active in supporting the Berks community. Recently the Blue Knights held their 1st Annual Benefit Ride & Pig Roast, raising nearly \$5,000 in support of the Berks County Sheriff's Office K-9 Unit. This Memorial Day, the Blue Knights also escorted 50,000 American flags that were distributed and placed on the graves of deceased veterans across Berks County. The Blue Knights are steadfast supporters of those who serve our communities and our nation.

Members of the Blue Knights have not only donned the uniform and served our communities and our nation themselves, but they also continue their service as good citizens in aiding law enforcement and veterans causes. Our community and our nation are better for their continued selfless service and dedication.

On behalf of the U.S. House of Representatives and the citizens of Pennsylvania's Ninth Congressional District, I ask my colleagues to join me in recognizing Pennsylvania Chapter IV of the Blue Knights and thank them for their continued service to our nation and our communities.

PERSONAL EXPLANATION

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. LUETKEMEYER. Madam Speaker, I was unable to be present for a recorded vote on November 16, 2020 for S. 327, the Wounded Veterans Recreation Act and S. 3147, the

Improving Safety and Security for Veterans Act. Had I been present, I would have voted YEA on Roll Call No. 219, and YEA on Roll Call No. 220.

HONORING CAROL MARIN

HON. RAJA KRISHNAMOORTHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. KRISHNAMOORTHY. Madam Speaker, I rise today to pay tribute to Carol Marin and to honor her distinguished career in print and electronic journalism. Few reporters have done more to build public trust in the press than Carol Marin, and her lifetime commitment to unbiased, in-depth reporting has elevated public discourse and held public officials accountable to their constituents and to the principles of good government.

Born in Chicago, Carol spent her childhood in Rolling Meadows, Illinois, part of the 8th Congressional District that I represent. After graduating from the University of Illinois, she worked briefly as a high school English teacher before moving to Tennessee and beginning a career in journalism, first as a talk show host and reporter in Knoxville, and then as a news anchor and reporter in Nashville.

In 1978, Carol returned home to Chicago as a news anchor and reporter. She quickly established a reputation as a relentless investigative reporter, and demonstrated a deep commitment to the highest standards of integrity and journalistic excellence. In 1997, that commitment became a national news story when she resigned from her news anchor desk to protest the hiring of a controversial talk show host whose presence she believed would undermine her credibility as a journalist and the work of her newsroom. She moved on to national broadcast work, serving as a correspondent on the CBS Evening News and "60 Minutes," covering important stories, including reporting on the September 11 terror attacks while covered in ash from the collapse of the World Trade Center towers.

In 2002, Carol formed Marin Corp Productions, an independent documentary company providing content to media outlets including CNN and the New York Times/Discovery Channel. She also authored political commentary for the Chicago Sun-Times, and served as a contributor to Chicago Tonight, an award-winning nightly news show broadcast on WTTW, Chicago's public television station.

Carol Marin has been honored with almost every important award in broadcast journalism. She is the recipient of three George Foster Peabody Awards, two DuPont-Columbia Awards, a George Polk Award, two national Emmy Awards and at least 15 regional Emmy Awards. Carol has been inducted in the Chicago Journalism Hall of Fame, and the Silver Circle of the Chicago/Midwest chapter of the National Academy of Television Arts and Sciences.

Carol recently announced that she is stepping away from her work as a broadcast journalist after the November 2020 national elections. I am glad to note that she will continue to inspire and mentor the next generation of journalists as co-director of the Center for Journalism Integrity and Excellence at DePaul University in Chicago.

At a time when journalism is under relentless attack by forces that seek to undermine our democratic norms, I am honored to celebrate the career of a reporter who personifies honesty, integrity and a fearless willingness to speak truth to power. Carol Marin's passion for her life's work is best expressed by her own words: "There's a sense of mission for most of us in my business, a sense of purpose . . . the biggest lesson I have learned of all—every story, every day, every year that I do this—is that it is a privilege to be a reporter."

RECOGNIZING THE HONORABLE MARTIN FROST

HON. LLOYD DOGGETT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. DOGGETT. Madam Speaker, I rise today to express my great admiration for a former colleague, and friend. Martin Frost, who always rose to the aid of those Texans he served so well for almost 30 years here in the House. He also ably led our party and our Caucus, serving as chair of the DCCC and the House Democratic Caucus.

Following his outstanding service in Washington, Martin Frost devoted much of his post-congressional life to the FMC, the Association of Former Members of Congress. This challenging year, 2020, brought to a conclusion his term as President of the FMC, after many years of serving in various leadership positions within it.

Many of my colleagues are familiar with the democracy building and civic education work the FMC conducts, including its outstanding Congressional Study Groups. Martin Frost provided the leadership for FMC to achieve incredible growth in all of these activities.

He was instrumental in strengthening FMC finances, for example, by creating and growing an Endowment Investment Fund. He greatly increased the number of actively involved Former Members from both sides of the aisle. And with his guidance, FMC now reaches a much greater number of students through the Congress-to-Campus program.

The extent of Martin's tremendous impact cannot be done real justice with these brief remarks, but I speak for everyone involved with FMC—its board of directors, its membership, and its staff—when I state that, thanks to Martin Frost, like every organization which he has led—FMC is better, more effective, and more impactful than it has ever been.

Especially during these divisive political times, when we need more bridges, not walls, Members like Martin Frost and organizations like FMC deserve our gratitude for attempting to bridge the political divide, serving as experts on Congress as an institution, and reconnecting citizens with their representative government, all in the service of strengthening our democracy.

Our political infrastructure, like our actual infrastructure, needs the attention and maintenance to keep our economy strong, our citizens safe and healthy, and to preserve our democracy. I am not planning to join Martin soon as an FMC member, but when I eventually do, I know that it will be a stronger organization because of his dedication. This is a

heartfelt thank you for his continuing efforts to make our Nation worthy for our grandchildren and beyond.

PERSONAL EXPLANATION

HON. LISA BLUNT ROCHESTER

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Ms. BLUNT ROCHESTER. Madam Speaker, on Roll Call vote No. 220, due to an error in the voting process my vote was not officially recorded when I cast my vote and was unable to return to the floor in time before the vote closed. Had I been present, I would have voted YEA on Roll Call No. 220.

HONORING MR. FRANCISCO MANTILLA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. PASCRELL. Madam Speaker, I rise today to recognize Mr. Francisco Mantilla for his commitment to the people of New Jersey. Mr. Mantilla came to this country from Ecuador in pursuit of the American Dream. A businessman, father and community leader, Francisco leads a rich life here in the United States. He is a role model for many in the Silk City. Today, I ask that we honor him for all his outstanding work.

Born to Mr. Francisco Arturo Mantilla Sr. and Rosa Mantilla Faz, Francisco's story starts in Ecuador. A studious and dedicated individual, Francisco would complete high school with high honors and by the age of twenty-one, earn a law degree from the Catholic University of Guayaquil. Mr. Mantilla, after completing his education, made the brave decision to leave Ecuador for greater opportunity here in the United States.

In 1970, Francisco arrived in the Silk City. In Paterson, Mr. Mantilla would begin his journey as an American citizen with dreams of a better life for his family. Living briefly in New York, Francisco met his wonderful wife Elsa and in 1972, resettled permanently in the City of Paterson. Married a year later in 1973, Francisco and Elsa would have three children, Rosa, Francisco and Elsa Elizabeth.

The year is 1980, and together with his wife, Elsa's Fashions is opened on 21st Ave. in Paterson. The second ever Latino owned business in the immediate area. Elsa's Fashions would become an important gathering place and respected establishment for the Latin American community. The owner and operator, Francisco would encourage and support other Latin Americans to start their own small business. Offering guidance and leadership, there has been no greater advocate for the businesses here in the Silk City.

A founding member of many community organizations, we can see Francisco's work throughout the State of New Jersey. Starting the Hispanic Chamber of Commerce in Paterson and the 21st Ave. Business Association, there are hundreds if not thousands of small business owners who have Francisco to thank for his contributions. A liaison with the

City of Paterson, Mr. Mantilla is a constant advocate before the Mayor and council on behalf of the small businesses on 21st Ave.

Francisco Mantilla has shared his prosperity with the community. Hosting toy drives, voter registration drives and clothing and food drives for the less fortunate, Francisco gives back and raises others up in the City of Paterson. Recognized by many different organizations for his community activism, Francisco was named the "Patersonian of the Year", "Entrepreneur of the Year" and "The Ambassador of 21st Avenue". I, on the other hand, know him to be my friend.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to working with and recognizing the efforts of individuals like Mr. Francisco Mantilla.

Madam Speaker, I ask that you join our colleagues, friends, family, and the residents of New Jersey in recognizing Francisco Mantilla, as we celebrate his years of distinguished service to the people of the Ninth Congressional District.

PERSONAL EXPLANATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. CALVERT. Madam Speaker, due to a transportation issue, I was unable to make votes on November 16, 2020. Had I been present, I would have voted in favor of both S. 327 and S. 3147.

STATEMENT IN SUPPORT OF S. 910, THE NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2020

SPEECH OF

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, November 16, 2020

Mr. CASE. Mr. Speaker, I rise today in strong support of S. 910, the National Sea Grant College Program Amendments Act of 2020.

For decades, the Sea Grant College Program has provided essential oceans-focused research and support for our communities nationwide and especially now as we face the impacts of climate change on coastal communities. The bill before us today would authorize an increase in funding for our Sea Grant programs and enhance our efforts to study, conserve and effectively use U.S. coastal resources.

Climate change is wreaking havoc on our coasts, including throughout my Hawaii where coastal roads are crumbling as sea level rise and erosion take their toll. Coral reefs, which are vital resources for our ecosystems and provide protection from storm surges to our coasts, are facing mass bleaching events due to warming waters. Fish stocks are moving from traditional areas because of warming waters. The Sea Grant Program works with communities to research these issues and many more to provide useful information to

make informed management decisions based on science.

The University of Hawaii Sea Grant College Program (Hawaii Sea Grant) is a prime example of focus on critical issues related to sustainable coastal development, tourism, hazard resiliency, sustainable aquaculture, indigenous knowledge, and the impacts of climate change. In all of its efforts, Hawaii Sea Grant strives to promote stewardship of Hawaii's coastal ecosystems and increase public awareness of the need to preserve and protect Hawaii's precious marine resources.

Just some Hawaii Sea Grant impacts in 2018 included:

Created or sustained 43 jobs for an economic benefit of at least \$4.2 million;

Generated \$6.8 million in leveraged funds, resulting in a return on the federal investment of approximately 200 percent;

Supported the education and training of 53 undergraduates and graduate students;

Assisted 47 communities throughout Hawaii with implementing sustainable development practices and policies;

Helped 762 fishers adopt safe and sustainable fishing practices;

Educated over 30,000 K-12 students in Hawaii through Sea Grant education activities;

Helped restore an estimated 5,500 acres of coastal ecosystems; and

Improved community resilience statewide through outreach and distribution of more than 75,000 copies of the Homeowner's Handbook to Prepare for Natural Hazards publication.

These impacts prove the longstanding importance of Sea Grant to many such communities nationwide. I am proud to support this continued work and urge all my colleagues to pass S. 910.

SUPPORT FOR H.R. 2466, THE STATE OPIOID RESPONSE GRANT AUTHORIZATION ACT OF 2020 AND H.R. 2281, THE EASY MEDICATION ACCESS AND TREATMENT FOR OPIOID ADDICTION ACT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Ms. ESHOO. Madam Speaker, I rise in support of H.R. 2466, the State Opioid Response Grant Authorization Act of 2020 and H.R. 2281, the Easy MAT for Opioid Addiction Act. I'm proud to have advanced these bipartisan bills through my Health Subcommittee and I'm pleased to support them on the Floor today.

According to the most recent CDC data, in 2018, 67,000 Americans died of a drug overdose. Overdoses in 2018 alone killed more Americans than the Vietnam War. This is a national crisis.

In 2016 Congress passed the 21st Century Cures Act and CARRA, and in 2018 the SUPPORT Act was signed into law to stem the tide of addiction and devastation that the opioid crisis has created.

Yet, despite our legislative efforts to increase access to medication-assisted treatment or MAT, according to a 2019 National Academies of Science report, more than 80 percent of the 2 million people with opioid use disorder are not receiving MAT and families

and children affected by the opioids crisis also are not receiving the care they need.

That's why it is so important to pass the Easy MAT for Opioid Addiction Act. The Easy MAT for Opioid Addiction Act requires the Drug Enforcement Agency to revise regulations to allow a practitioner to administer up to a three-day supply of narcotic drugs to an individual at one time for purposes of relieving acute withdrawal symptoms while the individual awaits arrangements for narcotic treatment. This will reduce unnecessary medical visits and increase access to a safe and important treatment.

H.R. 2466, the State Opioid Response Grant Authorization Act authorizes \$1.5 billion per year through grants to help states and tribal organizations build out their responses to the opioid crisis through provision of additional treatment beds, hiring the workforce necessary to expand treatment and recovery options, bridging gaps identified in systems of care, and supporting robust prevention campaigns.

These are common sense bills that will save lives and I urge all my colleagues to support these bills.

IN HONOR OF SAMUEL D. PRICE

HON. JOHN JOYCE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor Samuel D. Price of Huntingdon County for his service in the United States Marine Corps. Samuel is an outstanding Pennsylvanian, and I am grateful for his service to our nation, the Commonwealth of Pennsylvania, and our community.

In Pennsylvania and across the country, our veterans have served and sacrificed for Americans' freedom and our values. They answered the call to serve and fight for us—at a great cost. Truly, our veterans are the best of America.

In Congress, it is my privilege—and my responsibility—to stand up for those who have served our country in uniform, as well as to recognize these brave Americans. As a nation, we are indebted to them. On behalf of the 13th Congressional District, I thank Samuel for his service to our nation and our community.

HONORING THE LIFE, SERVICE, AND SACRIFICE OF CHIEF WARRANT OFFICER 3 DALLAS GARZA

HON. BRYAN STEIL

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. STEIL. Madam Speaker, I rise today to remember the life, service, and sacrifice of Chief Warrant Officer 3 Dallas Garza. Chief Warrant Officer Garza grew up in Janesville and attended Parker High School before moving out of state.

It was Garza's dream to fly Black Hawks for the U.S. Army. In 2005, Garza joined the Army, following the footsteps of his father and grandfather. Garza served in Iraq and Afghanistan and was most recently assigned to a peacekeeping mission.

Chief Warrant Officer Garza lost his life when his helicopter crashed off the coast of Egypt's Sinai Peninsula on November 12, 2020. Garza was a true patriot who humbly served our country. On Garza's flight helmet, he wore Wisconsin and Texas state flags to represent his family. A fellow soldier said that Garza made everyone around him better. Garza is remembered by those who knew him as being smart, motivated, charismatic, and someone who loved our country.

Our nation will be forever grateful for Chief Warrant Officer Garza's sacrifice. On behalf of Wisconsin's First Congressional District, I thank Chief Warrant Officer Garza for his service. We will never forget Chief Warrant Officer Garza's sacrifice. My prayers are with his family, his children, and friends.

RECOGNIZING CHAPLAIN WILLIAM E. WALKER SENIOR AS CON- STITUENT OF THE MONTH

HON. MIKE LEVIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. LEVIN of California. Madam Speaker, I am honored to recognize Chaplain William E. Walker Senior, Post Chaplain of Oceanside Veterans of Foreign Wars (VFW) Memorial Post I 0577 and Disabled American Veterans (DAV) Tri-Cities Chapter 95, as my Constituent of the Month. A true American patriot, after returning from serving in the United States Marine Corps (USMC) from 1976 to 1988 and receiving the Combat Action Ribbon for his service in Saigon, Vietnam, Comrade Walker worked at Marine Corps Community Services (MCCS) for 15 years until his retirement.

Following his retirement and feeling that his service for this country wasn't over, Chaplain Walker made himself a fierce ally and fighter for veterans throughout North County. Dedicated to his convictions and supporting his fellow veterans, Chaplain Walker is especially known for visiting, calling, or helping wherever he can for VFW and DAV comrades who are in nursing homes, hospitals, rehab clinics, homebound, or in need of assistance. His commitment to the ministry and duties of Chaplain are beyond reproach, always there to lend a hand, offer spiritual guidance, and pray.

Chaplain Walker's service for local veterans groups in California's 49th Congressional District is commendable. During an especially difficult time for our country as the COVID-19 pandemic swept through the nation and our community, Chaplain Walker continued to go above and beyond in helping local veterans and their families during a desperate time of need. Volunteering with the North County Food Bank, Chaplain Walker loaded his car with food and supplies to distribute to homebound veterans and veteran's widows struggling from the financial effects of the pandemic.

In order to properly celebrate Veterans Day, we must do more than offer our thanks and appreciation. We need to fight for the support and resources that veterans have earned and deserve, and that's exactly what Chaplain Walker does every single day. As long as I have the privilege to serve on the House Vet-

erans' Affairs Committee, I will look to Chaplain Walker as an exemplary model of what it means to serve our veterans with reverence and resolve. I am deeply grateful for Chaplain Walker's continued service to our veterans, and I am proud to recognize him as my Constituent of the Month.

REMEMBERING THE LIFE OF DAVID L. SPANGLER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Ms. KAPTUR. Madam Speaker, I rise today to recognize the legacy of an honored veteran, an intense advocate for environmentalism, a beloved husband, father, grandfather, friend, and an installation on our Great Lakes, David L. Spangler.

Born in Defiance, OH, David created a story for himself of valor, service, family, and intentional advocacy. After honorable service in the U.S. Army, where he received a Purple Heart as well as a Bronze Star, he became a career operations manager at Johns-Manville for 37 years. After his retirement he pursued his love of his second home, Lake Erie, in licensing a fishing charter boat in Lake Erie's Western Basin. After 27 years on the Lake, he is recognized as the fiercest advocate for the health and sustainability of the water he loved so.

David filled an extremely imperative role in his community. He instilled tangible first-hand experience in his advocacy and leadership around the needs of Lake Erie and the Great Lakes in general. He held several leadership positions in advocacy and collective groups such as Lake Erie Waterkeeper President as well as the Lake Erie Charter Boat Association Vice-President. The Lake community as well as the health of the water and the future of fishing on the Lake have been forever changed by his actions and candor in these groups.

David sparked conversations as well as immense political change in his tenacity funneled towards the quality of the water of Lake Erie as well as curbing the harmful algae plaguing the water's fisherman and aquatic life. As a Great Lakes Ambassador, he continually set the standard for involvement in every level of operations in regard to Lake Erie. David was renowned for his resolute defense of sustainability coupled with tempered stature of understanding and mutual respect. He entered deliberations and discussions grounding his words in fact and science and opening ears and perspective to those around him. He stands in a class of his own, a practical, tireless, and effective champion of change.

David's life and legacy has been enshrined in his continued defense of the waters that he called home. His time spent in meetings, briefings, conferences, and surely on his boat have forever impacted the quality of the great waters of Ohio's most renowned body of fresh water. He dedicated his adult life to pursuit of public service as well as set an example that all future public servants, environmentalists, community members, Ohioans, and Americans should be inspired to follow.

David is survived by his beloved wife, Kath "Kady" Lerch, whom he married in 2007 as well as his sister Mary Engle and children;

Jared Lerch, Nathan Lerch, Courtney Cochran and Melissa Lerch, and finally his three cherished grandchildren. His vigilance on the lakes as well as his love for family and his State will be pronounced for years to come, both on and off the water.

PERSONAL EXPLANATION

HON. DEBBIE LESKO

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mrs. LESKO. Madam Speaker, I was not in attendance to vote on November 16, 2020. Had I been present, I would have voted YEA on Roll Call No. 219, and YEA on Roll Call No. 220.

MAYOR JON ARTHUR SIMMONS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. SHIMKUS. Madam Speaker, I rise before you today to recognize and honor Mayor Jon Arthur Simmons of Vienna, Illinois—a remarkable man who has humbly dedicated his life to service, both to Southern Illinois and our great nation.

Jon was born in Goreville Township, Illinois on June 15, 1941 to John and Veneta Simmons. He attended Vienna High School, graduating in 1959. Four years later, in 1963, Jon was drafted into the United States Army, serving in Vietnam until being honorably discharged in 1965. In 2019, Jon was honored with the opportunity to travel to Washington, DC as part of the Southern Illinois Honor Flight. Jon recalls the experience and the welcome home celebration as humbling, a drastic contrast to his experience coming home from Vietnam where the soldiers were not welcomed and treated unkindly.

Jon became an auctioneer in 1974 which has sent him all over Southern Illinois. His slogan states, "Auction means action, and we guarantee satisfaction". The people with whom he has interacted throughout the years would agree. Furthermore, Jon has demonstrated this motto in his local community, always being a reliable helping hand to whoever is in need. For the last 12 years, Jon has served as the Mayor of Vienna, Illinois and has spent his career working to progress the city he loves.

At the end of 2020, Jon will retire from auctioneering after 46 years and serving as Mayor of Vienna after 12 years. Diabetes, a heart attack, and cancer of the bladder has impacted Jon's health, a consequence of his exposure to agent orange while serving our country.

Madam Speaker, Jon Simmons has proven to be an asset to his family, community, and country. I want to thank Mayor Simmons for his service throughout the years and wish him well in his retirement.

RECOGNIZING MAYOR MARION GRAYSON

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. CARTER of Texas. Madam Speaker, I'm honored to celebrate and recognize the extraordinary work of Belton, TX Mayor Marion Grayson. After seven years of extraordinary work to her beloved city, Mayor Grayson retired on November 10, 2020. Her commitment to public service represents Texas values at their best.

Not only was Marion the first female Mayor of Belton, but under her steady and forward-looking leadership, Belton has seen exponential changes that have improved the quality of life for all and put the city on the track for continued growth in the future. Mayor Grayson's work with Belton's parks and recreation including the Nolan Creek project and the restoration of beloved public infrastructure demonstrates that she is truly for the people and improving the lives of those around her. Not only did she enhance the roads of Belton, but she also worked to improve everything from water quality to performing arts education.

In her wake, Mayor Grayson leaves behind a city, civic organizations, and elected officials all better off due to her involvement. She has brought her tremendous work ethic and commitment to excellence to every challenge she has encountered. It is officials like her that make the City of Belton the welcoming, successful city that it is. I salute her leadership, congratulate her on her retirement, and wish Mayor Marion Grayson nothing but the best in the years to come.

IN RECOGNITION OF CYNTHIA WILBANKS FOR A DISTINGUISHED CAREER WITH THE UNIVERSITY OF MICHIGAN

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mrs. DINGELL. Madam Speaker, I rise today to offer my heartfelt congratulations to Cynthia Wilbanks as she celebrates her retirement. We are proud to recognize her many years of distinguished service with the University of Michigan and the profound impact she has left on our community.

In September 1998, Cynthia Wilbanks was appointed to Vice President of Government Relations at the University of Michigan. In this capacity, Wilbanks has directed U-M's government relation efforts at the local, state, and federal level and has been tirelessly advocate for the university's students, faculty, and staff. Wilbanks has also held other notable leadership positions at U-M. She has served on the Bentley Historical Library Executive Committee, the Bicentennial Planning Committee, the Ginsberg Center Board, the Honorary Degree Committee, the Michigan in Washington Program Faculty Advisory Committee, and the Residency Appeals Committee. In addition, she served as Interim Vice President for Communications in 2007 and Interim Vice President for Development from 2002 to 2003.

Cynthia Wilbanks has decades of public service experience. She previously served as district director and Washtenaw County field representative for U.S. Rep. Carl Pursell and also served as a staff assistant for U.S. Rep. Marvin Esch. Wilbanks's extensive knowledge of the legislative process augmented her effectiveness as VP of Government Relations and enabled U-M to better meet its legislative priorities. In addition, Wilbanks has been an active member of several community and civic organizations. Before joining U-M, Wilbanks was the president of Michigan's Children. In addition, she has served on the board of directors for Ann Arbor SPARK, the Riverside Arts Center Foundation, the Bank of Ann Arbor, and the Center for Michigan, and has been involved in leadership roles with the Ann Arbor Hands-On Museum and Glacier Hills Retirement Center. Wilbanks has been recognized for her remarkable accomplishments by a host of organizations. She was named one of the 100 most influential women in Metro Detroit by Crain's Detroit Business, has been a recipient of the Spirit Award, and received a Women of Distinction Award from the Girl Scouts of the Huron Valley Council, to name only a few.

Throughout her career, Wilbanks has been recognized as a dedicated and compassionate leader who strives to effect lasting change. She has been a strong voice for the University of Michigan, expanding the breadth of the institution and the opportunities it can extend to students and surrounding communities. She used her knowledge, expertise, and authority to make a difference and positively impact the lives of countless Michiganders. Without a doubt, Wilbanks's impact will forever endure, and we are all grateful for the remarkable strides she made.

Madam Speaker, I ask my colleagues to join me in celebrating the retirement of Cynthia Wilbanks from the University of Michigan. I am proud to honor her work, accomplishments, and significant community impact. We thank her for her outstanding leadership and wish her the best of luck in her future endeavors.

REMEMBERING THE LIFE OF JAMES JENSEN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Ms. KAPTUR. Madam Speaker, I rise today to commemorate the life and career of James D. Jensen—a lawyer, assistant U.S. attorney, and a judge who resided for nearly two decades in our court systems.

Born in Denver, OH, Judge Jensen built an educational career as well as a professional career out of Ohio institutions. Graduating from Buchtel High School he pursued his bachelors at Wittenberg University then his law degree at the University of Toledo, where he later taught as a professor of law inspiring a new generation of public servants.

Jensen's career found its beginning in private practice and soon transformed into a public endeavor as an assistant U.S. attorney in Toledo, and in this position was appointed to senior litigation counsel. He then served a year at the Department of Justice as the assistant director for the attorney general Advocacy Institute, teaching courses at the institute

and at the FBI. After signing onto a firm for a span of his career he was appointed to a Common Pleas Bench in 1995 which propelled him to his eventual election onto the Ohio 6th District Court of Appeals Bench in 2012 where he ended his career honorably.

His professional career was studded with honor and recognition of his valor and kind disposition. Just last month Judge Jensen was honored with the 2020 Thomas J. Moyer Award for Judicial Excellence, a high regard and an honor well deserved.

Judge Jensen exemplified passion in his legal tenure and is remembered by his peers as an authority on law like no other. He is remembered to have coined the phrase, "I'd rather be right than affirmed". These words, often delivered in passing, reflect his sharpened deliberate demeanor on the courts and in his life.

Jensen's humility and joy in life were manifested with every court ruling, peer interaction, and opportunity to advocate for justice. He was commended for his quiet and intentional command of the court room, in delivering justice with a temperament that was even, consistent, and memorable.

Judge Jensen is survived by a loving family that continues his legacy of kindness and determined intelligence. His children, Tracy, Tammy, Tim, Dean, and Tyler look forward having a path of educational and professional achievement paved by their father.

Judge James Jensen's impact on the Toledo community as well our legal system as whole is nothing less than immeasurable. His memory and his stature will be remembered all, and especially those lucky enough to call him friend.

HONORING THE SERVICE OF JULIE PIERCE

HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. DeSAULNIER. Madam Speaker, I rise today to recognize the service of an esteemed leader in Contra Costa County, Julie Pierce.

Julie began her career as a public servant in 1987 when she was appointed to the City of Clayton Planning Commission. In 1992, Julie was elected to the Clayton City Council, where she has served ever since, including in the roles of Mayor and Vice Mayor. During her tenure on the Council, Julie has worked to improve the lives of current and future residents of Clayton by protecting open spaces, advocating for residential and business planning and development, and fostering a sense of community.

In addition to her work on the Council, Julie has been an active member of regional organizations that support the larger Bay Area, in-

cluding the Association of Bay Area Governments (ABAG), where has previously served as both President and Vice President. Julie's work has been instrumental in advancing initiatives that focus on the growth of the Bay Area, including closing the wage gap. She has also been a delegate of the California Council of Governments, Commissioner of the Contra Costa Transportation Authority, and Commissioner of the Transportation Partnership and Cooperation. Furthermore, Julie was an integral part of the Shaping Our Future initiative, which addressed housing, jobs, and transportation in Contra Costa County.

Julie Pierce is known by her colleagues as a dedicated and effective leader and I have enjoyed our many years of working together. Please join me in thanking Julie for her service to our County and wishing her the best in her retirement.

HONORING BISHOP ARTHUR JOSEPH SERRATELLI

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. PASCRELL. Madam Speaker, I rise today to recognize Bishop Arthur J. Serratelli for his commitment to spread the word of God in the City of Paterson and beyond. May we all admire his relationship with God and remember his spiritual leadership as he retires from the Diocese of Paterson. Born in Newark, New Jersey on April 18, 1944, to Pio Serratelli and Eva Fasolino, Bishop Serratelli is a native son of our great State of New Jersey, and I am proud of his service to the people of the Ninth Congressional District.

A learned man with many accomplishments as an academic, Bishop Serratelli is the recipient of a undergraduate degree from Seton Hall University in 1965, a Licentiate in Sacred Theology from the Gregorian University in 1969, a Licentiate in Sacred Scripture from the Biblical Institute in 1976, and a doctorate in Sacred Theology from the Gregorian University in 1977.

Ordained to the priesthood on December 20, 1968 in St. Peter's Basilica by Bishop Francis Reh, Bishop Serratelli would start his journey as a theologian serving one year as parochial vicar at St. Anthony Parish in Belleville. He would also expand further and teach Systematic Theology at Immaculate Conception Seminary for two years before returning to Rome to complete his education.

Prior to his appointment on July 6, 2004 to the Cathedral of St. John the Baptist in Paterson, Arthur Serratelli was Auxiliary Bishop of Newark, Regional Bishop for Essex County, and Vicar General for the Apostolates. Bishop Serratelli has also assumed various leadership roles throughout our community.

Most recently, Bishop Serratelli was Chairman of the International Committee on English in the Liturgy and co-chair of the Vatican's International Dialogue with the Baptist World Alliance. Additionally, Arthur was also a member of the Congregation for Divine Worship and the Discipline of the Sacraments with the Vatican. Arthur is also currently on the Board of Directors for the Catholic Relief Services, Board of Trustees at Assumption College for Sisters and on the Board of Regents and Board of Trustees with Seton Hall University.

Bishop Serratelli has been with the City of Paterson for nearly sixteen years providing the people of my district with his exemplary religious service. Our churches are among the most important social institutions in our nation, offering spiritual guidance, solace and communal bonding to people across a wide spectrum of our land. An active church can be the glue that binds a community together, it can help to steer youth in the right direction, and it can offer hope where there is trouble. I am so grateful for Bishop Arthur Serratelli's stewardship and care for the Silk City.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to working with and recognizing the efforts of individuals like Bishop Arthur J. Serratelli.

Madam Speaker, I ask that you join our colleagues, friends, family, and the residents of New Jersey in recognizing Bishop Arthur J. Serratelli for his outstanding work, as we celebrate his years of distinguished service to the people of the Ninth Congressional District.

IN HONOR OF ROBERT H. WASHBURN

HON. JOHN JOYCE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 17, 2020

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today to honor Robert H. Washburn of Huntingdon County for his service in the United States Army. Robert is an outstanding Pennsylvanian, and I am grateful for his service to our nation, the Commonwealth of Pennsylvania, and our community.

In Pennsylvania and across the country, our veterans have served and sacrificed for Americans' freedom and our values. They answered the call to serve and fight for us—at a great cost. Truly, our veterans are the best of America.

In Congress, it is my privilege—and my responsibility—to stand up for those who have served our country in uniform, as well as to recognize these brave Americans. As a nation, we are indebted to them. On behalf of the 13th Congressional District, I thank Robert for his service to our nation and our community.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7019–S7045

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 4902–4904, and S. Res. 775–776. **Pages S7038–39**

Measures Reported:

S. 3412, to require a guidance clarity statement on certain agency guidance. (S. Rept. No. 116–297)

S. 4222, to amend chapter 8 of title 5, United States Code, to require Federal agencies to submit to the Comptroller General of the United States a report on rules that are revoked, suspended, replaced, amended, or otherwise made ineffective, with an amendment. (S. Rept. No. 116–298)

S. 2894, to establish a National Shipper Advisory Committee, with amendments. (S. Rept. No. 116–299)

S. 3191, to increase the capacity of research and development programs of the Federal Government that focus on industries of the future, with amendments. (S. Rept. No. 116–300)

S. 3248, to reauthorize the United States Anti-Doping Agency, with amendments. (S. Rept. No. 116–301) **Page S7038**

Measures Passed:

Orrin G. Hatch United States Courthouse: Senate passed S. 4902, to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the “Orrin G. Hatch United States Courthouse”. **Pages S7024–25**

IoT Cybersecurity Improvement Act: Senate passed H.R. 1668, to establish minimum security standards for Internet of Things devices owned or controlled by the Federal Government. **Pages S7043–44**

Information Technology Modernization Centers of Excellence Program Act: Senate passed H.R. 5901, to establish a program to facilitate the adoption of modern technology by executive agencies. **Page S7044**

TEAM Veteran Caregivers Act: Senate passed S. 2216, to require the Secretary of Veterans Affairs to

formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for the family caregiver program, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, after withdrawing the committee amendment in the nature of a substitute, agreeing to the committee amendment to the title, and the following amendment proposed thereto: **Pages S7044–45**

Portman (for Peters) Amendment No. 2688, in the nature of a substitute. **Page S7044**

Impact Aid Recognition Day: Senate agreed to S. Res. 775, designating September 30, 2020, as “Impact Aid Recognition Day” to recognize and celebrate the 70th anniversary of the establishment of the Impact Aid program. **Page S7045**

National Direct Support Professionals Recognition Week: Senate agreed to S. Res. 776, designating the week beginning September 13, 2020, as “National Direct Support Professionals Recognition Week”. **Page S7045**

Shelton Nomination: Senate resumed consideration of the nomination of Judy Shelton, of California, to be a Member of the Board of Governors of the Federal Reserve System. **Page S7023**

During consideration of this nomination today, Senate also took the following action:

By 47 yeas to 50 nays (Vote No. EX. 233), Senate rejected the motion to close further debate on the nomination. **Page S7023**

Senator McConnell entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S7023**

Vaden Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 10:00 a.m., on Wednesday, November 18, 2020, Senate resume consideration of the nomination of Stephen A. Vaden, of Tennessee, to be a Judge of the United States Court of International Trade; and that notwithstanding the provisions of Rule XXII, the remaining motions to invoke cloture filed on Thursday, November 12, 2020 ripen at 11 a.m., on Wednesday, November 18, 2020. **Page S7045**

Nominations Confirmed: Senate confirmed the following nominations:

By 53 yeas to 43 nays (Vote No. EX. 230), Kristi Haskins Johnson, of Mississippi, to be United States District Judge for the Southern District of Mississippi. **Pages S7021–22**

By 52 yeas to 44 nays (Vote No. EX. 232), Benjamin Joel Beaton, of Kentucky, to be United States District Judge for the Western District of Kentucky. **Page S7023**

During consideration of this nomination today, Senate also took the following action:

By 52 yeas to 44 nays (Vote No. EX. 231), Senate agreed to the motion to close further debate on the nomination. **Pages S7022–23**

By 50 yeas to 43 nays (Vote No. EX. 235), Toby Crouse, of Kansas, to be United States District Judge for the District of Kansas. **Pages S7024–34**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 44 nays (Vote No. EX. 234), Senate agreed to the motion to close further debate on the nomination. **Pages S7023–24**

Messages from the House: **Pages S7035–36**

Measures Referred: **Page S7036**

Executive Communications: **Pages S7036–37**

Petitions and Memorials: **Pages S7037–38**

Additional Cosponsors: **Page S7039**

Statements on Introduced Bills/Resolutions: **Pages S7039–41**

Additional Statements: **Page S7035**

Amendments Submitted: **Page S7041**

Authorities for Committees to Meet: **Page S7041**

Record Votes: Six record votes were taken today. (Total—235) **Pages S7022–24, S7034**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:24 p.m., until 10 a.m. on Wednesday, November 18, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7045.)

Committee Meetings

(Committees not listed did not meet)

SEC OVERSIGHT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Securities and Exchange Commission, including S. 2075, to amend the Securities Exchange Act of 1934 to require issuers to disclose certain activities relating to climate change, S. 2391, to amend

the Securities Exchange Act of 1934 to impose requirements relating to the purchase of certain equity securities by issuers, and S. 573, to require the Securities and Exchange Commission to carry out a study of 10b5–1 trading plans, after receiving testimony from Jay Clayton, Chairman, Securities and Exchange Commission.

AMERICAN MANUFACTURING RESPONSE TO COVID–19

Committee on Commerce, Science, and Transportation: Subcommittee on Manufacturing, Trade, and Consumer Protection concluded a hearing to examine the American manufacturing industry's response to the COVID–19 pandemic, after receiving testimony from Michael Wessel, Commissioner, United States–China Economic and Security Review Commission; Ravi Bulusu, MolMas Inc., Sammamish, Washington; Neil Gilman, Gilman Gear, Gilman, Connecticut; Rick Krska, InkCycle, Inc., Shawnee, Kansas; and Tiffany M. Stovall, Kansas Manufacturing Solutions, Lenexa, on behalf of the Kansas Manufacturing Extension Partnership.

2020 ELECTION

Committee on the Judiciary: Committee concluded a hearing to examine breaking the news, focusing on censorship, suppression, and the 2020 election, after receiving testimony from Jack Dorsey, Twitter, Inc., San Francisco, California; and Mark Zuckerberg, Facebook, Inc., Menlo Park, California.

PROPOSED AMERICAN WOMEN'S HISTORY MUSEUM AND NATIONAL MUSEUM OF THE AMERICAN LATINO

Committee on Rules and Administration: Committee concluded a hearing to examine S. 959, to establish in the Smithsonian Institution a comprehensive women's history museum, and S. 1267, to establish within the Smithsonian Institution the National Museum of the American Latino, after receiving testimony from Senators Collins, Cornyn, and Menendez; Lonnie G. Bunch III, Secretary of the Smithsonian Institution; Jane Abraham, former Chair, and Eva Longoria Baston, Member, both of the Congressional Commission to Study the Potential for a National Women's History Museum; CiCi Rojas, The Latino Coalition Foundation, Kansas City, Missouri; and Danny Vargas, Friends of the National Museum of the American Latino, Herndon, Virginia.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 8756–8768; and 2 resolutions, H. Res. 1225–1226 were introduced. **Page H5867**

Additional Cosponsors: **Page H5868**

Reports Filed: Reports were filed today as follows:

H.R. 7310, to require the Assistant Secretary of Commerce for Communications and Information to submit to Congress a plan for the modernization of the information technology systems of the National Telecommunications and Information Administration, and for other purposes (H. Rept. 116–592, Part 1);

H. Res. 1224, providing for consideration of the bill (H.R. 8294) to amend the National Apprenticeship Act and expand the national apprenticeship system to include apprenticeships, youth apprenticeships, and pre-apprenticeship registered under such Act, to promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, and for other purposes (H. Rept. 116–593); and

H.R. 4644, to clarify United States policy toward Libya, advance a diplomatic solution to the conflict in Libya, and support the people of Libya, with an amendment (H. Rept. 116–594, Part 1).

Pages H5866–67

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H5799**

Recess: The House recessed at 10:29 a.m. and reconvened at 12 noon. **Page H5802**

Suspensions: The House agreed to suspend the rules and pass the following measures: NIMHD Research Endowment Revitalization Act: H.R. 4499, amended, to amend the Public Health Service Act to provide that the authority of the Director of the National Institute on Minority Health and Health Disparities to make certain research endowments applies with respect to both current and former centers of excellence; **Pages H5803–05**

Making Objective Drug Evidence Revisions for New Labeling Act of 2020: H.R. 5668, amended, to amend the Federal Food, Drug, and Cosmetic Act to modernize the labeling of certain generic drugs; **Pages H5805–07**

Fairness in Orphan Drug Exclusivity Act: H.R. 4712, amended, to amend the Federal Food, Drug, and Cosmetic Act with respect to limitations on exclusive approval or licensure of orphan drugs; **Pages H5807–09**

State Opioid Response Grant Authorization Act: H.R. 2466, amended, to extend the State Opioid Response Grants program; **Pages H5809–11**

Easy Medication Access and Treatment for Opioid Addiction Act: H.R. 2281, amended, to direct the Attorney General to amend certain regulations so that practitioners may administer not more than 3 days' medication to a person at one time when administering narcotic drugs for the purpose of relieving acute withdrawal symptoms; **Pages H5811–13**

Food Allergy Safety, Treatment, Education, and Research Act: H.R. 2117, amended, to improve the health and safety of Americans living with food allergies and related disorders, including potentially life-threatening anaphylaxis, food protein-induced enterocolitis syndrome, and eosinophilic gastrointestinal diseases; **Pages H5813–14**

Bipartisan Solution to Cyclical Violence Act of 2020: H.R. 5855, amended, to amend the Public Health Service Act to establish a grant program supporting trauma center violence intervention and violence prevention programs; **Pages H5814–16**

Block, Report, And Suspend Suspicious Shipments Act: H.R. 3878, amended, to amend the Controlled Substances Act to clarify the process for registrants to exercise due diligence upon discovering a suspicious order; **Pages H5816–18**

Debarment Enforcement of Bad Actor Registrants Act: H.R. 4806, amended, to amend the Controlled Substances Act to authorize the debarment of certain registrants; **Pages H5818–19**

Ensuring Compliance Against Drug Diversion Act: H.R. 4812, amended, to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals; **Pages H5819–20**

Reliable Emergency Alert Distribution Improvement Act: H.R. 6096, amended, to improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems; **Pages H5820–23**

Utilizing Strategic Allied Telecommunications Act of 2020: H.R. 6624, to support supply chain innovation and multilateral security; **Pages H5823–25**

Spectrum IT Modernization Act of 2020: H.R. 7310, to require the Assistant Secretary of Commerce for Communications and Information to submit to Congress a plan for the modernization of the information technology systems of the National

Telecommunications and Information Administration;
Pages H5825–27

Fraud and Scam Reduction Act: H.R. 2610, amended, to establish a Senior Scams Prevention Advisory Council to collect and disseminate model educational materials useful in identifying and preventing scams that affect seniors;
Pages H5827–31

Agreed to amend the title so as to read: “To establish an office within the Federal Trade Commission and an outside advisory group to prevent fraud targeting seniors and to direct the Commission to study and submit a report to Congress on scams targeting seniors and Indian tribes, and for other purposes.”;
Page H5831

Combating Pandemic Scams Act of 2020: H.R. 6435, amended, to direct the Federal Trade Commission to develop and disseminate information to the public about scams related to COVID–19;
Pages H5831–33

Pandemic Effects on Home Safety and Tourism Act: H.R. 8121, amended, to require the Consumer Product Safety Commission to study the effect of the COVID–19 pandemic on injuries and deaths associated with consumer products;
Pages H5833–35

Agreed to amend the title so as to read: “To require the Consumer Product Safety Commission to study the effect of the COVID–19 pandemic on injuries and deaths associated with consumer products and to direct the Secretary of Commerce to study and report on the effects of the COVID–19 pandemic on the travel and tourism industry in the United States.”;
Page H5835

Aircraft Certification Reform and Accountability Act: H.R. 8408, amended, to direct the Administrator of the Federal Aviation Administration to require certain safety standards relating to aircraft;
Pages H5835–47

FEMA Assistance Relief Act of 2020: H.R. 8266, amended, to modify the Federal cost share of certain emergency assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to modify the activities eligible for assistance under the emergency declaration issued by the President on March 13, 2020, relating to COVID–19;
Pages H5847–49

Ocean Pollution Reduction Act II: H.R. 4611, amended, to modify permitting requirements with respect to the discharge of any pollutant from the Point Loma Wastewater Treatment Plant in certain circumstances, by a $\frac{2}{3}$ yeas-and-nays vote of 395 yeas to 4 nays, Roll No. 221;
Pages H5849–51

Child Care is Economic Development Act of 2020: H.R. 8326, to amend the Public Works and Economic Development Act of 1965 to require eligi-

ble recipients of certain grants to develop a comprehensive economic development strategy that directly or indirectly increases the accessibility of affordable, quality child care;
Pages H5851–53

National Children’s Museum Act: H.R. 5919, amended, to amend title 40, United States Code, to require the Administrator of General Services to enter into a cooperative agreement with the National Children’s Museum to provide the National Children’s Museum rental space without charge in the Ronald Reagan Building and International Trade Center;
Pages H5853–54

Secure Federal Leases from Espionage And Suspicious Entanglements Act: S. 1869, amended, to require the disclosure of ownership of high-security space leased to accommodate a Federal agency;
Pages H5854–56

Preventing Disaster Revictimization Act: H.R. 5953, amended, to amend the Disaster Recovery Reform Act of 2018 to require the Administrator of the Federal Emergency Management Agency to waive certain debts owed to the United States related to covered assistance provided to an individual or household;
Pages H5856–58

Preliminary Damage Assessment Improvement Act: H.R. 4358, amended, to direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessment and to establish damage assessment teams in the Federal Emergency Management Agency; and
Pages H5858–59

Housing Survivors of Major Disasters Act: H.R. 2914, amended, to make available necessary disaster assistance for families affected by major disasters.
Pages H5859–62

Senate Referral: S. 732 was held at the desk. S. 1342 was held at the desk. S. 2174 was held at the desk. S. 2981 was held at the desk. S. 3312 was held at the desk. S. 4054 was held at the desk. S. 4462 was held at the desk. S. 4612 was held at the desk.
Page H5862

Senate Message: Message received from the Senate appears on page H5862.

Quorum Calls—Votes: One yeas-and-nays vote developed during the proceedings of today and appears on pages H5861–62.

Adjournment: The House met at 10 a.m. and adjourned at 6:16 p.m.

Committee Meetings

OCEAN CLIMATE ACTION: SOLUTIONS TO THE CLIMATE CRISIS

Committee on Natural Resources: Full Committee held a hearing entitled “Ocean Climate Action: Solutions to the Climate Crisis”. Testimony was heard from public witnesses.

NATIONAL APPRENTICESHIP ACT OF 2020

Committee on Rules: Full Committee held a hearing on H.R. 8294, the “National Apprenticeship Act of 2020”. The Committee granted, by record vote of 8–3, a structured rule providing for consideration of H.R. 8294, the “National Apprenticeship Act of 2020”. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendment printed in part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides that following debate, each further amendment printed in part B of the Rules Committee report not earlier considered as part of amendments en bloc pursuant to section 3 shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 3 of the rule provides that at any time after debate the chair of the Committee on Education and Labor or his designee may offer amendments en bloc consisting of further amendments printed in part B of the Rules Committee report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part B of the Rules Committee report and amendments en bloc described in section 3. The rule provides one motion to recommit with or without

instructions. The rule amends House Resolution 967, as amended by House Resolution 1107: first, in section 4, by striking “November 20, 2020” and inserting “the remainder of the One Hundred Sixteenth Congress”; and second, in sections 11 and 12, by striking “legislative day of November 20, 2020” and inserting “remainder of the One Hundred Sixteenth Congress”. Testimony was heard from Representatives Davis of California, Foxx, and Titus.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 18, 2020

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: business meeting to consider S. 1031, to implement recommendations related to the safety of amphibious passenger vessels, S. 1166, to direct the Assistant Secretary of Commerce for Communications and Information to make grants for the establishment or expansion of internet exchange facilities, S. 3730, to amend title 49, United States Code, to authorize and modernize the registered traveler program of the Transportation Security Administration, S. 3824, to require the Federal Trade Commission to submit a report to Congress on scams targeting seniors, S. 3969, to amend title 49, United States Code, to reform the Federal Aviation Administration’s aircraft certification process, S. 4472, to amend the Secure and Trusted Communications Network Reimbursement Program to include eligible telecommunications carriers and providers of educational broadband service, S. 4577, to require online enrollment for the PreCheck Program of the Transportation Security Administration, S. 4613, to amend the Fairness to Contact Lens Consumers Act to prevent certain automated calls and to require notice of the availability of contact lens prescriptions to patients, S. 4719, to provide, temporarily, authority for the Secretary of Commerce to waive cost sharing requirements for the Hollings Manufacturing Extension Partnership, S. 4803, to make the 3450–3550 MHz spectrum band available for non-Federal use, S. 4827, to authorize the Assistant Secretary of Space Commerce to provide space situational awareness data, information, and services to non-United States Government entities, S. 4847, to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the effects of the COVID–19 pandemic on the travel and tourism industry in the United States, S. 4884, to require the Consumer Product Safety Commission to study the effect of the COVID–19 pandemic on injuries and deaths associated with consumer products, and routine lists in the Coast Guard, 9:30 a.m., SD–G50.

Committee on Energy and Natural Resources: business meeting to consider the nominations of Allison Clements,

of Ohio, and Mark C. Christie, of Virginia, both to be a Member of the Federal Energy Regulatory Commission, 10 a.m., SD-366.

Subcommittee on Public Lands, Forests, and Mining, to hold hearings to examine H.R. 823, and S. 241, bills to provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, S. 1695, to amend the Wilderness Act to allow local Federal officials to determine the manner in which nonmotorized uses may be permitted in wilderness areas, S. 2804, to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, S. 2875, to amend the Smith River National Recreation Area Act to include certain additions to the Smith River National Recreation Area, to amend the Wild and Scenic Rivers Act to designate certain wild rivers in the State of Oregon, S. 3492, to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for use as a national cemetery, S. 4215, to designate and adjust certain lands in the State of Utah as components of the National Wilderness Preservation System, S. 4569, to modify the boundary of the Sunset Crater Volcano National Monument in the State of Arizona, S. 4599, to withdraw certain Federal land in the Pecos Watershed area of the State of New Mexico from mineral entry, S. 4603, to promote the use of forest restoration residue harvested on National Forest System land for renewable energy, S. 4616, to direct the Secretary of Agriculture to transfer certain National Forest System land to the State of South Dakota, S. 4625, to direct the Secretary of the Interior and the Secretary of Agriculture to encourage and expand the use of prescribed fire on land managed by the Department of the Interior or the Forest Service, with an emphasis on units of the National Forest System in the western United States, S. 4696, to provide for the continuation of higher education through the conveyance to the University of Alaska of certain public land in the State of Alaska, and S. 4889, to amend the Alaska Native Claims Settlement Act to increase the dividend exclusion, to exclude certain payments to Alaska Native elders for determining eligibility for certain programs, to provide that Village Corporations shall not be required to convey land in trust to the State of Alaska for the establishment of Municipal Corporations, and to provide for the recognition of certain Alaska Native communities and the settlement of certain claims under that Act, to require the Secretary of the Interior to convey certain interests in land in the State of Alaska, 2:30 p.m., SD-366.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine modernizing Federal

telework, focusing on moving forward using the lessons learned during the COVID-19 pandemic, 3 p.m., SD-342/WEBEX.

Committee on Indian Affairs: business meeting to consider S. 790, to clarify certain provisions of Public Law 103-116, the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, S. 3264, to expedite and streamline the deployment of affordable broadband service on Tribal land, S. 4079, to authorize the Seminole Tribe of Florida to lease or transfer certain land, and S. 4556, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, 2:30 p.m., SD-628.

Committee on the Judiciary: to hold hearings to examine the nominations of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit, Charles Edward Atchley, Jr., and Katherine A. Crytzer, both to be a United States District Judge for the Eastern District of Tennessee, Joseph Dawson III, to be United States District Judge for the District of South Carolina, and Zachary N. Somers, of the District of Columbia, to be a Judge of the United States Court of Federal Claims, 10 a.m., SD-106.

Committee on Rules and Administration: to hold hearings to examine the nominations of Shana M. Broussard, of Louisiana, Sean J. Cooksey, of Missouri, and Allen Dickerson, of the District of Columbia, each to be a Member of the Federal Election Commission, 10 a.m., SR-301.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SVC-217.

House

Committee on Oversight and Reform, Subcommittee on National Security, hearing entitled “Karshi-Khanabad: Honoring the Heroes of Camp Stronghold Freedom”, 10 a.m., 2154 Rayburn and Webex.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing entitled “Examining the Surface Transportation Board’s Role in Ensuring a Robust Passenger Rail System”, 10 a.m., 2167 Rayburn and Webex.

Joint Meetings

Senate Committee on Armed Services, closed pass-the-gavel/general provisions panel meeting of conferees on H.R. 6395, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, 10:30 a.m., 2118, Rayburn Building.

Next Meeting of the SENATE

10 a.m., Wednesday, November 18

Senate Chamber

Program for Wednesday: Senate will resume consideration of the nomination of Stephen A. Vaden, of Tennessee, to be a Judge of the United States Court of International Trade, and vote on the motion to invoke cloture thereon at 11 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, November 18

House Chamber

Program for Wednesday: Consideration of the Motion to Go to Conference and the Motion to Instruct Conferees on H.R. 6395, National Defense Authorization Act for Fiscal Year 2021.

Extensions of Remarks, as inserted in this issue

HOUSE

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