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Senate

(Legislative day of Friday, September 28, 2018)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O Lord, our rock, surround our lawmakers with Your mercy today. Be for them their strength and shield, illuminating their paths with Your precepts and dispelling the darkness of doubt and fear. Lord, be their shepherd in these challenging times; lead them beside still waters, and reward their faithfulness. Help them not to trust solely in human wisdom but to seek Your guidance in all they think, say, and do. Give them the ability to deal constructively with differences and disagreements.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. FISCHER). Under the previous order, the leadership time is reserved.

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2017

The PRESIDING OFFICER. The clerk will report the unfinished business.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 302, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 4026 (to the motion to concur in the amendment of the House to the amendment of the Senate), to change the enactment date.

McConnell amendment No. 4027 (to amendment No. 4026), of a perfecting nature.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. MCCONNELL. Madam President, if you stop and listen, you can practically hear the Democrats trying to move the goalposts on Judge Kavanaugh's nomination to the Supreme Court. Remember, before Judge Kavanaugh was even named, several Democrats on the Judiciary Committee indicated they would oppose whoever the nominee might turn out to be.

The junior Senator from California, for example, explained on television that whomever President Trump chose would bring about ''the destruction of the Constitution of the United States as far as I can tell.'' That was, incredibly enough, from a member of the Judiciary Committee.

Of course, mere hours after Judge Kavanaugh was announced, my friend, the Democratic leader, made the announcement that has now become famous. ''I will oppose him with everything I've got,'' he said.

Not long after that, another Democrat on the Judiciary Committee proclaimed that anyone supporting Judge Kavanaugh's confirmation was—listen to this—''complicit in the evil.''

These statements are the context for every action the Democrats have taken during this entire process. These statements remind us: Democrats may be trying to move the goalposts every 5 minutes, but their goal has not moved an inch. They will not be satisfied unless they have brought down Judge Kavanaugh's nomination.

It started with straightforward political maneuvering. None of it worked, of course, but there were whatever issues they could find to delay, delay, delay.

First, back in June, the Democrats tried to argue that the Senate shouldn't confirm a Supreme Court Justice in any even-numbered year. Then they were reminded that Justices Kagan, Breyer, and Souter were all confirmed during midterm election years, and that argument evaporated.

Next, the Democrats said the process should be delayed because too few documents were available from Judge Kavanaugh's past public service. Well, then they received the most pages of documents ever produced for a Supreme Court nomination. So guess what came next. The goalposts moved down the field, and the Democrats called for a delay because there were too many documents for them to read.

I wish this fight could have remained in the realm of normalcy, but when none of these tactics worked—when Judge Kavanaugh demonstrated his widely acknowledged brilliance, open-mindedness, and collegiality at his confirmation hearings—some chose a darker road. The politics of personal destruction were willfully unleashed.

I have spoken at length about the underhanded way the Democrats have treated Dr. Ford and her allegation. In brief, for 6 weeks, Dr. Ford's confidential account passed from one Democratic Member of Congress to the Democratic side of the Judiciary Committee, to the Washington, DC, lawyers whom the Senate Democrats handpicked for her. Then, well after Judge Kavanaugh's hearings had wrapped up,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

the supposedly confidential letter found its way into the press—shoving aside proper procedure, shoving aside the accuser's plea for privacy.

This is not politics as usual because let us not forget that Dr. Ford's allegation is not the only uncorroborated allegation that has been breathlessly paraded around. Oh, no. Shortly after Dr. Ford's confidential letter made its way into the press, the floodgates of mud and muck opened entirely on Brett Kavanaugh and his family. Out of the woodwork came one uncorroborated allegation after another, each seemingly more outlandish than the last.

A tabloid lawyer organized a red carpet rollout for someone who wanted to accuse Judge Kavanaugh of masterminding some kind of high school drug and serial sexual assault ring—of hosting one wild party after another, filled with sexual violence, for which there conveniently happen to be zero witnesses but plenty of people to refute the claims. This didn't stay in the tabloids, by the way. This fantastic story was effectively read into the record of the Judiciary Committee by the ranking member, who decided it deserved a mention in her remarks during last Thursday's hearing. Then every Democratic member of the Judiciary Committee seized on this outlandish tale in a formal letter in which they called on Judge Kavanaugh to withdraw his name from consideration.

This is how desperate some became for any way to stop this stunningly qualified nominee. I guess upholding any standards of any kind was just too much to ask.

We heard of another anonymous, unattributed, and now thoroughly debunked account—this time of an anonymous accusation from Colorado that alleged physical abuse 20 years ago. A sitting Federal district court judge quickly stepped up to bat down that anonymous smear.

We heard that Judge Kavanaugh was supposedly responsible for a sexual assault on a boat in Newport, RI, until the accuser recanted the story completely, but it was not before many in the media had begun eating it up.

In short, the Democrats' mishandling of Dr. Ford's letter opened the floodgates for this deluge of uncorroborated, unbelievable mud, and the mudslide was cheered on and capitalized on at every turn by the far left, which has been so eager to stop this nomination.

Just politics? I don't think so.

On the other extreme, some of the other lines of attack have been completely trivial. Last night, the New York Times unleashed this ''major'' story. Get this—Judge Kavanaugh may have been accused of throwing some ice across a college bar in the mid-1980s. Talk about a bombshell. One can only imagine what new bombshell might be published today or tomorrow.

Here is what we know—one thing for sure: The Senate will vote on Judge Kavanaugh here on this floor this week.

Our Democratic friends will try to move the goalposts yet again. Just yesterday, they submitted a list of 24 people whom they want the FBI to interview. So I am confident we will hear that even the very same supplemental FBI investigation the Democrats had so loudly demanded will now, magically, no longer be sufficient.

Well, after the FBI shares what it has found, Senators will have the opportunity to vote. We will have the opportunity to vote no on the politics of personal destruction. We will have the opportunity to vote yes on this fine nominee.

TAX REFORM

Madam President, on an entirely different matter, the U.S. economy continues to deliver very good news. My home State of Kentucky is, certainly, no exception.

Yesterday morning, I had the opportunity to take part in the announcement of a major new investment in my hometown of Louisville. GE Appliances unveiled its plan to create 400 new jobs and to invest more than $200 million in Kentucky. It is expanding its laundry and dishwasher production facilities and is upgrading its capacity for innovation.

GE's Appliance Park—where nearly 6,000 currently work—has been a manufacturing landmark in Louisville for more than six decades. The facility has meant a great deal to my community. At its height, it employed some 20,000 workers. However, following the sluggish economy of the last decade, the workforce has shrunk to just one-fifth of its previous strength. So yesterday's announcement marked a step in a very new direction—aggressive expansion, doubling down on American workers. It is the same story that is being written all over America by job creators, large and small.

Where did the new direction come from? What changed? Well, for one thing, the policy climate here in Washington changed.

GE Appliances' President and CEO Kevin Nolan said, ''The changes in rates and favorable tax treatment of investments in machinery and equipment play a big role in our expansion plans''—more jobs for Kentuckians, more prosperity for local communities.

I would like to ask the men and women who will get one of these new jobs what they make of the fact that every single Democrat in Congress voted to block the tax reform that is helping this happen.

The Republicans got it done anyway. We delivered sweeping tax cuts for workers and families. Now, thanks in part to our policies, the economy is thriving. Just last month, consumer confidence reached its highest level in 18 years. In other words, American families are feeling better about spending and investing in their communities than they have felt since September of 2000.

In September of 2000, the Senate pages serving here on the floor hadn't even been born yet, but as these young folks continue their studies and enter the workforce, they will be participating in an American economy with more opportunities, where workers keep more of their hard-earned paychecks. That is the economy Republicans had in mind when we voted to enact generational tax reform and to lift the regulatory burden on investors and job creators. It is the economy we are continuing to work for every day.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, I like the majority leader. We get along quite well. He even laughs at my jokes, which sometimes aren't very good. We are very proud we are working on the appropriations bills together in a bipartisan way, as this place ought to work. But sometimes his comments are so absurd and so filled with double standard, innuendo, and hypocrisy that you don't know whether to laugh or cry.

He has been on the floor every day saying that Democrats are causing delay. Democrats are causing delay? First, to say that Democrats are causing delay, coming from the same man who delayed the nomination of Supreme Court Justice nominee Merrick Garland for over 300 days without a shrug of his shoulders—give me a break. The leader delayed for 10 months when he thought it was right to do, and he can't wait for a week to get an honest report out of the FBI? What a double standard. How galling. Accusing Democrats of needlessly delaying a Supreme Court nomination is galling and hypocritical coming from a leader who delayed the nomination of a Supreme Court Justice for over 300 days, until his party had a chance to win the White House. So no one—no American—should accept his admonishments about delay. He is the master of delay.

Second, he blames Democrats for these delays. As the leader well knows, Democrats are not in charge. We can't set the calendar. These things have been delayed because people on his side of the aisle who had sincere concerns about having a fair process said they will not go forward unless the process is made fairer.

Even the initial hearing where Dr. Ford and Judge Kavanaugh testified was because a member of the Judiciary Committee on the Republican side said he didn't want to go forward until he heard from them. It had nothing to do with Democrats. Did we agree that should happen? Of course. And so did most people who are fairminded. But it wasn't caused by us.

On the reopening of the FBI investigation into these new allegations, the background check investigation, I would ask Leader MCCONNELL, who caused that? Who caused this delay? It is not the Democrats. We don't have the ability to do it. It was three Members on his side who sincerely were

seeking better truth because they heard two arguments, they weren't sure which was right, and they saw that without some kind of independent investigation, it would tear the American people apart in ways for which we will pay a price years down the road no matter what the outcome of the vote on Judge Kavanaugh.

Democrats didn't cause the delay, and he knows it. It was the inability of all of the Republicans to be unified—with justification, because the truth should be sought after in a more sincere way for a nomination to the highest Court of the land.

Leader MCCONNELL has said: We are going to ''plow right through'' the recent allegations. Fortunately, some Members on his side of the aisle didn't want to plow right through. They didn't want to delay unnecessarily. One week—give me a break—compared to 10 months, leaving the Scalia seat open? Who are we kidding? Who are we kidding? Who is making this a political argument? Let's ask.

One final point. The leader kept accusing the people who came forward of engaging in political smear campaigns, of being in the mud. I want to ask the leader to answer a direct question: Does he believe or not believe Dr. Ford? Yes or no. I happen to believe her. He refuses to answer that one way or the other because he knows that Dr. Ford had tremendous credibility. Instead, he calls her names. He uses it as Democrats—but she came forward on her own.

By the way, one of the first things she did was she called the Washington Post and spoke to the reporter who later wrote the story. That was long before any Democrat knew what was going on. She felt a sincere need to come forward.

To call her political—which is what, by ricochet, the leader is doing—is so unfair and is so wrong. To call all three of these women who came forward, whether or not you believe them, political actors is treating women in the same way that unfortunately too many women, as we have learned over the last few years, have been treated in the past. That doesn't mean allegations shouldn't be proven. That doesn't mean there shouldn't be a discreet, fair process to try to get to the bottom of it, which is what the FBI investigation is. That doesn't mean all men are guilty before proven guilty. It means there deserves to be a fair hearing even if it takes 1 week—1 week compared to 10 months of delay.

Finally, the investigation itself should only take a week. That is for sure. No Democrat has called for it taking more than a week. We are not moving the goalpost. But it should be thorough. It should not be limited by the Senate Judiciary staff, who was initially calling the shots, and they have been biased to begin with. When the Democratic staff asked to be on the phone with the counsel to the President, Mr. McGahn, the Republican staff refused. That is not bipartisan. That is not fair. That is not evenhanded.

Fortunately, yesterday the President said the FBI should go forward. They can interview many people in a week. When there has been a crime situation that called for it or a terrorism situation that called for it, from what I understand, they have interviewed hundreds in a week. So a list of 20 people to be interviewed in a week, when the FBI has thousands of agents, many of them well trained in the art of figuring out how to interview somebody, is not unreasonable. It is only fair.

We hope there are still no limitations on the FBI investigation. We hope there are no limitations because that would jaundice the whole process, and that is not what those who called for it on either side of the aisle had asked for. We had asked for it to be full and fair and open, and then everyone would make his or her judgment. That is all people are asking for.

On that issue, I once again call on President Trump and the White House to release in writing what White House Counsel Don McGahn has instructed the FBI to pursue. Until then, we have to take President Trump's off-the-cuff comments with, perhaps, grains of salt. We have to be shown that what he said is actually being implemented.

Let me read a few quotes.

''The Supreme Court must never, never be viewed as a partisan institution.'' That is what Judge Kavanaugh said in his 2006 confirmation hearings.

Here is one more from a speech Judge Kavanaugh gave in 2015: ''First and most obviously . . . a judge cannot be a political partisan.'' I think most Americans would agree with that. I certainly do.

A lodestar in our consideration of judicial confirmations should be whether the nominee is independent and within the ideological mainstream. The Judge Kavanaugh we saw last Thursday did not meet the standard laid out in his past statements. His prepared statement to the committee—prepared; if you will, malice aforethought—accused sitting U.S. Senators of a phony smear campaign, lambasted ''left-wing opposition groups,'' and portrayed the recent allegations—the allegations of Dr. Ford, Ms. Ramirez, and the third person who came forward, Ms. Swetnick—as ''revenge on behalf of the Clintons.'' Frankly, Judge Kavanaugh's testimony was better suited for FOX News than a confirmation hearing for the august U.S. Supreme Court. But that is in character with Judge Kavanaugh's long history of working for the most partisan legal causes—Ken Starr, Bush v. Gore, all the myriad controversies of the Bush era.

It would be one thing if Judge Kavanaugh discarded his partisan feelings once he donned the black robes of a jurist. Unfortunately, he has been on the bench for many years, and in Thursday's hearing, he revealed that his bitter partisan resentments still lurk right below the surface.

It should give us all pause to consider what it means to elevate such a partisan world view to the Supreme Court, whether it be a Democratic or Republican partisan view, where rulings must be made on the legal merits, not—not—on the side of the aisle which most benefits.

The greatest issue against Judge Kavanaugh, the one that really brothers most people, is his credibility. Is he telling the truth? That issue supersedes all the others.

There may be some who say: Well, what happened in high school shouldn't count. It is many years later. People grow. People change.

I think what happened to Dr. Ford—she seems credible to me—is something you can't predict. It is not what men do. Some may say that, but we are looking at what Judge Kavanaugh said at age 53, not what he did at age 18. We are looking at his credibility now as a grown adult. If you believe Dr. Ford, then Judge Kavanaugh is not telling the truth.

If this were the only instance, it would be one thing. That is bad enough, but there are many more. Over and over again, it is hard to believe what Judge Kavanaugh swore under oath at the committee hearing.

Just yesterday, NBC News reported that either Judge Kavanaugh or people close to the judge were in communication with his Yale classmates to get them to rebut allegations by Deborah Ramirez, later published in the New Yorker.

Beyond the unseemliness of a Federal judge pressuring former classmates to support his nomination, it seems that Judge Kavanaugh was at least very misleading to the Judiciary Committee about Ms. Ramirez's story. When asked by Senator HATCH when he first heard of Ramirez's allegations, he answered ''in the New Yorker story.'' That is when he first heard. Based on the NBC reports, if they are correct, that was not truthful.

It would be one thing if that were one isolated incident, but, again, there are far too many misstatements, far too many inaccuracies, far too many mischaracterizations. He pled ignorance to many Bush-era controversies, only for emails to be released showing he was aware of them all and played a role in many. He offered explanations for high school yearbook quotes. And it is not the quotes themselves or what they indicated; it is that his explanations sort of defy belief. And, of course, based on the accounts by his high school and college classmates, he has grossly mischaracterized his relationship with alcohol.

The common thread is that Judge Kavanaugh repeatedly tiptoes around the truth. He doesn't tell the truth in many instances, it seems, to paint his nomination in a favorable light.

We want a Supreme Court nominee, whatever their politics and whatever their party origins, to be a shining example of someone who tells the truth

without doubt and without equivocation. If you say ''Well, maybe he is telling the truth, and maybe he is not,'' then he doesn't belong on the Supreme Court, and I think most Americans are saying that.

Again, even if you want to discount—as some people do—what happened when he was 15 in high school and 18 in college, you cannot discount what he is saying and professing at age 53 when it flies in the face of being truthful. That is the key question here.

There is demeanor. He sure didn't show the demeanor of a judge at the hearing. There is partisanship. He brought out the most raw form of partisanship, so unbecoming of someone on the appeals court, let alone the Supreme Court, and he did not show any semblance to always being 100 percent honest and truthful, which is what we need in a Supreme Court Justice.

So, again, even if you feel that what happened when he was 15 and 18 shouldn't matter, what happens when he is 53 does matter, and his credibility is in real doubt—doubt enough, I think, for most Americans to say that this man does not belong on the Supreme Court, and there ought to be somebody—many people—who would be a whole lot better.

I yield the floor.

Mr. DURBIN. Madam President, what is the business before the Senate?

The PRESIDING OFFICER. We are on the motion to concur with respect to the FAA.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

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

NOMINATION OF BRETT KAVANAUGH

Mr. DURBIN. Madam President, I have been in politics for a long time, but I have never seen anything like what I witnessed when I went back to Chicago last Friday, Saturday, and Sunday. From the minute the plane landed at Midway Airport in Chicago through the entire weekend, everyone—everyone—was engaged. People were coming up to me—total strangers—expressing themselves about the hearing that had just been completed with Dr. Ford and Judge Kavanaugh. I was stunned, and I have done this for a long time. There was the doorman in the rain holding an umbrella at the hotel talking about what he heard and what he remembered from the hearing. The taxicab driver, the person on the street—everyone wanted to speak to me about this.

It has been estimated that 6 out of 10 Americans listened or watched the hearing last week. I am not at all surprised. The response I found on the street and in the neighborhoods and in meetings around my State of Illinois and in the city of Chicago certainly gave evidence to that.

It was an interesting response, too, primarily from women but not exclusively—women who came up to me, and I could tell by the look in their eyes and the tone of their voice that something had just happened publicly in America that touched them personally. Some would confide in me and whisper about a personal experience they had. Others would look into my eyes, and I realized this meant a lot to them for reasons they didn't want to share.

That hearing last week was a moment I have never seen before in American politics in the time I have been around.

The second thing I noted was the comments about Dr. Ford. Except for a still photograph, I had never seen her before she walked into the committee room last week to testify under oath. I didn't know what to expect as she sat down, after taking the oath, and began her testimony.

Time and again the people who worked with her described her condition as fragile. In her own words during the course of her testimony, she said she was terrified—terrified. And why wouldn't she be—at this point in her life, to become a national person, a national profile, a national celebrity; to see her experience turn her family life upside down to the point where she was forced to move out of her home and she and her family had to take refuge and safety in a secure location. There was all of the attention that was being paid to her, some with praise and some with criticism. It is the kind of thing that even politicians are supposed to get used to and never do. So imagine that scenario for an ordinary person.

I listened to her testimony, and I heard what she had to say about why this event took place. I realized that this woman from California believed she had what she called a civic duty to come forward before the White House made its final decision on the choice of a Supreme Court nominee because she believed she had important information about Brett Kavanaugh that the President should know and that Congress should know, and she didn't know where to turn.

For those who argue that she was part of some political conspiracy, she didn't know which way to turn. She ended up turning to the place most would, to her local Congresswoman, ANNA ESHOO, and sitting down with her in California and talking about this confidential letter that she wanted to put in the hands of somebody who would make a decision about the future of the Supreme Court. It was a perfectly reasonable explanation of what an ordinary citizen would do, and that is what she did.

When she finally got in contact with the Senate Judiciary Committee with this same confidential letter and had communications with Senator FEINSTEIN, she stressed over and over that she wanted this to remain confidential and that she didn't want her identity to be disclosed for fear of what it would mean to her and her family—a natural human reaction.

I want to say a word about Senator FEINSTEIN. You may quibble, you may debate, you may argue with the way she handled this, but I think she did what she thought was right for the very right reasons. She believed that she had an obligation to Dr. Ford—an obligation to protect her identity. I know Senator FEINSTEIN. She is a person of character and values and principles. I have been saddened and, in fact, angry at times when my colleagues from the other side of the aisle accused her of so many things—of plotting some political conspiracy to bring down this nominee. In fact, two of them suggested she was the one who leaked the letter to the press. I am as certain as I stand here, after years of working with her, that neither of those things are even close to the truth. She was trying to do what she felt was the right thing—first, for this woman, this mother, this resident of her home State, and, second, for this country. I don't question in any way whatsoever—and no one should—her efforts and good faith to serve this Nation in a very difficult process.

But Dr. Ford came forward and told her story. I asked her a question pointblank: ''We are now being told that perhaps you were mistaken. Perhaps it wasn't Brett Kavanaugh who assaulted you in that bedroom in the Maryland suburbs. I wanted to ask you: With what degree of certainty do you believe that Brett Kavanaugh was the assailant?''

Her answer to me was very short and direct: ''100 percent.'' She was 100 percent certain.

You think to yourself: It happened 36 years ago. How could she be so certain? It was so long ago, but then you realize that, at that moment, it impacted her life in a way that few people ever want to experience. For 36 years she has been carrying the memory of that party, that bedroom, that assault in her life, to the point where she sought therapy—couples therapy with her husband—and told her therapist, as well as her husband, the name of the assailant 6 years ago, long before Judge Kavanaugh was proposed as a nominee for the Supreme Court.

I came away with strong feelings about Dr. Ford—her credibility, her composure, the fact that she was resolute, and the fact that she showed a degree of character that is extraordinary under the circumstances. I believe Dr. Ford, and I believe what she told us.

That is why I am troubled to hear Republican Senators come to the floor today and say: Well, you know, we feel that she was mistreated. Some of the same Senators, including the majority leader, have said that. They came to the floor on 3 successive days last week and dismissed her complaint as a smear. That is the word that was used—''smear''—on the floor of the Senate. Even before she had testified, even before they had seen her under oath say what she did, they dismissed this as a smear. I don't think that is an indication of respect for Dr. Ford to have said that on the floor of the Senate, and I think that she deserves

more, as anyone would, who is willing to testify under oath.

I would also say that the testimony of Brett Kavanaugh last week was a revelation. He stayed with his story that he was mischaracterized and was improperly and wrongly accused, and he, too, was certain that this event had never occurred, but in his testimony, in his opening statement last week before our Judiciary Committee, I saw something that I had never seen before in the Senate. I saw a level of emotion, which was understandable, considering the accusations that had been made, but there was a level of anger that I have seldom seen, and perhaps have never seen, in the Senate.

Judge Kavanaugh attacked those who had raised these questions about him. He said that he bore no ill will toward Dr. Ford, but then he called her allegations ''a calculated and orchestrated political hit,'' citing ''apparent pent-up anger about President Trump and the 2016 election,'' and then he added: ''revenge on behalf of the Clintons.''

It is hard to imagine that a person aspiring to serve on the highest Court of the land—where your temperament is so important, where you have to make certain, as best you can, that you take politics out of your legal equation—would be so direct and so specific in blaming his plight on ''revenge on behalf of the Clintons.''

This political grace note from Brett Kavanaugh—this ''lock her up'' grace note—may be appealing to some on the political spectrum, but it speaks volumes about this judge and how he would serve if he ever had an opportunity to be on the Supreme Court.

It has been said over and over by the Republican majority leader that the Democrats are in the midst of a big delay tactic. I have to echo the comments of Senator SCHUMER earlier. It is very difficult to take the Senate majority leader credibly when he makes a statement that we are trying to delay filling a vacancy on the Supreme Court. The Senate majority leader set the record in delaying Merrick Garland's nomination for more than 300 days when he even refused to meet with the man, let alone consider a hearing, when Judge Garland was nominated by President Obama. To have this majority leader now tell us that we are the ones responsible for delaying really is to ignore history and to ignore the reality of what has occurred here, because of the courage of his Members, three of whom have stepped up and said: We will not dismiss Dr. Ford's allegations with just a staff phone call; we want an actual hearing. That was inspired by three Republican Members of the Senate, and we backed them up. We thought their request was right.

As for this FBI investigation, I know a little bit about that because I asked Judge Kavanaugh directly during the course of this hearing what he wanted us to do. I did not ask him what the White House wanted us to do and not what the Senate Judiciary Committee Republican leadership wanted to do, but what he, Judge Kavanaugh, wanted to do when it came to this FBI investigation. My point was, if Dr. Ford is willing to submit her allegations to an FBI review, why wouldn't you, Judge Kavanaugh? If you believe there are no credible witnesses and no credible evidence, otherwise, why wouldn't you want a complete investigation done by the nonpartisan professionals at the FBI? But even then, he refused that thought of an FBI investigation.

It wasn't until Senator JEFF FLAKE, a Republican of Arizona, made it clear that he would not move forward on a vote on the floor without that FBI investigation, joined by Senator COONS of Delaware and many others, that this FBI investigation was under way. So give credit where it is due. Any delay of a week for us to consider this is really inspired by Senator FLAKE's request, with the support on the Democratic side of the aisle. So to blame us for this delay, unfortunately, again, is not accurate.

It appears now that Senator MCCONNELL, the Republican majority leader, is determined to plow through this, as he has said. He has said this nomination will be on this floor this week. If the FBI investigation is completed Thursday or Friday, there will be a report that is available for Senators to review, as they should, and to read the results of this investigation and draw their own conclusions. That is the regular process of the Senate, but it appears that Senator MCCONNELL can't wait. He can't wait for that to be completed and thoughtfully considered by his colleagues in the Senate.

It has to be this week, he has determined, and has said it over and over again. He blames us for delay, delay, delay. If we take a day or two or more to thoughtfully consider whatever the FBI finds, isn't that our constitutional responsibility filling a vacancy, a lifetime appointment, to the highest Court in the land? That, I think, is my responsibility and should be his as well.

Let me close by saying, this has been a celebrated chapter in history and will be remembered. To have a Supreme Court nomination for the swing vote of the Court that may tip the balance for decades before us is something we obviously consider seriously. That it would come at a moment when these allegations have been made about sexual harassment as we are facing this issue at every level and every sector of American culture really dramatizes the importance that we get this right; most importantly, that we be fair—fair both to Dr. Ford, who had the courage to step forward, and fair to Judge Kavanaugh, who has the right to tell us his memory of events and to be taken seriously as well. The FBI investigation, though it was resisted by Judge Kavanaugh, is a step in the right direction.

I hope my colleagues on the other side of the aisle who have not declared where they are and how they will vote on the Kavanaugh nomination will wait until the FBI investigation is complete, review their findings, and reflect on the very basic question: Is Brett Kavanaugh the right person at this moment in history to be given a lifetime appointment to the highest Court in the land?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KYL). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

USMCA

Mr. CORNYN. Mr. President, I was greatly encouraged to hear yesterday's announcement by the administration that the United States, Mexico, and Canada have now successfully come to a trilateral agreement to modernize NAFTA.

As the Presiding Officer knows, this is important not only to border States like ours; this is important to the entire country. About 5 million jobs in the United States depend on binational trade with Mexico, and about 8 million depend on binational trade with Canada. So this is really important to our country and, I think, will hopefully calm a lot of anxiety over some of the various trade disputes that we have had recently.

Based on the deal reached Sunday, Canada will now join a pact with the United States and Mexico agreed to in August. The newly named United States-Mexico-Canada Agreement will greatly benefit North American commerce and modernize areas where our economy has evolved since the 1990s.

When we think about what life was like back in the 1990s, digital commerce was unheard of; oil and gas exploration using modern techniques like fracking and horizontal drilling, which have produced the shale energy revolution in the United States, didn't exist back then; and, of course, as many of my friends in the energy business tell me, the shale we produce oil and gas from in the United States doesn't stop at the Rio Grande.

Mexico has opened up its economy, greatly allowing foreign investment and embracing some of these modern techniques, which will, I think, have a revolutionary impact on Mexico and its economy. My guiding mantra over the last year for these negotiations has been what is known as the Hippocratic Oath that doctors take: First, do no harm. That is what Ambassador Lighthizer and Wilbur Ross, the Secretary of Commerce, told the Finance Committee when they were confirmed.

I argue that we have to fix NAFTA to be sure because after 24 years, parts of it are outdated, as I said, but not nix it entirely. Although, we are still reviewing the fine print of the agreement, I

think we should be proud of what has been accomplished.

Since last August, Ambassador Lighthizer and his team at USTR, the U.S. Trade Representative, have negotiated for countless hours with our southern and northern neighbors. The road to an updated agreement has not been easy, but I believe those efforts will pay off, and soon the responsibility will be ours in the Senate to vote on this agreement. It will be a few months off, to be sure, but we will have a role in voting on the agreement.

As President Trump said, the new agreement will fix deficiencies in the original NAFTA, reduce trade barriers and open markets for U.S. farmers and manufacturers. I am particularly hearing a lot from my folks in the agriculture sector in Texas that they are excited with some of the negotiations with Canada with regard to agriculture. It modernizes rules for dairy and auto and financial services, as well as many others. The agriculture sector that I think was most concerned about some of these negotiations is breathing a giant sigh of relief.

This is a significant development in our trade policy and a great testament to the productive diplomacy the administration has been engaged in since day one. Sometimes it may seem a little bit like a bull in a China shop, but when you produce good results, maybe that is worth it.

Promises were made to update NAFTA, of course, as long as our neighbors collaborated in good faith, and those promises now appear to have been kept. As I have said, millions of Americans' jobs are supported by trade with Mexico and Canada.

In Texas, NAFTA has been one of the cornerstones of our economy, which helped cause us to create more jobs than any other State in the country in recent years. We have the second largest State economy in the United States, so Mexico, being our top import and export partner, obviously, has implications that are big not only to us but truly national and, I believe, international in scope.

Over the course of the last quarter century since NAFTA was signed, we have reaped benefits in terms of jobs, income, and cultural exchange. These benefits are so significant and widespread that they can't be fully measured. They are arguably why Texas has had more at stake than our 49 counterparts throughout the NAFTA reform process.

This new, enhanced agreement is a positive step. I thank Ambassador Lighthizer, as well as President Trump and all of our U.S., Canadian, and Mexican officials who were involved in crafting this document. I look forward to working with the chairman of the Finance Committee and all of our members on the Finance Committee, as well as the entire Senate, moving forward as we consider congressional implementation of this agreement.

NOMINATION OF BRETT KAVANAUGH

Mr. President, I wish to turn briefly to the ongoing confirmation process of Judge Kavanaugh for the U.S. Supreme Court. I have already said publicly on more than one occasion that this is a dark day; this is a dark period for the U.S. Senate. Never before have we seen a nominee to the Supreme Court or any court treated so badly, although we do know that starting with Robert Bork's confirmation hearing, the gloves came off, and these confirmation processes became, unfortunately, all too ugly.

As we know now, there has been a supplemental background investigation ordered by the FBI on allegations that were sprung on Judge Kavanaugh on the eve of his confirmation. There was never a whiff of these allegations during Judge Kavanaugh's six previous background investigations by the FBI and by the Judiciary Committee and other committees. I think it is telling that the aiders and abettors of this last-minute ambush include political operatives masquerading as disinterested lawyers with only their client's best wishes at heart.

This past Sunday, we heard from Rachel Mitchell, an investigative counsel from Arizona, who interviewed both Dr. Ford and Judge Kavanaugh at last week's hearing. I appreciate the professionalism with which she approached this job. It was not one that many would have sought because she knew, and we all knew, she would be thrust into the vortex of this huge national debate and the circuslike atmosphere that, unfortunately, the Judiciary Committee had become. Yet she did do a public service. She was not pressured in any way to present her own analysis following the hearing, but she chose to do so. What she said, based on her experience as a sex crimes prosecutor, somebody who routinely deals with victims of sexual abuse and sexual assault—she has developed a lot of expertise and wisdom when it comes to approaching these kinds of cases. I think we were the beneficiaries, the country was the beneficiary, of her expertise and knowledge in the way she conducted her careful but respectful interrogation of Dr. Ford.

Her analysis contains crucial points that the FBI's background investigation may flesh out this week even further. First, she said this was not a case of he said, she said; this was a case of she said, they said. In other words, every witness alleged to have been present at the time Dr. Ford alleged that Judge Kavanaugh, when he was 17 years old, physically assaulted her said that they have no memory of such an event or knowledge of such an event. In one case, Dr. Ford's close friend, Leland Keyser, said that she doesn't even remember ever meeting Brett Kavanaugh. Similarly, Patrick Smyth and Mark Judge—two other alleged witnesses Dr. Ford named—said the event never happened. This is not just a case where there is an allegation and no corroboration; this is a case of an allegation and negative corroboration.

I mentioned Dr. Ford's lawyers earlier, and I want to return to that in just a moment. Some of their actions suggest they were more interested in using Dr. Ford for partisan purposes than ensuring her story was properly considered alongside other information during the standard committee process.

We all remember when Dr. Ford's hearing was delayed, the committee was informed by her lawyers that Dr. Ford's trauma prevented her from flying because she experienced claustrophobia. Then, during her testimony, watched by as many as 20 million people in this country, Dr. Ford said she flies frequently for hobbies and work. One has to wonder, why was this delay orchestrated? Was it a stunt concocted by her lawyers to buy more time? You have to wonder.

The truth is, her lawyers were involved long before that point. When the ranking member of the Judiciary Committee, our colleague from California, met with Judge Kavanaugh one-on-one on August 20, she already knew about the allegation, which was dated July 30. On August 20, she met with Judge Kavanaugh. She had in her files an allegation dated July 30 that she shared with no one, and she didn't discuss it with Judge Kavanaugh during their private meeting. Instead, the ranking member recommended that Dr. Ford engage highly partisan operatives to represent her instead of referring the allegations to the FBI.

In other words, why would you take an allegation of sexual assault and keep it in your file and recommend the complainant contact politically active Democratic lawyers? Wouldn't it make sense to provide the allegation to the FBI right away so that the FBI could conduct whatever investigation it saw fit? Unfortunately, she neither presented that to the FBI on a timely basis, nor did she give Judge Kavanaugh a chance to refute it when she had plenty of opportunity to do so when he met with her in her office.

We know the lawyers who have been representing Dr. Ford have played an active role since early August. They were already engaged when Judge Kavanaugh sat through his initial weeklong confirmation hearing. By that point, the lawyers had already insisted that Dr. Ford take a polygraph, although they will not share with the Senate Judiciary Committee or with anybody else the underlying questions and interview. All they shared with us is the conclusion of the polygrapher. Yet none of this—the lawyers, the allegations, the steps being taken—were shared with the Senate Judiciary Committee, which was initially assigned the responsibility of vetting the nominee through an extensive background investigation and, obviously, through the 1,200-some written questions for the record and the hours upon hours of hearings that everybody in the country could witness.

None of this came up at that first hearing, not even behind closed doors,

which is the procedure by which sensitive personal matters are presented to the nominee if Senators on the Judiciary Committee have questions. What we actually try to do in the Senate is not to embarrass or harass or terrorize either the nominee or the witnesses who might have information relevant to the confirmation. We actually have a careful, respectful, and confidential process by which that information can first be supplied to the Judiciary Committee behind closed doors. That could and should have been the process used in this case, but it wasn't.

Here we are a few weeks later. We have had another hearing, at Dr. Ford's request, in which she shared her story to the best of her ability. I am actually glad she testified. That was her desire, although I believe she did not have to be put through the wringer the Senate Judiciary Committee has put her through. But that has not been our fault so much as it has been the fault of this orchestrated effort.

It is not fair to Judge Kavanaugh, I believe, to string this matter along further. It is not fair to his family, either, or to the many women who have stood with him every step of the way. This process has taken a toll on all of them and all of us.

Now that the FBI is doing a supplemental background investigation, which will conclude hopefully in the next few days, the allegation has been, well, the judge was so angry at the hearing defending his honor and good name against these allegations that this shows a lack of judicial temperament.

If you were accused falsely of committing a crime, wouldn't you be angry too? Wouldn't you want to clear your good name? That is exactly what Judge Kavanaugh did. I think it was a moving, emotional defense of his good name and character.

Our friends who are now making this accusation that somehow this demonstrates his lack of judicial temperament are ignoring his 12 years on the DC Circuit Court of Appeals, the fact the American Bar Association's Standing Committee that reviews these judicial nominees has found him unanimously ''well qualified,'' based in part on his good character and temperament. This is a red herring. You can't accuse somebody of a crime and expect them to sit there and take it. That is illogical, unreasonable.

Now the argument, too, is this: We really have the judge now; we have him. We caught him in some discrepancies—based on what? Based on his high school yearbook. Man, this has been quite an investigation if we are going back into somebody's high school yearbook and asking them to decipher things that would be, I think the judge said, cringeworthy that adolescent boys and adolescents do in their high school yearbook.

I guess this should be a lesson for all of our pages and others who are still in high school that if you have the opportunity to ascend to the highest Court in the land or other important responsibility, the U.S. Senate is going to go back and scour your high school yearbook and ask you about entries made not by you but by others in your yearbook.

This has become a national embarrassment. I said at the hearing that it reminded me of what I read about the McCarthy hearings. Joseph McCarthy, Senator from Wisconsin was riding high upon the concerns the American people had about communists in government. He went too far, and at one point he was called down, ultimately left the Senate—was expelled from the Senate or resigned from the Senate; I can't remember which. He was asked by one of the lawyers who was representing a young man who was being interrogated who finally asked Senator McCarthy: I have had yet to gauge the depth of your cruelty and your recklessness. At long last, sir, have you no decency?

I recited those lines at the hearing for Judge Kavanaugh because I think, indeed, this whole process has been unfair to Dr. Ford, to Judge Kavanaugh. It has been cruel to the judge's family, and it has been reckless in the extreme. I think it has been an embarrassment. I think it is a stain on the reputation and the standing of the U.S. Senate.

So as the supplemental FBI investigation wraps up, let's be mindful of what our colleagues across the aisle have said they expected from this supplemental background investigation because they, too, understood we were approaching the end of this process. For example, the senior Senator from Minnesota said: ''Let's give this one week.'' She said that last Friday. She indicated her support for the investigation, even saying that we are all in a better spot now than we were before. Well, I hope that is still her position.

We had our colleagues across the aisle agree to both the timeline and the validity of this last step in Judge Kavanaugh's confirmation. The junior Senator from Delaware, during the hearing, called for the same amount of time, just 1 more week. In a television interview, the junior Senator from Hawaii said that 7 days is enough time to ''get to the bottom'' of these allegations. So I hope our colleagues will remember their own words and their own statements, even though, as we all know, no supplemental information will change their vote.

This is, to me, the irony of where we find ourselves. I think it was Judge Kavanaugh who said a fair process starts with an open mind and then listening to both sides, but Judge Kavanaugh doesn't have a judge or jury in this confirmation process who has an open mind. All of the Senate Democrats on the Judiciary Committee have said they unequivocally oppose his confirmation. So what do they expect this additional supplemental investigation to disclose that might possibly persuade them they were wrong?

Well, it is not about a search for the truth. This is about search and destroy. I have said this is what I hate most about Washington, DC—the political environment in which we find ourselves. It is not just about winning an argument. It is not just about winning an election or winning a vote in the Congress. It is about the politics of personal destruction. That is what we are seeing here. It is an orchestrated effort from start to finish. That is why I think this is such an embarrassment to the Senate. If we somehow decide that people can be essentially convicted of a crime based on an allegation with no evidence, what does that say about our commitment to the Constitution itself, the due process of law, and the presumption of guilt?

I know our colleagues will say: Well, this is a job interview. This is not just a job interview. This isn't just even about Judge Kavanaugh and his confirmation process. This is about us. This is about our national commitment to the Constitution, one that guarantees your liberty unless the government can come in and prove a case against you, where you have a chance to confront the witnesses against you, where you enjoy a presumption of innocence. This is no longer a job interview. This is no longer even just about Judge Kavanaugh.

A vote against Judge Kavanaugh implies that he is guilty not only of teenage misconduct but guilty of perjury now. That is what a vote against Judge Kavanaugh implies. A vote against Judge Kavanaugh is a ''yes'' vote for more search-and-destroy efforts against public servants and judicial nominees and more ambushing nominees after crucial information is withheld for weeks at a time.

We all know how the Senate operates. It operates on the basis of precedent. Once something has been done, it is precedent for what will be done in the future. If this is the new precedent for the U.S. Senate, woe be to us.

A vote against Kavanaugh is a ''yes'' vote for more of these despicable tactics being used time and time again in the future—coat hangers being sent to the offices of some our colleagues, fundraising bribes being offered, mobs attacking Senators and their families at restaurants.

The American people deserve a final and definitive resolution to this process. Judge Kavanaugh deserves the same, as does the Supreme Court. This week after the supplemental background investigation of the FBI concludes, there will be a vote. I trust that Judge Kavanaugh will then finally be confirmed. Then, hopefully, the Senate will come to its senses and realize how wrong, how embarrassing, and how disgraceful this process has been not only to Dr. Ford but to Judge Kavanaugh as well. I hope and pray we will come to our senses.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LAS VEGAS MASS SHOOTING

Mr. MURPHY. Mr. President, Candice Bowers overcame a lot of challenges in her life. She raised two children as a single mother. She worked as a waitress at Mimi's Cafe. She had a wide circle of friends. She adopted a little girl named Ariel, who was a relative's baby who couldn't be cared for. Ariel was 2 years old, and her children were 16 and 20, a year ago yesterday, when Candice Bowers was one of the over 50 victims of the biggest mass shooting in American history—in Las Vegas.

In speaking about Candice, her aunt said that everybody loved her and that she always had a smile on her face. She would help anybody. She had a big heart. She was just a sweetheart. Robert Layaco, a 78-year-old veteran who served in the Korean war, who was her grandfather, said that everybody else might forget about this in 6 months but that they will never forget about her—he won't, her daughter won't, her little daughter won't, and her son will not forget about her—in thinking ahead to all the Thanksgivings and Christmases at which there will be an empty seat at their dinner table. He said thoughts and prayers are just not going to do it.

Angela Gomez was 20 years old when she was gunned down at the concert a year ago yesterday. She had graduated from Riverside Polytechnic High School in 2015 and was attending classes at a community college. Her former cheer coach said that Angie was a fun-loving, sweet, young lady with a great sense of humor and that she challenged herself all the time. Angie enrolled in advanced placement classes, and she loved the stage. She was involved in cheer, she was involved in choir, and she was involved in the Riverside Children's Theatre. She had an amazing life ahead of her—filled with joy, filled with enthusiasm for performance.

Charleston Hartfield was 34 years old when he was killed in the shooting in Las Vegas. He was a Las Vegas police officer. He was off duty when he decided to attend the Route 91 Harvest Music Festival, and that is when this shooting took place.

One of his friends said:

> I don't know a better man than Charles. They say it's always the good ones we lose early. There's no truer statement than that with Charles.

Charles enlisted in the Army in 2000, and he was a paratrooper with the 82nd Airborne Division. He deployed to Iraq in 2003, and he served in a task force that was awarded a Presidential Unit Citation for extraordinary heroism. He survived his deployment to Iraq—one of the most dangerous theaters of combat in modern history. Yet he couldn't survive going to a concert to hear a singer he liked in his hometown of Las Vegas.

GUN VIOLENCE

Mr. President, I come to the floor every week or so—a little bit less frequently now than I did a few years ago—to talk about who these people were. I think the statistics have kind of come to wash over people. There is no other country in the world—at least in the advanced world, in the industrialized world—that has numbers like these: 33,000 a year dying from guns, 2,800 a month, 93 a day. These are epidemic level numbers, and there are lots of different stories inside these numbers. The majority of these are suicides. We have an epidemic level of suicides alone in this country that is going nowhere but up. A lot of these are homicides. A lot of these are accidental shootings. They are domestic violence crimes. Suffice it to say, it only happens in the United States, and it is getting worse, not better.

Certainly, I can show you a 200-year trajectory of how violence in the United States is getting better, but in the last several years, since these mass shootings have become so regularized, all of it is getting worse. There seems to be a lot of consensus about at least one very narrow-cast idea to try to reduce the likelihood that 58 people could die all at one time, as happened in Las Vegas.

As we came out of that shooting a year ago, it seemed that we all, at the very least, agreed that these things called bump stocks—these things that are manufactured to turn a semiautomatic weapon essentially into an automatic weapon with which you can fire multiple rounds with one pull of the trigger—shouldn't be legal, that they shouldn't be allowed to be sold. We had all made a decision a long time ago that notwithstanding our differences as to whether these semiautomatic, tactical weapons should be sold in the commercial space, we at least knew that automatic weapons should not be available to consumers. Now this modification was being allowed to turn semiautomatic weapons into automatic weapons.

We are now a year since the Las Vegas mass shooting, and you can still get one of these. You can still turn a semiautomatic weapon into an automatic weapon with ease. In fact, bump stock manufacturers don't need a Federal firearms license to sell them—you don't even need a license to sell these things—because the Federal Government classifies them as accessories, not as firearms.

To me, it is just unbelievable that our ability to work on the issue of gun violence has broken down so badly that even on an issue about which we profess agreement a year after 58 people were killed—and by the way, 800 people injured—we still haven't done anything in this Congress about the narrow issue of bump stocks, which turn a semiautomatic weapon essentially into an automatic weapon.

In February of this year, President Trump directed the Department of Justice to propose a rule that would do this. Just last week, the Department of Justice announced that it was submitting its rule to the Office of Management and Budget—one of the final steps in the rulemaking process. Yet, as we all know, that rulemaking process takes a long time. You are talking about a rule that will not be effective until at least 2019. Even when that rule is put into place, it will be easily contested in the courts because we all know that it is doubtful as to whether the administration has the ability to ban bump stocks given the nature of the underlying law.

It would be so much easier for us to just pass a law that says bump stocks are illegal, thus taking the question away from the courts as to whether the administration has the power to do it. We could also do it much more quickly because this rule is still going to take months and months and months before it is fully put into effect, putting more and more people in this country at risk.

I wear my frustration on my sleeve when it comes to the issue of gun violence because I just don't understand why there is only one issue like this about which the American public has made up its mind. The polling tells us that universal background checks enjoy 97-percent support in this country. By a 2-to-1 margin, people want these assault weapons off the street. The ban of bump stocks enjoys ratings similar to that of universal background checks. Yet we still can't get it done, and there are consequences.

If you look back over the history of this country, we have always been a more violent nation than our parent nations in Europe from which a lot of the original settlers came. Yet we are more violent now by a factor of 5 or 6 or in some cases by a factor of 20 because the vast majority of our violence in this country today is done by guns.

The data tells you that in places in the United States that have invested in the kinds of reforms that we would like to take nationally, like universal background checks or the bans on certain dangerous capacity weapons, the violence rates are much lower and gun deaths are much lower. So it is not a guessing game as to what works here if you actually want to reduce the number of people who are killed by guns. Ultimately, we know what works.

One of my chief frustrations continues to be the fact that we pay attention to the issue of gun violence only when 50 people are killed or when it is the 1-year mark of 50 people being killed. This is a daily number. Every day, 93 people are being killed by guns, and they do not make it on the evening talk shows. They don't make headlines, but the pain for those 93 families today who will lose a loved one from a suicide or a homicide or an accidental shooting is no different from the pain that comes from losing a brother or a sister

or a son or a daughter in Parkland or Las Vegas or in Newtown.

Betty Sandoval had a toxic relationship with a man who had been threatening her for some time. There were text messages found on her phone, threatening her life if she ever left her boyfriend. One day, she was followed home by this young man, who shot and killed her out of anger that their relationship was going the wrong way. Betty was 16 years old and was shot in a fit of passion by a young man who had easy access to a weapon with which to try to exercise his demons over the relationship.

This is the story of America. We don't have more mental illness than any other country in the world. We don't have more broken relationships than other country in the world. We just have more guns. So when a young man is really upset about how things are going with his 16-year-old girlfriend, he can easily find a weapon.

That is the story of suicides as well. There are tons of data that show that if you don't have easy access to a gun in those moments when you are contemplating taking your own life, you have a chance to survive that moment, to get help, to have a conversation with your mother or your father or a friend, and that gets you to a different place. It is the proximity of that weapon that makes a difference, as it did for Betty Sandoval, who died just about 3 weeks ago in Houston, TX.

Dezmen Jones was 15 years old and Jameel Robert Murray was 28 years old when they were both shot to death in York, PA. Of Jameel Murray, one of his mother's friends said that he was always smiling. She said: ''He was just larger than life.''

Classmates of Dezmen Jones said that he was ''a really cool person'' who ''had lots of friends.'' Dezmen was 15 years old, and he rode his bike all around town, from friend to friend, back and forth to William Penn Senior High School. He was 15 years old when he was gunned down.

Jameel's mother's friend set up a fundraiser on Facebook because Jameel's family didn't have enough money to bury him. They didn't have enough money to do a funeral, so they asked for donations online so that they could give Jameel, who was 28 years old, a proper burial. That shooting happened a week ago, on September 26.

Close to home, in Waterbury, CT, on September 2, Matthew Diaz was shot in the back early Sunday morning in the Berkley Heights housing complex. This is about 3 miles from our house in Connecticut. He was the father of two. He had an 11-year-old son and a 2-year-old daughter. Imagine having to tell an 11-year-old kid: Your dad is gone, and he is never coming back.

Matthew's mother said:

He loved his children to the fullest. He would do anything for his children. He would do anything for me. He was my friend, my protector, my comedian.

Diaz was unconscious when the police found him. They tried to perform CPR, but he was pronounced dead about an hour after arriving at the hospital.

Every single one of these stories is exceptional because when an 11-year-old loses a dad or when you lose your mom or when a newly adopted 2-year-old no longer has her adoptive mother, everything changes. Everything is cataclysmically different for those families.

There are 93 of those stories every single day, and it doesn't have to be that way. It is not inevitable. It is within our control.

I think these numbers just tend to stun people after a while. I think these numbers don't mean anything to folks. So I am going to continue to come to the floor and tell the stories of these victims, to give voices to these victims, especially today as we mark 1 year since the worst mass shooting in the history of the country. We recognize 1 full year since we pledged to do something about it, since we talked about the narrow area of agreement around bump stocks, 1 full year of total inaction on the one thing we thought—we thought—we could do together to make the country a safer place.

Thank you.

I yield the floor.

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

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. CASEY. Mr. President, I come to floor, once again, to raise concerns about the nomination of Judge Brett Kavanaugh to the Supreme Court. I think these concerns permeate every aspect of the nomination process and the nominee himself.

When Judge Kavanaugh's name came forward because of the nomination by President Trump, he came from a list of 25 names. These names were assembled by the White House in consultation with—the record indicates—just two groups: the Heritage Foundation and the Federalist Society. Both are far-right organizations that have a view of public policy that on most issues I don't agree with, but I think that is true of most Pennsylvanians. I can't speak for the whole country, but I would be willing to guess many people around the country are not in agreement.

The Heritage Foundation, for example, has called labor unions cartels. That is one view they seem to have about labor unions.

I come from a State where we have a proud labor history, where people literally bled and died for the right to organize, whether it was the Homestead strike in Southwestern Pennsylvania back at the turn of the previous century or whether it was the Lattimer massacre in Northeastern Pennsylvania or whether it was the strike by anthracite miners in the early 1900s in my home area, the region where I live in Northeastern Pennsylvania. These fights for the right to organize, the right to bargain collectively for wages and benefits were not just hard-won, but they represented the values of the people of Pennsylvania.

When I consider that history and consider the attacks that organized labor is currently undergoing—the Janus case by this Supreme Court is one example and I am afraid will be one in a series of cases that will be decided against the interests of working men and women—I am especially concerned about any nomination to the Supreme Court on those and other issues but, maybe, especially the nomination of Judge Kavanaugh.

I think even someone who would disagree with me on my views of organized labor or my views on his record would agree that it is highly unlikely, if not impossible, that we would have an American middle class without organized labor, without all of that work, all of the sacrifice that was undertaken to achieve the right to organize. That right is threatened now, and I think this nomination is one of the threats to that basic right.

It should come as no surprise that this nominee has sprung from that same process that I mentioned earlier. I believe this list that has now been put on the table—in other words, no one could be nominated to the Supreme Court by this administration unless you are on that list of 25 that was chosen by those two groups, the Heritage Foundation and the Federalist Society. If you are a conservative, if you are seen as a conservative judge, a Federal court judge either in the district court or appellate court or maybe a State supreme court justice where we have had some members of the U.S. Supreme Court have their start—if you are not on that list of 25, if you are one of the hundreds of judges appointed by Republican Presidents, you need not apply because you don't have any chance of getting on the Supreme Court if you are not on that favored list of 25.

I think we can reach—and I think the administration could and should reach—a lot further than just a list of 25 that represent a very narrow view of justice, a narrow view of jurisprudence, and certainly a troubling view of the rights of working men and women, just by way of example.

On the District of Columbia Circuit, Judge Kavanaugh has frequently dissented from his colleagues in cases involving workers' rights, discrimination, and retaliation, at times going out of his way to argue that the interests of corporations should override the interests of individual workers.

I serve on the Special Committee on Aging, where I happen to be serving as a ranking member in this Congress, along with Chairman SUSAN COLLINS, and I am especially astounded at some of Judge Kavanaugh's opinions relating to both older Americans and people with disabilities. Just by way of example, he dissented in two cases that

upheld the Affordable Care Act, which is essential to ensuring healthcare for over 130 million Americans with preexisting conditions.

Right now, the courts are considering whether people with preexisting conditions should continue to be protected from being charged more, being denied coverage, or being dropped from their insurance simply because of their insurance status. The Supreme Court might be the last line of defense in maintaining these protections for people with preexisting conditions, and Judge Kavanaugh could be that deciding vote.

In two cases, Judge Kavanaugh disagreed with rulings upholding—upholding—the Affordable Care Act. A former law clerk for Judge Kavanaugh said it best when she spoke about his views of the Affordable Care Act. She said: ''No other contender on President Trump's list is on record so vigorously criticizing the law''—''the law'' meaning the Affordable Care Act.

Also, in notable cases, Judge Kavanaugh sided with employers over employees with disabilities, making it more difficult for employees to prove discrimination in court and have their rights protected under law. In one dissent, he took a narrow view of the Age Discrimination in Employment Act, also known as the ADEA, which has protected the rights of older workers for decades, and Judge Kavanaugh wrote that he did not believe it applied to certain Federal employees.

Perhaps most egregiously, in Doe v. DC, Judge Kavanaugh determined that three women with intellectual disabilities could be forced to undergo elective surgery, allowing the government to make medical decisions on their behalf without ever attempting to determine their wishes.

I could go on to a whole other line of cases—or maybe not lines of cases but commentaries he has made on Executive power, but we don't have time today. That issue is of great concern because of what we are confronted with, where we have an investigation underway by Robert Mueller that involves the executive branch. Of course, a deciding vote on the Supreme Court on any issue is significant, but maybe because of the current posture—or the current circumstances we are in—Judge Kavanaugh's views on Executive power are a whole series of other concerns we have.

These disturbing views are apparent not just from his decisions and his writings but of course from the public record. What other positions did Judge Kavanaugh take before he was on the bench? What views are set forth, for example, in the record from the time he spent as White House Staff Secretary and in the White House Counsel's Office? We have to ask that question. We don't have his full record from his tenure working in the administration of President George W. Bush. Why don't we have access to those records? We have to ask that question. Why don't we have access to that basic information?

We don't have these records because Republicans in the Senate have been rushing to jam this nomination through before the midterm elections. They have broken norms and deprived the Senate of critical background documents to get Judge Kavanaugh on the Supreme Court bench before November.

Instead of following precedent and waiting for the nonpartisan National Archives to review and release Judge Kavanaugh's full record, they have rushed to hold hearings and a committee vote before we even have the information all Senators are entitled to before voting on a lifetime appointment.

Let me move to what happened last week. Last Thursday, the Nation watched as Dr. Christine Blasey Ford shared with the Senate Judiciary Committee the horrible details of a sexual assault she experienced as a 15-year-old: the terror she felt in that moment, the horror of the physical assault, and the psychological trauma of believing she might, in fact, die. We heard her describe how two teenage boys, under the influence of alcohol, pushed her into a bedroom, locked the door, turned up the music, and how one of the boys pinned her to the bed and covered her mouth to muffle her screams; how she escaped and heard them drunkenly ''pinballing'' down the staircase. We also heard how her clearest memory from that assault was the boys' laughter while it was underway.

Dr. Ford said she was ''terrified'' as she appeared before the Judiciary Committee to recount these traumatic events, but she decided to do so because she believed it was her ''civic duty'' to tell the public what she had experienced. She was open with the committee and consistent in her account and was ''100 percent'' certain that it was Brett Kavanaugh who had assaulted her.

When I watched her testimony from beginning to end, the conclusion I reached was that she was both credible and persuasive. I believed her, and I think a lot of Americans did as well; maybe more than half of Americans believed her, but I know I did.

I also believe Judge Kavanaugh's response that same day, on Thursday, to these credible allegations has cast even greater doubt on his credibility. It also cast doubt on his temperament and his ability to serve as an impartial jurist. I think anyone, even a supporter of Judge Kavanaugh's nomination, could have been troubled by his demeanor, and I will use the word ''temperament'' again, when he came before the committee.

After Dr. Ford presented her moving testimony, Judge Kavanaugh responded with explosive anger and partisan attacks on virtually all Democrats. I was surprised he did that. No one would begrudge him the opportunity and the necessity, if he felt it were necessary, to deny these allegations aggressively. No one would deny him of that, but to question the motives of virtually every Democrat—at least every Democrat on the committee—and to assert some kind of broad, partisan conspiracy, I think was over the top and is not consistent with the demeanor anyone would expect from any judge at any level but especially someone who might be the fifth vote on the most powerful Court in the country and arguably the most powerful Court in the world. I think most people, for or against Judge Kavanaugh, would conclude that his demeanor that day was not demeanor that was consistent with that high position he was seeking.

Another troubling aspect of his testimony that day—and I was rather surprised by this—is when he was asked about an FBI investigation, whether he would support additional investigative work by the FBI, simply to update the background check or to complete the background check, instead of requesting a full and open FBI investigation that would show he had nothing to hide, he dodged questions and misrepresented the testimony of key witnesses.

There is an old inscription on a building where I used to work in Harrisburg, our State capital, the Finance Building, which reads very simply: ''Open to every inspection, secure from every suspicion.'' In this case, if Judge Kavanaugh were open to that inspection or, in this case, that investigation or a continuing investigation or background check, I think a lot of people would have accorded him more credibility or more confidence in what he was saying—if he said, please, complete the background check and have the FBI take a look at all of these questions—but he kept saying it was not his call. That may be technically true, but I was hoping he would support the investigation. If Judge Kavanaugh has done nothing wrong, as he and the White House and Senate Republicans claim, he should have welcomed a full, open, and independent investigation into these claims against him or any other matter that is relevant.

I am glad the FBI is finally conducting an investigation, although I am concerned about reports that the White House may be limiting the investigation and directing its scope. The FBI must be allowed to question all relevant individuals and follow the facts where they lead. The FBI is the best in the world, and I have great confidence they will do good work. They shouldn't be constrained in this very limited period of time, this 1 week they are investigating. I hope—and I don't know the answer to this, but I hope what the President said yesterday; that he and his administration are not constraining the FBI, and I am paraphrasing, not using exact words—that is the policy the administration transmitted directly to the FBI. I hope there is no variance or difference between what the President said and what his

administration is indicating directly to the FBI. I don't know, but I hope there is a consistency there.

I wish to wrap up because I know we have to do that. The Supreme Court decides, as so many Americans understand, cases of monumental importance to our Nation. These cases will impact the day-to-day lives of Americans for decades, if not generations, and many questions will be decided by the Supreme Court. Let me just list a few: the American people's ability to access affordable healthcare, for example; their opportunity to work in an environment free from discrimination; their ability to access the justice system and have their day in court, often against powerful corporate interests; and, as I said at the outset, the basic rights of working men and women, including the right to organize and the right to bargain collectively. I hope that when Members of the Senate are making a determination about this nomination, they will take those interests and those concerns into their deliberations.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent that I be able to complete my remarks.

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

FAA REAUTHORIZATION ACT

Mr. THUNE. Mr. President, aviation continues to play a significant role in the American economy and in American life. The industry contributes $1.6 trillion to the economy on an annual basis and supports more than 10.6 million jobs.

In 2017, 850 million passengers boarded U.S. airline flights for both domestic and international trips. Americans rely on planes to do their jobs, to catch up with far-flung friends, and to take a much needed break from work, to make it to important family events.

Every few years, Congress has to pass legislation to reauthorize the Federal Aviation Administration, the government agency responsible for everything from overseeing the safety of the national airspace to providing grants for critical infrastructure needs at airports. Passing that reauthorization bill gives us the opportunity to take a look at aviation as a whole and to hear from manufacturers, airport administrators, airlines, and the flying public. That is exactly what we did with the reauthorization bill that is before the Senate today.

In the lead-up to this bill, we spent months conducting research, holding hearings in the Commerce Committee which I chair, and listening to the aviation community and to airline passengers. Then we took that information and used it to develop legislation that will strengthen aviation, promote economic growth, enhance transportation safety and security, and improve the flying experience for the public.

I am proud of the bill we have before us today and grateful for the hard work done by Members of both parties in the House and Senate.

Obviously, security is a massive priority for the airline industry and for the flying public and for the Federal Government. Terrorist groups continue to target passenger aircraft and the aviation sector, but security measures, of course, can also lead to frustration. Who hasn't been caught in a long TSA line desperately hoping to make it through in time to catch a flight? The bill before us today will both boost security and help reduce some of the delays associated with security checks.

For starters, the bill represents the first-ever reauthorization of the Transportation Security Administration in the history of the agency. It establishes a 5-year term for the head of the TSA which will increase leadership stability at the TSA and promote the efficient and effective deployment of security initiatives.

The bill also puts in place measures to speed the deployment of the latest, most effective screening technologies so we can keep up with the latest threats to aviation. It requires an agencywide review at the TSA to look at how to eliminate duplication and redundant senior personnel to ensure that the agency operates in the most efficient manner possible.

This legislation also authorizes more K–9 teams to be deployed in airports and other transportation facilities around the United States, and it creates an outside certification process to enable faster deployment. This is good news both for security and for passengers. K–9 teams enhance security at airports, and security checkpoints with K–9 teams can operate substantially more quickly.

Currently, a majority of explosive detection dogs in the United States come from overseas. Being able to obtain more of these dogs in the United States would reduce the cost and speed up the process of acquiring K–9 teams. That is why this bill helps build our capacity to test and certify explosive detection dogs here at home.

In another victory for anyone who has ever waited in a long security line, this bill also requires the TSA to post real-time security checkpoint wait times not just at the airport but also online. That means you will be able to check the security wait time while you are still at home so you will know if you need to leave for a flight or if you can spend a few more minutes reviewing your packing list.

The bill will also make it easier for travelers to sign up for Precheck and to receive expedited screening—something that will speed up checkpoint wait times and enhance public area security for all passengers.

While we are on the subject of making life easier for passengers, this bill contains some commonsense reforms that will improve the flying experience. For starters, this legislation prohibits airlines from involuntarily bumping from a flight passengers who have already boarded. I think we can all agree that once you have boarded a plane, you shouldn't be kicked off until you have arrived at your destination.

I also think everyone would agree that when you pay for a service, you should get it. That is why this legislation requires airlines to promptly return fees for services they don't deliver. If you pay for a seat assignment, for example, you should get that seat. If you don't, you should get your money back promptly.

This legislation also directs the FAA to set minimum legroom requirements for seats on commercials flights to ensure safety.

As I mentioned above, the aviation industry makes a big contribution to our economy, and the legislation before the Senate today will help this industry continue to compete and innovate. The FAA sets standards for aircraft designs and other aircraft components, and it certifies these designs to ensure they meet specific requirements. This legislation will take excess bureaucracy out of the certification process so that U.S. air companies can get their products to market on time and successfully compete in the global marketplace. It will also enable U.S. manufacturers to fully use certification authorities that have been delegated to them.

The bill before us today also supports the development of the air-based technologies of the future, including the return of supersonic aircraft and the integration of unmanned aircraft systems—more commonly known as drones—into the international airspace. The bill advances the development of low-altitude traffic management services, which are essential as drone use becomes more widespread. It also provides more flexibility to the FAA to approve advanced drone operations, like extended flights or flights over crowds of people, and it directs the FAA to authorize operators of small drones to carry packages, meaning that sometime in the near future, your Amazon Prime order could arrive via drone.

In the wake of serious accidents on our Nation's roads, railroads, or in the sky, Congress turns to the National Transportation Safety Board to get the facts and to tell us what went wrong. The legislation before us today will strengthen the National Transportation Safety Board's investigation process and make more information available to the public. It will also expand access to assistance for the families of victims of rail and aviation accidents.

There are a lot of other good provisions in this bill, as well, everything from infrastructure investment to upgrades in safety requirements. Mostly unrelated to aviation, this bill also includes critically needed disaster response reforms and a down payment to help communities in the Carolinas recover from Hurricane Florence.

I am very proud of the bipartisan bill we have produced and the advancements it will make for all stakeholders in the aviation industry—from manufacturers to airline workers, to passengers. I thank the ranking member, Senator NELSON, and our counterparts on the Transportation Committee and the Homeland Security Committee in the House of Representatives, as well as other Senate committees that contributed to this bipartisan legislation. The members of our committees and their staffs put in a lot of hard work on this bill, and our Nation's aviation and air transportation system will be safer as a result.

I look forward to casting a vote for this bill and getting this legislation on the President's desk and signed into law. I encourage all of my colleagues here in the Senate to support this legislation when we have the opportunity to vote on it, hopefully, later today.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:34 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE SESSION—Continued

The PRESIDING OFFICER. The Senate will come to order.

The Senator from Minnesota.

FAA REAUTHORIZATION ACT

Ms. KLOBUCHAR. Mr. President, I rise today to speak in support of the Federal Aviation Administration, or the FAA, Reauthorization Act of 2018. This bill provides needed certainty in aviation and gives the FAA authority to enhance consumer protections and passenger safety. It also maintains critical investments that will help to modernize and maintain our aviation infrastructure.

This agreement is the product of bipartisan negotiations over the last several months. I am proud to serve on the Commerce Committee, which played a major role here. I thank Senator THUNE and Senator NELSON for their work on this bill, and I urge my colleagues to support it.

Minnesota has a long aviation tradition, from Charles Lindbergh to our Minneapolis-St. Paul International Airport. Two years in a row, it was ranked as the best airport in America. We manufacture jets in Duluth at Cirrus. We manufacture parachutes that go with those jets in our State. We have first-rate military training bases for aviation in Bloomington and in Duluth. We have very strong regional airports, including Duluth and Rochester, which has recently expanded its airport. It matters in our State.

For too long, the aviation sector of our economy has had to rely on a series of short-term extensions. It is not good for workers, and it is not good for businesses. That is not good for travelers who use our services. For airports looking to expand or airlines looking to test new routes, these short-term bills created uncertainty that hampered growth and prevented new investments.

This 5-year reauthorization bill will provide the long-term stability needed to encourage investments and help maintain American leadership in the global aviation marketplace. We know a lot about that in our State, being a major Delta hub, as well as the home of Sun Country Airlines. We know the kind of global competition that we are up against all the time. That is a very important reason for America to be a leader in aviation and not a follower.

Changes in the airline industry in recent years have drastically altered the way consumers travel. New fees and complicated itineraries can make even routine travel confusing and expensive. Thankfully, this FAA bill builds on important work we have done in past reauthorizations to strengthen protections for consumers while shopping, booking, and traveling.

Most people know what it is like to show up to the airport and be shocked to find out that you have to pay extra for your seat or that checking a bag is going to cost you an arm and a leg. When consumers don't have this information up front, they can be left paying hundreds of dollars in fees they didn't budget for, which can mean the difference between a family trip being affordable or not.

It isn't just fees. In some instances, online travel websites have sold unnecessarily complicated passenger itineraries, provided outdated or incorrect travel information on their websites, and failed to provide appropriate disclosures for passengers. That is why I worked to include an amendment to provide a consistent level of consumer protections, regardless of where the airfares are purchased. This part of the bill will ensure that, whether a consumer books tickets directly with an airline or from a third party, the consumer will receive the same level of price disclosures and customer service.

This was a provision strongly supported by consumer groups because it is such a problem that there were different types of price disclosures and customer service, depending on how a consumer booked the flight. It doesn't matter where you book the flight or how you book the flight, you should have consumer protection. This bill includes that provision.

This bill will also make important improvements to the passenger experience on the plane. By directing the FAA to set standards for the size of airline seats, we will make sure passengers can travel safely and these seats will not get even smaller than they already are.

The agreement also includes a provision to make clear that once a passenger has boarded a plane, they can't be involuntarily bumped by an airline. Passengers deserve to be treated with respect throughout their entire journey, and this will end the practice of removing paying customers to accommodate airline employees.

The bill sets new requirements for airlines to promptly return fees for services, such as seat assignments or early boarding, when these services are purchased and not received by a customer.

In addition to the strong consumer protections, this bill makes new infrastructure investments that will help to ensure passengers have a safe and efficient travel experience.

Smaller regional airports provide a vital link to the rest of the world for many rural communities. In my State, both residents and businesses located near these rural airports rely on them to connect to the Twin Cities and beyond.

The Essential Air Service Program is a critical tool that supports rural air service. This bill boosts EAS funding to help maintain the operations of smaller, regional airports across Minnesota and across our country. Of course, funding alone isn't enough to improve aviation infrastructure. We need policies that support the unique infrastructure needs in different regions of the country.

In the 2012 FAA reauthorization, I included a provision to require that the Department of Transportation give priority review to construction projects in cold weather States with shorter construction seasons. For those of us who live in States that happen to have cold weather and snow, our construction seasons are shorter, and that means we have less time to work on these projects than maybe they do in Miami or in California. What we did here was to make sure that the FAA realized that in how they did grants and how they got these construction permits approved.

Anyone who has ever been to Northern Minnesota in April or October understands that our construction season is shorter. There is a reason we have cold weather testing facilities on the Canadian border in our State, because that is the coldest conditions you can possibly have for cars. That makes for this short construction season.

This provision was included again in the current bill, and it will help to ensure that cold weather States like Minnesota can make the most out of our limited construction seasons.

The investments made by this bill are an important down payment that will help to address the growing demand for air transportation. I look forward to building on the progress made by this bill with bipartisan infrastructure legislation to support 21st century aviation infrastructure that is prepared to meet the demands of the 21st century economy.

I wish to thank my colleagues again for their work on this bill. It makes

important advances in security, consumer protections, and infrastructure development. I was proud to be a part of this, and I also am glad these provisions I worked hard on are included in the bill. The aviation industry and American air passengers will be safer because of this bill. I urge my colleagues to support this bipartisan agreement so we can pass, finally, a long-term extension into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Thank you, Mr. President.

It is Congress's obligation to protect the public from abusive practices that harm consumers and dull the competitive process. Regrettably, Congress has failed to fulfill that obligation with the FAA reauthorization bill.

With this bill, Congress has missed a historic, once-in-a-generation opportunity to stop gargantuan airlines from gouging Americans with exorbitant fees. Last year, Senator ROGER WICKER, a Republican from Mississippi, and I secured a provision in the Senate FAA reauthorization bill that would protect passengers from ridiculous, sky-high airline fees. Our FAIR Fees—Forbidding Airlines from Imposing Ridiculous Fees—provision directed the Department of Transportation to, No. 1, assess whether change and cancellation, baggage, and other fees are reasonable and proportional to the costs of the services which are being provided, and secondly, to ensure that change and cancellation fees are reasonable.

Airline fees would be fair and reasonable—that is all the provision did. The reason we need that is simple. In a truly competitive industry, an airline would be unable to charge unreasonable fees because their competitors would undercut their prices. Darwinian, paranoia-inducing competition would drive down fees to reflect the actual costs of the services provided—the cost to check a bag, the cost to change a flight reservation, the cost of booking a passenger on standby for an earlier flight. Fair and reasonable. But the airline industry is far from competitive. In the past 10 years, we have gone from 10 major airlines down to 4. Four airlines now control 85 percent of traffic in the skies. An analysis from the U.S. Travel Association found that 74 airports are served by only 1 airline, while 155 airports are dominated by 1 carrier controlling over 50 percent of seat capacity. Here is the result: sky-high airline fees and a growing frustration with the modern flying experience.

To the surprise of no one, the airline industry launched a ferocious lobbying blitz against our bipartisan FAIR Fees provision, making its elimination from the bill their top priority. The airline industry lobbed all sorts of false accusations against these commonsense protections—profitability of the airlines would go down, passengers would no longer be able to change or cancel their flights—but not once did the industry actually defend the price of all of these fees to cancel or to change a flight. Not once did the industry actually demonstrate that their fees are reasonable and proportional to the cost of the services provided. That is because those costs are not proportional to the services being provided to the customer by the airlines.

The independent Government Accountability Office, GAO, recently released a report confirming what countless passengers across the country already know to be true: Airlines are gouging captive passengers to line their pockets, not to cover the actual costs of the services being provided. During a hearing last year, representatives from United Airlines and American Airlines testified that their change and cancellation fees bear no resemblance to the costs borne by the airline for actually canceling a ticket or changing a flight reservation.

Even in the past few weeks, as we worked in Congress to include important consumer protection measures in this final FAA legislation, the airlines continued to raise fees. That is how confident the airlines were that their powerful industry lobbyists would remove my provision and Senator WICKER's provision from the bill. Despite bipartisan support, despite the provisions included in the Senate bill, and despite the public outcry, the airline lobby knew that they could count on Congress to do their bidding, so they raised their fees anyway.

Last month, JetBlue Airways changed its cancellation fees from $150 to $200 for certain flights. JetBlue also raised fees for a passenger's first checked bag from $25 to $30 and increased the fees for a second checked bag from $35 to $40. That is $140 to check two bags roundtrip. Not surprisingly, almost immediately after, United Airlines, Delta Airlines, and American Airlines followed suit, raising their bag fees to match JetBlue's.

When I sent letters to the 11 major airlines inquiring as to why airline fees are on the rise even though there appears to be no appreciable increase in the cost of services provided, the airlines' response was predictable.

Eight airlines had refused to respond to my inquiry by last Thursday's deadline—a deadline I set to ensure that this body would have this critical information in hand when considering the FAA bill. There has been no response from United, American, and Delta. That is unacceptable. Of the three airlines that did respond, two could not explain whether their fees were reasonable to the costs of the services provided. The other refused to address the matter altogether, claiming that this information is ''proprietary,'' claiming that the flying public does not have the right to know if they are being gouged. That is the airline industry's position.

If it is not to cover the cost of the services provided—checking a bag, changing a flight reservation, canceling a ticket—why are the airlines charging these fees? The answer is, because they can. Last year, the airlines raked in $2.9 billion in change and cancellation fees. That is equivalent to the cost of 11 million flights from Washington to Boston. The airlines collected over $4.5 billion in checked bag fees, which is enough to buy 55 jumbo jets. The airlines have turned this nickel-and-diming into a multibillion-dollar industry—a $7.4 billion industry last year. Passengers think they are buying low-cost airfare, only to be gouged by proliferating airline fees.

The American public wants Congress to stop these abusive practices, and here in the Senate, we answered their call. We secured a bipartisan provision in the Senate FAA bill that would have stopped this fee epidemic once and for all. But through an opaque process and after months of lobbying against my bipartisan FAIR Fees provision, the airlines won and airline passengers lost.

What exactly are the airlines so afraid of? Why won't they even respond to my letters? The FAIR Fees provision doesn't set fees; it only directs the Department of Transportation to set up a public process to assess those fees. But that is exactly what the airlines oppose. They don't want to have to explain this, to be transparent about what they are doing, because if they did, the American people would know the truth—this is price-gouging in its purest form.

On behalf of the American flying public, the millions of Americans who are subjected to ridiculous airline fees, I will vote no on the FAA bill. And I vow to the public that this fight will not die with this bill. As the fees rise, pressure will mount on Congress to address this consumer protection, competition issue. We know the problem. FAIR Fees would have been the solution, but this bill does not include that solution, and this fight must go on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today in support of the bipartisan Federal Aviation Administration Reauthorization Act of 2018.

After six short-term extensions ranging from 1 week to just over a year, the Senate will finally pass comprehensive legislation that will set FAA policy until 2023. These short-term extensions keep the lights on, but they deny us the opportunity to make meaningful changes and better serve the American people.

I am a member of the Senate Committee on Commerce, Science, and Transportation, and I am proud of our committee's work that made this long-term reauthorization possible, but I am especially thankful to our committee chairman, JOHN THUNE, and ranking member, BILL NELSON, for their leadership throughout this process.

This bill makes critical investments in airport infrastructure. It promotes

competition and leadership in aviation, increases safety in the National Airspace System, and strengthens customer service practices across the commercial aviation sector.

The legislation delivers very strong support to our rural communities in Michigan and across the Nation by continuing the Essential Air Service, or EAS, Program. This program drives economic development and tourism while also connecting local residents to world-class healthcare. I will never stop fighting to ensure that Michigan's EAS airports—from Muskegon, to Houghton/Hancock, to Alpena—get the funding they need to continue to serve their communities.

In addition to driving sustained investment in rural communities, I support this long-term reauthorization because it gave me an opportunity to address a number of critical challenges that are facing our country. This bill includes provisions I authored that will help prepare our students for the high-tech jobs of today and tomorrow, secure public spaces in our airports, and remove the outdated Federal requirement that airports use firefighting foams containing fluorinated chemicals that contaminate groundwater and are causing disastrous human health effects across the country.

The FAA Reauthorization Act of 2018 will improve the competitiveness of our Nation's workforce by clearing the way for our students and educators to use unmanned aircraft systems, or UAS, for research, education, and job training. Whether this technology is used for critical infrastructure or boosting crop yields at our farms, UAS technology will create tens of thousands of new jobs in the coming years, and we need American students and workers ready to take advantage of that. That is why I worked across the aisle with Senator MORAN to introduce the Higher Education Unmanned Air Systems Modernization Act and include it in this long-term FAA bill.

This provision has the support of the Association of Public and Land-grant Universities, the Association of American Universities, and dozens of other colleges and universities all across our Nation.

Our brightest minds will have the ability to design, refine, and fly UAS to prepare our country for the safe integration of UAS into our National Airspace System.

In my home State of Michigan, Alpena Community College has created a UAS pilot training program that complements existing certificate programs, like the utility technology certificate, making their graduates even more competitive.

This will support job creation across the income spectrum, as our Nation's workforce will be able to get the training they need to operate these systems both safely and efficiently.

Ultimately, whether we are talking about UAS, passenger planes in the air, or travelers making their way through the airport, this is all about safety. In recent years, we have seen high-profile attacks at airports around the world but also in places like Flint, MI. These attacks have demonstrated the vulnerabilities of heavily trafficked public areas outside of security screening, such as baggage claim and pickup and dropoff areas.

I heard from our international airport in Detroit and others across the country that current airport funding streams often cannot be used for security projects in these public spaces. Their need for greater flexibility for airport infrastructure improvements led me and my colleague Senator GARDNER to introduce the bipartisan Secure Airport Public Spaces Act. This legislation would increase safety and security for airport passengers and visitors outside of the TSA screening areas. A critical provision of our bill was incorporated into this reauthorization bill that will now allow airports to use Airport Improvement Program funds on state-of-the-art surveillance cameras in these public areas, which will help monitor, prevent, and respond to potential attacks at airports across our Nation.

Finally, I would like to discuss what could be our Nation's defining public health challenge for generations—a group of harmful chemicals known as PFAS. The PFAS class is a group of over 4,700 manmade chemicals that have been used nationwide and internationally. These chemicals do not break down in the human body or in the environment, and they can accumulate over time and cause a great deal of harm. We already know that there are several health effects associated with exposure to certain PFAS. A few examples include compromised immune system function, cancers, endocrine disruption, and cognitive effects.

I have listened to families exposed to PFAS in Michigan, but PFAS are not just a Michigan issue. We know that there are over 170 sites in 40 States that are contaminated with PFAS. PFAS are so pervasive that it is estimated that up to 110 million Americans could have these chemicals in their water.

PFAS chemicals have been used for decades in a wide range of consumer products, including textiles, paper products, and cookware. In addition to all of these uses, they have also been used in firefighting foams for decades. These foams have been used on military bases and in our commercial airports. They have been used near businesses and neighborhoods, near ground water and surface water, near lakes and streams.

Last week, I worked with Senator RAND PAUL to convene a hearing in our Federal Spending Oversight Subcommittee that addressed the Federal Government's role in PFAS. We heard firsthand about the impact of this public health crisis on community members, firefighters, and veterans. Not only have these foams containing PFAS been used for decades, we are still requiring their use at American airports even as safe alternatives are now being developed and deployed abroad.

While there is a lot of work to be done related to remediation, human health research, filter technology, and more, we must stop making this problem worse. This is why I worked with Senators SULLIVAN, STABENOW, RUBIO, SHAHEEN, GILLIBRAND, and HASSAN to lead a commonsense addition to this FAA bill.

Our bipartisan provision gives airports the option to use fluorine-free foams. I also appreciate Congressman KILDEE for leading this effort in the House of Representatives.

Using fluorine-free foams is not a novel idea, but it is an idea whose time has come. Over 70 airports around the world are already using fluorine-free foams that have passed the most challenging of tests, and they have seen real success in combating fires. These airports include major international hubs such as Dubai, London Heathrow, Manchester, and Copenhagen. Every major airport in Australia has already made this transition.

It is past time that we catch up, and I am happy too that this important legislation will finally allow American airports to embrace safe, innovative firefighting technologies and stop using fluorinated foams.

I want to thank Chairman THUNE and Ranking Member NELSON, as well as Leader MCCONNELL and Leader SCHUMER, for their work to pass this important bipartisan legislation.

I urge my colleagues to support this critical long-term FAA reauthorization that will help keep PFAS out of our water. It will help drive investment in our Nation's workforce, and it will help ensure that our airports and skies are safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

TRIBUTE TO SSG RONALD J. SHURER

Ms. CANTWELL. Mr. President, I come to the floor to talk about the FAA reauthorization bill. Before I do that, I would like to take a moment to recognize a graduate of Rogers High School in Puyallup, WA. SSG Ronald J. Shurer II, who received the Medal of Honor yesterday for his selfless heroism in Afghanistan.

When he heard wounded members of his team were trapped on a hill, he didn't hesitate. In the face of heavy enemy fire, Staff Sergeant Shurer shielded three wounded teammates with his own body and helped them reach safety.

I congratulate Staff Sergeant Shurer for his heroism and bravery and his sacrifice, and I would like to congratulate him and his family on his receiving this honor. We in Washington are very proud of Staff Sergeant Shurer.

FAA REAUTHORIZATION BILL

Mr. President, turning to the FAA bill, which I hope we are going to be

considering very shortly, I am pleased that the Senate is looking at a 5-year reauthorization.

It wasn't that long ago that we were talking about short-term extensions and didn't know if we could get to this point of clearing the rest of these issues. I would like to thank my colleagues Chairman THUNE, Ranking Member NELSON, and Aviation Subcommittee Chairman BLUNT for helping get us to this point.

The work we have done on this legislation is so important because it is helping U.S. commercial aviation remain the safest and most secure in the world and to improve the traveling public's experience.

Just like so many other reauthorizations, this reflects an agreement by Congress on the need to focus on safety and security, to implement the latest and greatest technologies, and to increase the use of bomb-sniffing dogs to help the flying public feel more secure and to move quickly through our airports.

This legislation recognizes the values of the latest technologies across many aspects of the aviation sector from NextGen—which allows us to fly more efficiently—to expanded use of unmanned aerial vehicle systems, to new TSA equipment that, as I said, will help us move through security lines more efficiently and help make us safer.

While we need to keep on working to address infrastructure needs at our crowded airports, I can tell you most specifically that, for the Pacific Northwest, where we have seen some of the fastest growth in air transportation and demand by the public in recent years, this 5-year reauthorization does provide the FAA with the certainty it needs to use its Airport Improvement Program to invest in long-term projects that will help us increase capacity at large and small airports.

Again, I can't tell you how important this is for airports all over the State of Washington. Many of us know that about 90 percent of businesses are housed within about 10 miles of an airport. So the investment in the airport and airport infrastructure is an investment in our economy for the future. These projects in this bill, like the new runway that will be completed next year at Pullman-Moscow Regional Airport in eastern Washington with $100 million in Federal funding, gives communities the tools they need to keep that economy growing.

I can tell you, it is growing. With WSU and other institutions in the region, it is helping grow and attract some of the best technology in Next Generation Energy. The fact that the airport is able to expand helps all of us in the region grow.

The Federal funding that will continue to be provided in this bill is critical for airports to increase their capacity and help our economy. Under programs reauthorized in this legislation, Sea-Tac is currently completing a $14 million runway and taxi reconstruction. Spokane has received $15 million for airfield improvements, and airports from Everett to Walla Walla to Winthrop have each received millions of dollars through these programs to keep their facilities up to date.

The Tri-Cities Airport in Pasco was awarded $7 million to install an inline baggage screening system in their new terminal. Yes, our airports depend on to continue to move forward on FAA and infrastructure investment.

This legislation also expands the Small Community Air Service Development Program, which provides grants to communities to help them attract and maintain critical air service by creating marketing programs and providing incentives to airlines. This has been a great tool for our State, including airports in Walla Walla, Spokane, Yakima, Wenatchee, and Pasco, as they have used these resources to help grow service. Once service is established, it is easy to maintain. Why? Because they have helped get the carrier and the traffic and they can see that it can be sustained.

The United States has the best aviation safety record in the world, and the FAA's oversight and certification procedures are critical in maintaining that. This bill continues with making sure that those procedures remain strong.

The bill helps us with what are called contract air traffic control towers in making sure that small communities that are working to retain air service can do so by making sure that their towers remain in operation. These contract towers provide a key layer of safety at smaller airports and in the region. Places like Yakima, Wenatchee, Spokane, Bellingham, Renton, and Walla Walla will not be saddled with the responsibility for these contract towers but will receive support so that they, too, can handle the demand of air transportation. Contract towers handle about 28 percent of ATC operations, yet they account for about 14 percent of the FAA's tower operations budget.

The bill recognizes the important role, also, that flight attendants play in ensuring cabin safety by making sure they receive adequate rest. This legislation finally puts them on par with our pilots. It says that they have to have their 10 hours of rest, as well, so that they can function and continue to help us with the traveling public.

The bill preserves access to important safety tools. It bans the FAA from removing contract weather observers from airports for the next several years. Why is this so important? Because at airports with changing conditions where we need human observation of critical weather measurements, this helps us maintain safety. In places like Spokane, WA, where conditions can change quickly and freezing conditions can be quite common, this helps us maintain safety.

The bill also takes important steps toward securing airports and airplanes with reauthorization of the Transportation Security Administration.

We know that there is no better tool in our airports today to helping us make sure they operate safely and securely by having explosive detecting K–9 units. That is why I was proud to lead a provision in the bill that will help us expand the use of bomb-detecting K–9s for screening our passengers and protecting the public at our airports. What we are seeing is that security lines at our airports move much more rapidly when these K–9s are present.

Yes, they are a deterrent in and of themselves, and they help speed up lines. But they also are there to detect the use of explosives or other materials, and they are doing an unbelievable job. That is why this provision allows for larger airports to get more K–9 units certified by TSA and work with them to address long lines at our airports.

In the Northwest, we have seen that these K–9s can do unbelievable things to help us. In fact, Seattle-Tacoma International Airport has been one of the fastest growing airports for the last several years, and the K–9s have helped us through these checkpoints in the passenger screening process where they can screen almost 60 percent more passengers per hour than a checkpoint without K–9s.

It is so important that this legislation helps us get more K–9s trained and more coordination between airports and TSA as these new tools are improved. We are so happy that it is included in this legislation.

We also give smaller airports more tools to improve security. The bill contains a program to implement exit lane technology at small hub airports. It contains a $55 million authorization to reimburse airports for deploying local law enforcement officers to help maintain public areas in large and small airports.

These tools are also important because our airports have had more and more responsibility; yet we need them to operate efficiently and effectively. At the same time, we are trying to improve the flying experience. More people are flying than ever before, and airplanes and airports are becoming more cramped and chaotic.

This FAA bill is set to make sure that there are minimum dimensions for passenger seats. It raises the bar on some of the other safety improvements to make sure that the traveling public and disabled passengers are treated with dignity and respect.

The bill also requires airlines to provide prompt refunds so that passengers are paid in a timely fashion when they are due a refund.

It also improves other technology in unmanned air systems, an increased use of important commercial, scientific, and public safety issues that are now at the advent of what we see with drone applications.

These are so important because we want to move forward with our Coast

Guard, with our Forest Service, with transportation, using information and data to help us do our jobs better. This important piece of legislation helps us make sure we are improving safety and oversight by the right amount for these new systems that will be part of this package.

I am so glad to have worked with my colleagues on this very broad bipartisan piece of legislation. I can't tell you how important aviation is to the State of Washington. We are a big aviation-manufacturing State. Yes, we like to build and sell airplanes, but we also know that, as our economy has grown, our airports are a key tool, as they are in any State, to continue to grow and continue to manage the challenges of air transportation.

This bill is the right tool for many airports across the State of Washington and across the Nation to continue to grow, to continue to manage that population growth, and ensure safety and efficiency.

I encourage my colleagues to support this legislation. There are many more things we need to do, but this is a good down payment for the next 5 years.

I thank Chairman THUNE and Ranking Member NELSON for getting us to this point today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I come to the floor to talk about a few good things that have happened in Washington this week. At a time when people are looking at Washington and wondering whether things are getting done, let me just suggest, on the floor this week, we are going to pass landmark legislation that will deal with a crisis we have in our States—every single one of us—and that is the opioid issue. I will talk about that in a minute.

FUNDING FOR NATIONAL PARKS

Mr. President, first, let me mention that today, in the Energy and Natural Resources Committee and with a vote of 19 to 4, we passed legislation to help our national parks. It is historic in the sense that it is probably the most funding we have ever put against the long-term maintenance problems at our parks.

We have more visitors at our parks than ever. Yet we have crumbling roads and bridges and water systems. We have, literally, campgrounds and other areas that are closed off because of the lack of funding for these longer term projects, which is the deferred maintenance backlog—about $12 billion now. We have come up with a bipartisan solution to try to address that by using some of the oil and gas revenues, onshore and offshore, from Federal lands. It is an example of how we are moving things forward.

USMCA

Mr. President, finally, I am encouraged that the President and his team have negotiated an agreement to add Canada, along with Mexico, to a new North American trade agreement. They are not calling it NAFTA; they have changed the name to the U.S.-Mexico-Canada Agreement. I think this is going to be a step forward. I have now looked at the summary from it. We don't have the details yet—and I, of course, want to see the final details—but I think it has two general advantages for us.

One is that it will encourage more production in North America of things like automobiles because you have to have a higher American content—Canadian, Mexican, and U.S. content now—in automobiles than you did under the old agreement. You will have more cars being built in America and North America as well as auto parts. I think that is good.

I also think there are other things in the agreement that will help to encourage production in the United States because it will level the playing field more with our country. It does things with regard to Canada that are long overdue to try to keep it from putting protection policies in place on its agriculture products, especially its dairy products. So, when it sends powdered milk to us now, it can't take advantage of the subsidies it is providing for its milk producers, as an example. It lets our dairy farmers be able to compete on a more level playing field.

Those are the kinds of things that are in the agreement. I, again, look forward to seeing the entire agreement. I think having a North American compact that is updated is good because the NAFTA agreement was 24 years old. We have modernized it and put new labor standards in place, as an example.

The second, again, is to level the playing field further with these countries in our region that are our allies and, therefore, should not be viewed as national security threats. We shouldn't be putting tariffs in place on them on a national security basis, which we were doing and threatening to do more of, including on autos under section 232, it is called. We now have better trade agreements with these countries that are our allies but that also had some barriers in place for our exports. We need to be sure their imports are going to be fairly traded in this country. So it is positive, I think, to have this agreement.

Now, frankly, it enables us as a North American market to be more effective in dealing with some of the trade disputes we have had with other parts of the world, most notably with China, with which we do have a lot of unfair trade going on. China is not playing by the rules often, and this helps us to have Canada and Mexico with us to be able to address those issues with China, as an example.

Those are some of the things that are happening this week that I am happy about, and I think we are making some progress.

OPIOID EPIDEMIC

Mr. President, let me go back to what is going to be voted on, on this floor, I am told, sometime tomorrow. Probably tomorrow afternoon, this Senate will take up legislation that has now been passed in the House and passed in the Senate. There has been a conference committee between the two bodies, and it has come up with a final product. I think the final product has a lot of good things in it that will help push back against this opioid epidemic that is growing in our country.

On my way to Washington yesterday, I went by a memorial service for a young man who had died of an opioid overdose. I had known him and have known his family for a long time. It strikes close to home for pretty much everybody in this Chamber, I am sure, and for pretty much everybody who is listening. When we have our tele-townhall meetings and I ask this question, which I do regularly—I had two tele-townhall meetings last month—''Have you been affected by the opioid issue,'' most people say yes.

In fact, in parts of our State, in Southeastern Ohio, where we had a tele-townhall meeting recently, two-thirds of the people on the call said, yes, they were directly affected. That is because, sadly, this issue has grown to the point where last year 72,000 Americans lost their lives to the opioid epidemic. That is more people than we lost in the entire Vietnam war in 1 year. That many people died from opioid overdoses in 1 year. It is a grim statistic, and it is a record level.

Although Congress has done some good things in the last couple of years in passing legislation to help, those legislative efforts to have better prevention programs in place, more treatment offered, more longer term recovery programs, more first responders with Narcan—this miracle drug that can reverse the effects of an overdose—that is starting to happen, but it is being overwhelmed with the influx of drugs, particularly this new synthetic form of opioid that is coming into our communities.

It is usually called fentanyl, sometimes it is called carfentanil, but in my home State of Ohio and in other States around the country, this is resulting with a much higher overdose death rate than even the horrible drugs like heroin and the prescription drugs that are causing these opioid addictions—cocaine, methamphetamines, and crystal meth. This drug, fentanyl, is growing and growing rapidly.

I will tell you, in Ohio, we had about a 4,000-percent increase in fentanyl overdose deaths just in the last 5 years. Let me repeat that. There was a 4,000-percent increase in deaths from

fentanyl. About two-thirds of our overdose deaths over time in Ohio are due to this synthetic form of opioid.

By the way, this stuff is coming from overseas, mostly through our U.S. mail system. It is outrageous that this is being permitted without the proper screening.

The legislation we are going to vote on this week—probably tomorrow afternoon—will finally put in place legislation called the STOP Act that we have worked on. Senator KLOBUCHAR and I are the coauthors of it. We have worked on this for 3 years now to get it to this point.

We had hearings. We had an investigation in the Permanent Subcommittee on Investigations to understand what was going on and how to deal with it, how to stop it. We found out, unbelievably, that the U.S. Postal Service is the main conduit for this poison. We also found out that the Postal Service is pushing back against putting additional screening in place.

We also found out that private carriers, like FedEx, UPS, or DHL, will require every single package to have advanced electronic information provided to law enforcement to help stop this poison, to be able to find that needle in the haystack, that package out of the 900 million the post office deals with every year that might have this poison in it.

Under this legislation, the STOP Act, the post office is now going to have to do what these other private carriers do, and that is really important.

In our investigation, where we used undercover resources to talk to websites, to find out what was being offered, to look behind the websites to find out what was really going on with this fentanyl issue, we found out that if you shipped it by the U.S. mail system, they guaranteed delivery but not if you shipped it through a private carrier. Why? Because they knew the private carriers had this electronic data that provided in advance what is in it, where it is going, where it is coming from, and then law enforcement can use Big Data to figure out what packages are suspect and take them offline.

I have seen that done at the distribution centers of these private carriers. I have also spent a lot of time talking to the post office about it. They are now going to implement this legislation, I hope, aggressively.

It requires 100 percent of packages, within a couple of years, to have this data on it and right away for China. It will be 100 percent for China this year because, according to law enforcement, unfortunately, China is the country where most of this is coming from. It gives us the opportunity to be able to stop some of this poison coming into our communities. That is really important.

To me, getting that passed is just common sense. I think it is overdue. I am disappointed it took us this long. How many people had to die before Congress stood up and did the right thing with regard to telling our own post office, ''You have to provide better screening''? So it should be done.

Having said that, that is not going to solve the problem. Yes, having a cutoff of some of the supply of this poison is important. To a certain extent, it stops it from coming into our communities, and it is going to raise the price on the street because you are cutting the supply. That is important because it is so cheap and so powerful. It is 50 times more powerful than heroin, but that is not the ultimate solution.

The ultimate solution is us, isn't it? It is in our hearts, in our families, in our communities to push back by having better prevention and education in place, by ensuring people who become addicted, who have this disease of addiction, have access to treatment to get them better so their lives can be turned around and they can go back to their families and to their work and to being productive citizens.

We need longer term recovery programs because we know shorter term treatment isn't very successful. So many people relapse after a short-term treatment program, but a longer term recovery program with it—let's say with sober housing—with support from people who are recovery coaches who have been in recovery themselves, that is going to lead to a more successful result. Drug courts are very important in this.

This legislation we are going to vote on this week does have the STOP Act, but it also has these other pieces. It reauthorizes the drug court system, as an example, diverting people out of incarceration into drug courts where they agree they are going to go into treatment and stay clean or risk going back into prison or jail if they don't. That has worked very effectively in parts of my State and around the country, as an example, to get people clean.

The legislation also does something really important that some of us have been fighting for years. We have had legislation to do this for the last 3 years, but it has really been about a 10-year battle. It is this issue of treatment centers that receive reimbursement from Medicaid being capped at a certain number of beds with a certain number of days that people can stay. It is called the IMD exclusion, or the Institutions for Mental Disease exclusion.

This is an arcane part of Federal law. It is an example where, well-intended, years ago Congress said: We are going to put this limitation in place on treatment centers because we want to deinstitutionalize people, particularly in mental health facilities, because we have had some examples of abuse in these institutional care settings and people aren't getting the help they need so let's limit the number of beds you can have in these treatment centers on the mental health side to try to deal with the problem.

Then the opioid crisis came. I would argue even before the opioid crisis this was true with regard to cocaine and meth and other things. Beds are at a premium in many places in our country. I have spots in Ohio that don't have any treatment centers. I have communities that literally don't have a place where people can go. So what happens is, these people go out of the county or out of their communities to find a place or they simply don't find treatment. Other examples are where people go to a treatment center, and they are told: Sorry, you have to come back in a couple of weeks. We just don't have any beds.

There is nothing more heartbreaking than talking to a family or talking to a parent, as I have done, who talks about, in this case, his daughter going to a treatment center with him and his wife. She was finally ready—and when you are ready with this disease, with this addiction disease, you need to act. You need to get into treatment. She was ready, but they told her: There is no room at the inn. There is no bed for you. You have to come back in a couple of weeks. It was during those 2 weeks that she had a tough time. She overdosed again in their home and died.

That family is really happy about this legislation because this will say to these treatment centers: You are not going to be capped at a certain number of beds. If you are doing a good job and providing the kind of treatment we want to have you provide, we don't want you to be capped at a certain number of beds.

Again, this legislation that is currently in place with the 16-bed limit is a vestige of another time. This will enable us to take that limit off and provide more treatment to so many Americans.

We also provided in this legislation that those who want to get this exclusion lifted also have to provide at least two kinds of medication-assisted treatment to people, which we know, based on the evidence—depending on the person—is more successful. So we want to encourage people to offer medication-assisted treatment to get people off their addiction.

It also says it is not limited to a certain kind of drug. There was some expansion of this in the previous legislation in the House, and some of us in the Senate introduced a bill a few weeks ago that is very similar to our final product that said: Let's not limit it just to those who have opioid addiction or even just opioid addiction and cocaine addiction; let's open it up to people who have substance abuse addiction—it can be alcohol, it can be crystal meth, which is unfortunately growing in some of our States, and it can be opioids. So we broadened it for individuals with substance abuse disorders.

We have said, these institutions need to provide the best possible treatment, medication-assisted treatment. Through this legislative effort that is going to be voted on here tomorrow, we have been able to open up a whole

other possibility for people who are addicted. It is something we have worked on for many years.

It is important we expand these services. It is important we tell people: If you are ready, we are going to find a treatment center for you—because we want these people to get better.

We are told most people who are addicted don't seek treatment—probably 8 out of 10 don't. One of the tricks is how do you get these people into treatment and into treatment in a way that is comprehensive where there are not big gaps. So between the overdose and the Narcan being applied, you want to be sure there is not a gap before treatment because people go back to their old community and, unfortunately, there are too many cases of people overdosing again and again. So get them into treatment but then from treatment into longer term recovery. We have to smooth that gap out so people are handed off to a facility or to an outpatient program that can help them ensure a greater level of success.

Then how do you have this ability to say to people, ''We are going to be there for you,'' because, unfortunately, particularly with this opioid addiction, all the evidence coming in shows that long-term care really helps.

Again, Congress has already taken some steps in the last couple of years with the Cures Act and the Comprehensive Addiction and Recovery Act, the so-called CARA legislation. There is more going on in our States.

I visited about a dozen different places in our State where they are taking advantage of the funding from the Comprehensive Addiction and Recovery Act, legislation I coauthored a couple years ago with Senator WHITEHOUSE on the other side. It is starting to work. It is closing some of the gaps we are talking about.

The Cures legislation goes right back to the States. Last year, Ohio got about $26 million for that. It is very helpful for us because we are struggling to provide enough resources for treatment, particularly. Then now we have this additional bill to build on CARA and Cures.

I think over time this will have the effect of reversing what we have seen as a terrible and deadly trend, which is more and more Americans overdosing, dying, not being in the workplace, not being with their families, and not being productive citizens. This is something that affects every single one of us.

If you go to your hospital, you will see that the emergency room is overburdened. If you go to your NICU unit where these babies are being born who are addicted, babies who have neonatal abstinence syndrome—these babies can fit in the palm of your hand or your two palms—and they have to be taken through withdrawal. How sad that innocent babies have to be taken through withdrawal because they were born to a mother who was using and who was addicted.

These are all things that must be addressed and can be. Again, our legislation is going to help do that.

I will say, as much progress as we are making on education, treatment, recovery, and with our first responders helping, as long as you have this deadly poison coming in, this fentanyl, the synthetic opioid that is 50 times more powerful than heroin and relatively inexpensive because it is being made by some evil scientist somewhere out of synthetics, out of chemicals—as long as you have that overwhelming the system, it is hard to see us reversing the trend. That is why the STOP Act is so important.

We also reauthorized the HIDTA Program for high intensity drug trafficking areas. We need to push back on the supply side. We need to do more in terms of the demand side. With that, I will predict that when all of this is implemented properly, we will see some hope at the end of this dark tunnel. We will see fewer funerals like the one I was at yesterday.

Instead, what we will see are families beginning to come back together, people beginning to have the opportunity to achieve their God-given potential in life, whatever it is. God's purpose for these addicts certainly isn't to continue to be an addict. His purpose is for them to have a meaningful life also, as well as for all of us. It is in all of our interests.

My hope is, we can pass this legislation tomorrow, get it to the President, he will sign it, get it out to our States and communities, and begin to make the difference that can indeed begin to reverse this terrible epidemic and reverse the tide.

UNANIMOUS CONSENT AGREEMENT

Mr. President, I ask unanimous consent that Senators be allowed to present legislative items at the desk during today's session of the Senate.

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

Mr. PORTMAN. Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

FAA REAUTHORIZATION

Mrs. SHAHEEN. Mr. President, I am here this afternoon to address two pieces of legislation that are coming before the Senate. One we are currently waiting to consider is a long-term reauthorization of the Federal Aviation Administration, and the second, which I hope we will soon consider, is comprehensive legislation to address the Nation's opioid epidemic.

I begin by thanking Chairman THUNE and Ranking Member NELSON for their work to deliver a bipartisan, bicameral FAA reauthorization bill that provides a 5-year reauthorization for the agency. The last time we reauthorized the FAA, when I was in the Senate, I think it took us 23 tries to get it done over a period of time that was actually longer than the original authorization, but this time we are doing it much faster, with three short-term extensions. Last week, the House passed this bill, the FAA reauthorization, with broad bipartisan support, and I hope the Senate is going to act quickly so we can get this bill to the President's desk for signature.

The FAA has not received a long-term reauthorization since February of 2012. Short-term reauthorizations fail to give the FAA the certainty and the necessary resources they need to make to improve our Nation's airports and make commercial air travel safer for all passengers.

I think it is particularly an issue right now as we are switching over to the NextGen system of air traffic control. Last month, I had a chance to visit with air traffic controllers in New Hampshire at the Terminal Radar Approach Control Facility in Merrimack, also called the TRACON. What I heard from folks there was that a long-term reauthorization bill means that the TRACON and Merrimack will be able to upgrade its systems to keep our airways safe, while also allowing the center to continue to hire well-qualified, trained controllers to meet staffing needs.

The bill we have before us now provides critical investments through the Airport Improvement Program that provides grants to airports nationwide for planning and development projects that these airports would be unable to complete otherwise. In New Hampshire, where we have a number of small airports, this grant program is particularly important.

It also increases investments in the Essential Air Service Program, which provides services that would otherwise be too cost prohibitive for airlines to operate in rural communities like we have in New Hampshire. For example, EAS is vital for Granite Staters who utilize the Lebanon Municipal Airport and depend on this service for access to regularly scheduled flights that would not otherwise be available. I am sure the Presiding Officer has an appreciation for the Lebanon Municipal Airport, since he went to school at Dartmouth in that region of the State and knows how important that airport is to New Hampshire.

I am also pleased the FAA bill includes legislation I introduced as part of it to permanently reauthorize the Human Intervention Motivation Study, the HIMS Program, and also directs the National Research Council to study how other subagencies within the Department of Transportation could create similar programs to fight drug and alcohol addiction within their workforces.

HIMS, as it is known, is an employee assistance program that provides education and outreach in order to coordinate the identification, treatment,

medical recertification, and return to the cockpit of flight officers with substance misuse issues. HIMS doesn't provide direct treatment but instead helps identify those who are in need, and it facilitates the successful return to work. It is an industrywide effort in which airlines, pilot unions, and the FAA work together to preserve careers and promote air safety. Since its implementation, the program has successfully helped over 5,800 pilots, and it provides airlines with a $9 return on every dollar that is invested.

There are a lot of lessons from the HIMS Program that I think have real resonance to other agencies within the Department of Transportation, and I am hoping the study that is authorized as part of the FAA bill we are considering will be able to be shared so we can see how other agencies can also benefit from this.

Right now, we have a 1-week extension on the FAA bill that expires this Sunday, October 7. I hope this bill is going to come to the floor for final passage before we go home this week.

OPIOID EPIDEMIC

Mr. President, second, I also want to point out that I hope the Senate will be moving soon to advance the SUPPORT for Patients and Communities Act, which is comprehensive legislation to address the opioid epidemic. It is legislation that is the product of real bipartisan collaboration, not only within multiple committees within the Senate but multiple committees within both Chambers of Congress. It really shows we can work together across the aisle to help combat a crisis that has such a devastating impact on so many of our communities across the country. In my State of New Hampshire, where we have been particularly devastated, we have the second highest rate of overdose deaths from opioids of any State in the country.

What I have heard from Granite Staters time and again is that local providers and communities need more resources and flexibility to expand access to opioid treatment and prevention. This legislation responds to that call for action.

I am proud to have worked with Senator HASSAN and Senators from across the aisle to ensure that this bill includes a reauthorization of the State opioid response grants, with the inclusion of the set-aside funding pool for States like New Hampshire that have been hardest hit by the epidemic.

I am also pleased that the bill includes provisions of legislation I cosponsored with Senator COLLINS to provide technical assistance and resources to peer recovery support networks. These networks play a vital role in a patient's successful recovery.

The bill extends flexibility for physicians and other practitioners who are seeking to expand access to medication-assisted treatment, or MAT. Ensuring that more patients can receive MAT services is critical to stemming the tide of the opioid epidemic.

The bill provides a variety of improvements to prescription drug monitoring programs, which has been a priority for New Hampshire. It includes a number of provisions that will improve the ability of Federal, State, and local law enforcement to reduce the illicit distribution of opioids and interdict particularly deadly synthetics like fentanyl, which is really the source of so many overdose deaths across the country.

The legislation reauthorizes critical law enforcement programs that work to combat drug trafficking, including the High Intensity Drug Trafficking Areas Program, HIDTA. I had an opportunity in January to visit the New England HIDTA Program headquarters in Massachusetts, and I saw firsthand the work they are doing to combat the flow of illicit drugs.

Finally, this opioid legislation provides much needed focus on addressing the impact of the opioid epidemic on children and families. If we don't get ahead of this epidemic, we are going to see another generation of children who are going to be lost because of what has happened in their families because of substance abuse disorders.

This bill will help pregnant women with substance use disorders access the maternity care they need. It has programs that will give families better options for treating opioid withdrawal in newborns, programs like Moms in Recovery that Dartmouth-Hitchcock does so well in New Hampshire. What we are seeing in some hospitals in New Hampshire is that as much as 10-percent of babies are born with neonatal abstinence syndrome, or NAS, caused by their mothers using opioids while they were pregnant. The bill will also help spur new family-focused interventions for parents struggling with opioid use disorders so that fewer kids will be raised in foster care.

In sum, the policies included in this bipartisan legislation will go a long way toward helping us fight the opioid epidemic. We will need to continue to focus Federal resources on this crisis in the years to come. This is an important step forward in making sure at the Federal level that we are working with States and communities to address this multifaceted public health challenge. If we all work together, we can help end the devastation that is being caused by opioids. I look forward to joining all of our colleagues in supporting this bill soon.

At this point, I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Idaho.

RECOGNIZING MICRON TECHNOLOGY

Mr. RISCH. Mr. President, I rise today on behalf of myself and my good friend and colleague, also from Idaho, Senator CRAPO, and we wish to honor an exceptional business from our great State. That business is Micron Technology.

Although Micron began in Idaho with just four employees, it will celebrate its 40th anniversary this week as one of the world's top tech companies, with thousands of employees worldwide.

Micron started as a semiconductor design company in the basement of a Boise dental office in 1978. Soon after it broke ground on its first fabrication plant in 1980, Micron introduced the world to the smallest 256K dynamic random access memory. By 1994, Micron's development of solid state drives and other flash memory technology in its product portfolio earned it a spot on the Fortune 500 list. Today, Micron's team of more than 34,000 employees spans the globe from Boise, Silicon Valley, and Virginia, to Singapore, Taiwan, Japan, and Europe.

As one of the top four semiconductor companies in the world, Micron works with the world's most trusted brands and is the only pure play memory company headquartered in the Western Hemisphere. Throughout its 40-year history, Micron has contributed to more than 40,000 patents and continues to advance memory and storage technologies that enable innovations in artificial intelligence, machine learning, and autonomous vehicles. Micron's advancements have made the United States a leader in technology and give the Nation a competitive edge in data storage, security, and supercomputing.

In addition to its renowned technological developments, I am proud that Micron is working to transform the communities where its team members live and work, providing resources to educate the next generation of scientists, inventors, and engineers.

In 2017, Micron was ranked 23rd in the Fortune Just 100, Forbes' list of companies with the best and most just business behavior.

Last year, the Micron Foundation awarded more than 550 grants worldwide and donated more than $10 million to education and community-related causes.

I wish to congratulate Micron on its long list of accomplishments and thank the company for the opportunities it provides for Idahoans and for all Americans. The advances Micron's solutions provide for computing across our country are considerable. It is my pleasure to recognize its 40th anniversary on October 5, 2018. We all wish Micron the best of luck and continued success as a global technology leader and world-class semiconductor company.

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

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

OPIOID EPIDEMIC

Mr. BROWN. Mr. President, everyone in this Chamber knows how bad the opioid crisis is. In Ohio, based on the averages, 11 people died yesterday, 11

people will die today, and 11 people will die tomorrow from a drug overdose. We have a long way to go to fight this, but right now, we are taking an important step to get resources to communities, doing innovative work, and tearing down the redtape regulations that prevent people from getting treatment.

This week we will pass a comprehensive package of legislation to fight addiction. Several of these bills are important to Ohio.

I worked with my Republican colleague from West Virginia, Senator CAPITO, on a bipartisan CRIB Act to support treatment centers for babies with neonatal abstinence syndrome, like Brigid's Path in Dayton, Lily's Place in Huntington that serves people across the river in Lawrence County, OH, and elsewhere.

Brigid's Path in Ohio is one of just two residential treatment centers like this in the country. Again, Huntington, WV, on the Ohio River, across the river from Ohio, and Brigid's Path in Dayton are the only two of these in the country.

I am meeting in my office tomorrow with folks from Brigid's Path to talk with them about the important work they are doing in our State.

NAS is caused by the use of opioids or other addictive substances during pregnancy. It has become a growing challenge for families and healthcare providers in States like Ohio.

Recent studies show that cases of NAS have tripled over the past decade. Right now, babies are usually treated in the neonatal intensive care unit, known as NICUs—the neonatal intensive care unit—where treatment costs are five times the cost of treating other newborns, but given the relative bright lights and the relative loud noises in neonatal units, the NICU is not always the best place for newborns struggling with withdrawal. They are even more sensitive to noise and light than other premature babies that might be in a NICU.

Residential pediatric recovery facilities like Brigid's Path can give these infants specialized care as well as bringing the mothers and the families in for counseling in a setting outside the chaos of a hospital. So while they are treating the newborn baby, they also have opportunities with some wraparound services to treat the addicted mothers so mother and child and others in the family can have a normal, healthy life.

These unique venues are relatively new. The CRIB Act will allow them to bill Medicaid for the services they offer. The CRIB Act, Brigid's Path in Dayton, OH, and the Huntington program are not eligible for Medicaid because they are neither a doctor nor a hospital. So this bill will make them eligible for Medicaid and will save millions of dollars. As more of these facilities like Brigid's Path and Lily's Place are formed around the country, we will be saving millions and millions of Medicaid dollars. Instead of going to the more expensive, less-effective neonatal intensive care unit, they are going to Brigid's Path and other places like that.

As I said, the CRIB Act will allow them to bill Medicaid for their services, expanding options for care for the thousands of babies who need specialized treatment. Unfortunately, thousands of babies are born to addicted mothers.

This package will also do some other things that matter. It will lift the cap on the number of beds at Medicaid-funded treatment facilities for 5 years, something Senator PORTMAN and I have worked on for a long time. My colleague from Ohio, in the opposite party from me, has been working on opioid issues for some time, and this is one of the issues on which we worked together.

The bill includes Senator PORTMAN's STOP Act that I supported and that will work with my INTERDICT Act that Senator PORTMAN and others supported, that was signed into law by the White House several months ago, that will help keep illegal fentanyl, a synthetic substance much more toxic and powerful than heroin, and something called carfentanil off the streets.

We know we have more work to do to fight this crisis. We need more resources in our communities in Ohio. This package is a bipartisan step forward. I hope we can get this to the President's desk and signed into law soon.

One sort of editorial comment also. I was a fairly young kid when I first started hearing about this, and we all know about this. In the mid-1960s—a huge number of Americans smoked tobacco—the U.S. Surgeon General first brought to the public's attention that smoking caused people's life expectancy, lifespans, to be considerably shorter because of all the illnesses coming from smoking. In one of the great success stories in public health in the last half century, the Federal Government worked together with local health officials, physicians, nurses, hospitals, cancer societies, the American Heart Association, and others—starting with warnings on cigarette packs and all the things we do now—and the rate of smoking in this country considerably dropped from what it was in the mid-1960s.

Our country, led by the Federal Government in many cases—and people can say what they want about the government, but the Federal Government led the way on tobacco, on that public health initiative against tobacco. We can help lead the way, and we can work with local communities in addressing this terrible public health affliction of opioid addiction. It will matter to the next many generations if we do this right.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

CHICAGO HEAL INITIATIVE

Mr. DURBIN. Mr. President, one of the clearest indicators of the success or failure of any public health system is average life expectancy. Between the United States and other countries around the world, there are dramatic differences in life expectancy compared to the United States.

But you don't have to fly thousands of miles to see a place where people live sicker and die younger than their neighbors. In Chicago, hop on the Blue Line and go from the Loop to the ''L'' stop in West Garfield Park. Between those two neighborhoods—just 5 miles apart—life expectancy plummets 16 years. How can that possibly be?

Chicago is home to some of the greatest hospitals in the world. The best doctors, the best nurses, the best technology—it is all there, but not for them. As it turns out, how healthy we are and how long we live depends more on our ZIP Code than our genetic code.

While countries overseas face challenges with infectious disease or high child mortality rates, children in Chicago are dying preventable deaths of another form: an epidemic of gun violence. Yes, we need better gun laws, but the reality is that this Congress and this President do not want to take commonsense action.

So what else can be done to address the root causes of violence?

Last year I introduced a bill that would increase funding to train more teachers, doctors, and social service providers to identify and provide care to children with emotional scars left from witnessing violence and exposure to other adverse childhood experiences. Major parts of this bill were included in the opioid package that already passed the House and I hope will pass the Senate soon.

But I asked myself: What else can we do? Then it hit me: hospitals.

The hospitals in Chicago are on the frontlines of the city's gun violence epidemic, providing high-quality care to heal bodies ripped apart by bullets, but the ability of hospitals to reduce violence in Chicago goes far beyond the extraordinary, lifesaving care they provide in the ER.

Hospitals in Cook County, IL, pump $49 billion a year into the local economy, and they employ 232,000 people. Hospitals are often the largest employers in their communities.

For several months, I brought together the CEOs of the 10 largest hospitals serving the city of Chicago. I asked them three questions: What is your hospital is doing to make your neighborhoods safer and better? What more can you do? And how can I help?

We identified a number of Chicago neighborhoods that they serve—or are

too often underserved—to focus our efforts.

Remember, these institutions compete with each other every day, but together, we came up with unified roadmap—a set of common goals and commitments that are endorsed by all 10 hospitals.

Over the next 3 years, these 10 hospitals will expand economic opportunities for local residents by: increasing local hiring by 15 percent—that means hundreds, or thousands, of new local hires; increasing the goods they purchase from local businesses by 20 percent—meaning millions in procurement dollars; and expanding summer employment, internships, and job training programs for residents in health fields.

The 10 hospitals are committing to opening new health clinics in schools and community centers and expanding the availability of mental health services.

They will enhance their clinical healthcare practices by increasing lead screening rates by 15 percent, reducing opioid prescribing by 20 percent, prioritizing maternal and infant health outcomes, and researching gun violence.

This new hospital-led effort is focused on two things: reducing gun violence and healthcare inequality. It is called the Chicago HEAL Initiative: ''Hospital Engagement, Action and Leadership.''

According to the American Hospital Association, it may be the first such regional hospital partnership to tackle a local issue. The hospitals in the Chicago HEAL Initiative are already working on many these goals through an impressive variety of programs, but this new initiative will drive real change by bringing a new sense of partnership and focusing on activities outside of hospitals' traditional services within their four walls.

I am pleased to launch this new effort, and will do whatever I can in Washington to help reduce violence and uplift communities.

160TH ANNIVERSARY OF YWCA

Mrs. MURRAY. Mr. President, I wish to congratulate the YWCA for its dedication to supporting women, girls, and their families in honor of the organization's 160th anniversary.

YWCA is one of the oldest, largest, and most inclusive organizations in our Nation, and it has maintained a long history of distinguished service. The organization has been the forefront at some of the most important social movements of our time, from civil rights and women's equality, to healthcare reform and gender-based violence prevention.

Nationwide, YWCA has 210 local associations across 47 States and the District of Columbia that help to empower 2 million women, girls, and their families each year. In my home State of Washington, there are 11 YWCA local associations, all of which have been proudly serving women and girls for over 60 years. These YWCAs protect and empower hundreds of thousands of Washingtonian women and children each year, and I am grateful for their work.

YWCA is the largest network of domestic violence service providers in our Nation and provides critical services to more than half a million women and girls each year, including support programs for survivors of sexual assault and domestic violence. Now, more than ever, this is vital to ensuring the safety and well-being of survivors across the country. Additionally, YWCA associations offer economic empowerment programs that engage over 260,000 women and racial justice education and training programs that engage over 160,000 people.

I stand today in strong support of YWCA's mission to eliminate racism, empower women, stand up for social justice, promote peace, help families, and strengthen local communities.

I offer congratulations to YWCA on your 160 years of improving the lives of women and girls across the United States.

Thank you.

Mr. PORTMAN. Mr. President, today I wish to congratulate the YWCA for 160 years of service dedicated to supporting women, girls, and their families across the United States.

Throughout its storied history, YWCA has been committed to eliminating racism, empowering women, and freedom and dignity for all.

YWCA has been at the forefront of many critical social movements, including civil rights, women's empowerment, gender-based violence prevention, and more. Additionally, it is the largest network of domestic violence and sexual assault service providers in the country, reaching more than half a million women and girls annually.

Serving a total of more than 2 million women, girls, and their families each year, with 210 local associations across 46 States and the District of Columbia, this organization's impact is vast, but its focus is local.

In Ohio, there are 14 YWCA associations, and I am proud of the work they do in my State. I have worked to help YWCA's important mission through my legislation to combat sex trafficking, help those gripped by addiction—particularly mothers and children—get the care they need, improve prisoner reentry, allow kids aging out of foster care to more easily access Federal support for housing, and more.

YWCA breaks barriers and empowers women to help them live up to their God-given potential. Congratulations on your 160 years of improving the lives of women and girls—and on many more to come.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. HARRIS) has signed the following enrolled bills:

S. 2269. An act to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 3354. An act to amend the Missing Children's Assistance Act, and for other purposes.

S. 3508. An act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

S. 3509. An act to reauthorize the Congressional Award Act.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 3:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 49. Concurrent resolution providing for a correction in the enrollment of S. 2553.

MEASURES REFERRED

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

H.R. 6737. An act to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6964. An act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 2, 2018, she had presented to the President of the United States the following enrolled bills:

S. 2269. An act to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 3354. An act to amend the Missing Children's Assistance Act, and for other purposes.

S. 3508. An act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

S. 3509. An act to reauthorize the Congressional Award Act.

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–6725. A communication from the Chair of the Board of Governors, Federal Reserve

System, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on the Presidential $1 Dollar Coin Program''; to the Committee on Banking, Housing, and Urban Affairs.

EC–6726. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during calendar year 2017 relative to the Equal Credit Opportunity Act; to the Committee on Banking, Housing, and Urban Affairs.

EC–6727. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Indemnification Payments'' (RIN2590–AA68) received in the Office of the President of the Senate on October 1, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–6728. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation for Overseas Contingency Operations/Global War on Terrorism all amounts (including rescissions) and contributions from foreign governments so designated by the Congress in the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, pursuant to section 251 (b) (2) (A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the enclosed list of accounts; to the Committee on the Budget.

EC–6729. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation for Overseas Contingency Operations/Global War on Terrorism all funding so designated by the Congress in the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019, pursuant to section 251 (b) (2) (A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the accounts referenced in section 7058(d) of Public Law 115–141 and continued under the Act; to the Committee on the Budget.

EC–6730. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements'' (RIN1004–AE53) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Energy and Natural Resources.

EC–6731. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Minerals Management: Adjustment of Cost Recovery Fees'' (RIN1004–AE57) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Energy and Natural Resources.

EC–6732. A communication from the Chief of the Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Oil and Gas and Sulfur Operations on the Outer Continental Shelf—Oil and Gas and Production Safety Systems'' (RIN1014–AA37) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Energy and Natural Resources.

EC–6733. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, reports of the trade advisory committees regarding a trade agreement with Mexico and Canada; to the Committee on Finance.

EC–6734. 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 2018–0157–2018–0161); to the Committee on Foreign Relations.

EC–6735. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Outdated and Superseded Regulations—Career and Technical Education National Programs'' (RIN1830–AA24, 1830–AA25, 1830–AA26, 1830–AA27, 1830–AA28, 1830–AA29, and 1830–AA30) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6736. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Subject to Certification; D and C Yellow No. 8'' (Docket No. FDA–2017–C–2902) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6737. A communication from the Assistant General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Tax Withholding on Court Ordered Payments'' (5 CFR Part 1653) received in the Office of the President of the Senate on September 27, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–6738. A communication from the Impact Analyst, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Veteran-Owned Small Business (VOSB) Verification Guidelines'' (RIN2900–AP97) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Veterans' Affairs.

EC–6739. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Acquisition Regulation: Taxes; Quality Assurance; Transportation; Solicitation Provisions and Contract Clauses; and Special Procurement Controls'' (RIN2900–AQ04) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Veterans' Affairs.

EC–6740. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Definition of Domiciliary Care'' (RIN2900–AP00) received in the Office of the President of the Senate on September 28, 2018; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 645. A bill to require the Secretary of Commerce to conduct an assessment and analysis of the effects of broadband deployment and adoption on the economy of the United States, and for other purposes (Rept. No. 115–341).

S. 2343. A bill to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States (Rept. No. 115–342).

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

S. 1896. A bill to amend section 8331 of title 5, United States Code, and the Fair Labor Standards Act of 1938 to clarify the treatment of availability pay for Federal air marshals and criminal investigators of the Transportation Security Administration, and for other purposes.

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 Ms. KLOBUCHAR:

S. 3536. A bill to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOKER:

S. 3537. A bill to provide an increased allocation of funding under certain programs for assistance in persistent poverty counties, and for other purposes; to the Committee on Environment and Public Works.

By Ms. HARRIS:

S. 3538. A bill to establish pilot programs for, and require the development of policies with respect to, the use of body-worn cameras by officers and agents of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY:

S. 3539. A bill to prohibit the General Services Administration from awarding contracts to certain insured depository institutions that avoid doing business with certain companies that are engaged in lawful commerce based solely on social policy considerations; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for himself, Mr. DURBIN, Mrs. MURRAY, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. CARPER, Ms. HEITKAMP, Mr. WARNER, Ms. BALDWIN, Mr. MURPHY, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. GILLIBRAND, Ms. WARREN, Ms. HIRONO, Mr. WYDEN, Mr. BOOKER, Mr. VAN HOLLEN, Mr. SANDERS, Mr. JONES, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. MARKEY, Ms. KLOBUCHAR, Mr. CARDIN, Mr. UDALL, Mr. KAINE, Mr. REED, Mr. LEAHY, and Mr. HEINRICH):

S. 3540. A bill to provide a coordinated regional response to manage effectively the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras; 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 Ms. BALDWIN (for herself, Mr. ROBERTS, Ms. HASSAN, Mr. CARDIN, Mr. VAN HOLLEN, Mr. REED, Mr. BROWN, Mr. KING, Mrs. MURRAY, Ms. KLOBUCHAR, Mrs. SHAHEEN, Ms. DUCKWORTH, Mr. YOUNG, and Mr. SANDERS):

S. Res. 665. A resolution designating October 2018 as ''National Employee Ownership Month''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 66

At the request of Mr. HELLER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 66, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 206

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 206, a bill to amend the Higher Education Act of 1965 to allow the Secretary of Education to award job training Federal Pell Grants.

S. 352

At the request of Mr. CORKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 352, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick ''Roddie'' Edmonds in recognition of his heroic actions during World War II.

S. 793

At the request of Mr. BOOKER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

S. 1503

At the request of Ms. WARREN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1706

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1706, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 2360

At the request of Ms. HEITKAMP, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2360, a bill to provide for the minimum size of crews of freight trains, and for other purposes.

S. 2957

At the request of Mr. CRAPO, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 2957, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 2971

At the request of Mr. BOOKER, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Oregon (Mr. MERKLEY), the Senator from Delaware (Mr. COONS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

S. 3130

At the request of Ms. WARREN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 3130, a bill to amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes.

S. 3172

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 3172, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 3257

At the request of Mr. CRUZ, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3321

At the request of Mr. COONS, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 3321, a bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden and to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson in recognition of their contributions to the success of the National Aeronautics and Space Administration during the Space Race.

S. 3492

At the request of Ms. DUCKWORTH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3492, a bill to improve the removal of lead from drinking water in public housing.

S. 3507

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3507, a bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to prescribe regulations providing that a presumption of service connection is warranted for a disease with a positive association with exposure to a herbicide agent, and for other purposes.

S. 3530

At the request of Mr. REED, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3530, a bill to reauthorize the Museum and Library Services Act.

S. RES. 220

At the request of Mr. MENENDEZ, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. Res. 220, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and rights for adhering to their beliefs and practices and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 633

At the request of Mrs. MCCASKILL, the names of the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Indiana (Mr. DONNELLY), the Senator from Oregon (Mr. MERKLEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 633, a resolution expressing the sense of the Senate that Congress should take all appropriate measures to ensure that the United States Postal Service remains an independent establishment of the Federal Government and is not subject to privatization.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

By Mr. SCHUMER (for himself, Mr. DURBIN, Mrs. MURRAY, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. CARPER, Ms. HEITKAMP, Mr. WARNER, Ms. BALDWIN, Mr. MURPHY, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. GILLIBRAND, Ms. WARREN, Ms. HIRONO, Mr. WYDEN, Mr. BOOKER, Mr. VAN HOLLEN, Mr. SANDERS, Mr. JONES, Mr. BENNET, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. MARKEY, Ms. KLOBUCHAR, Mr. CARDIN, Mr. UDALL, Mr. KAINE, Mr. REED, Mr. LEAHY, and Mr. HEINRICH):

S. 3540. A bill to provide a coordinated regional response to manage effectively the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras; to the Committee on the Judiciary.

S. 3540

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 ''Central America Reform and Enforcement Act''.

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

SEC. 2. FINDINGS.

Congress finds the following:

(1) Since 2008, incidents of murder, other violent crime, and corruption perpetrated by criminal networks, armed gangs and groups, and illicit trafficking organizations have remained at alarmingly levels in El Salvador, Guatemala, and Honduras.

(2) In 2017, El Salvador and Honduras—

(A) continued to be among the most violent countries in Latin America and the world, with 60 and 42 murders for every 100,000 people, respectively; and

(B) were characterized by a high prevalence of gang-related violence and crimes involving sexual and gender-based violence.

(3) El Salvador and Honduras are both among the top 3 countries in the world with the highest child homicide rates, with more than 22 and 32 deaths per 100,000 children respectively, according to the nongovernmental organization Save the Children.

(4) A November 2017 report by the United Nations Development Programme and UN Women stated that femicide ''is taking on a devastating magnitude and trend in Central America, where 2 in every 3 women murdered, are killed because of their gender.''.

(5) Since 2014, elevated numbers of unaccompanied minors, women, and other vulnerable individuals have fled violence in Central America's Northern Triangle and left for the United States in search of protection.

(6) Unaccompanied minors emigrating from El Salvador, Guatemala, and Honduras cite violence, forced gang recruitment, extortion, poverty, and lack of opportunity as reasons for leaving their home countries.

(7) Challenges to the rule of law in the Northern Triangle continue to be exacerbated by high levels of impunity related to murders and violent crime. In 2015, approximately 95 percent of murders taking place in Honduras and El Salvador remained unresolved.

(8) The presence of major drug trafficking organizations in the Northern Triangle contributes to violence, corruption, and criminality. According to the Department of State's 2017 International Narcotics Control Strategy Report, El Salvador, Guatemala, and Honduras continue to be transit countries for illicit drugs originating from countries in South America that are destined for the United States.

(9) In June 2018, the Office of the United Nations High Commissioner for Human Rights found that in El Salvador, a pattern of behavior among security personnel and weak institutional responses may have resulted in extrajudicial executions and excessive use of force, with official figures indicating an alarming increase in the number of persons (alleged gang-members) who have been killed by security personnel.

(10) Widespread public sector corruption in the Northern Triangle undermines economic and social development and directly affects regional political stability.

(11) Human rights defenders, journalists, trade unionists, social leaders, and LGBT activists in the Northern Triangle face dire conditions, as evidenced by—

(A) the March 2016 murder of the prominent Honduran environmental activist, Berta Caceres; and

(B) the ongoing targeted killing of civil society leaders in all 3 countries in the Northern Triangle.

(12) The Northern Triangle struggles with high levels of economic insecurity. In 2016, 60.9 percent of Hondurans and 38 percent of Salvadorans lived below the poverty line. In 2014, 59.3 percent of Guatemalans lived below the poverty line.

(13) Weak investment climates, low levels of tax collection, and low levels of educational opportunity are barriers to inclusive economic growth and social development in the Northern Triangle.

(14) In January 2018 and May 2018, the Trump Administration announced the termination of Temporary Protected Status designations for Honduras and El Salvador, respectively, which would affect more than 500,000 individuals and their United States citizen children who may have to return to dangerous conditions in those countries.

(15) In a November 2017 letter to the Department of Homeland Security, then Secretary of State Rex Tillerson warned that as a result of ending Temporary Protected Status, the Governments of El Salvador and Honduras ''may take retaliatory actions counter to our long-standing national security and economic interests like withdrawing their counternarcotics and anti-gang cooperation with the United States, reducing their willingness to accept the return of their deported citizens, or refraining from efforts to control illegal migration.''.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) United States support is necessary to address irregular migration by addressing the violence and humanitarian crisis in the Northern Triangle, which has resulted in the elevated numbers of Central American unaccompanied children, women, and other refugees and migrants arriving at the Southwestern border of the United States;

(2) the violence and humanitarian crisis is linked to the severe challenges posed by—

(A) high rates of homicide, sexual and gender-based violence, and violent crime perpetrated by armed criminal actors, including drug trafficking organizations and criminal gangs, such as the MS-13 and 18th Street gangs;

(B) endemic corruption carried out by organized networks and the weak rule of law, including the limited institutional capacity of national police forces, public prosecutors, and court systems; and

(C) the limited capabilities and lack of political will on the part of Northern Triangle governments to establish the rule of law, guarantee security, and ensure the well-being of their citizens;

(3) the United States must work with international partners—

(A) to address the complicated conditions in the Northern Triangle that contribute to the violence and humanitarian crisis; and

(B) to guarantee protections for vulnerable populations, particularly women and children, fleeing violence in the region;

(4) the Plan of the Alliance for Prosperity in the Northern Triangle, which was developed by the Governments of El Salvador, Guatemala, and Honduras, with the technical assistance of the Inter-American Development Bank, represents a comprehensive approach to address the complex situation in the Northern Triangle;

(5) the United States Strategy for Engagement in Central America, as first developed by President Obama and Vice President Biden, provides important support for the Alliance for Prosperity and other United States national security priorities, including rule of law and anti-corruption initiatives;

(6) the Trump Administration's proposed cuts in United States foreign assistance for Central America for fiscal years 2018 and 2019, if implemented, would undermine the United States ability to work with the Governments of El Salvador, Guatemala, and Honduras to address critical United States national security priorities and the factors driving migration to the United States;

(7) the Trump Administration must reverse its decision to terminate the Temporary Protected Status designations for El Salvador and Honduras in order to prevent negative consequences to United States foreign policy objectives;

(8) the United States should partner with the Government of Mexico—

(A) to strengthen Mexico's internal asylum system; and

(B) ensure that Mexico upholds international and humanitarian standards;

(9) combating corruption in the Northern Triangle must remain a critical priority and the United States must continue its public and financial support for the United Nation's Commission Against Impunity in Guatemala (CICIG) and the Organization of American States' Mission to Support the Fight Against Corruption and Impunity in Honduras (MACCIH) as part of this effort;

(10) the Government of Guatemala should reverse its efforts—

(A) to terminate CICIG's mandate; and

(B) to undermine the effectiveness of CICIG's ongoing operations, including prohibiting the current CICIG Commissioner from entering the country; and

(11) it is imperative for the United States to implement a multi-year strategy and sustain a long-term commitment to addressing the underlying factors causing Central Americans to flee their countries by strengthening citizen security, the rule of law, democratic governance, the protection of human rights, and inclusive economic growth in the Northern Triangle.

SEC. 4. DEFINITIONS.

In this Act:

(1) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(2) NORTHERN TRIANGLE.—The term ''Northern Triangle'' means El Salvador, Guatemala, and Honduras.

(3) PLACEMENT.—The term ''placement'' means the placement of an unaccompanied alien child with a sponsor.

(4) PLAN.—The term ''Plan'' means the Plan of the Alliance for Prosperity in the Northern Triangle.

(5) SPONSOR.—The term ''sponsor'' means a sponsor referred to in section 462(b)(4) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(4)).

(6) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given the term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

TITLE I—ADVANCING REFORMS IN CENTRAL AMERICA TO ADDRESS THE FACTORS DRIVING MIGRATION

Subtitle A—Strengthening the Capacity of Central American Governments To Protect and Provide for Their Own People

SEC. 111. UNITED STATES STRATEGY FOR ENGAGEMENT IN CENTRAL AMERICA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a 7-year, interagency strategy, titled ''the United States Strategy for Engagement in Central America'', to advance reforms in Central American countries that address the factors driving migration.

(b) ELEMENTS.—The strategy under subsection (a) shall include efforts to—

(1) strengthen the rule of law, improve access to justice, and bolster the effectiveness and independence of judicial systems and public prosecutors' offices, and the effectiveness of civilian police forces;

(2) combat corruption and improve public sector transparency;

(3) confront and counter the violence and crime perpetrated by armed criminal gangs, illicit trafficking organizations, and organized crime;

(4) disrupt money laundering operations and the illicit financial operations of criminal networks, armed gangs, illicit trafficking organizations, and human smugglers;

(5) strengthen democratic governance and promote greater respect for internationally recognized human rights, labor rights, fundamental freedoms, and the media, including through the protection of human rights and environmental defenders, other civil society activists, and journalists;

(6) enhance the capability of Central American governments to protect and provide for vulnerable and at-risk populations;

(7) address the underlying causes of poverty and inequality;

(8) address the constraints to inclusive economic growth in Central America;

(9) prevent and respond to endemic levels of sexual and gender-based violence; and

(10) enhance accountability for government officials, including security force personnel, credibly alleged to have committed gross violations of human rights or other crimes.

(c) COORDINATION AND CONSULTATION.—In formulating the strategy under subsection (a), the Secretary of State shall—

(1) coordinate with the Secretary of the Treasury, the Secretary of Defense, the Secretary of Homeland Security, the Attorney General, and the Administrator of the United States Agency for International Development; and

(2) consult with the Director of National Intelligence.

(d) SUPPORT FOR CENTRAL AMERICAN EFFORTS.—To the degree feasible, the strategy under subsection (a) shall support or complement efforts being carried out by the Governments of El Salvador, of Guatemala, and of Honduras under the Plan, in coordination with the Inter-American Development Bank and other bilateral and multilateral donors.

(e) PRIORITIZATION.—The strategy under subsection (a) shall prioritize programs and initiatives to address the key factors in Central American countries that contribute to the flight of unaccompanied alien children and other individuals to the United States.

SEC. 112. AUTHORIZATION OF APPROPRIATIONS FOR UNITED STATES STRATEGY FOR ENGAGEMENT IN CENTRAL AMERICA.

There are authorized to be appropriated $1,500,000,000 for fiscal year 2019 to carry out the strategy described in section 111.

SEC. 113. STRENGTHENING THE RULE OF LAW AND COMBATING CORRUPTION.

(a) IN GENERAL.—In advancing the strategy under section 111, of the amounts authorized to be appropriated pursuant to section 112, $550,000,000 are authorized to be made available to the Secretary of State and the Administrator of the United States Agency for International Development to strengthen the rule of law, combat corruption, consolidate democratic governance, and defend human rights.

(b) ASSISTANCE FOR CENTRAL AMERICA.—The Secretary and the Administrator may use the amounts made available under subsection (a) to provide assistance for Central American countries through the activities described in subsection (c).

(c) AUTHORIZED ACTIVITIES.—Activities described in this section include—

(1) strengthening the rule of law in Central American countries by providing support for—

(A) the Office of the Attorney General, public prosecutors, judges, and courts in each such country, including the enhancement of their forensics capabilities and services;

(B) reforms leading to independent, merit-based, selection processes for judges and prosecutors, independent internal controls, and relevant ethics and professional training, including training on sexual and gender-based violence;

(C) the improvement of victim and witness protection and access to justice; and

(D) the reform and improvement of prison facilities and management;

(2) combating corruption by providing support for—

(A) inspectors general and oversight institutions, including relevant training for inspectors and auditors;

(B) international commissions against impunity, including the International Commission Against Impunity in Guatemala and the Support Mission Against Corruption and Impunity in Honduras;

(C) civil society watchdogs conducting oversight of executive branch officials and functions, police and security forces, and judicial officials and public prosecutors; and

(D) the enhancement of freedom of information mechanisms;

(3) consolidating democratic governance by providing support for—

(A) the reform of civil services, related training programs, and relevant career laws and processes that lead to independent, merit-based, selection processes;

(B) national legislatures and their capacity to conduct oversight of executive branch functions;

(C) the reform and strengthening of political party and campaign finance laws and electoral tribunals; and

(D) local governments and their capacity to provide critical safety, education, health, and sanitation services to citizens; and

(4) defending human rights by providing support for—

(A) human rights ombudsman offices;

(B) government protection programs that provide physical protection to human rights defenders, journalists, trade unionists, and civil society activists at risk;

(C) civil society organizations that promote and defend human rights, freedom of expression, freedom of the press, labor rights, environmental protection, and LGBT rights; and

(D) civil society organizations that address sexual, domestic, and inter-partner violence against women and protect victims of such violence.

SEC. 114. COMBATING CRIMINAL VIOLENCE AND IMPROVING CITIZEN SECURITY.

(a) IN GENERAL.—In advancing the strategy under section 111, of the amounts authorized to be appropriated pursuant to section 112, $550,000,000 are authorized to be made available to the Secretary of State and the Administrator of the United States Agency for International Development to counter the violence and crime perpetrated by armed criminal gangs, illicit trafficking organizations, and human smugglers.

(b) ASSISTANCE FOR CENTRAL AMERICA.—The Secretary and the Administrator may use the amounts made available under subsection (a) to provide assistance for Central American countries through the activities described in subsection (c).

(c) AUTHORIZED ACTIVITIES.—Activities described in this section include—

(1) professionalizing civilian police forces by providing support for—

(A) the reform of personnel recruitment, vetting and dismissal processes, including the enhancement of polygraph capability for use in such processes;

(B) inspectors general and oversight offices, including relevant training for inspectors and auditors, and independent oversight mechanisms, as appropriate;

(C) community policing policies and programs;

(D) the establishment of special vetted units;

(E) training and the development of protocols regarding the appropriate use of force and human rights;

(F) training on civilian intelligence collection (including safeguards for privacy and basic civil liberties), investigative techniques, forensic analysis, and evidence preservation;

(G) training on the management of complex, multi-actor criminal cases; and

(H) equipment, such as nonintrusive inspection equipment;

(2) countering illicit trafficking by providing assistance to the civilian law enforcement and armed forces of Central American countries, including support for—

(A) the establishment of special vetted units;

(B) the enhancement of intelligence collection capacity (including safeguards for privacy and basic civil liberties);

(C) the reform of personnel recruitment, vetting, and dismissal processes, including the enhancement of polygraph capability for use in such processes; and

(D) port, airport, and border security systems, including—

(i) computer infrastructure and data management systems;

(ii) secure communications technologies;

(iii) nonintrusive inspection equipment;

(iv) radar and aerial surveillance equipment;

(v) canine units; and

(vi) training on the equipment, technologies, and systems listed in clauses (i) through (v);

(3) disrupting illicit financial networks, including by providing support for—

(A) finance ministries, including the enhancement of the capacity to use financial sanctions to block the assets of individuals and organizations involved in money laundering and the financing of armed criminal gangs, illicit trafficking networks, human smugglers, and organized crime;

(B) financial intelligence units, including the establishment and enhancement of anti-money laundering programs; and

(C) the reform of bank secrecy laws; and

(4) improving crime prevention by providing support for—

(A) educational initiatives to reduce sexual and gender-based violence;

(B) the enhancement of police and judicial capacity to identify, investigate, and prosecute sexual and gender-based violence;

(C) the enhancement of programs for at-risk and criminal-involved youth, including the improvement of community centers throughout El Salvador, Guatemala, and Honduras; and

(D) alternative livelihood programs.

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) operational technology transferred to governments in Central America for intelligence or law enforcement purposes should be used solely for the purposes for which the technology was intended;

(2) the United States should take all necessary steps to ensure that the use of operation technology described in paragraph (1) is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association; and

(3) the assistance to Central American armed forces described in subsection (c)(2) should be limited to assistance that relates to—

(A) the armed forces activities to combat illicit maritime and riverine trafficking; and

(B) illicit trafficking occurring at national borders.

SEC. 115. TACKLING EXTREME POVERTY AND ADVANCING ECONOMIC DEVELOPMENT.

(a) IN GENERAL.—Of the amounts authorized to be appropriated pursuant to section 112, $400,000,000 are authorized to be made available to the Secretary of State and the Administrator of the United States Agency for International Development to improve economic development and the underlying causes of poverty.

(b) ASSISTANCE FOR CENTRAL AMERICA.—The Secretary and the Administrator may use the amounts made available under subsection (a) to provide assistance for Central American countries through the activities described in subsection (c).

(c) AUTHORIZED ACTIVITIES.—Activities described in this section include—

(1) strengthening human capital, including by providing support for—

(A) workforce development and entrepreneurship training programs that are driven by market demand, specifically programs that prioritize women, at-risk youth, and minorities;

(B) improving early-grade literacy and the improvement of primary and secondary school curricula;

(C) relevant professional training for teachers and educational administrators; and

(D) educational policy reform and improvement of education sector budgeting;

(2) enhancing economic competitiveness and investment climate by providing support for—

(A) small business development centers and programs that strengthen supply chain integration;

(B) trade facilitation and customs harmonization programs;

(C) reducing energy costs through investments in clean technologies and the reform of energy policies and regulations;

(D) the improvement of protections for investors, including dispute resolution and arbitration mechanisms; and

(E) the improvement of labor and environmental standards, in accordance with the Dominican Republic–Central America Free Trade Agreement;

(3) strengthening food security, including by providing support for—

(A) small-scale agriculture, including—

(i) technical training;

(ii) initiatives that facilitate access to credit; and

(iii) policies and programs that incentivize government agencies and private institutions to buy from local producers;

(B) agricultural value chain development for farming communities;

(C) nutrition programs to reduce childhood stunting rates; and

(D) investment in scientific research on climate change and climate resiliency; and

(4) improving the state of fiscal and financial affairs, including by providing support for—

(A) domestic revenue generation, including programs to improve tax administration, collection, and enforcement;

(B) strengthening public sector financial management, including strategic budgeting and expenditure tracking; and

(C) reform of customs and procurement policies and processes.

Subtitle B—Conditions, Limitations, and Certifications on United States Assistance

SEC. 121. ASSISTANCE FUNDING AVAILABLE WITHOUT CONDITION.

The Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, may obligate up to 25 percent of the amounts appropriated pursuant to section 112 that are made available for the Governments of El Salvador, Guatemala, and Honduras to carry out the United States Strategy for Engagement in Central America.

SEC. 122. CONDITIONS ON ASSISTANCE RELATED TO COMBATING, SMUGGLING, AND PROVIDING FOR SCREENING AND SAFETY OF MIGRANTS.

(a) NOTIFICATION AND COOPERATION.—In addition to the amounts authorized to be made available under sections 121 and 123, 25 percent of the amounts appropriated pursuant to section 112 that are made available for assistance for the Governments of El Salvador, of Guatemala, and of Honduras may only be made available after the Secretary of State, in consultation with the Secretary of Homeland Security, consults with, and subsequently certifies and reports to the appropriate congressional committees that such governments are taking effective steps, in addition to steps taken during previous years, to—

(1) combat human smuggling and trafficking, including investigating, prosecuting, and increasing penalties for individuals responsible for such crimes;

(2) improve border security and border screening to detect and deter illicit smuggling and trafficking, while respecting the rights of individuals fleeing violence and seeking humanitarian protection asylum, in accordance with international law;

(3) cooperate with United States Government agencies and other governments in the region to facilitate the safe and timely repatriation of migrants who do not qualify for refugee or other protected status, in accordance with international law;

(4) improve reintegration services, in open partnership with civil society organizations, for repatriated migrants in a manner that ensures the safety and well-being of the individual and reduces the likelihood of repeated migration to the United States; and

(5) cooperate with the United Nations High Commissioner for Refugees to improve protections for, and the processing of, vulnerable populations, particularly women and children fleeing violence.

SEC. 123. CONDITIONS ON ASSISTANCE RELATED TO PROGRESS ON SPECIFIC ISSUES.

(a) EFFECTIVE IMPLEMENTATION.—In addition to the amounts authorized to be obligated under sections 121 and 122, 50 percent of the amounts appropriated pursuant to section 112 that are made available for assistance for the Governments of El Salvador, of Guatemala, and of Honduras may only be made available after the Secretary consults with, and subsequently certifies and reports to, the appropriate congressional committees that such governments are taking effective steps in their respective countries, in addition to steps taken during the previous calendar year, to—

(1) establish and ensure the proper functioning of an autonomous, publicly accountable entity to provide oversight of the Plan;

(2) combat corruption, including investigating and prosecuting government officials, military personnel, and civilian police officers credibly alleged to be corrupt;

(3) implement reforms and strengthen the rule of law, including increasing the capacity and independence of the judiciary and public prosecutors;

(4) counter the activities of armed criminal gangs, illicit trafficking networks, and organized crime;

(5) establish and implement a plan to create a professional, accountable civilian police force and curtail the role of the military in internal policing;

(6) investigate and prosecute, through the civilian justice system, military and police personnel who are credibly alleged to have violated human rights, and to ensure that the military and the police are cooperating in such cases;

(7) counter and prevent sexual and gender-based violence;

(8) cooperate, as appropriate, with international human rights entities and international commissions against impunity, including the United Nation's Commission Against Impunity in Guatemala (CICIG), the Organization of American States' Mission to Support the Fight Against Corruption and Impunity in Honduras (MACCIH), and any other similar entities that may be established;

(9) implement electoral and political reforms, including reforms related to improving the transparency of financing political campaigns and political parties;

(10) protect the right of political opposition parties, journalists, trade unionists, human rights defenders, and other civil society activists to operate without interference;

(11) increase government revenues, including by enhancing tax collection, strengthening customs agencies, and reforming procurement processes;

(12) implement reforms to strengthen educational systems, vocational training programs, and programs for at-risk youth;

(13) resolve commercial disputes, including the confiscation of real property, between United States entities and the respective governments; and

(14) implement a policy by which local communities, civil society organizations (including indigenous and marginalized groups), and local governments are consulted in the design, implementation, and evaluation of the activities of the Plan that affect such communities, organizations, or governments.

(b) ADDITIONAL ELEMENTS.—The Secretary of State may not certify that the Government of Guatemala is taking effective steps to address the issues listed in subsection (a) until after the Government of Guatemala—

(1) extends the mandate of the International Commission against Impunity in Guatemala (CICIG) beyond 2019; and

(2) permits the CICIG Commissioner and CICIG staff to carry out their work with government obstruction.

(c) EXCEPTION.—The certification and reporting requirements under subsection (a) and section 122(a) shall not apply to the amounts appropriated pursuant to section 112 for assistance to the International Commission against Impunity in Guatemala and the Mission to Support the Fight against Corruption and Impunity in Honduras.

SEC. 124. ADDITIONAL LIMITATIONS.

(a) DEPORTATIONS AND REPATRIATIONS.—None of the amounts authorized to be appropriated pursuant to section 112 may be used to assist in the deportation or repatriation of any foreign person from a third country to his or her country of origin or to another country.

(b) FUND TRANSFERS.—Notwithstanding any other provision of law, the Secretary of State may not transfer amounts appropriated for the Department of State to any account managed by the Department of Homeland Security for the purpose of assisting in the deportation or repatriation of any foreign person from a third country to his or her country of origin or to another country, absent a specific authorization from Congress for such transfer.

Subtitle C—Effectively Coordinating United States Engagement in Central America

SEC. 131. UNITED STATES COORDINATOR FOR ENGAGEMENT IN CENTRAL AMERICA.

(a) DESIGNATION.—Not later than 30 days after the date of the enactment of this Act, the President shall designate a senior official to coordinate all of the Federal Government's efforts, including coordination with international partners—

(1) to strengthen citizen security, the rule of law, and economic prosperity in Central America; and

(2) to protect vulnerable populations in the region.

(b) SUPERVISION.—The official designated under subsection (a) shall report directly to the President.

(c) DUTIES.—The official designated under subsection (a) shall coordinate all of the efforts, activities, and programs related to United States Strategy for Engagement in Central America, including—

(1) coordinating with the Department of State, the Department of Justice (including the Federal Bureau of Investigation), the Department of Homeland Security, the intelligence community, and international partners regarding United States efforts to dismantle and disrupt armed criminal gangs, illicit trafficking networks, and organized crime responsible for high levels of violence, extortion, and corruption in Central America;

(2) coordinating with the Department of State, the United States Agency for International Development, and international partners regarding United States efforts to prevent and mitigate the effects of violent criminal gangs and transnational criminal organizations on vulnerable Central American populations, including women and children;

(3) coordinating with the Department of State, the Department of Homeland Security, and international partners regarding United States efforts to counter human smugglers illegally transporting Central American migrants to the United States;

(4) coordinating with the Department of State, the Department of Homeland Security, the United States Agency for International Development, and international partners, including the United Nations High Commissioner for Refugees, to increase protections for vulnerable Central American populations, improve refugee processing, and strengthen asylum and migration systems throughout the region;

(5) coordinating with the Department of State, the Department of Defense, the Department of Justice (including the Drug Enforcement Administration), the Department of the Treasury, the intelligence community, and international partners regarding United States efforts to combat illicit narcotics traffickers, interdict transshipments of illicit narcotics, and disrupt the financing of the illicit narcotics trade;

(6) coordinating with the Department of State, the Department of the Treasury, the Department of Justice, the intelligence community, the United States Agency for International Development, and international partners regarding United States efforts to combat corruption, money laundering, and illicit financial networks;

(7) coordinating with the Department of State, the Department of Justice, the United States Agency for International Development, and international partners regarding United States efforts to strengthen the rule of law, democratic governance, and human rights protections; and

(8) coordinating with the Department of State, the Department of Agriculture, the United States Agency for International Development, the Overseas Private Investment Corporation, the United States Trade and Development Agency, the Department of Labor, and international partners, including the Inter-American Development Bank, to strengthen the foundation for inclusive economic growth and improve food security, investment climate, and protections for labor rights.

(d) CONSULTATION.—The official designated under subsection (a) shall consult with Congress, multilateral organizations and institutions, foreign governments, and domestic

and international civil society organizations.

Subtitle D—United States Leadership for Engaging International Donors and Partners

SEC. 141. REQUIREMENT FOR STRATEGY TO SECURE SUPPORT OF INTERNATIONAL DONORS AND PARTNERS.

(a) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

(b) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a 3-year strategy to the appropriate congressional committees that—

(1) describes how the United States will secure support from international donors and regional partners (including Colombia and Mexico) for the implementation of the Plan;

(2) identifies governments that are willing to provide financial and technical assistance for the implementation of the Plan and a description of such assistance; and

(3) identifies the financial and technical assistance to be provided by multilateral institutions, including the Inter-American Development Bank, the World Bank, the International Monetary Fund, the Andean Development Corporation—Development Bank of Latin America, and the Organization of American States, and a description of such assistance.

(c) DIPLOMATIC ENGAGEMENT AND COORDINATION.—The Secretary of State, in coordination with the Secretary of the Treasury, as appropriate, shall—

(1) carry out diplomatic engagement to secure contributions of financial and technical assistance from international donors and partners in support of the Plan; and

(2) take all necessary steps to ensure effective cooperation among international donors and partners supporting the Plan.

(d) REPORT.—Not later than 1 year after submitting the strategy under subsection (b), and annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) the progress made in implementing the strategy; and

(2) the financial and technical assistance provided by international donors and partners, including the multilateral institutions listed in subsection (b)(3).

(e) BRIEFINGS.—Upon a request from 1 of the appropriate congressional committees, the Secretary of State shall provide a briefing to such committee that describes the progress made in implementing the strategy submitted under subsection (b).

TITLE II—CRACKING DOWN ON CRIMINAL GANGS, CARTELS, AND COMPLICIT OFFICIALS

Subtitle A—Strengthening Cooperation Among Law Enforcement Agencies To Target Smugglers and Traffickers

SEC. 211. ENHANCED INTERNATIONAL COOPERATION TO COMBAT HUMAN SMUGGLING AND TRAFFICKING.

The Secretary of State, in coordination with the heads of relevant Federal agencies, shall expand partnership efforts with law enforcement entities in El Salvador, Guatemala, Honduras, and Mexico seeking to combat human smuggling and trafficking in those countries, including—

(1) the creation or expansion of transnational criminal investigative units to identify, disrupt, and prosecute human smuggling and trafficking operations;

(2) participation by U.S. Immigration and Customs Enforcement and the Department of Justice in the Bilateral Human Trafficking Enforcement Initiative with their Mexican law enforcement counterparts; and

(3) advanced training programs for investigators and prosecutors from El Salvador, Guatemala, Honduras, and Mexico.

SEC. 212. ENHANCED INVESTIGATION AND PROSECUTION OF HUMAN SMUGGLING AND TRAFFICKING.

(a) IN GENERAL.—The Attorney General and the Secretary of Homeland Security shall expand collaborative programs aimed at investigating and prosecuting human smugglers and traffickers targeting Central American children and families and operating at the southwestern border of the United States, including the continuation and expansion of anti-trafficking coordination teams.

(b) HOMELAND SECURITY INVESTIGATIONS.—The Secretary of Homeland Security, in consultation with the Director of U.S. Immigration and Customs Enforcement, shall increase the resources available to Homeland Security Investigations to facilitate the expansion of its smuggling and trafficking investigations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out subsections (a) and (b).

SEC. 213. INFORMATION CAMPAIGN ON DANGERS OF IRREGULAR MIGRATION.

(a) IN GENERAL.—The Secretary of State, in consultation with the heads of relevant Federal agencies, shall design and implement public information campaigns in El Salvador, Guatemala, and Honduras—

(1) to disseminate information about the dangers of travel across Mexico to the United States; and

(2) to combat misinformation about United States immigration law or policy; and

(3) to provide accurate information about the right to seek asylum.

(b) ELEMENTS.—The information campaigns implemented pursuant to subsection (a) shall, to the greatest extent possible—

(1) be targeted at populations and localities with high migration rates;

(2) be in local languages;

(3) employ a variety of communications media; and

(4) be developed in consultation with program officials at the Department of Homeland Security, the Department of State, and other government, nonprofit, or academic entities in close contact with migrant populations from El Salvador, Guatemala, and Honduras, including repatriated migrants.

Subtitle B—Strengthening the Ability of the United States Government To Crack Down on Smugglers, Traffickers, and Drug Cartels

SEC. 221. ENHANCED PENALTIES FOR ORGANIZED SMUGGLING SCHEMES.

(a) IN GENERAL.—Section 274(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1324(a)(1)(B)) is amended—

(1) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(2) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i) during and in relation to which the person, while acting for profit or other financial gain, knowingly directs or participates in an effort or scheme to assist or cause 10 or more persons (other than a parent, spouse, sibling, or child of the offender) to enter or to attempt to enter the United States at the same time at a place other than a designated port of entry or place other than designated by the Secretary, be fined under title 18, United States Code, imprisoned not more than 15 years, or both;''; and

(3) in clause (iv), as redesignated, by inserting ''commits or attempts to commit sexual assault of,'' after ''section 1365 of title 18, United States Code) to,''.

(b) BULK CASH SMUGGLING.—Section 5332(b)(1) of title 31, United States Code, is amended—

(1) in the paragraph heading, by striking ''TERM OF IMPRISONMENT'' and inserting ''IN GENERAL''; and

(2) by inserting '', fined under title 18, or both'' after ''5 years''.

SEC. 222. EXPANDING FINANCIAL SANCTIONS ON NARCOTICS TRAFFICKING AND MONEY LAUNDERING.

(a) FINDINGS.—Congress finds the following:

(1) In July 2011, President Obama released ''Strategy to Combat Transnational Organized Crime'', which articulates a multidimensional response to combat transnational organized crime, including drug trafficking networks, armed criminal gangs, and money laundering.

(2) The Strategy calls for expanded efforts to dismantle illicit financial networks, including through maximizing the use of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.).

(b) FINANCIAL SANCTIONS EXPANSION.—

(1) IN GENERAL.—The Secretary of the Treasury, the Attorney General, the Secretary of State, the Secretary of Defense, and the Director of Central Intelligence shall expand investigations, intelligence collection, and analysis pursuant to the Foreign Narcotics Kingpin Designation Act to increase the identification and application of sanctions against—

(A) significant foreign narcotics traffickers, their organizations and networks; and

(B) foreign persons who provide material, financial, or technological support to such traffickers, organizations, and networks.

(2) TARGETS.—The activities described in paragraph (1) shall specifically target foreign narcotics traffickers, their organizations and networks, and the foreign persons who provide material, financial, or technological support to such traffickers, organizations, and networks that are present and operating in Central America.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out subsection (b).

SEC. 223. SUPPORT FOR FBI TRANSNATIONAL ANTI-GANG TASK FORCES FOR COUNTERING CRIMINAL GANGS.

(a) FINDINGS.—Congress finds that the Federal Bureau of Investigation's Transnational Anti-Gang Task Forces established in 2007 in El Salvador, through cooperation between the FBI and the Department of State, to combat criminal gangs, including the MS-13 and 18th Street gangs, should be expanded.

(b) TASK FORCE EXPANSION.—The Director of the Federal Bureau of Investigation, in coordination with the Secretary of State, shall expand the efforts of the Transnational Anti-Gang Task Forces in El Salvador, Guatemala, and Honduras, including by—

(1) expanding transnational criminal investigations focused on criminal gangs in El Salvador, Guatemala, and Honduras, such as MS-13 and 18th Street;

(2) expanding training and partnership efforts with Salvadoran, Guatemalan, and Honduran law enforcement entities in order to disrupt and dismantle criminal gangs, both internationally and in their respective countries;

(3) establishing or expanding special vetted investigative units; and

(4) collecting and disseminating intelligence to support related United States-based investigations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, to the Bureau of International Narcotics and Law Enforcement Affairs, such sums as may be necessary to carry out subsection (b).

SEC. 224. SENSE OF CONGRESS REGARDING THE EXPANSION OF TARGETED SANCTIONS RELATED TO CORRUPTION AND HUMAN RIGHTS ABUSES.

It is the sense of Congress that—

(1) the President should intensify targeting of and impose sanctions regularly on a range of foreign persons from or in Central America determined to be responsible for human rights abuses, corruption-related misconduct, and other misconduct identified pursuant to the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note);

(2) the Director of National Intelligence, in coordination with the Director of the Central Intelligence Agency and other United States intelligence agencies, as appropriate, should expand intelligence collection and analysis in support of the efforts described in paragraph (1); and

(3) the efforts described in paragraph (1) should specifically target foreign persons, including foreign government officials, complicit in acts that weaken, run counter to, or undermine the strategy described in section 111.

Subtitle C—Creating New Penalties for Hindering Immigration, Border, and Customs Controls

SEC. 231. HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 274D the following:

"SEC. 274E. HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

''(a) ILLICIT SPOTTING.—

''(1) IN GENERAL.—It shall be unlawful to knowingly surveil, track, monitor, or transmit the location, movement, or activities of any officer or employee of a Federal, State, or tribal law enforcement agency—

''(A) with the intent to gain financially; and

''(B) in furtherance of any violation of the immigration laws, the customs and trade laws of the United States (as defined in section 2 of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125)), any other Federal law relating to transporting controlled substances, agriculture, or monetary instruments into the United States, or any Federal law relating to border controls measures of the United States.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both.

''(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—

''(1) IN GENERAL.—It shall be unlawful to knowingly and without lawful authorization—

''(A) destroy or significantly damage any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control an international border of, or a port of entry to, the United States; or

''(B) otherwise seek to construct, excavate, or make any structure intended to defeat, circumvent or evade such a fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal Government to control an international border of, or a port of entry to, the United States.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 274D the following:

''Sec. 274E. Hindering immigration, border, and customs controls.''.

TITLE III—MINIMIZING BORDER CROSSINGS BY EXPANDING PROCESSING OF REFUGEE CHILDREN AND FAMILIES IN-COUNTRY AND IN THE REGION AND BY STRENGTHENING REPATRIATION INITIATIVES

Subtitle A—Providing Alternative Safe Havens in Mexico and the Region

SEC. 311. STRENGTHENING INTERNAL ASYLUM SYSTEMS IN MEXICO AND OTHER COUNTRIES.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall work with international partners, including the United Nations High Commissioner for Refugees, to support and provide technical assistance to strengthen the domestic capacity of Mexico and other countries in the region to provide asylum to eligible children and families, in accordance with international law and best practices, by—

(1) establishing and expanding temporary and long-term in-country reception centers and shelter capacity to meet the humanitarian needs of those seeking asylum or other forms of international protection;

(2) improving the asylum registration system to ensure that all individuals seeking asylum or other humanitarian protection—

(A) are provided with adequate information about their rights, including their right to seek protection;

(B) are properly screened for security, including biographic and biometric capture;

(C) receive due process and meaningful access to existing legal protections; and

(D) receive proper documents in order to prevent fraud and ensure freedom of movement and access to basic social services;

(3) creating or expanding a corps of trained asylum officers capable of evaluating and deciding individual asylum claims consistent with international law and obligations; and

(4) developing the capacity to conduct best interest determinations for unaccompanied alien children to ensure that their needs are properly met, which may include family reunification or resettlement in the United States or another country based on international protection needs and the best interests of the child.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit a report that describes the plans of the Secretary of State to assist in developing the asylum processing capabilities described in subsection (a) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Appropriations of the Senate;

(5) the Committee on Foreign Affairs of the House of Representatives;

(6) the Committee on Homeland Security of the House of Representatives;

(7) the Committee on the Judiciary of the House of Representatives; and

(8) the Committee on Appropriations of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out subsection (a).

Subtitle B—Expanding Refugee Processing in Mexico and Central America for Third Country Resettlement

SEC. 321. EXPANDING REFUGEE PROCESSING IN MEXICO AND CENTRAL AMERICA FOR THIRD COUNTRY RESETTLEMENT.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall coordinate with the United Nations High Commissioner for Refugees to support and provide technical assistance to the Government of Mexico and the governments of other countries in the region to increase access to global resettlement for eligible children and families with protection needs, in accordance with international law and best practices, by—

(1) establishing and expanding in-country refugee reception centers to meet the humanitarian needs of those seeking international protection;

(2) improving the refugee registration system to ensure that all refugees—

(A) are provided with adequate information about their rights, including their right to seek protection;

(B) are properly screened for security, including biographic and biometric capture;

(C) receive due process and meaningful access to existing legal protections; and

(D) receive proper documents in order to prevent fraud and ensure freedom of movement and access to basic social services;

(3) creating or expanding a corps of trained refugee officers capable of evaluating and deciding individual claims for protection, consistent with international law and obligations; and

(4) developing the capacity to conduct best interest determinations for unaccompanied alien children to ensure that—

(A) such children with international protection needs are properly registered; and

(B) their needs are properly met, which may include family reunification or resettlement in the United States or another country based on international protection needs and the best interests of the child.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit a report to the committees listed in section 311(b) that describes the plans of the Secretary of State to assist in developing the refugee processing capabilities described in subsection (a).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the conditions in Mexico, as of the date of the enactment of this Act, do not meet the necessary threshold for the United States Government to sign a safe third country agreement with the Government of Mexico.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out subsection (a).

Subtitle C—Establishing Legal Channels to the United States

SEC. 331. PROGRAM TO ADJUST THE STATUS OF CERTAIN VULNERABLE REFUGEES FROM CENTRAL AMERICA.

(a) DEFINITIONS.—In this section:

(1) REFUGEE STATUS.—The term ''refugee status'' has the meaning given the term in section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)), except that the alien may apply inside his or her country of nationality if there is a designated application processing center present.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(b) PURPOSE.—The purpose of this section is to establish a refugee processing program for nationals of El Salvador, Guatemala, and Honduras to respond to country conditions and the growing need to provide an alternative to the dangerous journey to the United States of America.

(c) ADMISSION OF ELIGIBLE CENTRAL AMERICAN ALIENS AS REFUGEES.—Notwithstanding the numerical limitations set forth in section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), the Secretary shall adjust the status of an alien who is a national of El Salvador, Guatemala, or Honduras to that of an alien admitted as a refugee if the alien—

(1) applies for such refugee status at a Designated Application Processing Center (as defined in subsection (e)); and

(2) is eligible under subsection (d).

(d) CENTRAL AMERICANS ELIGIBLE FOR REFUGEE ADMISSION.—

(1) IN GENERAL.—Admission as a refugee or adjustment of status to that of a refugee shall be available to any alien, or members of the alien's family, if—

(A) the alien is a national of El Salvador, Guatemala, or Honduras;

(B) the alien otherwise meets the definition of a refugee, except that the alien may apply from inside his or her country of nationality;

(C)(i) the alien presents himself or herself at a Designated Application Processing Center for consideration of refugee status under this section; or

(ii) in the case of an alien who is a minor, a parent, legal guardian, the minor, or an adult authorized by the minor to speak on his or her behalf, presents an application for the minor; and

(D) the alien passes all relevant medical, national security, and background checks.

(2) EFFECT OF DENIAL OF REFUGEE STATUS.—The denial of refugee status under the Central American Minors Program—

(A) shall not be held determinative with respect to an adjudication under this section; and

(B) shall not prejudice the results of an adjudication under this section.

(e) DESIGNATED APPLICATION PROCESSING CENTERS.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish a minimum of 4 application processing centers in 4 different physical locations, with the consent of the hosting nation, if necessary.

(2) LOCATIONS.—The Secretary of State shall ensure that 1 application processing center is established—

(A) at each of the American embassies located in El Salvador, Guatemala, and Honduras; and

(B) in any other country in Central America selected by the Secretary of State.

(3) APPLICATION FOR REFUGEE STATUS.—The Secretary of State shall ensure that any alien who is physically present at the application processing center is permitted—

(A) to apply for refugee status under this section;

(B) to include his or her family in the application for refugee status, regardless of such alien's status; and

(C) if the alien applying for refugee status is an unaccompanied minor, to have legal counsel present at all interviews.

(4) ADJUDICATION.—Applications submitted at application processing centers under this section shall be adjudicated by refugee officers from the Refugee, Asylum and International Operations Directorate at U.S. Citizenship and Immigration Services.

(f) EXCEPTIONS.—Subsections (c)(1) and (d)(1)(C) shall be waived by the Secretary if the alien, or his or her family—

(1) is a national of El Salvador or Honduras;

(2) was in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) on the date on which his or her country of nationality's designation under subsection (b) of such section was terminated;

(3) has maintained physical presence in the United States since the effectiveness date of the most recent designation, extension, or termination; and

(4) would be eligible to reapply, under such section 244, if his or her country of nationality's designation had not been terminated.

(g) APPLICATION FEES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall ensure that applicants for refugee status are not charged fees in order to apply for humanitarian relief under this section.

(2) PREVIOUS DENIAL.—The Secretary may charge a reasonable fee to an alien who applies for refugee status under this section after having previously been denied refugee status unless such denial occurred before the alien attained 21 years of age.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

TITLE IV—MONITORING AND SUPPORTING UNACCOMPANIED ALIEN CHILDREN AFTER PROCESSING AT THE BORDER

SEC. 401. DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS.

(a) DEFINITIONS.—In this title:

(1) DEPARTMENT.—The term ''Department'' means the Department of Health and Human Services.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Refugee Resettlement of the Department.

(3) FLORES SETTLEMENT AGREEMENT.—The term ''Flores settlement agreement'' means the Stipulated Settlement Agreement filed in the United States District Court for the Central District of California on January 17, 1997 (CV 85–4544–RJK).

(4) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) RESIDENT ADULT.—The term ''resident adult'' means any individual who is at least 18 years of age and regularly lives, shares common areas, and sleeps in a sponsor or prospective sponsor's home.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(7) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The terms ''specialized instructional support personnel'' and ''specialized instructional support services'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(8) ZERO TOLERANCE POLICY.—The term ''zero tolerance policy'' means the policy described in the memorandum of the Attorney General entitled ''Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)'', issued on April 6, 2018.

SEC. 402. FAMILY REUNIFICATION.

(a) DIRECTIVES TO FEDERAL AGENCIES.—

(1) FAMILY REUNIFICATION.—Consistent with section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) and other applicable Federal law, the Secretary shall reallocate resources to facilitate the immediate family reunification of each child separated from his or her parent or guardian at or near a port of entry or within 100 miles of the border or otherwise removed from her or her parent or legal guardian by the Secretary, the Secretary of Homeland Security, the Attorney General, the Director of the Bureau of Prisons, or any agent or agency thereof, if such reunification is in the best interest of the child.

(2) COMPLIANCE WITH FEDERAL LAW.—The Secretary, the Secretary of Homeland Security, the Attorney General, the Director of the Bureau of Prisons, and any other head of a Federal agency involved in the proceedings against a parent or guardian separated from the parent or guardian's child (as described in paragraph (1) shall immediately change policies, procedures, and practices—

(A) to reunify the child separated from his or her parent or guardian; and

(B) to comply with section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232), the Flores settlement agreement, and other applicable Federal law.

(b) PARENTAL RIGHTS.—Consistent with the laws of the State in which the child is located, only an order from a court of competent jurisdiction may terminate the rights of a parent or guardian over an unaccompanied alien child, including any such child separated from the parent or guardian at such a border.

SEC. 403. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

Subtitle A—Strengthening the Government's Ability To Oversee the Safety and Well-being of Children and Support Children Forcibly Separated From Their Families

SEC. 411. HEALTH CARE IN SHELTERS FOR UNACCOMPANIED ALIEN CHILDREN.

(a) ACCESS TO SERVICES.—The Secretary shall direct the Director, in carrying out the functions transferred to the Director under section 462(a) of the Homeland Security Act of 2002 (6 U.S.C. 279(a))—

(1) to ensure that unaccompanied alien children who have not been placed with a sponsor have access to comprehensive, age-appropriate medical, behavioral, and mental health care services, including evidence-based and trauma-informed treatments, provided by qualified health care professionals with the appropriate certifications, licensure, training, and expertise in treating children, including infants, toddlers, and other children who are younger than 13 years of age; and

(2) to issue guidance to grantees, not later than 60 days after the date of the enactment of this Act, on the procedures for prescribing, reporting, and administration of psychotropic medication.

(b) NATIONAL CHILD TRAUMATIC STRESS INITIATIVE.—

(1) GRANTS AUTHORIZED.—Out of amounts appropriated pursuant to section 403 to carry out this section, the Secretary shall award grants, contracts, or cooperative agreements to public and nonprofit private entities and Indian tribes and tribal organizations (as defined in section 4 of the Indian Self-Determination and Educational Assistance Act (25 U.S.C. 5304)), for the purpose of developing and maintaining programs that respond to the needs of unaccompanied alien children in the care of the Office of Refugee Resettlement.

(2) BEST PRACTICES FOR TRAUMATIZED CHILDREN.—The National Child Traumatic Stress Initiative coordinating center described in section 582(a)(1) of the Public Health Service Act (42 U.S.C. 290hh–1(a)(1)) shall develop, and make publically available, best practices for providing evidence-based and trauma-informed health care treatment to unaccompanied alien children in the care of the Office

of Refugee Resettlement (including such children who are traumatized by separation from parents or guardians by the Federal Government to facilitate enforcement of the zero tolerance policy and other infants, toddlers, and children who are younger than 13 years of age)—

(A) to carry out programs under paragraph (1);

(B) to provide services under section 412(a); and

(C) to conduct assessments under section 412(a)(1)(A).

(c) OVERSIGHT ON ACCESS TO QUALITY HEALTH CARE.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 3 years thereafter, the Comptroller General of the United States shall conduct an evaluation of the medical, behavioral, and mental health services provided to unaccompanied alien children in the care of the Office of Refugee Resettlement and submit a report and recommendations to the Department, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on the Judiciary of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on the Judiciary of the House of Representatives.

(2) CONTENT.—Each report under paragraph (1) shall address—

(A) the extent to which entities with which the Office of Refugee Resettlement contracts meet established standards for ensuring the safety and well-being of alien children in their care;

(B) the quality and appropriateness of the health care services provided to such children, including the administration of medications and treatment;

(C) the extent to which medical, behavioral, and mental health services address the needs of traumatized children and mitigate the long-term health consequences of trauma exposure;

(D) the adequacy of practices to assess the qualifications, including training and licensure, of the professionals administering care, including the expertise of such professionals in providing trauma-informed care;

(E) the adequacy of appropriately-trained health care staff at the Office of Refugee Resettlement tasked with assessing the adequacy of care provided to children in their care; and

(F) oversight, investigations, and actions taken to address allegations against contracted entities of mistreatment, abuse, or neglect of children under any program under Federal or State law.

SEC. 412. SERVICES TO UNACCOMPANIED ALIEN CHILDREN AFTER PLACEMENT.

(a) TRAUMA-INFORMED, RISK-BASED, POST-PLACEMENT SERVICES.—

(1) IN GENERAL.—Using amounts appropriated pursuant to section 403 to carry out this section, the Secretary shall assist each unaccompanied alien child in a placement with a sponsor by—

(A) completing an individualized assessment of the need for services to be provided after placement; and

(B) providing such post-placement services during the pendency of all immigration proceedings or until no longer necessary, whichever is later.

(2) MINIMUM SERVICES.—The services referred to in paragraph (1)(B) shall include—

(A) for the unaccompanied alien child, at least 1 post-placement case management services visit not later than 30 days after placement with a sponsor and the referral of the child to service providers in the community;

(B) for the family of the child's sponsor, orientation and other functional family support services, as determined to be necessary in the individualized assessment; and

(C) for each unaccompanied alien child traumatized by separation of such child from the child's parent or guardian by the Federal Government, comprehensive, trauma-informed services to assist such child.

(b) EFFECTIVE USE OF CHILD ADVOCATES FOR THE MOST VULNERABLE UNACCOMPANIED ALIEN CHILDREN.—The Secretary shall—

(1) direct the Director—

(A) to identify and track the referral rates of unaccompanied alien children to child advocates by care providers and investigate instances in which such a rate is low;

(B) to ensure that the referral criteria established by the Director are appropriately applied when a care provider determines if such a child is eligible for referral to a child advocate;

(C) to provide technical assistance to care providers to ensure compliance with such criteria;

(D) to establish a process for stakeholders and the public to refer unaccompanied alien children, including those placed with a sponsor, to the child advocate program to determine if such child meets the referral criteria for appointment of a child advocate; and

(E) to refer to a child advocate each unaccompanied alien child described in subsection (a)(2)(C); and

(2) ensure that each child advocate for an unaccompanied alien child—

(A) is provided access to materials necessary to advocate effectively for the best interest of the child, including direct access to significant incident reports, home studies, and similar materials and information; and

(B) is notified when new materials and information described in subparagraph (A) relating to the child are created or become available.

SEC. 413. BACKGROUND CHECKS TO ENSURE THE SAFE PLACEMENT OF UNACCOMPANIED ALIEN CHILDREN.

(a) CRIMINAL AND CIVIL RECORD CHECKS.—

(1) REQUIREMENT.—In carrying out the functions transferred to the Director under section 462(a) of the Homeland Security Act of 2002 (6 U.S.C. 279(a)), from amounts appropriated pursuant to section 401(b) to carry out this section, the Director shall perform, consistent with best practices in the field of child welfare, and a prospective sponsor and all resident adults in the home of the prospective sponsor shall submit to the following record checks (which shall be completed as expeditiously as possible):

(A) Fingerprint-based checks (except as described in paragraph (2)) in national crime information databases, as defined in section 534(e)(3) of title 28, United States Code.

(B) A search of the State criminal registry or repository for any State (except as described in paragraph (3)) in which the prospective sponsor or resident adult has resided during the 5 years preceding the search.

(C) A search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(D) A search (except as described in paragraphs (2) and (3)) of State-based child abuse and neglect registries and databases for any State in which the prospective sponsor or resident adult has resided during the 5 years preceding the search.

(2) PARENTS AND GUARDIANS.—For purposes of paragraph (1), if the prospective sponsor is the parent or guardian of the child involved, the Director shall have discretion to determine whether the Director shall perform, and the prospective sponsor and resident adults described in paragraph (1) shall submit to, a check described in subparagraph (A) or (D) of paragraph (1).

(3) WAIVERS.—

(A) IN GENERAL.—If the Secretary determines that it is not feasible to conduct the check described in subparagraph (B) or (D) of paragraph (1) for a State, including infeasibility due to a State's refusal or nonresponse in response to a request for related information, or that the average time to receive results from a State for such a check is more than 10 business days, the Secretary may waive the requirements of that subparagraph with respect to the State involved for a period of not more than 1 year. The Secretary may renew the waiver in accordance with this subparagraph.

(B) PROHIBITION ON DELEGATION.—The Secretary may not delegate the responsibility under subparagraph (A) to another officer or employee of the Department.

(C) STATES WHERE WAIVERS APPLY.—The Secretary shall make available, on a website of the Department, the list of States for which the requirements of subparagraph (B) or (D) of paragraph (1) are waived under this paragraph.

(4) USE OF RECORD CHECKS.—The information revealed by a record check performed pursuant to this section shall be used only by the Director for the purpose of determining whether a potential sponsor is a suitable sponsor for a placement for an unaccompanied alien child.

(b) PLACEMENT DETERMINATIONS GENERALLY.—

(1) DENIALS REQUIRED FOR CERTAIN CRIMES.—The Director shall deny any placement for a prospective sponsor (other than the parent or guardian of the child involved), and may deny any placement for a prospective sponsor who is the parent or guardian of the child involved subject to subsection (c), if the record checks performed pursuant to this section reveal that the prospective sponsor or a resident adult in the home of the prospective sponsor was convicted at age 18 or older of a crime that is a felony consisting of any of the following:

(A) Domestic violence, stalking, child abuse, child neglect, or child abandonment, if the prospective sponsor or resident adult served at least 1 year imprisonment for a crime specified in this subparagraph, or if the prospective sponsor or resident adult was convicted of 2 or more crimes specified in this subparagraph, not arising out of a single scheme of criminal misconduct.

(B) A crime against a child involving pornography.

(C) Human trafficking.

(D) Rape or sexual assault.

(E) Homicide.

(2) DENIALS CONSIDERED FOR CERTAIN OFFENSES.—The Director may deny a placement for a prospective sponsor if the record checks performed pursuant to this section reveal that the prospective sponsor or a resident adult in the home of a prospective sponsor was adjudged guilty of a civil offense or was convicted of a crime not covered by paragraph (1). The Director, in making a determination about whether to approve or deny the placement, shall consider all of the following factors:

(A) The type of offense.

(B) The number of offenses the sponsor or resident adult has been adjudged guilty or convicted of.

(C) The length of time that has elapsed since the adjudication or conviction.

(D) The nature of the offense.

(E) The age of the individual at the time of the adjudication or conviction.

(F) The relationship between the offense and the capacity to care for a child.

(G) Evidence of rehabilitation of the individual.

(H) Opinions of community and family members concerning the individual.

(c) PLACEMENT DETERMINATIONS CONCERNING PARENTS OR GUARDIANS.—The Director may deny a placement for a prospective sponsor who is the parent or guardian of the child involved if the record checks performed pursuant to this section reveal that the prospective sponsor or a resident adult in the home of a prospective sponsor was adjudged guilty of a civil offense or was convicted of a crime. The Director, in making a determination about whether to approve or deny the placement, shall consider all of the factors described in subsection (b)(2).

(d) APPEALS PROCESS.—

(1) INFORMATION.—The Secretary shall provide information to each prospective sponsor on how such sponsor may appeal—

(A) a placement determination under this section, including—

(i) prompt notice of the opportunity to so appeal; and

(ii) instructions about how to participate in the appeals process; and

(B) the results of a record check performed pursuant to this section or the accuracy or completeness of the information yielded by the record check, as provided in paragraph (2), including—

(i) prompt notice of the opportunity to so appeal; and

(ii) instructions about how to participate in the appeals process.

(2) APPEAL.—Each Federal agency responsible for administering or maintaining the information in a database, registry, or repository used in a record check performed pursuant to this section or responsible for the accuracy or completeness of the information yielded by the record check shall—

(A) establish a process for an appeal concerning the results of that record check, or that accuracy or completeness; and

(B) complete such process not later than 30 days after the date on which such an appeal is filed.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Director from establishing additional checks or procedures (besides the checks required in this section) for sponsors, to enable the Director to—

(1) oversee and promote the health, safety, and well-being of unaccompanied alien children; or

(2) prevent the exploitation, neglect, or abuse of unaccompanied alien children.

SEC. 414. RESPONSIBILITY OF SPONSOR FOR IMMIGRATION COURT COMPLIANCE AND CHILD WELL-BEING.

(a) IN GENERAL.—Using amounts appropriated pursuant to section 401(b) to carry out this section, the Secretary, in consultation with the Attorney General, shall establish procedures to ensure that legal orientation programs regarding immigration court and rights and responsibilities for the well-being of unaccompanied alien children are provided to all prospective sponsors of unaccompanied alien children prior to an unaccompanied alien child's placement with such a sponsor.

(b) PROGRAM ELEMENTS.—The procedures described in subsection (a) shall include a requirement that each legal orientation program described in such subsection shall provide information on the sponsor's rights and responsibilities to—

(1) ensure the unaccompanied alien child appears at immigration proceedings and communicate with the court involved regarding the child's change of address and other relevant information;

(2) immediately enroll the child in school, and shall provide information and resources if the sponsor encounters difficulty enrolling such child in school;

(3) provide access to health care, including mental health care as needed, and any necessary age-appropriate health screening to the child;

(4) report potential child traffickers and other persons seeking to victimize or exploit unaccompanied alien children, or otherwise engage such children in criminal, harmful, or dangerous activity;

(5) seek assistance from the Department regarding the health, safety, and well-being of the child placed with the sponsor; and

(6) file a complaint, if necessary, with the Secretary or the Secretary of Homeland Security regarding treatment of unaccompanied alien children while under the care of the Office of Refugee Resettlement or the Department of Homeland Security, respectively.

SEC. 415. MONITORING UNACCOMPANIED ALIEN CHILDREN.

(a) RISK-BASED POST-PLACEMENT SERVICES.—

(1) IN GENERAL.—Using amounts appropriated pursuant to section 401(b) to carry out this section, the Secretary shall, to assist each unaccompanied alien child in a placement with a sponsor—

(A) complete an individualized assessment of the need for services to be provided after placement; and

(B) provide such post-placement services during the pendency of removal proceedings or until no longer necessary.

(2) MINIMUM SERVICES.—For the purposes of paragraph (1), the services shall, at a minimum, include—

(A) for the unaccompanied alien child, at least one post-placement case management services visit within 30 days after placement with a sponsor and the referral of unaccompanied alien children to service providers in the community; and

(B) for the family of the child's sponsor, orientation and other functional family support services, as determined to be necessary in the individualized assessment.

(b) EFFECTIVE USE OF CHILD ADVOCATES FOR THE MOST VULNERABLE UNACCOMPANIED ALIEN CHILDREN.—The Secretary shall—

(1) direct the Director—

(A) to identify and track the referral rates of unaccompanied alien children to child advocates by care providers and investigate instances in which such a rate is low;

(B) to ensure that the referral criteria established by the Director are appropriately applied when a care provider determines if such a child is eligible for referral to a child advocate;

(C) to provide technical assistance to care providers to ensure compliance with such criteria; and

(D) to establish a process for stakeholders and the public to refer unaccompanied alien children, including those placed with a sponsor, to the child advocate program to determine if such child meets the referral criteria for appointment of a child advocate; and

(2) ensure that each child advocate for an unaccompanied alien child shall—

(A) be provided access to materials necessary to advocate effectively for the best interest of the child, including direct access to significant incident reports, home studies, and similar materials and information; and

(B) be notified when new materials and information described in subparagraph (A) relating to the child are created or become available.

Subtitle B—Funding to States and School Districts; Supporting Education and Safety

SEC. 421. FUNDING TO STATES TO CONDUCT STATE CRIMINAL CHECKS AND CHILD ABUSE AND NEGLECT CHECKS.

(a) DEFINED TERM.—In this section, the term ''State'' means each of the 50 States of the United States and the District of Columbia.

(b) PAYMENTS TO STATES TO CONDUCT STATE CRIMINAL REGISTRY OR REPOSITORY SEARCHES AND TO CONDUCT CHILD ABUSE AND NEGLECT CHECKS.—

(1) IN GENERAL.—Using amounts appropriated pursuant to section 401(b) to carry out this section, the Secretary shall, in accordance with this subsection, make payments to States, through each agency in each State tasked with administering the State criminal registry or repository required under section 411(a)(1)(B) or the State child abuse and neglect registry required under section 411(a)(1)(D), to assist with searches of such registries, repositories, or databases for prospective sponsors of unaccompanied alien children and resident adults in the home of such prospective sponsors, in accordance with section 411.

(2) ALLOTMENTS.—

(A) STATE CRIMINAL REGISTRY AND REPOSITORY SEARCHES.—In each fiscal year, using amounts appropriated pursuant to section 401(b) to carry out this section with respect to the program providing payments to States to assist with criminal registry or repository searches, the Secretary shall allot to each State participating in such program, through the agency in each such State tasked with administering the State criminal registry or repository described in section 411(a)(1)(B), an amount that bears the same relationship to such funds as the number of searches of such State criminal registry or repository conducted in accordance with section 411(a)(1)(B) in the State bears to the total number of such searches in all States participating in the program.

(B) CHILD ABUSE AND NEGLECT CHECKS.—In each fiscal year, using amounts appropriated pursuant to section 401(b) to carry out this section with respect to the program providing payments to States to assist with child abuse and neglect registry and database searches, the Secretary shall allot to each State participating in such program, through the agency in each such State tasked with administering the State child abuse and neglect registries and databases described in section 411(a)(1)(D), an amount that bears the same relationship to such funds as the number of searches of such child abuse and neglect registries and databases conducted in accordance with section 411(a)(1)(D) in the State bears to the total number of such searches in all States participating in the program.

(C) TRANSITION RULE.—In the first fiscal year in which funds are made available under this title to carry out this section, the Secretary shall make allotments to each State participating in the programs under this section in accordance with subparagraphs (A) and (B), based on the Secretary's estimate of the number of the searches described in each such subparagraph, respectively, that each of the States are expected to conduct in such fiscal year.

(3) STATE APPLICATIONS.—Each State agency described in paragraph (1) desiring an allotment under subparagraph (A) or (B) of paragraph (2) shall submit an application at such time, in such manner, and containing such information as the Secretary may require, which shall include an assurance that the State agency will respond promptly to all requests from the Director, within a reasonable time period determined by the Director, to conduct a search required under section 411 in a timely manner, and a description of how funds will be used to meet such assurance.

SEC. 422. UNACCOMPANIED ALIEN CHILDREN IN SCHOOLS.

(a) IMMEDIATE ENROLLMENT.—To be eligible for funding under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), a local educational agency shall—

(1) ensure that unaccompanied alien children in the area served by the local educational agency are immediately enrolled in school following placement with a sponsor, and any available academic or other records are transferred to such school; and

(2) remove barriers to enrollment and full participation in educational programs and services offered by the local educational agency for unaccompanied alien children (including barriers related to documentation, age, language, and lack of a parent or guardian), which shall include reviewing and revising policies that may have a negative effect on such children.

(b) GRANTS AUTHORIZED.—Using amounts appropriated pursuant to section 403 to carry out this section, the Secretary of Education shall award grants, on a competitive basis, to eligible local educational agencies, or consortia of neighboring local educational agencies, described in subsection (c) to enable the local educational agencies or consortia to enhance opportunities for, and provide services to, immigrant children and youth, including unaccompanied alien children, in the area served by the local educational agencies or consortia.

(c) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

(1) IN GENERAL.—A local educational agency, or a consortium of neighboring local educational agencies, is eligible for a grant under subsection (b) if, during the fiscal year for which a grant is awarded under this section, there are 25 or more unaccompanied alien children enrolled in the public schools served by the local educational agency or the consortium, respectively.

(2) DETERMINATIONS OF NUMBER OF UNACCOMPANIED ALIEN CHILDREN.—The Secretary of Education shall determine the number of unaccompanied alien children for purposes of paragraph (1) based on the most accurate data available that is provided to the Secretary of Education by the Director or the Department of Homeland Security.

(d) APPLICATIONS.—A local educational agency, or a consortia of neighboring local educational agencies, desiring a grant under this section shall submit an application to the Secretary of Education, which shall include a description of how the grant will be used to enhance opportunities for, and provide services to, immigrant children and youth (including unaccompanied alien children) and their families, provide trauma-informed services and supports (including mental health care services for such children and youth), improve engagement with the sponsors of such children or youth, and provide specialized instructional support services (which may include hiring specialized instructional support personnel with expertise in providing services to such children and youth).

TITLE V—ENSURING ORDERLY AND HUMANE MANAGEMENT OF CHILDREN AND FAMILIES SEEKING PROTECTION

Subtitle A—Providing a Fair and Efficient Legal Process for Children and Vulnerable Families Seeking Asylum

SEC. 511. COURT APPEARANCE COMPLIANCE AND LEGAL ORIENTATION.

(a) ACCESS TO LEGAL ORIENTATION PROGRAMS TO ENSURE COURT APPEARANCE COMPLIANCE.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, shall establish procedures, consistent with the procedures established pursuant to section 412, to ensure that legal orientation programs are available for all aliens detained by the Department of Homeland Security.

(2) PROGRAM ELEMENTS.—Programs under paragraph (1) shall inform aliens described in such paragraph regarding—

(A) the basic procedures of immigration hearings;

(B) their rights and obligations relating to such hearings under Federal immigration laws to ensure appearance at all immigration proceedings;

(C) their rights under Federal immigration laws, including available legal protections and the procedure for requesting such protection;

(D) the consequences of filing frivolous legal claims and of failing to appear for proceedings; and

(E) any other subject that the Attorney General considers appropriate, such as a contact list of potential legal resources and providers.

(3) ELIGIBILITY.—An alien shall be given access to legal orientation programs under this subsection regardless of the alien's current immigration status, prior immigration history, or potential for immigration relief.

(b) PILOT PROJECT FOR NONDETAINED ALIENS IN REMOVAL PROCEEDINGS.—

(1) IN GENERAL.—The Attorney General shall develop and administer a 2-year pilot program at not fewer than 2 immigration courts to provide nondetained aliens with pending asylum claims access to legal information.

(2) REPORT.—At the conclusion of the pilot program under this subsection, the Attorney General shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that describes the extent to which nondetained aliens are provided with access to counsel.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Executive Office of Immigration Review of the Department of Justice such sums as may be necessary to carry out this section.

SEC. 512. FAIR DAY IN COURT FOR KIDS.

(a) APPOINTMENT OF COUNSEL IN REMOVAL PROCEEDINGS; RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEEDINGS.—Section 240(b) of the Immigration and Nationality Act (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)—

(i) by striking '', at no expense to the Government,''; and

(ii) by striking the comma at the end and inserting a semicolon;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (D) and (E), respectively;

(C) by inserting after subparagraph (A) the following:

''(B) the Attorney General may appoint or provide counsel, at Government expense, to aliens in immigration proceedings;

''(C) the alien, or the alien's counsel, not later than 7 days after receiving a notice to appear under section 239(a), shall receive a complete copy of the alien's immigration file (commonly known as an 'A-file') in the possession of the Department of Homeland Security (other than documents protected from disclosure under section 552(b) of title 5, United States Code);''; and

(D) in subparagraph (D), as redesignated, by striking '', and'' and inserting ''; and''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—A removal proceeding may not proceed until the alien, or the alien's counsel, if the alien is represented—

''(A) has received the documents required under paragraph (4)(C); and

''(B) has been provided at least 10 days to review and assess such documents.''.

(b) CLARIFICATION REGARDING THE AUTHORITY OF THE ATTORNEY GENERAL TO APPOINT COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—

(1) IN GENERAL.—Section 292 of the Immigration and Nationality Act (8 U.S.C. 1362) is amended to read as follows:

''SEC. 292. RIGHT TO COUNSEL.

''(a) IN GENERAL.—Except as provided in subsections (b) and (c), in any removal proceeding and in any appeal proceeding before the Attorney General from any such removal proceeding, the subject of the proceeding shall have the privilege of being represented by such counsel as may be authorized to practice in such proceeding as he or she may choose. This subsection shall not apply to screening proceedings described in section 235(b)(1)(A).

''(b) ACCESS TO COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN.—

''(1) IN GENERAL.—In any removal proceeding and in any appeal proceeding before the Attorney General from any such removal proceeding, an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act on 2002 (6 U.S.C. 279(g))) shall be represented by Government-appointed counsel, at Government expense.

''(2) LENGTH OF REPRESENTATION.—Once a child is designated as an unaccompanied alien child under paragraph (1), the child shall be represented by counsel at every stage of the proceedings from the child's initial appearance through the termination of immigration proceedings, and any ancillary matters appropriate to such proceedings even if the child attains 18 years of age or is reunified with a parent or legal guardian while the proceedings are pending.

''(3) NOTICE.—Not later than 72 hours after an unaccompanied alien child is taken into Federal custody, the alien shall be notified that he or she will be provided with legal counsel in accordance with this subsection.

''(4) WITHIN DETENTION FACILITIES.—The Secretary of Homeland Security shall ensure that unaccompanied alien children have access to counsel inside all detention, holding, and border facilities.

''(c) PRO BONO REPRESENTATION.—

''(1) IN GENERAL.—To the maximum extent practicable, the Attorney General should make every effort to utilize the services of competent counsel who agree to provide representation to such children under subsection (b) without charge.

''(2) DEVELOPMENT OF NECESSARY INFRASTRUCTURES AND SYSTEMS.—The Attorney General shall develop the necessary mechanisms to identify counsel available to provide pro bono legal assistance and representation to children under subsection (b) and to recruit such counsel.

''(d) CONTRACTS; GRANTS.—The Attorney General may enter into contracts with, or award grants to, nonprofit agencies with relevant expertise in the delivery of immigration-related legal services to children to carry out the responsibilities under this section, including providing legal orientation, screening cases for referral, recruiting, training, and overseeing pro bono attorneys. Nonprofit agencies may enter into subcontracts with, or award grants to, private voluntary agencies with relevant expertise in the delivery of immigration related legal services to children in order to carry out this section.

''(e) MODEL GUIDELINES ON LEGAL REPRESENTATION OF CHILDREN.—

''(1) DEVELOPMENT OF GUIDELINES.—The Executive Office for Immigration Review, in consultation with voluntary agencies and national experts, shall develop model guidelines for the legal representation of alien children in immigration proceedings, which shall be based on the children's asylum guidelines, the American Bar Association Model Rules of Professional Conduct, and other relevant domestic or international sources.

''(2) PURPOSE OF GUIDELINES.—The guidelines developed under paragraph (1) shall be designed to help protect each child from any individual suspected of involvement in any criminal, harmful, or exploitative activity associated with the smuggling or trafficking of children, while ensuring the fairness of the removal proceeding in which the child is involved.

''(f) DUTIES OF COUNSEL.—Counsel provided under this section shall—

''(1) represent the unaccompanied alien child in all proceedings and matters relating to the immigration status of the child or other actions involving the Department of Homeland Security;

''(2) appear in person for all individual merits hearings before the Executive Office for Immigration Review and interviews involving the Department of Homeland Security;

''(3) owe the same duties of undivided loyalty, confidentiality, and competent representation to the child as is due to an adult client; and

''(4) carry out other such duties as may be proscribed by the Attorney General or the Executive Office for Immigration Review.

''(g) SAVINGS PROVISION.—Nothing in this section may be construed to supersede—

''(1) any duties, responsibilities, disciplinary, or ethical responsibilities an attorney may have to his or her client under State law;

''(2) the admission requirements under State law; or

''(3) any other State law pertaining to the admission to the practice of law in a particular jurisdiction.''.

(2) RULEMAKING.—The Attorney General shall promulgate regulations to implement section 292 of the Immigration and Nationality Act, as added by paragraph (1), in accordance with the requirements set forth in section 3006A of title 18, United States Code.

SEC. 513. ACCESS TO COUNSEL AND LEGAL ORIENTATION AT DETENTION FACILITIES.

The Secretary of Homeland Security shall provide access to counsel for all aliens detained in a facility under the supervision of U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or the Department of Health and Human Services, or in any private facility that contracts with the Federal Government to house, detain, or hold aliens.

SEC. 514. REPORT ON ACCESS TO COUNSEL.

(a) REPORT.—Not later than December 31 of each year, the Secretary of Homeland Security, in consultation with the Attorney General, shall prepare and submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives regarding the extent to which aliens described in section 292(b) of the Immigration and Nationality Act, as added by section 512(b), have been provided access to counsel.

(b) CONTENTS.—Each report submitted under paragraph (a) shall include, for the immediately preceding 1-year period—

(1) the number and percentage of aliens described in section 292(b) of the Immigration and Nationality Act, as added by section 512(b), who were represented by counsel, including information specifying—

(A) the stage of the legal process at which each such alien was represented;

(B) whether the alien was in government custody; and

(C) the nationality and ages of such aliens; and

(2) the number and percentage of aliens who received legal orientation presentations, including the nationality and ages of such aliens.

SEC. 515. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Executive Office of Immigration Review of the Department of Justice such sums as may be necessary to carry out sections 512 through 514.

(b) 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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Subtitle B—Reducing Significant Delays in Immigration Court

SEC. 521. ELIMINATE IMMIGRATION COURT BACKLOGS.

(a) ANNUAL INCREASES IN IMMIGRATION JUDGES.—The Attorney General shall increase the total number of immigration judges to adjudicate pending cases and efficiently process future cases by at least 75 judges during each of the fiscal years 2019, 2020, 2021, and 2022.

(b) QUALIFICATION; SELECTION.—The Attorney General shall—

(1) ensure that all newly hired immigration judges and Board of Immigration Appeals members are highly qualified and trained to conduct fair, impartial adjudications in accordance with applicable due process requirements; and

(2) in selecting immigration judges, may not give any preference to candidates with prior government experience compared to equivalent subject-matter expertise resulting from nonprofit, private bar, or academic experience.

(c) NECESSARY SUPPORT STAFF FOR IMMIGRATION JUDGES.—To address the shortage of support staff for immigration judges, the Attorney General shall ensure that each immigration judge has sufficient support staff, adequate technological and security resources, and appropriate courtroom facilities.

(d) ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.—The Attorney General shall increase the number of Board of Immigration Appeals staff attorneys (including necessary additional support staff) to efficiently process cases by at least—

(1) 23 attorneys during fiscal year 2019;

(2) an additional 23 attorneys during fiscal year 2020; and

(3) an additional 23 attorneys during fiscal year 2021.

(e) GAO REPORT.—The Comptroller General of the United States shall—

(1) conduct a study of the hurdles to efficient hiring of immigration court judges within the Department of Justice; and

(2) propose solutions to Congress for improving the efficiency of the hiring process.

SEC. 522. IMPROVED TRAINING FOR IMMIGRATION JUDGES AND MEMBERS OF THE BOARD OF IMMIGRATION APPEALS.

(a) IN GENERAL.—To ensure efficient and fair proceedings, the Director of the Executive Office for Immigration Review shall facilitate robust training programs for immigration judges and members of the Board of Immigration Appeals.

(b) MANDATORY TRAINING.—Training facilitated under subsection (a) shall include—

(1) expanding the training program for new immigration judges and Board members;

(2) continuing education regarding current developments in immigration law through regularly available training resources and an annual conference; and

(3) methods to ensure that immigration judges are trained on properly crafting and dictating decisions and standards of review, including improved on-bench reference materials and decision templates.

SEC. 523. NEW TECHNOLOGY TO IMPROVE COURT EFFICIENCY.

The Director of the Executive Office for Immigration Review will modernize its case management and related electronic systems, including allowing for electronic filing, to improve efficiency in the processing of immigration proceedings.

Subtitle C—Reducing the Likelihood of Repeated Migration to the United States

SEC. 531. ESTABLISHING REINTEGRATION AND MONITORING SERVICES FOR REPATRIATING CHILDREN.

(a) CONSULTATION WITH UNHCR.—The Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of State shall consult with the United Nations High Commissioner for Refugees (referred to in this section as the ''UNHCR''), Central American governments, and nongovernmental organizations with expertise in child welfare and unaccompanied migrant children to develop a child-centered repatriation process for unaccompanied children being returned to their country of origin that requires a determination of the best interest of the child before the child is repatriated to his or her country of origin.

(b) COLLABORATION WITH REGIONAL GOVERNMENTS AND NONGOVERNMENTAL ORGANIZATIONS.—The Secretary of State and the Administrator of the United States Agency for International Development, in coordination with the Secretary of Homeland Security, shall collaborate with regional governments and international and domestic nongovernmental organizations to reduce children's need to emigrate again by—

(1) establishing and expanding comprehensive long-term reintegration services at the municipal level for repatriated unaccompanied children once returned to their communities of origin;

(2) establishing monitoring and verification services to determine the well-being of repatriated children in order to determine if United States protection and screening functioned effectively in identifying persecuted and trafficked children;

(3) providing emergency referrals to the UNHCR for registration and safe passage to an established emergency transit center for refugees for any repatriated children who are facing immediate risk of harm; and

(4) ensuring that international and domestic civil society organizations with expertise in child welfare, unaccompanied migrant children, and international protection needs have access to government run reception centers for repatriated children—

(A) to identify children with protection needs; and

(B) to offer child services following their return to their communities.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 665—DESIGNATING OCTOBER 2018 AS ''NATIONAL EMPLOYEE OWNERSHIP MONTH''

Ms. BALDWIN (for herself, Mr. ROBERTS, Ms. HASSAN, Mr. CARDIN, Mr. VAN HOLLEN, Mr. REED, Mr. BROWN, Mr. KING, Mrs. MURRAY, Ms. KLOBUCHAR, Mrs. SHAHEEN, Ms. DUCKWORTH, Mr. YOUNG, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 665

Whereas employee-owned companies give workers a voice in corporate governance, and that voice helps the long-term well-being of the company;

Whereas employee-owned companies often outperform non-employee-owned companies and show greater resiliency during challenging economic conditions;

Whereas employee-owned companies face lower staff turnover, and workers experience greater job security at those companies;

Whereas employee-owners feel better prepared to cover the expenses of life and retire with a greater sense of financial security; and

Whereas employee-owned companies have a rich history in communities across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2018 as ''National Employee Ownership Month'';

(2) supports employee-owned businesses; and

(3) acknowledges that employee-owned companies have a positive impact on workers, businesses, and communities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4032. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table.

SA 4033. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4034. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4035. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4036. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4037. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4038. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4039. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4040. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

SA 4041. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4032. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

On page 277, between lines 2 and 3, insert the following:

''(c) NONAPPLICATION OF PREEMPTION.—The provisions of section 41713 shall not apply to carriage of property by operators of small unmanned aircraft systems described in the update to existing regulations under subsection (a).''.

SA 4033. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION L—REINFORCING AMERICAN-MADE PRODUCTS ACT OF 2018

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Reinforcing American-Made Products Act of 2018''.

SEC. 2002. EXCLUSIVITY OF FEDERAL AUTHORITY TO REGULATE LABELING OF PRODUCTS MADE IN THE UNITED STATES AND INTRODUCED IN INTERSTATE OR FOREIGN COMMERCE.

Section 320933 of the Violent Crime Control and Law Enforcement Act of 1994 (15 U.S.C. 45a) is amended—

(1) in the first sentence, by striking ''To the extent'' and inserting the following:

''(a) IN GENERAL.—To the extent'';

(2) by adding at the end the following:

''(b) EFFECT ON STATE LAW.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the provisions of this section shall supersede any provisions of the law of any State expressly relating to the extent to which a product is introduced, delivered for introduction, sold, advertised, or offered for sale in interstate or foreign commerce with a Made in the U.S.A. or Made in America label, or the equivalent thereof, in order to represent that such product was in whole or substantial part of domestic origin.

''(2) ENFORCEMENT.—Nothing in this section shall preclude the application of the law of any State to the use of a label not in compliance with subsection (a).''; and

(3) in the third sentence of subsection (a), as designated by paragraph (1), by striking ''Nothing in this section'' and inserting ''Except as provided in subsection (b), nothing in this section''.

SA 4034. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

Strike section 1946 and insert the following:

SEC. 1946. SCREENING PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 44920 of title 49, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—The operator of an airport may submit to the Administrator of the Transportation Security Administration a notification that the airport requests the screening of passengers and property at the airport under section 44901 by personnel of a qualified private screening company pursuant to a contract with the Transportation Security Administration.

''(b) SELECTION OF QUALIFIED PRIVATE SCREENING COMPANIES.—

''(1) LIST OF QUALIFIED PRIVATE SCREENING COMPANIES.—Not later than 30 days after receiving a notification from the operator of an airport under subsection (a), the Administrator shall provide to the operator of that airport the opportunity—

''(A) for the operator to select a qualified private screening company with which the operator prefers the Administrator enter into a contract for screening services at that airport; or

''(B) to request that the Administrator select a qualified private screening company with which to enter into such a contract.

''(2) ENTRY INTO CONTRACT.—

''(A) IN GENERAL.—Subject to subsections (c) and (d), not later than 60 days after the operator of an airport selects a qualified private screening company under paragraph (1)(A) or under this subparagraph or requests the Administrator to select such a company under paragraph (1)(B)—

''(i) the Administrator shall enter into a contract for screening services at that airport with the qualified private screening company selected by the airport or the company selected by the Administrator, as the case may be; or

''(ii) in the case of a company selected by the operator of the airport, if the Administrator rejects the bid from that company, or is otherwise unable to enter into a contract with that company, the Administrator shall provide the operator of the airport another 60 days to select another qualified private screening company.

''(B) REJECTION OF BIDS.—If the Administrator rejects a bid from a private screening company selected by the operator of an airport under paragraph (1)(A) or subparagraph (A)(ii), the Administrator shall, not later than 30 days after rejecting that bid, submit to the operator, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security of the House of Representatives a report that includes—

''(i) the findings that served as the basis for rejecting the bid;

''(ii) the results of any cost or security analyses conducted in relation to the bid; and

''(iii) recommendations for how the operator of the airport can address the reasons the Administrator rejected the bid.''.

(b) QUALIFIED PRIVATE SCREENING COMPANIES.—Subsection (c) of such section is amended by striking ''and will provide'' and all that follows through ''with this chapter''.

(c) STANDARDS FOR PRIVATE SCREENING COMPANIES.—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

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

(C) by inserting after subparagraph (A) the following:

''(B) the cost of providing screening services at the airport under the contract is equal to or less than the cost to the Federal Government of providing screening services at that airport during the term of the contract;'';

(D) in subparagraph (C), as redesignated by subparagraph (B), by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(D) entering into the contract would not compromise aviation security.'';

(2) in paragraph (2)—

(A) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(C)''; and

(B) by striking the second sentence; and

(3) by adding at the end the following:

''(3) CALCULATION OF FEDERAL COSTS.—For purpose of the comparison of costs required by paragraph (1)(B), the Administrator shall incorporate a cost estimate that reflects the

total cost to the Federal Government, including all costs incurred by all Federal agencies and not only by the Transportation Security Administration, of providing screening services at an airport.''.

(d) RECOMMENDATIONS FOR IMPROVING AVIATION SECURITY.—Such section is amended by adding at the end the following:

''(i) CONSIDERATION OF RECOMMENDATIONS BY PRIVATE SCREENING COMPANIES FOR IMPROVING AVIATION SECURITY.—

''(1) RECOMMENDATIONS.—The Administrator shall request each qualified private screening company that enters into a contract with the Transportation Security Administration under this section to provide screening services at an airport to submit to the Administrator an annual report that includes recommendations for—

''(A) new approaches to prioritize and streamline requirements for aviation security;

''(B) new or more efficient processes for the screening of all passengers and property at the airport under section 44901;

''(C) processes and procedures that would enhance the screening of passengers and property at the airport; or

''(D) screening processes and procedures that would better enable the Administrator and the private screening company to respond to threats and emerging threats to aviation security.

''(2) TESTING.—The Administrator shall conduct a field demonstration at an airport of each recommendation submitted under paragraph (1) to determine the effectiveness of the approach, process, or procedure recommended, unless the Administrator determines that conducting such a demonstration would compromise aviation security.

''(3) CONSIDERATION OF ADOPTION.—

''(A) IN GENERAL.—After conducting a field demonstration under paragraph (2) with respect to a recommendation submitted under paragraph (1) by a private screening company, the Administrator—

''(i) shall consider adopting the recommendation; and

''(ii) may adopt the recommendation at all or some airports.

''(B) REPORT.—If the Administrator does not adopt a recommendation submitted under paragraph (1) by a private screening company, the Administrator shall submit to Congress and the private screening company a report that includes—

''(i) a description of the specific reasons the Administrator chose not to adopt the recommendation; and

''(ii) recommendations for how the private screening company could improve the approach, process, or procedure recommended.''.

(e) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in the section heading, by striking ''**Security screening opt-out program**'' and inserting ''**Screening partnership program**'';

(2) by striking subsection (h); and

(3) by striking ''Under Secretary'' each place it appears and inserting ''Administrator''.

(f) CLERICAL AMENDMENT.—The table of sections for chapter 449 of title 49, United States Code, is amended by striking the item relating to section 44920 and inserting the following:

''44920. Screening partnership program.''.

SA 4035. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 585. AIRCRAFT OPERATING EXPENSES SHARING.

The Administrator of the Federal Aviation Administration shall issue or revise regulations so as to permit a person who holds a pilot certificate to communicate with the public, in any manner the person determines appropriate, to facilitate an aircraft flight for which the pilot and passengers share aircraft operating expenses in accordance with section 61.113(c) of title 14, Code of Federal Regulations (or any successor regulation) without requiring a certificate under part 119 of title 14, Code of Federal Regulations (or any successor regulation).

SA 4036. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 585. HIRING OF AIR TRAFFIC CONTROL SPECIALISTS.

Section 44506(f)(1)(B)(i) of title 49, United States Code, is amended by striking ''referring'' and all that follows through ''10 percent.'' and inserting ''giving preferential consideration to pool 1 applicants described in clause (ii) before considering pool 2 applicants described in clause (iii).''.

SA 4037. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. 585. AVIATION EMPOWERMENT ACT.

(a) DEFINITIONS.—Section 40102(a) of title 49, United States Code, is amended by adding at the end the following:

''(48) 'common carrier' means a service provided by a person that meets the following elements:

''(A) holding out of a willingness to;

''(B) transport persons or property;

''(C) from place to place;

''(D) for compensation; and

''(E) without refusal unless authorized by law.

In applying subparagraph (D), the term 'compensation' requires the intent to pursue monetary profit but does not include flights in which the pilot and passengers share aircraft operating expenses or the pilot receives any benefit.

''(49) 'personal operator' means a person providing air transportation of persons or property for compensation or hire in aircraft that have eight or fewer seats, provided that the person holds a private pilot certificate pursuant to subpart E of section 61 of title 14, Code of Federal Regulations (or any successor regulation). A personal operator or a flight operated by a personal operator does not constitute a common carrier, as defined in paragraph (48), a commercial operation requiring a certificate under part 119 or 135 of title 14, Code of Federal Regulations (or any successor regulation), or a commercial operator, as defined in section 1.1 of title 14, Code of Federal Regulations (or any successor regulation).''.

(b) REGULATIONS.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall issue or revise regulations to comply with the amendments made by subsection (a) and to ensure the following:

(1) That a person who holds a pilot certificate may communicate with the public, in any manner the person determines appropriate, to facilitate an aircraft flight for which the pilot and passengers share aircraft operating expenses in accordance with section 61.113(c) of title 14, Code of Federal Regulations (or any successor regulation) and that such flight-sharing operations under section 61.113(c) of title 14, Code of Federal Regulations (or any successor regulation) shall not be deemed a common carrier, as defined in paragraph (48) of section 40102(a) of title 49, United States Code, or a commercial operation requiring a certificate under part 119 or 135 of title 14, Code of Federal Regulations (or any successor regulation).

(2) That a personal operator, as defined in paragraph (49) of section 40102(a) of title 49, United States Code, operating under part 91 of title 14 Code of Federal Regulations (or any successor regulation) shall not be subject to the requirements set forth in part 121, 125, or 135 of title 14, Code of Federal Regulations (or any successor regulation).

SA 4038. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

Strike division G.

SA 4039. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

On page 806, line 19, strike ''$60,000,000,000'' and insert ''$30,000,000,000''.

SA 4040. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

Strike division F.

SA 4041. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 302, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; which was ordered to lie on the table; as follows:

Strike division E.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. 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, October 2, 2018, at 10 a.m., to conduct a hearing entitled ''Implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, October 2, 2018, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, October 2, 2018, during votes to conduct a hearing the nomination of Andrew M. Saul, of New York, to be Commissioner of Social Security.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 2, 2018, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON THE CONSTITUTION

The Subcommittee on the Constitution of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, October 2, 2018, at 2:30 p.m., to conduct a hearing entitled ''Threats to Religious Liberty Around the World.''

PRIVILEGES OF THE FLOOR

Mr. PETERS. Mr. President, I ask unanimous consent to allow my Sea Grant fellow, Jillian Farkas, to be granted floor privileges for the remainder of the day.

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

ORDERS FOR WEDNESDAY, OCTOBER 3, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m., Wednesday, October 3; that following the prayer and pledge, the Journal of proceedings and the Executive Journal be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that notwithstanding rule XXII, all time postcloture on the House message to accompany H.R. 302 be considered expired at 12 noon.

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

RECESS UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no business to come before the Senate, I ask unanimous consent that it recess under the previous order.

There being no objection, the Senate, at 5:35 p.m., recessed until 10 a.m. Wednesday, October 3, 2018.