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Senate

The Senate met at 11:30 a.m. 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.

Father of mercies, You illumine all history with the shining light of Bethlehem. In this season, when we think about peace on Earth and good will to humanity, bless all those who love and serve You by working for unity, justice, and civility in our world. Continue to use our lawmakers for Your glory. Make them strong in their convictions, as they seek to faithfully serve You and country. Lord, draw them close to You and to one another, inspiring them to bear one another's burdens and so fulfill the law and the Gospel. And Lord, bless and keep Your servant, Senator ORRIN HATCH and his beloved Elaine as they prepare to transition from the Senate.

We pray in the Name of the Prince of Peace. 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 (Mr. SULLIVAN). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. The Senator from Alaska.

NUCLEAR ENERGY INNOVATION AND MODERNIZATION ACT

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 108, S. 512.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 512) to modernize the regulation of nuclear energy.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Nuclear Energy Innovation and Modernization Act''.

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

SEC. 2. FINDINGS.

Congress finds that—

(1) the safe and secure operation of nuclear reactors in the United States must remain the paramount focus of the Nuclear Regulatory Commission;

(2) the existing fleet of nuclear reactors in the United States is operating safely and securely;

(3) nuclear energy is the largest source of affordable, reliable, emissions-free energy in the United States, providing approximately 20 percent of the electricity consumed in the United States and 60 percent of emissions-free electricity generation in the United States;

(4) a 1,000-megawatt nuclear plant—

(A) provides approximately 500 permanent jobs;

(B) pays approximately $40,000,000 annually in wages;

(C) generates approximately $470,000,000 annually in goods and services in the local community; and

(D) pays approximately $83,000,000 annually in Federal, State, and local taxes;

(5) nuclear energy is of critical importance to United States energy security and worldwide influence on nonproliferation;

(6) nuclear energy uses widely available fuel resources to enable scientific progress, emissions-free and reliable electricity generation, heat generation for industrial applications, and power for deep space exploration;

(7) the private sector, the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), and institutions of higher education are pursuing innovations in nuclear energy technology that will play a crucial role in—

(A) the future global and United States energy supply; and

(B) the exports, manufacturing, and economy of the United States;

(8) eventual deployment of commercial advanced nuclear reactors will require—

(A) modernizing the regulatory framework; and

(B) making other necessary changes to facilitate the efficient, predictable, and affordable deployment of advanced nuclear reactor technologies;

(9) 2 impediments to the commercialization of advanced nuclear reactors are the high costs and long durations associated with applying the existing nuclear regulatory framework to advanced nuclear reactors;

(10) license application reviews should be as predictable, efficient, and timely as practicable without compromising safety or security;

(11) the development of advanced nuclear reactors would benefit from the early identification of policy issues for timely consideration and resolution by the Commission to improve the efficient development of designs as well as preparing for design review and licensing;

(12) the existing nuclear regulatory framework and the requirements of that framework have not adapted to advances in scientific understanding or the features and performance characteristics of advanced nuclear reactor designs;

(13) the existing nuclear reactor licensing process does not provide iterative feedback to manage risk as needed for typical technology development and investment cycles;

(14) a staged licensing structure that provides clear and periodic feedback to applicants on an agreed schedule will help to enable the commercialization of safer and innovative technologies that will benefit the economy, national security, and environment of the United States;

(15) a technology-inclusive Commission regulatory framework will—

(A) allow greater technological innovation; and

(B) enable inventors, scientists, engineers, and students to pursue licensing advanced reactor concepts;

(16) further preparation by the Commission of the research and test reactor licensing process will enable the Commission to more efficiently process applications for research and test reactors when the applications are received;

(17) it is incumbent on the Commission—

(A) to budget appropriate resources to undertake an active role in design familiarization activities with potential applicants with advanced reactor designs;

(B) to budget for adequate resources to conduct licensing reviews and other work requested by licensees and applicants; and

(C) to use those budgeted funds to ensure responsiveness to licensees and applicants in recognition of the dependence of the licensees and applicants on Commission approval before the benefits of the technology of the licensees and applicants can be realized; and

(18) both prospective advanced nuclear reactor applicants and the existing fleet of nuclear reactors in the United States would benefit from modernizing the outdated fee recovery structure of the Commission to better manage fluctuations in workload and the number of licensees in a fair and equitable manner.

SEC. 3. PURPOSE.

The purpose of this Act is to provide—

(1) a program to develop the expertise and regulatory processes necessary to allow innovation and the commercialization of advanced nuclear reactors;

(2) a revised fee recovery structure to ensure the availability of resources to meet industry needs without burdening existing licensees unfairly for inaccurate workload projections or premature existing reactor closures; and

(3) more efficient regulation of uranium recovery.

SEC. 4. DEFINITIONS.

In this Act:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' means a nuclear fission or fusion reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act)), with significant improvements compared to commercial nuclear reactors under construction as of the date of enactment of this Act, including improvements such as—

(A) additional inherent safety features;

(B) significantly lower levelized cost of electricity;

(C) lower waste yields;

(D) greater fuel utilization;

(E) enhanced reliability;

(F) increased proliferation resistance;

(G) increased thermal efficiency; or

(H) ability to integrate into electric and non-electric applications.

(2) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' means fuel for use in an advanced nuclear reactor or a research and test reactor, including fuel with a low uranium enrichment level of not greater than 20 percent.

(3) AGREEMENT STATE.—The term ''Agreement State'' means any State with which the Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(5) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(6) CONCEPTUAL DESIGN ASSESSMENT.—The term ''conceptual design assessment'' means an early-stage review by the Commission that—

(A) assesses preliminary design information for consistency with applicable regulatory requirements of the Commission;

(B) is performed on a set of topic areas agreed to in the licensing project plan; and

(C) is performed at a cost and schedule agreed to in the licensing project plan.

(7) CORPORATE SUPPORT COSTS.—The term ''corporate support costs'' means expenditures for acquisitions, administrative services, financial management, human resource management, information management, information technology, policy support, outreach, and training, as those categories are described and calculated in Appendix A of the Congressional Budget Justification for Fiscal Year 2017 of the Commission.

(8) LICENSING PROJECT PLAN.—The term ''licensing project plan'' means a plan that describes—

(A) the interactions between an applicant and the Commission; and

(B) project schedules and deliverables in specific detail to support long-range resource planning undertaken by the Commission and an applicant.

(9) REGULATORY FRAMEWORK.—The term ''regulatory framework'' means the framework for reviewing requests for certifications, permits, approvals, and licenses for nuclear reactors.

(10) REQUESTED ACTIVITY OF THE COMMISSION.—The term ''requested activity of the Commission'' means—

(A) the processing of applications for—

(i) design certifications or approvals;

(ii) licenses;

(iii) permits;

(iv) license amendments;

(v) license renewals;

(vi) certificates of compliance; and

(vii) power uprates; and

(B) any other activity requested by a licensee or applicant.

(11) RESEARCH AND TEST REACTOR.—

(A) IN GENERAL.—The term ''research and test reactor'' means a reactor that—

(i) falls within the licensing and related regulatory authority of the Commission under section 202 of the Energy Reorganization Act of 1974 (42 U.S.C. 5842); and

(ii) is useful in the conduct of research and development activities as licensed under section 104 c. of the Atomic Energy Act (42 U.S.C. 2134(c)).

(B) EXCLUSION.—The term ''research and test reactor'' does not include a commercial nuclear reactor.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(13) STANDARD DESIGN APPROVAL.—The term ''standard design approval'' means the approval of a final standard design or a major portion of a final design standard as described in subpart E of part 52 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(14) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—The term ''technology-inclusive regulatory framework'' means a regulatory framework developed using methods of evaluation that are flexible and practicable for application to a variety of reactor technologies, including, where appropriate, the use of risk-informed and performance-based techniques and other tools and methods.

(15) TOPICAL REPORT.—The term ''topical report'' means a document submitted to the Commission that addresses a technical topic related to nuclear reactor safety or design.

TITLE I—ADVANCED NUCLEAR REACTORS AND USER FEES

SEC. 101. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES THROUGH FISCAL YEAR 2019.

(a) IN GENERAL.—Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) amounts appropriated to the Commission for the fiscal year for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103 of the Nuclear Energy Innovation and Modernization Act.''.

(b) REPEAL.—Effective October 1, 2019, section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is repealed.

SEC. 102. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER.

(a) ANNUAL BUDGET JUSTIFICATION.—

(1) IN GENERAL.—In the annual budget justification submitted by the Commission to Congress, the Commission shall expressly identify anticipated expenditures necessary for completion of the requested activities of the Commission anticipated to occur during the applicable fiscal year.

(2) RESTRICTION.—Budget authority granted to the Commission for purposes of the requested activities of the Commission shall be used, to the maximum extent practicable, solely for conducting requested activities of the Commission.

(3) LIMITATION ON CORPORATE SUPPORT COSTS.—With respect to the annual budget justification submitted to Congress, corporate support costs, to the maximum extent practicable, shall not exceed the following percentages of the total budget authority of the Commission requested in the annual budget justification:

(A) 30 percent for each of fiscal years 2020 and 2021.

(B) 29 percent for each of fiscal years 2022 and 2023.

(C) 28 percent for fiscal year 2024 and each fiscal year thereafter.

(b) FEES AND CHARGES.—

(1) ANNUAL ASSESSMENT.—

(A) IN GENERAL.—Each fiscal year, the Commission shall assess and collect fees and charges in accordance with paragraphs (2) and (3) in a manner that ensures that, to the maximum extent practicable, the amount collected is equal to an amount that approximates—

(i) the total budget authority of the Commission for that fiscal year; less

(ii) the budget authority of the Commission for the activities described in subparagraph (B).

(B) EXCLUDED ACTIVITIES DESCRIBED.—The activities referred to in subparagraph (A)(ii) are the following:

(i) Any fee relief activity identified by the Commission in the final rule of the Commission entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' (80 Fed. Reg. 37432 (June 30, 2015)).

(ii) Amounts appropriated for a fiscal year to the Commission—

(I) from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c));

(II) for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2601 note; Public Law 108–375);

(III) for the homeland security activities of the Commission (other than for the costs of fingerprinting and background checks required under section 149 of the Atomic Energy Act of 1954 (42 U.S.C. 2169) and the costs of conducting security inspections);

(IV) for the Inspector General services of the Commission provided to the Defense Nuclear Facilities Safety Board;

(V) for research and development at universities in areas relevant to the mission of the Commission; and

(VI) for a nuclear science and engineering grant program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

(iii) Costs for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103.

(C) EXCEPTION.—The exclusion described in subparagraph (B)(iii) shall cease to be effective on January 1, 2031.

(D) REPORT.—Not later than December 31, 2029, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the views of the Commission on the continued appropriateness and necessity of the funding described in subparagraph (B)(iii).

(2) FEES FOR SERVICE OR THING OF VALUE.—In accordance with section 9701 of title 31, United States Code, the Commission shall charge fees to any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

(3) ANNUAL FEES.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in subparagraph (D), the Commission may charge to any licensee or certificate holder of the Commission an annual fee.

(B) CAP ON ANNUAL FEES OF CERTAIN LICENSEES.—

(i) IN GENERAL.—The annual fee under subparagraph (A) charged to an operating reactor licensee, to the maximum extent practicable, shall not exceed the annual fee amount per operating reactor licensee established in the final rule of the Commission entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' (80 Fed. Reg. 37432 (June 30, 2015)), as may be adjusted annually by the Commission to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(ii) WAIVER.—The Commission may waive, for a period of 1 year, the cap on annual fees described in clause (i) if the Commission submits to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a written determination that the cap on annual fees may compromise the safety and security mission of the Commission.

(C) AMOUNT PER LICENSEE.—

(i) IN GENERAL.—The Commission shall establish by rule a schedule of fees fairly and equitably allocating the aggregate amount of charges described in subparagraph (A) among licensees and certificate holders.

(ii) REQUIREMENT.—The schedule of fees under clause (i)—

(I) to the maximum extent practicable, shall be based on the cost of providing regulatory services; and

(II) may be based on the allocation of the resources of the Commission among licensees or certificate holders or classes of licensees or certificate holders.

(D) EXEMPTION.—

(i) DEFINITION OF RESEARCH REACTOR.—In this subparagraph, the term ''research reactor'' means a nuclear reactor that—

(I) is licensed by the Commission under section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation at a thermal power level of not more than 10 megawatts; and

(II) if licensed under subclause (I) for operation at a thermal power level of more than 1 megawatt, does not contain—

(aa) a circulating loop through the core in which the licensee conducts fuel experiments;

(bb) a liquid fuel loading; or

(cc) an experimental facility in the core in excess of 16 square inches in cross-section.

(ii) EXEMPTION.—Subparagraph (A) shall not apply to the holder of any license for a federally owned research reactor used primarily for educational training and academic research purposes.

(c) PERFORMANCE AND REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall develop for the requested activities of the Commission—

(A) performance metrics; and

(B) on each request, milestone schedules.

(2) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION.—The Executive Director for Operations of the Commission shall inform the Commission of a delay in issuance of the final safety evaluation for a requested activity of the Commission by the completion date required by the performance metrics or milestone schedule under paragraph (1) by not later than 30 days after the completion date.

(3) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION EXCEEDING 180 DAYS.—If the final safety evaluation for the requested activity of the Commission described in paragraph (2) is not completed by the date that is 180 days after the completion date required by the performance metrics or milestone schedule under paragraph (1), the Commission shall submit to the appropriate congressional committees a timely report describing the delay, including a detailed explanation accounting for the delay and a plan for timely completion of the final safety evaluation.

(d) ACCURATE INVOICING.—With respect to invoices for fees and charges described in subsection (b)(2), the Commission shall—

(1) ensure appropriate management review and concurrence prior to the issuance of invoices;

(2) develop and implement processes to audit invoices to ensure accuracy, transparency, and fairness; and

(3) modify regulations to ensure fair and appropriate processes to provide licensees and applicants an opportunity to efficiently dispute or otherwise seek review and correction of errors in invoices for fees and charges.

(e) REPORT.—Not later than September 30, 2021, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the implementation of this section, including any impacts and recommendations for improvement.

(f) EFFECTIVE DATE.—Except as provided in subsection (c), this section takes effect on October 1, 2019.

SEC. 103. ADVANCED NUCLEAR REACTOR PROGRAM.

(a) LICENSING.—

(1) STAGED LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 270 days after the date of enactment of this Act, the Commission shall develop and implement, within the existing regulatory framework, strategies for—

(A) establishing stages in the licensing process for commercial advanced nuclear reactors; and

(B) developing procedures and processes for—

(i) using a licensing project plan; and

(ii) optional use of a conceptual design assessment.

(2) RISK-INFORMED LICENSING.—Not later than 2 years after the date of enactment of this Act, the Commission shall develop and implement, where appropriate, strategies for the increased use of risk-informed, performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within the existing regulatory framework, including evaluation techniques and guidance for the resolution of the following:

(A) Applicable policy issues identified during the course of review by the Commission of a commercial advanced nuclear reactor licensing application.

(B) The issues described in SECY–93–092 and SECY–15–077, including—

(i) licensing basis event selection and evaluation;

(ii) source terms;

(iii) containment performance; and

(iv) emergency preparedness.

(3) RESEARCH AND TEST REACTOR LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 2 years after the date of enactment of this Act, the Commission shall develop and implement strategies within the existing regulatory framework for licensing research and test reactors, including the issuance of guidance.

(4) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—Not later than December 31, 2024, the Commission shall complete a rulemaking to establish a technology-inclusive, regulatory framework for optional use by commercial advanced nuclear reactor applicants for new reactor license applications.

(5) TRAINING AND EXPERTISE.—As soon as practicable after the date of enactment of this Act, the Commission shall provide for staff training or the hiring of experts, as necessary—

(A) to support the activities described in paragraphs (1) through (4); and

(B) to support preparations—

(i) to conduct pre-application interactions; and

(ii) to review commercial advanced nuclear reactor license applications.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission to carry out this subsection such sums as are necessary.

(b) REPORT TO ESTABLISH STAGES IN THE COMMERCIAL ADVANCED NUCLEAR REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for expediting and establishing stages in the licensing process for commercial advanced nuclear reactors that will allow implementation of the licensing process by not later than 2 years after the date of enactment of this Act (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for implementing strategies to establish stages in the licensing process for commercial advanced nuclear reactor technologies.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A)(i) the unique aspects of commercial advanced nuclear reactor licensing, including the use of alternative coolants, operation at or near atmospheric pressure, and the use of passive safety strategies;

(ii) strategies for the qualification of advanced nuclear reactor fuel, including the use of computer modeling and simulation and experimental validation; and

(iii) for the purposes of predictable, efficient, and timely reviews, any associated legal, regulatory, and policy issues the Commission should address with regard to the licensing of commercial advanced nuclear reactor technologies;

(B) options for licensing commercial advanced nuclear reactors under the regulations of the Commission contained in title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act), including—

(i) the development and use under the regulatory framework of the Commission in effect on the date of enactment of this Act of a licensing project plan that could establish—

(I) milestones that—

(aa) correspond to stages of a licensing process for the specific situation of a commercial advanced nuclear reactor project; and

(bb) use knowledge of the ability of the Commission to review certain design aspects; and

(II) guidelines defining the roles and responsibilities between the Commission and the applicant at the onset of the interaction—

(aa) to provide the foundation for effective communication and effective project management; and

(bb) to ensure efficient progress;

(ii) the use of topical reports, standard design approval, and other appropriate mechanisms as tools to introduce stages into the commercial advanced nuclear reactor licensing process, including how the licensing project plan might structure the use of those mechanisms;

(iii) collaboration with standards-setting organizations to identify specific technical areas for which new or updated standards are needed and providing assistance if appropriate to ensure the new or updated standards are developed and finalized in a timely fashion;

(iv) the incorporation of consensus-based codes and standards developed under clause (iii) into the regulatory framework—

(I) to provide predictability for the regulatory processes of the Commission; and

(II) to ensure timely completion of specific licensing actions;

(v) the development of a process for, and the use of, conceptual design assessments; and

(vi) identification of any policies and guidance for staff that will be needed to implement clauses (i) and (ii);

(C) options for improving the efficiency, timeliness, and cost-effectiveness of licensing reviews of commercial advanced nuclear reactors, including opportunities to minimize the delays that may result from any necessary amendment or supplement to an application;

(D) options for improving the predictability of the commercial advanced nuclear reactor licensing process, including the evaluation of opportunities to improve the process by which application review milestones are established and met; and

(E) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(c) REPORT TO INCREASE THE USE OF RISK-INFORMED AND PERFORMANCE-BASED EVALUATION TECHNIQUES AND REGULATORY GUIDANCE.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for increasing, where appropriate, the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for implementing a strategy to increase the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to develop and implement, where appropriate, risk-informed and performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within existing regulatory frameworks not later than 2 years after the date of enactment of this Act, including policies and guidance for the resolution of—

(i) issues relating to—

(I) licensing basis event selection and evaluation;

(II) use of mechanistic source terms;

(III) containment performance;

(IV) emergency preparedness; and

(V) the qualification of advanced nuclear reactor fuel; and

(ii) other policy issues previously identified; and

(B) the extent to which Commission action is needed to implement any part of the report.

(d) REPORT TO PREPARE THE RESEARCH AND TEST REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for preparing the licensing process for research and test reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for preparing the licensing process for research and test reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the unique aspects of research and test reactor licensing and any associated legal, regulatory, and policy issues the Commission should address to prepare the licensing process for research and test reactors;

(B) the feasibility of developing guidelines for advanced reactor demonstrations and prototypes to support the review process for advanced reactors designs, including designs that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(C) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(e) REPORT TO COMPLETE A RULEMAKING TO ESTABLISH A TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR OPTIONAL USE BY COMMERCIAL ADVANCED NUCLEAR REACTOR TECHNOLOGIES IN NEW REACTOR LICENSE APPLICATIONS AND TO ENHANCE COMMISSION EXPERTISE RELATING TO ADVANCED NUCLEAR REACTOR TECHNOLOGIES.—

(1) REPORT REQUIRED.—Not later than 30 months after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report (referred to in this subsection as the ''report'') for—

(A) completing a rulemaking to establish a technology-inclusive regulatory framework for optional use by applicants in licensing commercial advanced nuclear reactor technologies in new reactor license applications; and

(B) ensuring that the Commission has adequate expertise, modeling, and simulation capabilities, or access to those capabilities, to support the evaluation of commercial advanced reactor license applications, including the qualification of advanced nuclear reactor fuel.

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for developing and implementing a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies, including completion of a rulemaking.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to complete a rulemaking to establish a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies by December 31, 2024;

(B) the extent to which additional legislation, or Commission action or modification of policy, is needed to implement any part of the new regulatory framework;

(C) the need for additional Commission expertise, modeling, and simulation capabilities, or access to those capabilities, to support the evaluation of licensing applications for commercial advanced nuclear reactors and research and test reactors, including applications that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(D) the budgets and timeframes for acquiring or accessing the necessary expertise to support the evaluation of license applications for commercial advanced nuclear reactors and research and test reactors.

SEC. 104. ADVANCED NUCLEAR ENERGY LICENSING COST-SHARE GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means an applicant for a grant under the program that is seeking a license for an advanced nuclear reactor or a research and test reactor.

(2) PROGRAM.—The term ''program'' means the Advanced Nuclear Energy Cost-Share Grant Program established under subsection (b).

(b) ESTABLISHMENT.—The Secretary shall establish a grant program to be known as the ''Advanced Nuclear Energy Cost-Share Grant Program'', under which the Secretary shall make cost-share grants to eligible applicants for the purpose of funding a portion of the Commission fees and other costs of the eligible applicant for pre-application and application review activities.

(c) REQUIREMENT.—The Secretary shall seek out technology diversity in making grants under the program.

(d) COST-SHARE AMOUNT.—The Secretary shall determine the cost-share amount for each grant.

(e) USE OF FUNDS.—Recipients of grants under the program may use the grant funds to cover Commission fees and other costs, including those fees or other costs associated with—

(1) developing a licensing project plan;

(2) preparing an application for and obtaining a conceptual design assessment;

(3) preparing and reviewing topical reports; and

(4) other pre-application and application review activities and interactions with the Commission.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the

Secretary to carry out this section such sums as are necessary.

SEC. 105. BAFFLE-FORMER BOLT GUIDANCE.

(a) REVISIONS TO GUIDANCE.—Not later than September 30, 2017, the Commission shall publish any necessary revisions to the guidance on the baseline examination schedule and subsequent examination frequency for baffle-former bolts in pressurized water reactors with down-flow configurations.

(b) REPORT.—Not later than September 30, 2017, the Commission shall submit to the appropriate congressional committees—

(1) a report explaining any revisions made to the guidance described in subsection (a); or

(2) if no revisions were made, a report explaining why the guidance, as in effect on the date of submission of the report, is sufficient.

SEC. 106. EVACUATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report describing the actions the Commission has taken, or plans to take, to consider lessons learned since September 11, 2001, Superstorm Sandy, Fukushima, and other recent natural disasters regarding directed or spontaneous evacuations in densely populated urban and suburban areas.

(b) INCLUSIONS.—The report under subsection (a) shall—

(1) describe the actions of the Commission—

(A) to consider the results from—

(i) the State-of-the-Art Reactor Consequence Analyses project; and

(ii) the current examination by the Commission of emergency planning zones for small modular reactors and advanced nuclear reactors; and

(B) to monitor international reviews, including reviews conducted by—

(i) the United Nations Scientific Committee on the Effects of Atomic Radiation;

(ii) the World Health Organization; and

(iii) the Fukushima Health Management Survey; and

(2) with respect to a disaster similar to a disaster described in subsection (a), include information about—

(A) potential shadow evacuations in response to the disaster; and

(B) what levels of self-evacuation should be expected during the disaster, including outside the 10-mile evacuation zone.

(c) CONSULTATION REQUIRED.—The report under subsection (a) shall be prepared after consultation with—

(1) the Federal Radiological Preparedness Coordinating Committee;

(2) State emergency planning officials from States that the Commission determines to be relevant to the report; and

(3) experts in analyzing human behavior and probable responses to a radiological emission event.

SEC. 107. ENCOURAGING PRIVATE INVESTMENT IN RESEARCH AND TEST REACTORS.

(a) PURPOSE.—The purpose of this section is to encourage private investment in research and test reactors.

(b) RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) in the first sentence, by striking ''and which are not facilities of the type specified in subsection 104 b.'' and inserting a period; and

(2) by adding at the end the following: ''The Commission is authorized to issue licenses under this section for utilization facilities useful in the conduct of research and development activities of the types specified in section 31 in which the licensee sells research and testing services and energy to others, subject to the condition that the licensee shall recover not more than 75 percent of the annual costs to the licensee of owning and operating the facility through sales of nonenergy services, energy, or both, other than research and development or education and training, of which not more than 50 percent may be through sales of energy.''.

SEC. 108. COMMISSION REPORT ON ACCIDENT TOLERANT FUEL.

(a) DEFINITION OF ACCIDENT TOLERANT FUEL.—In this section, the term ''accident tolerant fuel'' means a new technology that—

(1) makes an existing commercial nuclear reactor more resistant to a nuclear incident (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)); and

(2) lowers the cost of electricity over the licensed lifetime of an existing commercial nuclear reactor.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report describing the status of the licensing process of the Commission for accident tolerant fuel.

TITLE II—URANIUM

SEC. 201. URANIUM RECOVERY REPORT.

Not later than December 31, 2017, the Commission shall submit to the appropriate congressional committees a report describing—

(1) the safety and feasibility of extending the duration of uranium recovery licenses from 10 to 20 years, including any potential benefits of the extension;

(2) the duration of uranium recovery license issuance and amendment reviews; and

(3) recommendations to improve efficiency and transparency of uranium recovery license issuance and amendment reviews.

SEC. 202. PILOT PROGRAM FOR URANIUM RECOVERY FEES.

Not later than July 31, 2018, the Commission shall—

(1) complete a voluntary pilot initiative to determine the feasibility of the establishment of a flat fee structure for routine licensing matters relating to uranium recovery; and

(2) provide to the appropriate congressional committees a report describing the results of the pilot initiative under paragraph (1).

SEC. 203. URANIUM TRANSFERS AND SALES.

Section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–10) is amended—

(1) by redesignating subsections (b) through (f) as subsections (d) through (h), respectively;

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

''(a) DEFINITIONS.—In this section:

''(1) DEPLETED URANIUM.—The term 'depleted uranium' means uranium having an assay less than the assay for—

''(A) natural uranium; or

''(B) 0.711 percent of the uranium-235 isotope.

''(2) HIGHLY ENRICHED URANIUM.—The term 'highly enriched uranium' means uranium having an assay of 20 percent or greater of the uranium-235 isotope.

''(3) LOW-ENRICHED URANIUM.—The term 'low-enriched uranium' means uranium having an assay greater than 0.711 percent but less than 20 percent of the uranium-235 isotope.

''(4) METRIC TON OF URANIUM.—The term 'metric ton of uranium' means 1,000 kilograms of uranium.

''(5) NATURAL URANIUM.—The term 'natural uranium' means uranium having an assay of 0.711 percent of the uranium-235 isotope.

''(6) OFF-SPEC URANIUM.—The term 'off-spec uranium' means uranium in any form, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, UF6, and any byproduct of uranium processing, that does not meet the specification for commercial material (as defined by the standards of the American Society for Testing and Materials).

''(7) URANIUM.—Other than in subsection (c), the term 'uranium' includes natural uranium, uranium hexafluoride, highly enriched uranium, low-enriched uranium, depleted uranium, and any byproduct of uranium processing.

''(8) URANIUM HEXAFLUORIDE; UF6.—The terms 'uranium hexafluoride' and 'UF6' mean uranium that has been combined with fluorine, to form a compound that, dependent on temperature and pressure, can be a solid, liquid, or gas.

''(b) TRANSFERS AND SALES BY THE SECRETARY.—The Secretary is not authorized to provide enrichment services or transfer or sell any uranium except in accordance with this section.

''(c) DEVELOPMENT OF FEDERAL EXCESS URANIUM MANAGEMENT PLAN.—

''(1) IN GENERAL.—Beginning on January 1, 2018, and not less frequently than once every 10 years thereafter, the Secretary shall issue a long-term Federal excess uranium inventory management plan (referred to in this section as the 'plan') that details the management of the excess uranium inventories of the Department of Energy and covers a period of not fewer than 10 years.

''(2) CONTENT.—

''(A) IN GENERAL.—The plan shall cover all forms of uranium within the excess uranium inventory of the Department of Energy, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, off-spec uranium, and UF6.

''(B) REDUCING IMPACT ON DOMESTIC INDUSTRY.—The plan shall outline steps the Secretary will take to minimize the impact of transferring or selling uranium on the domestic uranium mining, conversion, and enrichment industries, including any actions for which the Secretary would require new authority.

''(C) MAXIMIZING BENEFITS TO THE FEDERAL GOVERNMENT.—The plan shall outline steps the Secretary shall take to ensure that the Federal Government maximizes the potential value of uranium for the Federal Government.

''(3) PROPOSED PLAN.—Before issuing the final plan, the Secretary shall publish a proposed plan in the Federal Register pursuant to a rulemaking under section 553 of title 5, United States Code.

''(4) DEADLINES FOR SUBMISSION.—The Secretary shall issue—

''(A) a proposed plan for public comment under paragraph (3) not later than 180 days after the date of enactment of this paragraph; and

''(B) a final plan not later than 1 year after the date of enactment of this paragraph.'';

(3) in subsection (d) (as redesignated by paragraph (1))—

(A) in the sixth sentence of paragraph (3), by striking ''subsections (b)(5), (b)(6) and (b)(7) of this section'' and inserting ''paragraphs (5), (6), and (7)''; and

(B) in paragraph (8), by striking ''(b)'';

(4) in subsection (e)(1) (as redesignated by paragraph (1)), by striking ''subsection (c)(2)'' and inserting ''paragraph (2)'';

(5) in subsection (f) (as redesignated by paragraph (1))—

(A) in paragraph (1), by striking ''(c) and (e)'' and all that follows through ''uranium)'' and inserting ''(e) and (g), the Secretary may, from time to time, sell uranium'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) LIMITATIONS.—The transfers authorized under subsections (e) and (g), and the sales authorized under paragraph (1), shall be subject to the following limitations:

''(A) Effective for the period of calendar years 2017 through 2025, the Secretary shall not transfer or sell more than 2,100 metric tons of natural uranium equivalent annually in any form, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, off-spec uranium, and UF6.

''(B) Effective beginning on January 1, 2026, the Secretary shall not transfer or sell more than 2,700 metric tons of natural uranium equivalent annually in any form, including depleted uranium, highly enriched uranium, low-enriched uranium, natural uranium, off-spec uranium, and UF6.'';

(D) in paragraph (3) (as redesignated by subparagraph (B))—

(i) in the matter preceding subparagraph (A), by striking the paragraph designation and all that follows through ''unless—'' and inserting the following:

''(3) DETERMINATIONS.—Except as provided in subsections (d), (e), and (g), and subject to paragraph (4), no sale or transfer of uranium shall be made unless—''; and

(ii) in subparagraph (B), by striking ''the sale'' and inserting ''the sale or transfer''; and

(E) by adding at the end the following:

''(4) REQUIREMENTS FOR DETERMINATIONS.—

''(A) PROPOSED DETERMINATION.—Before making a determination under paragraph (3)(B), the Secretary shall publish a proposed determination in the Federal Register pursuant to a rulemaking under section 553 of title 5, United States Code.

''(B) QUALITY OF MARKET ANALYSIS.—Any market analysis that is prepared by the Department of Energy, or that the Department of Energy commissions for the Secretary as part of the determination process under paragraph (3)(B), shall be subject to a peer review process consistent with the guidelines of the Office of Management and Budget published at 67 Fed. Reg. 8452–8460 (February 22, 2002) (or successor guidelines), to ensure and maximize the quality, objectivity, utility, and integrity of information disseminated by Federal agencies.

''(C) WAIVER OF SECRETARIAL DETERMINATION.—Beginning on January 1, 2023, the requirement for a determination by the Secretary under paragraph (3)(B) shall be waived for transferring or selling uranium by the Secretary if the uranium has been identified in the updated long-term Federal excess uranium inventory management plan under subsection (c)(1).''; and

(6) in subsection (g) (as redesignated by paragraph (1)), in the matter preceding paragraph (1), by striking ''(d)(2)'' and inserting ''(f)(3), but subject to subsection (f)(2)''.

Mr. SULLIVAN. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Barrasso substitute amendment at the desk be agreed to; and that the bill, as amended, be considered read a third time.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 4175) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. SULLIVAN. I know of no further debate on the bill.

The PRESIDENT pro tempore. Is there any further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 512), as amended, was passed.

Mr. SULLIVAN. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

DIRECTING THE SECRETARY OF ENERGY TO REVIEW AND UPDATE A REPORT ON THE ENERGY AND ENVIRONMENTAL BENEFITS OF THE RE-REFINING OF USED LUBRICATING OIL

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of H.R. 1733 and the Senate proceed to its immediate consideration.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1733) to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SULLIVAN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1733) was ordered to a third reading, was read the third time, and passed.

DESIGNATING THE ORRIN G. HATCH UNITED STATES COURTHOUSE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3800, introduced earlier today.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3800) to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''ORRIN G. HATCH United States Courthouse.''

There being no objection, the Senate proceeded to consider the bill.

Mr. SULLIVAN. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3800) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3800

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

SECTION 1. ORRIN G. HATCH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 351 South West Temple in Salt Lake City, Utah, shall be known and designated as the ''Orrin G. Hatch United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Orrin G. Hatch United States Courthouse''.

(c) EFFECTIVE DATE.—This Act shall take effect on January 3, 2019.

The PRESIDENT pro tempore. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, congratulations on that bill. It is very appropriate that you should be the one passing it, since it is named after you.

The PRESIDENT pro tempore. I am not so sure about that. I appreciate that. I am not so sure I am the one who should be here. I didn't realize that was going to happen this morning, but I am very honored, and I am honored by the Senator from Alaska and my fellow Senators in the U.S. Senate.

Mr. SULLIVAN. I yield the floor.

The PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON. Mr. President, I add my congratulations.

The PRESIDENT pro tempore. Thank you, sir. Thank you so much.

Mr. NELSON. Mr. President, it is my understanding that Senator SCHUMER wants to speak, and then I will seek recognition later.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SULLIVAN). The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, last night, the Senate agreed to pass a short-term continuing resolution to keep the government open through early February.

With less than 2 days to go until the appropriations lapse, if we are to avoid a shutdown, the House must pass this continuing resolution and President Trump must sign it. If President Trump vetoes the short-term spending bill, he would no doubt compound the serious errors he has made throughout the budget process. It is already indisputable that a shutdown would fall on President Trump's back. He has been demanding it for months, and, of course, when Leader PELOSI and I went to the White House, he demanded it in front of all the American people.

Now, compounding that—vetoing the last train out of the station, a CR—he would be doubling down on his responsibility for a Christmas shutdown, and every single American would know it. Most importantly, it would not move the needle an inch toward the President getting his wall.

I mention these points because several Members of the Freedom Caucus—the hard rightwing in the House—and hard-right voices in the media are openly encouraging the President to veto any CR that doesn't have his money for the wall. These are the same voices pressuring the House leadership to refuse to put the CR on the floor. The voices of the hard right—both in the House and in the media—give no strategy at all—simply, shut the government down. But none of them have detailed any path to get their wall.

Let me just walk my friends in the House through it. Democrats are not budging on the wall. We favor smart, effective border security, not a medieval wall.

A Trump shutdown will not convince a single Democrat to support bilking the American taxpayers for an ineffective, unnecessary, and exorbitantly expensive wall that President Trump promised Mexico would pay for.

I hear Mr. JORDAN and Mr. MEADOWS say: This was a campaign promise. They are only mentioning half of the campaign promise. The promise throughout the campaign was this: We will build a wall, and Mexico will pay for it.

Furthermore, there are not the votes in the Republican House for a wall. There are not the votes in the Senate for a wall—not now, not next week, not next month or beyond.

If Speaker RYAN refuses to put the CR on the floor or President Trump vetoes it, there will be a Trump shutdown, but there will be no wall. And if President Trump or House Republicans cause a shutdown over Christmas, on January 3, the new Democratic House will send the Senate a clean CR bill. Based on passage of the CR last night, it is clear—and to their credit—that Senate Republicans don't want a shutdown.

What is the endgame here? What is the endgame of those who are demanding the President not sign the CR—that the House not pass the CR? It seems, unfortunately, that the Trump temper tantrum is spreading like a contagion down Pennsylvania Avenue to the allies in the House.

Trump's allies in the House can pound their fists on the table all they want, but it is not going to get a wall. They can—having caught the Trump temper fever—jump up and down, yell and scream. It is not going to get a wall. And neither Mr. MEADOWS nor Mr. JORDAN have outlined any conceivable plan on how to achieve what they say they want to achieve.

I would say this to my less frenzied friends in the House. Go ask Mr. JORDAN and ask Mr. MEADOWS: What is your plan? What is your endgame? What is your path to getting the wall?

I suspect that anyone who asks them will find that they don't have one. They are just angry and mad, and so they pound their fists on the table. They have caught the Trump temper tantrum, but they have no conceivable plan, and so their anger will result in a Trump shutdown, but not a Trump wall. Frankly, their anger will result in further discrediting the President whom they support.

Amazingly, Representative MEADOWS said yesterday that the American people will support President Trump shutting down the government over the wall. I don't know what evidence he has for that or whom he speaks to, because every public poll that I have seen shows that the American people are not only strongly against a border wall, but they are even more strongly against a shutdown to get the wall. Imagine how strongly they would feel as he ties those two things together.

When Mr. MEADOWS says the American people are for it, he must think the American people are only conservative Republicans. If he widened his horizons a bit, he would come to the understanding that shutting down the government over President Trump's wall is futile, self-defeating, and has minimal support among the American people. Even a quarter of President Trump's shrinking base does not support shutting down the government over the wall, and among the vast majority of other Americans who are not part of President Trump's base—and those are the majority of Americans—the strong majority are totally against it.

We need to get something done here to keep the government open over Christmas. We need to tell the hundreds of thousands—millions—of workers that they will get paid over Christmastime. The House needs to come to the same sensible conclusion that the Senate came to—that we should not hold millions of innocent Americans hostage to demand something they will never get.

The Senate has produced a clean bill. There are no partisan demands, no poison pill riders. We could have demanded lots of things in the bill that we want. It is just a clean extension of funding. If House Republicans and President Trump refuse to pass it, then we will have a Trump shutdown over Christmas. The choice is theirs.

NOMINATION OF WILLIAM BARR

Mr. SCHUMER. Mr. President, last night we received some extraordinarily concerning news regarding the President's nominee for Attorney General, Mr. William Barr.

According to reports earlier this year, Mr. Barr sent the Justice Department an unsolicited memo criticizing what he believed to be an avenue of investigation by Special Counsel Robert Mueller. Mr. Barr's memo reveals that he is fatally conflicted from being able to oversee the special counsel's investigation and that he should not be nominated for Attorney General.

Mr. Barr believes Presidents, in general, and, more frighteningly, President Trump, who has shown less respect for rule of law than any President, are above the law—much like Justice Kavanaugh—because he has an almost imperial view of the Presidency—as almost a King, not an elected leader. That much comes across in the memo because it doesn't allow legal processes to work against the President, who might be breaking the law.

We will see what Mueller finds out if that is true, but we should let him go forward. The fact that Mr. Barr holds these deeply misguided views and chose to launch them in an unprovoked written attack on the special counsel unquestionably disqualifies Mr. Barr from serving as Attorney General again.

Since Mr. Barr hasn't been formally nominated yet, the President must immediately reconsider and find another nominee who is free of conflicts and will carry out the duties of law impartially.

ACTING ATTORNEY GENERAL

Mr. SCHUMER. Finally this morning, on another Justice Department matter, the Justice Department seems that it is becoming more and more of a swamp—at least in its top leaders. This time it is Mr. Whitaker.

This morning, we learned that ethics officials at the Justice Department told Acting Attorney General Matthew Whitaker that he did not need to recuse himself from overseeing the special counsel's investigation. The decision by the Justice Department defies logic. Matthew Whitaker has publicly and forcefully advocated for defunding and imposing severe limits on the Mueller investigation, calling it a ''mere witch hunt.'' He also has troubling conflicts of interest, including his relationship with Sam Clovis, who is a grand jury witness in this investigation.

There is clear and obvious evidence of bias on the part of Matthew Whitaker against the special counsel's investigation. To allow him to retain oversight over that investigation without his recusal is incredibly misguided.

The Congress and the American people must be informed of any instance in which Mr. Whitaker has sought or is seeking to interfere with the Mueller investigation. If Mr. Whitaker has sought any limitation on witnesses, funding, subpoenas, or any other limitation, we must be informed of it right now.

We believe that Matthew Whitaker shouldn't be in the job in the first place. His appointment is potentially unconstitutional. His oversight of the Russia investigation is hopelessly biased.

It is clear that President Trump is trying in every way possible to appoint or to nominate people to lead the Justice Department who could well impede the special counsel's investigation.

I thank the Senator from Florida for patiently waiting.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Florida.

SYRIA

Mr. NELSON. Madam President, Syria has been a mess and a concern for quite a number of years. By putting in a small footprint now of a little over 2,000 special operations troops, the United States has been considerably successful when you think of what a chaotic place it was and still is and that it was especially inimical to the interests of the United States just a

few years ago. Remember the horrible images of U.S. citizens being executed by ISIS. Remember all of the trauma we have seen the Syrian Government perpetrate on its own people.

Remember the successful efforts of a combination of forces that ultimately took on ISIS, that removed it from its headquarters of its caliphate and caused it to disperse if it were not eliminated at the time. A lot of that was led with Kurdish fighters who were fighting alongside U.S. special operations advisers. Even though complicated because of the Russians' being there and the Turks' having interests and Assad's trying to hang on to power, the United States has been successful in not eliminating but in lessening the influence of ISIS.

Then came the shocker—the shocker of the President's announcing unilaterally that, all of a sudden, he was going to pull the special operations troops, as advisers, out of Syria. This would likely cause immediate instability. It would certainly allow for ISIS to reconstruct itself, and it would cause chaos with the Kurdish troops who fought alongside the Americans, with the Turkish Government's going after a number of them.

This is an ill-advised and probably a non-advised decision by the President, and it should be reversed. This Senator calls on all of the national defense, national security, and national intelligence professionals who are within the administration to get the President to reverse this unilateral decision that he has made. Otherwise, U.S. interests are going to be ill-served.

AN EARLY CHRISTMAS PRESENT

Mr. NELSON. Madam President, my concluding remarks are about an early Christmas present that I received this past Monday at a staff going-away party that occurred in Florida, where all of our Florida staff came together to wish each other well. Little did I know that a special guest was going to appear. He was none other than one of the chefs of the catering company that was catering this holiday going-away party. Let me tell you the story of this 34-year-old chef and what happened 34 years ago.

At the time of the middle 1980s—1985 to be exact—this Senator was a young Congressman. A husband and wife, who were constituents of mine in East Central Florida, came to me in great distress because their infant boy had been born with a defective liver.

The advance of medicine at that particular time was that there was no known cure except to do a liver transplant. Thirty-four years ago, organ transplants were still in their infancy, and 34 years ago, there was no organ registry being maintained in order to try to find a family who had lost a loved one so that a loved one's organs could be harvested and then be available for those who were on a registry waiting for them. None of that existed 34 years ago.

Only since then have we seen this miraculous organization set up whereby people who need organ transplants can get on the list. Then, whenever an organ becomes available, no matter where it is in the country, that match—that organ—is immediately packed in ice and is flown to the receiving hospital where the organ transplant is going to occur. None of this existed. It was a catch-as-catch-can to find an organ to transplant. This was especially true with a liver transplant because a liver transplant, at the time, had to have the identical blood type, and it had to be the identical size of the recipient's liver.

Here was a few-months'-old child who was desperately clinging to life and needed a liver transplant to survive. At the time, we were in session. There was a particularly major bill that was up, and its passage in the House of Representatives was in the balance—within just a handful of votes. The bill was proposed by President Reagan. I had already decided that I was going to vote for the bill, which was in favor of the President's position, when I saw an opportunity to maybe save this child's life. So I held out and declared my position as ''undecided'' in my knowing that the votes were coming down to just one or two at passage.

Actually, we must have been out for the weekend before this vote was to have occurred, because I received a phone call from President Reagan while I was at my home in Florida. The President greeted me and told me what he was asking me to do.

I said to him: Mr. President, I have already decided that I am going to vote for the bill, and I know that it is welcome news to you. I wish you would do something for me—possibly save a child's life.

I then told him the story of the need of a liver of a certain blood type and of a certain size for a transplant in a minor child. The President said he would do that.

Shortly thereafter, the Secretary of Health and Human Services called, who was a former colleague from the House—Secretary Margaret Heckler of Massachusetts. She said: At the President's request, I am going to have a press conference to put out this information that this child is in need of this specific type of transplant.

Margaret Heckler did that. A donor was found because of that press release in 1985 in California. They raced that harvested organ, by jet, to the hospital in Pittsburgh. Ryan Osterblom, with his parents, was then flown to the hospital. The successful transplant occurred 34 years ago.

Early last Monday, you can imagine the Christmas present I received when there at our going-away party for our staff, the chef of the catering company was none other than 34-year-old Ryan Osterblom. That was the best Christmas present I could have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

TRIBUTE TO BILL NELSON

Mr. ROBERTS. Madam President, I thank Senator NELSON for that touching story.

That would be a Christmas present for not only you but for anybody who has heard the circumstances.

I, too, remember having the privilege of being in public service with President Reagan. He had a human quality that was second to none.

I thank you, Bill, for your service—we used to be on Armed Services together, fighting the battles—but more especially for being a friend. You always had a smile on your face. I probably didn't when we got on the elevators together.

You would say: Pat, what is wrong?

I wouldn't want to go into anything, but I would think, why am I so glum if BILL NELSON is stuck on ''happy'' all the time?

It was the Florida sunshine, I guess.

I thank you for the privilege of being in public service with you, sir. Best wishes for your future, which I know will be very good and very bright, and thank you for that story, which is a great Christmas story. Repeat it often, sir. Thank you.

TRIBUTE TO ORRIN HATCH

Mr. ROBERTS. Madam President, I want to join my colleagues who, over the past few weeks, have come to the floor to thank Senator ORRIN HATCH—the great Senator ORRIN HATCH—for his service to this institution. Senator SULLIVAN just informed me that the body here—the Senate—has, by unanimous consent, passed a bill to name a courthouse in Utah after ORRIN HATCH. He was sitting as the President pro tempore, and the surprised look on his face was a treasure for everybody who saw it.

ORRIN HATCH has consistently maintained a demeanor that represented the Senate well—and that is an understatement—over the course of his illustrious and record-setting 42-year career. As a matter of fact, I think the definition of ''gentleman'' in the new edition of Webster's dictionary simply lists two words: ''ORRIN HATCH.''

Whether he agreed or disagreed with any policy positions or with any individual Senator, he always, always treated you with the greatest of respect. Perhaps that is part of the reason that Senator HATCH will go down as one of the most effective legislators in the history of the Senate. All you have to do is go in his office and see all of the awards, the recordings that illustrate his fantastic music career as a songwriter, and all of the bills. I think it is safe to say that no other living Senator has had more bills that he has sponsored and that have been enacted into law than ORRIN HATCH. We come here to make a difference. We do that through legislation, and that is an indication of the great legacy that this man has left this body.

Not many people have the wherewithal, the stature, and bona fides to have Members from both parties sing their praises. That has happened, of course, on this floor, and that is what ORRIN stands for. ORRIN will be sorely missed—and I mean sorely missed.

Senator HATCH is not most people. Simply put, the institution he loves will not be the same without him.

Since coming from the House to the Senate, I have had the privilege of knowing ORRIn up close and personal. Our offices are right next to each other. I bump into his security detail every morning and say good morning. I feel very safe about that. Then when we have votes, and just about the time he leaves his office and is accompanied by his security detail, he always asks me: Why don't you ride with me? So I have joined his security detail. Every security detail should have a marine. I tell him that I will be in the back to protect his back if anything would happen; obviously, nothing did. But the Senator from Utah should know that I still have his back, and I will always have his back.

I think the measure of a man, with regard to his long hours in the Senate, is hard to measure until you work with him—and I am talking about ORRIN, of course—but work with him with regard to legislation. We are talking about the Finance Committee, and we are talking about the tough legislation that we always have. We would always go to the conference room—those who are privileged to serve on the Finance Committee—and we would walk in, and there would be fruit juice and there would be vitamins and there would be goodies to eat—goodies, of course, that are good for you, as determined by the Senator.

He had that very soft voice, and he would bring people to order. It was a very respectful situation in which we were trying to put together a bill to see if we could move it and work with our colleagues across the aisle. He had such a soft voice that, on occasion, I found that it was best to sit in the back of that conference room and look right at him, so I could tell precisely what he was saying because he never used his voice in a way that was high pitched; it was very calm and reasoned. That was his demeanor. He acted like a Hollywood version of a Senator.

The Tax Cuts and Jobs Act probably would not have come to pass without the leadership of ORRIN HATCH. Boy, was that an effort. We went through the trials and tribulations of tough arguments on both sides. But we always kept in the committee, with him at the helm, a posture of at least trying to work together. We faced some tough issues. At the end of it, there were quite a few amendments. We worked late into the night. The amendments were not going to pass on a partisan vote. That is very unusual for ORRIN. He kept his cool. He kept his demeanor.

Finally, at the end, it became an impossible situation in which we were just going to get into a shouting contest, and he maintained order. When he maintained order, he really maintained order. Usually he didn't have to do that.

My first boss in public service, acting as the chief of staff, was Senator Frank Carlson. He was a great man. He helped found the National Prayer Breakfast here, and in many other Agencies, all throughout the government, that spread. He worked with Billy Graham, somebody named Dwight David Eisenhower, and Conrad Hilton—those four, including Frank Carlson, started the Prayer Breakfast.

The Senator always told me there are no self-made men or women in public service. It is your friends who make you what you are, and if there were ever a person you could put in that category in the Senate, it is ORRIN HATCH. He is a person who would stand behind you when you were taking praise and beside you if you were taking some boos, but ORRIN HATCH never had to do that because in working with him, the chances were that you had a good chance of passing a bipartisan bill.

All of us stand with him with respect and out of friendship. We have a cloth of comity here that is not seen, but it has been observed at least in my 22 years here in the Senate, perhaps a little more than in the rowdy House, of which I was a Member for 16 years, and then 12 before that as a chief of staff. I am sort of like a piece of furniture here, as some would say, with a marble top. But I have seen a lot.

I am very worried about the comity of the Senate. If you pull at those threads, as we have been doing with issues where we should come together, even though there are very tough questions, I worry that we could get into sort of a situation like in Dodge City at the Long Branch Saloon and somebody having a rowdy time there. That should not be the Senate, and it should not be a situation where we pull at those threads of comity to the extent that we won't have any left, and then it is just a shouting contest.

The exception to the rule was the Farm Bill, which the President is going to sign this afternoon. I had the privilege of leading that effort, along with Senator DEBORAH STABENOW from Michigan.

I had some reporters in the other day, and they said: How did you get along with DEBBIE STABENOW?

I said: Well, No. 1, we trust each other; No. 2, we are friends; and No. 3, it isn't our first rodeo. We just worked with each other to get it done. We got 87 votes.

That is precisely the example we followed from ORRIN HATCH, who did so much—produced legislation with Democrats that you would never think would work with a Republican or vice versa. That is his legacy. That is the man I have been privileged to know as a friend.

There is a video out about ORRIN HATCH. He has boxing gloves on, bright blue. There he is—just a couple of days ago when they took the video—willing to throw a few punches, trying to eat bacon with his boxing gloves on. It is a hilarious tribute to him, big smiles on everybody's faces. A tough guy, but not tough to deal with, he always had a way of working things out.

It is a privilege to know ORRIN HATCH. Not many people at my age call me ''Boy,'' but he always would come out that back door and offer a ride, and he would say: Boy, do you want to come along?

I said: Yes, sir.

It has been quite a privilege.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

TRIBUTE TO MAC COLLINS

Mr. PERDUE. Madam President, last month, we lost a true Georgia original.

Mac Collins was a friend of mine. He was a Member of the U.S. House of Representatives for 12 years. He was born in Flovilla, GA, in 1944. At the time, Flovilla had a population of 240 people.

Mac always liked to say he was a graduate of the school of hard knocks. Together with his wife, Julie, he started a trucking company many years ago. Mac started with a single vehicle that he often had to repair at night. Julie kept the books, answered the phones, and sometimes helped load the trucks. The Collins family had a simple motto: ''Can't never could.'' They never gave up, and their hard work paid off. Today, Collins Trucking hauls timber and goods across the South and Midwest and is still a family owned and operated business.

Eventually, Mac turned to public service. He won a seat on the Butts County Commission and a few years later became Butts County's first Republican county commission chairman.

Eventually, Mac was elected to the Georgia State Senate, where he served from 1988 until 1982. Back then, I think you could count on one hand the number of Republicans in the entire State. He was elected to the U.S. House of Representatives in 1992 and served for 12 years. He fought to make America more competitive by changing its archaic Tax Code. He worked on veterans issues and served on both the critical U.S. House Ways and Means Committee and the prestigious Intelligence Committee. Mac was serving in leadership as deputy whip during some of our Nation's most trying days in the aftermath of 9/11.

Throughout his years of service, Mac Collins never forgot his roots. For Georgia Republicans, he was definitely a pioneer. For all Georgians, regardless of their political beliefs, he was a champion. Max's example of entrepreneurship and servant leadership serve as a shining example for us all.

Mac is survived by his wife, Julie, four children, a dozen grandchildren, and three great-grandchildren. Bonnie

and I join all Georgians—and Americans, for that matter—in lifting up their family in our prayers during this time and in honoring Mac Collins' very impressive legacy of service.

When Mac Collins passed away, Georgia and America lost a true statesman, a leader, and my friend.

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.

The PRESIDING OFFICER (Mr. BLUNT). The Senator from Texas.

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

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

SPACE FRONTIER ACT OF 2018

Mr. CRUZ. Mr. President, for over half a century, the United States has been the global leader in space. In that time, we have not only watched as NASA has sent humans farther than they had ever gone before, but we have also witnessed a new and growing commercial space sector that has pushed the bounds of what we thought possible.

As a nation, we can't simply rest on our laurels and take our leadership for granted. That is why I was proud to be joined by Senators BILL NELSON and ED MARKEY in introducing the Space Frontier Act, which passed out of the Senate Commerce Committee by voice vote on August 1, thanks to the leadership of Chairman JOHN THUNE, who helped make space issues a priority for the committee.

The Space Frontier Act builds upon the U.S. Commercial Space Launch Competitiveness Act that I was proud to work hand in hand with Senator NELSON as well, that was passed by Congress and signed into law by President Obama in 2015.

The United States has the potential to grow an incredibly vibrant and competitive commercial space industry. The FAA reported in 2009 that commercial space transportation and enabled industries generated $208.3 billion in economic activity.

While the commercial space industry is continuing to grow, it has been unable to meet its full potential due to outdated regulations and policies that have the potential to stifle innovation, to restrict investment, and to drive the American launch sector and nontraditional space activities to foreign countries abroad.

The Space Frontier Act seeks to address these challenges by reducing the regulatory barriers that are facing our Nation's commercial space sector so we can allow companies to continue to grow and establish U.S.-led commercial economy in space.

The Space Frontier Act also takes the critical step of continuing the operations and utilization of the International Space Station through the year 2030; ensures that the United States will not cede low-Earth orbit to China; it enacts meaningful reforms to modernize our Nation's launch and reentry regulations; and it streamlines nongovernmental Earth observation regulations. The bill also ensures that both the Department of Commerce and the Department of Transportation will take leading roles in promoting and helping to grow our Nation's commercial space sector.

I am proud to work hand in hand with my friend and colleague, Democratic Senator BILL NELSON, in seeing bipartisan agreement continue in support of America's leadership in space.

I yield the floor to Senator NELSON.

Mr. NELSON. Mr. President, I join our colleague from Texas in asking the Senate to take up and pass the Space Frontier Act of 2019. We are asking to expedite consideration of this bill in order to allow for the House to take it up and pass it tonight.

I thank Senator CRUZ, Senator MARKEY, and the chairman of the Commerce Committee, Senator THUNE, for working with all of us on this bipartisan issue.

It updates the commercial launch and Earth observation regulations. It extends the International Space Station through 2030. This is no minor task to get that national laboratory that is orbiting high above the Earth—six human beings are on board right now doing research. All the people participating, including the commercial sector, know they will have that national laboratory all the way to the end of the decade of the 2020s, which is going to allow them to plan and invest. Who knows what discoveries they will make in this unique environment of zero gravity.

The act also expands opportunities for partnerships with NASA under the Agency's enhanced use authority.

Reforms in this bill will help commercial space companies, very likely in the near future, to have two launches a day. As a result, jobs will continue to soar as the rockets soar off the launchpads. Extending the life of the station well through the next decade, as this bill does, will also ensure that America remains a leader in space exploration.

Now, we know our goal is to go to Mars with humans, and what this bill does today furthers that goal by giving us a research outpost in zero gravity—the International Space Station—by continuing to improve and perfect America's launch capability.

I remind you, it was only a few years ago that we only had about one-third of the world's launches each year. The United States only had one-third. We now have upward of two-thirds. A lot of this is occurring right at Cape Canaveral and the Kennedy Space Center.

So as we set our sights on Mars with the way station at the Moon and build the technologies and the systems in order to carry humans all the way to Mars, land, and to return them safely, this bill is another step, building on the NASA Authorization Act that we passed 1 year ago.

So indeed it is my privilege to be here and to be a part of the passage of this legislation.

Mr. CRUZ. I thank my friend, the senior Senator from Florida, for his leadership and congratulate him on our success in bringing this body together and getting this bill passed.

I hope the House will join us and pass it into law later today.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 686, S. 3277.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3277) to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Space Frontier Act of 2018''.

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

SEC. 2. DEFINITIONS.

In this Act:

(1) ISS.—The term ''ISS'' means the International Space Station.

(2) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(3) NOAA.—The term ''NOAA'' means the National Oceanic and Atmospheric Administration.

TITLE I—STREAMLINING OVERSIGHT OF LAUNCH AND REENTRY ACTIVITIES

SEC. 101. OVERSIGHT OF NONGOVERNMENTAL SPACE ACTIVITIES.

(a) POLICY.—It is the policy of the United States to provide oversight and continuing supervision of nongovernmental space activities in a manner that encourages the fullest commercial use of space, consistent with section 20102(c) of title 51, United States Code.

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

(1) increased activity and new applications in space could grow the space economy;

(2) it is in the national interest of the United States—

(A) to encourage and promote new and existing nongovernmental space activities; and

(B) to provide authorization and continuing supervision of those activities through a process that is efficient, transparent, minimally burdensome, and generally permissive; and

(3) to conduct those activities in a manner that fully protects United States national security assets, NASA human spaceflight and exploration systems, NASA and NOAA satellites, and other Federal assets that serve the public interest.

SEC. 102. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting ''(b) AUTHORIZATION OF APPROPRIATIONS.—'' before ''There'' and indenting appropriately; and

(2) by inserting before subsection (b), the following:

''(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Assistant Secretary for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.''.

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''6'' and inserting ''7''; and

(2) in subparagraph (A), by inserting ''Assistant Secretary for Commercial Space Transportation,'' after ''Assistant Secretary for Research and Technology,''.

SEC. 103. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, in the absence of comprehensive regulatory reform, the Secretary of Transportation should make use of existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, and reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) APPLICATIONS.—A person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

''(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than the applicable deadline described in subparagraph (C), shall issue or transfer a license if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter.

''(C) APPLICABLE DEADLINE.—The applicable deadline described in this subparagraph shall be—

''(i) for an applicant that was or is a holder of any license under this chapter, not later than 90 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(D) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than—

''(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for an applicant described in subparagraph (C)(ii), 120 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(E) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within an applicable deadline established by this subsection.''; and

(B) in paragraph (2)—

(i) by inserting ''PROCEDURES FOR SAFETY APPROVALS.—'' before ''In carrying out'';

(ii) by inserting ''software,'' after ''services,''; and

(iii) by adding at the end the following: ''Such safety approvals may be issued simultaneously with a license under this chapter.''; and

(2) by adding at the end the following:

''(e) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary—

''(A) shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources and reduce the regulatory burden for an applicant under this section; and

''(B) may use the launch and reentry payload review process to authorize nongovernmental space activities that are related to an application for a license or permit under this chapter and are not subject to authorization under other Federal law.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

(c) DEFINITIONS.—Section 50902 of title 51, United States Code, is amended—

(1) by redesignating paragraphs (21) through (25) as paragraphs (24) through (28), respectively;

(2) by redesignating paragraph (20) as paragraph (22);

(3) by redesignating paragraphs (12) through (19) as paragraphs (13) through (20), respectively;

(4) by inserting after paragraph (11) the following:

''(12) 'nongovernmental space activity' means a space activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the space activity for the Government.'';

(5) by inserting after paragraph (20), as redesignated, the following:

''(21) 'space activity' has the meaning given the term in section 60101 of this title.''; and

(6) by inserting after paragraph (22), as redesignated, the following:

''(23) 'space object' has the meaning given the term in section 60101 of this title.''.

(d) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

''(e) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.''.

SEC. 104. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

''(j) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources and reduce the regulatory burden for an applicant under this section.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

SEC. 105. SPACE-RELATED ADVISORY RULEMAKING COMMITTEES.

Section 50903 of title 51, United States Code, is amended by adding at the end the following:

''(e) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to such space-related rulemaking committees under the Secretary's jurisdiction as the Secretary shall designate.''.

SEC. 106. GOVERNMENT-DEVELOPED SPACE TECHNOLOGY.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking ''and encouraging''.

SEC. 107. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States commercial space launch sector in its innovation of small-class launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

(1) IN GENERAL.—Not later than February 1, 2019, the Secretary of Transportation shall issue a notice of proposed rulemaking to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purposes described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that—

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary, industry technical standards that complement the high-level performance requirements established under subparagraph (D); and

(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E).

(d) CONSULTATION.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) Secretary of Defense.

(2) Administrator of NASA.

(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary

of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) CONTENTS.—The report shall include—

(A) milestones and a schedule to meet the objective of this section;

(B) a description of any Federal agency resources necessary to meet the objective of this section;

(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and

(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 108. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) OVERSIGHT AND COORDINATION.—

(1) IN GENERAL.—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall take such action as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application set that satisfies those requirements and expedites the coordination of commercial launch and reentry services.

(2) CHAPTER 509.—

(A) PURPOSES.—Section 50901 of title 51, United States Code, is amended by inserting ''all'' before ''commercial launch and reentry operations''.

(B) GENERAL AUTHORITY.—Section 50903(b) of title 51, United States Code, is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(ii) by inserting before paragraph (2), as redesignated, the following:

''(1) consistent with this chapter, authorize, license, and oversee the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;''.

(3) EFFECTIVE DATE.—This subsection takes effect on the date the final rule under section 107(c) of this Act is published in the Federal Register.

(b) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to affect section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note).

(c) TECHNICAL AMENDMENT; REPEAL REDUNDANT LAW.—Section 113 of the U.S. Commercial Space Launch Competitiveness Act (Public Law 114–90; 129 Stat. 704) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 109. STUDY ON JOINT USE OF SPACEPORTS.

(a) IN GENERAL.—The Secretary of Transportation shall, in consultation with the Secretary of Defense, conduct a study of the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers. The study shall be completed by not later than 180 days after the date of the enactment of this Act.

(b) CONSIDERATIONS.—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including approval procedures for the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

TITLE II—STREAMLINING OVERSIGHT OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

SEC. 201. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending paragraph (12) to read as follows:

''(12) UNENHANCED DATA.—The term 'unenhanced data' means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.'';

(B) by redesignating paragraphs (12) and (13) as paragraphs (18) and (19), respectively;

(C) by redesignating paragraph (11) as paragraph (15);

(D) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(E) by inserting after paragraph (3), the following:

''(4) EARTH OBSERVATION ACTIVITY.—The term 'Earth observation activity' means a space activity the primary purpose of which is to collect data that can be processed into imagery of the Earth.'';

(F) by inserting after paragraph (11), as redesignated, the following:

''(12) NONGOVERNMENTAL EARTH OBSERVATION ACTIVITY.—The term 'nongovernmental Earth observation activity' means an Earth observation activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

''(13) ORBITAL DEBRIS.—The term 'orbital debris' means any space object that is placed in space or derives from a space object placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

''(14) PERSON.—The term 'person' means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.''; and

(G) by inserting after paragraph (15), as redesignated, the following:

''(16) SPACE ACTIVITY.—

''(A) IN GENERAL.—The term 'space activity' means any activity that is conducted in space.

''(B) INCLUSIONS.—The term 'space activity' includes any activity conducted on a celestial body, including the Moon.

''(C) EXCLUSIONS.—The term 'space activity' does not include any activity that is conducted entirely on board or within a space object and does not affect another space object.

''(17) SPACE OBJECT.—The term 'space object' means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.'';

(2) by amending subchapter III to read as follows:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''§ 60121. Purposes

''The purposes of this subchapter are—

''(1) to prevent, to the extent practicable, harmful interference to space activities by nongovernmental Earth observation activities;

''(2) to manage risk and prevent harm to United States national security; and

''(3) to promote the leadership, industrial innovation, and international competitiveness of the United States.

''§ 60122. General authority

''(a) IN GENERAL.—The Secretary shall carry out this subchapter.

''(b) FUNCTIONS.—In carrying out this subchapter, the Secretary shall consult with—

''(1) the Secretary of Defense;

''(2) the Secretary of State;

''(3) the Director of National Intelligence; and

''(4) the head of such other Federal department or agency as the Secretary considers necessary.

''§ 60123. Administrative authority of Secretary

''(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

''(1) grant, condition, or transfer licenses under this chapter;

''(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

''(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

''(4) compromise, modify, or remit any such civil penalty;

''(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

''(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

''(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

''(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

''§ 60124. Authorization to conduct nongovernmental Earth observation activities

''(a) REQUIREMENT.—No person may conduct any nongovernmental Earth observation activity without an authorization issued under this subchapter.

''(b) WAIVERS.—

''(1) IN GENERAL.—The Secretary may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 60121.

''(2) STANDARDS.—Not later than 120 days after the date of enactment of the Space Frontier Act of 2018, the Secretary shall establish standards for determining the de minimis Earth observation activities that would be eligible for a waiver under paragraph (1).

''(c) APPLICATION.—

''(1) IN GENERAL.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 60121, including—

''(A) a description of the proposed Earth observation activity, including—

''(i) a physical and functional description of each space object;

''(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

''(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

''(B) a plan to prevent orbital debris consistent with the 2001 United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

''(C) a description of the capabilities of each instrument to be used to observe the Earth in the conduct of the Earth observation activity.

''(2) APPLICATION STATUS.—Not later than 14 days after the date of receipt of an application, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of that determination, including, if incomplete, the reason the application is incomplete.

''(d) REVIEW.—

''(1) IN GENERAL.—Not later than 120 days after the date that the Secretary makes a determination under subsection (c)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing whether the application was approved or denied.

''(2) APPROVALS.—The Secretary shall approve an application under this subsection if the Secretary determines that—

''(A) the Earth observation activity is consistent with the purposes described in section 60121; and

''(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

''(3) DENIALS.—

''(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

''(i) shall include in the notification under paragraph (1)—

''(I) a reason for the denial; and

''(II) a description of each deficiency, including guidance on how to correct the deficiency;

''(ii) shall sign the notification under paragraph (1);

''(iii) may not delegate the duty under clause (ii); and

''(iv) shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of the notification.

''(B) INTERAGENCY REVIEW.—If, during the review of an application under paragraph (1), the Secretary consults with the head of another Federal department or agency and that head of another Federal department or agency does not support approving the application—

''(i) that head of another Federal department or agency—

''(I) not later than 90 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support, including a description of each deficiency and guidance on how to correct the deficiency;

''(II) shall sign the notification under subclause (I); and

''(III) may not delegate the duty under subclause (II); and

''(ii) the Secretary shall include the notification under clause (i) in the notification under paragraph (1), including classified information if the applicant has the required security clearance for that classified information.

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i)(I) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the application.

''(D) INTERAGENCY DISSENTS.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subsection, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

''(E) DEFICIENCIES.—The Secretary shall—

''(i) provide each applicant under this paragraph with a reasonable opportunity—

''(I) to correct each deficiency identified under subparagraph (A)(i)(II); and

''(II) to resubmit a corrected application for reconsideration; and

''(ii) not later than 30 days after the date of receipt of a corrected application under clause (i)(II), make a determination, in consultation with each head of another Federal department or agency that submitted a notification under subparagraph (B), whether to approve the application or not.

''(F) IMPROPER BASIS FOR DENIAL.—

''(i) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity from competition.

''(ii) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities are commercially available.

''(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

''(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

''(e) ADDITIONAL REQUIREMENTS.—An authorization issued under this subchapter shall require the authorized person—

''(1) to be in compliance with this subchapter;

''(2) to notify the Secretary of any significant change in the information contained in the application; and

''(3) to make available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and on reasonable commercial terms and conditions.

''(f) CONDITIONS.—Prior to making any change to a condition of an authorization under this subchapter, the Secretary shall—

''(1) provide notice of the reason for the change, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

''(2) provide a reasonable opportunity to correct a deficiency identified under paragraph (1).

''§ 60125. Annual reports

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Space Frontier Act of 2018, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress in implementing this subchapter, including—

''(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

''(2) notwithstanding paragraph (4) of section 60124(d), a list of all applications, in the previous calendar year, for which the Secretary missed the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

''(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

''(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

''(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

''§ 60126. Regulations

''The Secretary shall promulgate regulations to implement this subchapter.

''§ 60127. Relationship to other executive agencies and laws

''(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

''(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

''(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(2) the Secretary of Transportation under chapter 509 of this title.

''(c) NONAPPLICATION.—This subchapter does not apply to any space activity the United States Government carries out for the Government.''; and

(3) by amending section 60147 to read as follows:

''§ 60147. Consultation

''(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

''(b) CONSULTATION WITH SECRETARY OF STATE.—

''(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State

shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

''(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

''(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

''(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''60121. Purposes.
''60122. General authority.
''60123. Administrative authority of Secretary.
''60124. Authorization to conduct nongovernmental Earth observation activities.
''60125. Annual reports.
''60126. Regulations.
''60127. Relationship to other executive agencies and laws.''.

(c) RULES OF CONSTRUCTION.—

(1) Nothing in this section or the amendments made by this section shall affect any license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect before the date of enactment of this Act), before the date of enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense Authorization Act for Fiscal Year 1997 (51 U.S.C. 60121 note).

TITLE III—MISCELLANEOUS

SEC. 301. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.

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

(1) fair access to available NASA assets and services on a reimbursable, noninterference, equitable, and predictable basis is advantageous in enabling the United States commercial space industry;

(2) NASA should continue to promote fairness to all parties and ensure best value to the Federal Government in granting use of NASA assets, services, and capabilities in a manner that contributes to NASA's missions and objectives; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and academia.

(b) GUIDANCE FOR SMALL BUSINESS PARTICIPATION.—The Administrator of NASA shall—

(1) provide opportunities for the consideration of small business concerns during public-private partnership planning processes and in public-private partnership plans;

(2) invite the participation of each relevant director of an Office of Small and Disadvantaged Business Utilization under section 15(k) of the Small Business Act 915 U.S.C. 644(k) in public-private partnership planning processes and provide the director access to public-private partnership plans;

(3) not later than 90 days after the date of enactment of this Act—

(A) identify and establish a list of all NASA assets, services, and capabilities that are available, or will be available, for public-private partnership opportunities; and

(B) make the list under subparagraph (A) available on NASA's website, in a searchable format;

(4) periodically as needed, but not less than once per year, update the list and website under paragraph (3); and

(5) not later than 180 days after the date of enactment of this Act, develop a policy and issue guidance for a consistent, fair, and equitable method for scheduling and establishing priority of use of the NASA assets, services, and capabilities identified under this subsection.

(c) STRENGTHENING SMALL BUSINESS AWARENESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of NASA shall designate an official at each NASA Center—

(1) to serve as an advocate for small businesses within the office that manages partnerships at each Center; and

(2) to provide guidance to small businesses on how to participate in public-private partnership opportunities with NASA.

SEC. 302. LEASE OF NON-EXCESS PROPERTY.

Section 20145 of title 51, United States Code, is amended—

(1) in subsection (b)—

(A) in the heading, by striking ''CASH CONSIDERATION'' and inserting ''CONSIDERATION''; and

(B) in paragraph (1)—

(i) in subparagraph (A), by inserting ''IN GENERAL'' before ''A person''; and

(ii) by amending subparagraph (B) to read as follows:

''(B) IN-KIND CONSIDERATION.—Notwithstanding subparagraph (A), the Administrator may accept in-kind consideration for leases entered into for the purpose of developing—

''(i) renewable energy production facilities; and

''(ii) space sector industrial infrastructure and business facilities that the Administrator determines would advance national security interests or civil space capabilities.''; and

(2) in subsection (g), by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

SEC. 303. SENSE OF CONGRESS ON MAINTAINING A NATIONAL LABORATORY IN SPACE.

It is the sense of Congress that—

(1) the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national laboratory in space;

(3) in maintaining a national laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations;

(4) the national laboratory described in paragraph (2) should be maintained beyond the date that the ISS is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space.

SEC. 304. CONTINUATION OF THE ISS.

(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

*(1) in the heading, by striking ''**2024**'' and inserting ''**2030**''; and*

(2) by striking ''2024'' each place it appears and inserting ''2030''.

SEC. 305. UNITED STATES POLICY ON ORBITAL DEBRIS.

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

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that can be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to—

(1) protect the public health and safety;

(2) protect humans in space;

(3) protect the national security interests of the United States;

(4) protect the safety of property;

(5) protect space objects from interference; and

(6) protect the foreign policy interests of the United States.

Mr. CRUZ. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Cruz substitute amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 4176), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 3277), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

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

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

BORDER SECURITY AND ACCOUNTABILITY FOR THE DEATH OF JAKELIN CAAL

Mr. CASEY. Mr. President, I rise today to speak about the tragic passing of a 7-year-old child, Jakelin Caal, on December 8 of this year.

Jakelin died in Customs and Border Patrol custody, reportedly due to shock and dehydration. It is an understatement to say that we need a thorough and independent investigation to understand exactly what happened in this case and to make sure it never happens again.

Jakelin entered Customs and Border Protection custody and was held with her father overnight with about 160 migrants, nearly half of whom were minors, at the Antelope Wells border station.

Customs and Border Protection has stated that food and water were made available, but the child's father and news articles have stated that water was not—was not—available.

It is not visible from a distance, but I will just hold up a story and a headline from today's Washington Post. The headline reads: ''Lawyers: No water provided to migrant who died.''

Here is what the first paragraph of this Washington Post story, dated today, says:

El Paso. Seven-year-old Jakelin Caal and her father, Nery, were not provided water during the eight hours they were held in a remote Border Patrol facility with 161 other migrants, the family's lawyers said Wednesday, contradicting statements by U.S. Customs and Border Protection.

The story goes on from there.

Similarly—and I am getting back to my observations of this—although health screenings were reportedly conducted, news reports indicate that none of the agents on duty had advanced medical training.

Though the father signed a DHS Form I–779, which is titled ''Juvenile Medical Screening,'' and he apparently also signed other medical paperwork, there are questions as to whether he understood the form itself. I believe it is critical that we evaluate this form and also evaluate the medical screening that children undergo.

I would like to know—and I am sure many Americans would like to know—whether the American Academy of Pediatrics and our Nation's medical professionals believe the current system is adequate. I would add this: When this form and other protocols and procedures were put in place, were those experts, such as the American Academy of Pediatrics, consulted? Was this process or the forms informed by the expertise that is available? That is another set of questions.

This has to be about improving the conditions at our Border Patrol stations to make sure they are safe, including ensuring that there is sufficient food, water, and medical attention at every one of these Border Patrol stations. If that means that the administration comes forward to the Senate or the House in the appropriations process to have more dollars appropriated for this purpose, not just general appropriations but for this purpose—to make sure that food and water and appropriate medical attention is available, and trained medical professionals are available at every Border Patrol station—we should make sure that we engage in a dialogue about such specific appropriations.

Understanding what happened in this tragedy is not about assigning blame. That is easy. That happens all the time in Washington. This shouldn't be one of those instances. This is about fixing the problem so it never happens again. It is also about making sure that our policy and the procedures that surround this policy and the details of the policy and the resources dedicated to it are not just correct, but that these policies are consistent with our values.

Therefore, we need an expeditious, thorough, and independent investigation. We are told that the inspector general is reviewing this. That is good, but that report has to be done expeditiously, and we have to get to the bottom of what happened to this 7-year-old child.

In addition to all of that, there needs to be debate about how to improve the system and how to investigate what happened, with recommendations on the record to improve these policies. We also need Commissioner Kevin McAleenan and Secretary Nielsen to come to testify before Congress so they can provide testimony about what happened here and about what both of them and their Agencies are doing to make sure this never happens again.

Finally, we must take a moment to think about the broader atmosphere and the policies that relate to our border. Those who come to our shores seeking asylum are often fleeing terrible conditions of violence and poverty. In some cases, they are fleeing from almost indescribable horror. All of those seeking asylum should have a fair opportunity to present their claims and should not be subjected to unhealthy, unsanitary, or unsafe conditions while their claims are processed.

It is entirely possible to have an immigration system that treats all individuals with compassion and dignity while also securing the border and protecting national security. None of that is internally inconsistent. A great nation can do all of that. I am certain that our Nation is capable of that.

We must come together as a nation to mourn the loss of Jakelin and others who die under similar circumstances. We need to put politics aside to fix our broken immigration system so that these policies are consistent with our American values.

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

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

UNANIMOUS CONSENT REQUEST—H.R. 3764

Mr. DAINES. Mr. President, my Montana colleagues, Congressman GIANFORTE and Senator TESTER, and I have worked for years to bring Federal recognition to the Little Shell Tribe, and for the first time, we are just one vote away from making it happen.

Congressman GIANFORTE championed his bill through the House with unanimous votes in the committee and on the floor. When it came to the Senate, Senator TESTER and I pressed it, also by unanimous consent, through the Indian Affairs Committee. Now, with just hours left in the 115th Congress, we need to pass this important bill out of the Senate and get it on the President's desk.

The Little Shell Tribe has waited for lifetimes. It should not have to wait another year to get this done. Therefore, in the fashion of all of the previous votes on this bill that have had strong bipartisan support, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 574, H.R. 3764. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, in reserving the right to object, Tribal recognition is a very serious matter. It is not one that should be undertaken lightly. Given the sacred nature of Tribal recognition and the significant impact it has both on the Tribe in question and on the U.S. Government, as well as on surrounding communities, we have an orderly process by which this needs to be done.

In 2009, the Bureau of Indian Affairs, having considered the argument by the Little Shell, concluded it had failed to meet three of the seven categories that are typically considered for Tribal recognition, and on that basis, the Bureau turned down its application. It has been suggested that there is still an appeal pending—a challenge to that finding—by the Little Shell.

I am not aware of any legal analysis suggesting that the Bureau of Indian Affairs got it wrong. This is not to say that Congress cannot or should not or could not decide on its own to recognize it. Yes, this is a power that Congress has. Yet, as I see it, those seven criteria ought to be considered and considered carefully. I am aware of no

legal analysis indicating that the conclusion by the Bureau of Indian Affairs in 2009 was inadequate or flawed.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana.

Mr. DAINES. Mr. President, I have great respect for the objection by my friend and my colleague from Utah.

I do feel the need to point out that the Little Shell Tribe meets all of the necessary qualifications for recognition, including its having a long history that predates 1940. Let me enumerate on this.

Little Shell is the only Tribe in the country that has funds held in trust by the Department of the Interior but yet lacks Federal recognition. The Little Shell Tribe is the only Tribe that has had a favorable determination by the Department of the Interior and has had it reversed by a bureaucrat with zero negative comments. That decision, however, was remanded by the previous Secretary, and Secretary Zinke strongly supports our efforts here today. The Little Shell has, indeed, existed as a distinct community—recorded as early as 1863 in the Pembina Treaty with the U.S. Government.

I ask unanimous consent that this treaty, with Chief Little Shell's name on it, be printed in the RECORD.

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

TREATY WITH THE CHIPPEWA INDIANS—OCTOBER 2, 1868

TREATY BETWEEN THE UNITED STATES AND THE RED LAKE AND PEMBINA BANDS OF CHIPPEWA INDIANS; CONCLUDED IN MINNESOTA, OCTOBER 2, 1868; RATIFIED BY THE SENATE WITH AMENDMENTS, MARCH 1, 1864; AMENDMENTS ASSENTED TO, APRIL 12, 1864; PROCLAIMED BY THE PRESIDENT OF THE UNITED STATES, MAY 5, 1864.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION

To All and Singular to Whom There Presents Shall Come, Greeting:

Whereas a treaty was made and concluded at the Old Crossing of Red Lake River, in the State of Minnesota, on the second day of October, in the year of our Lord one thousand eight hundred and sixty-three, by and between Alexander Ramsey and Ashley C. Morrill, Commissioners on the part of the United States, and the hereinafter named Chiefs, Headmen, and Warriors of the Red Lake and Pembina Bands of Chippewa Indians, on the part of said Bands, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:—

Articles of A Treaty made and concluded at the Old Crossing of Red Lake River, in the State of Minnesota, on the second day of October, in the year eighteen hundred and sixty-three, between the United States of America, by their Commissioners, Alexander Ramsey and Ashley C. Morrill, agent for the Chippewa Indians, and the Red Lake and Pembina Bands of Chippewas, by their Chiefs, Headmen, and Warriors.

Article I. The peace and friendship now existing between the United States and the Red Lake and Pembina bands of Chippewa Indians shall be perpetual.

Article II. The said Red Lake and Pembina bands of Chippewa Indians do hereby cede, sell, and convey to the United States all their right, title, and interest in and to all the lands now owned and claimed by them in the State of Minnesota and in the Territory of Dakota within the following described boundaries, to wit: Beginning at the point where the international boundary between the United States and the British possessions intersects the shore of the Lake of the Woods; thence in a direct line southwestwardly to the head of Thief River; thence down the main channel of said Thief River to its mouth on the Red Lake River; thence in a south-easterly direction, in a direct line towards the head of Wild Rice River, to the point where such line would intersect the northwestern boundary of a tract ceded to the United States by a treaty concluded at Washington on the twenty-second day of February, in the year eighteen hundred and fifty-five, with the Mississippi, Pillager, and Lake Winnebigoshish bands of Chippewa Indians; thence along the said boundary line of the said cession to the mouth of Wild Rice River; thence up the main channel of the Red River to the mouth of the Shayenne; thence up the main channel of the Shayenne River to Poplar Grove; thence in a direct line to the Place of Stumps, otherwise called Lake Chicot; thence in a direct line to the head of the main branch of Salt River; thence in a direct line due north to the point where such line would intersect, the international boundary aforesaid; thence eastwardly along said boundary to the place of beginning.

Article III. In consideration of the foregoing cession, the United States agree to pay to the said Red Lake and Pembina bands of Chippewa Indians the following sums, to wit: Twenty thousand dollars per annum for twenty years; the said sum to be distributed among the Chippewa Indians of the said bands in equal amounts per capita, and for this purpose an accurate enumeration and enrollment of the members of the respective bands and families shall be made by the officers of the United States: *Provided*, That so much of this sum as the President of the United States shall direct, not exceeding five thousand dollars per year, may be reserved from the above sum, and applied to agriculture, education, the purchase of goods, powder, lead, doc., for their use, and to such other beneficial purposes, calculated to promote the prosperity and happiness of the said Chippewa Indians, as he may prescribe.

Article IV. And in further consideration of the foregoing cession, and of their promise to abstain from such acts in future, the United States agree that the said Red Lake and Pembina bands of Chippewa Indians shall not be held liable to punishment for past offences. And in order to make compensation to the injured parties for the depredations committed by the said Indians on the goods of certain British and American traders at the mouth of Red Lake River, and for exactions forcibly levied by them on the proprietors of the steamboat plying on the Red River, and to enable them to pay their just debts, the United States agree to appropriate the sum of one hundred thousand dollars; it being understood and agreed that the claims of individuals for damages or debt under this article shall be ascertained and audited, in consultation with the chiefs of said bands, by a commissioner or commissioners appointed by the President of the United States, and that after such damages and debts shall have been paid, the residue of the above sum shall be distributed among the chiefs. Furthermore, the sum of two thousand dollars shall be expended for powder, lead, twine, or such other beneficial purposes as the chiefs may request, to be equitably distributed among the said bands at the first payment.

Article V. To encourage and aid the chiefs of said bands in preserving order and inducing, by their example and advice, the members of their respective bands to adopt the habits and pursuits of civilized life, there shall be paid to each of the said chiefs annually, out of the annuities of the said bands, a sum not exceeding one hundred and fifty dollars, to be determined by their agents according to their respective merits. And for the better promotion of the above objects, a further sum of five hundred dollars shall be paid at the first payment to each of the said chiefs to enable him to build for himself a house. Also, the sum of five thousand dollars shall be appropriated by the United States for cutting out a road from Leech Lake to Red Lake.

Article VI. The President shall appoint a board of visitors, to consist of not less than two nor more than three persons, to be selected from such Christian denominations as he may designate, whose duty it shall be to attend at all annuity payments of the said Chippewa Indians, to inspect their fields and other improvements, and to report annually thereon on or before the first day of November, and also as to the qualifications and moral deportment of all persons residing upon the reservation under the authority of law; and they shall receive for their services five dollars a day for the time actually employed, and ten cents per mile for travelling expenses: Provided, That no one shall be paid in any one year for more then twenty days' service, or for more than three hundred miles' travel.

Article VII. The laws of the United States now in force, or that may hereafter be enacted, prohibiting the introduction and sale of spirituous liquors in the Indian country, shall be in fall force and effect throughout the country hereby ceded, until otherwise directed by congress or the President of the United States.

Article VIII. In further consideration of the foregoing cession, it is hereby agreed that the United States shall grant to each male adult half-breed or mixed-blood who is related by blood to the said Chippewas of the said Red Lake or Pembina bands who has adopted the habits and customs of civilized life, and who is a citizen of the United States, a homestead of one hundred and sixty acres of land, to be selected at his option, within the limits of the tract of country hereby ceded to the United States, on any land not previously occupied by actual settlers or covered by prior grants, the boundaries thereof to be adjusted in conformity with the lines of the official surveys when the same shall be made, and with the laws and regulations of the United States affecting the location and entry of the same.

Article IX. Upon the urgent request of the Indians, parties to this treaty, there shall be set apart from the tract hereby ceded a reservation of (640) six hundred and forty acres near the mouth of Thief River for the chief ''Moose Dung,'' and a like reservation of (640) six hundred and forty acres for the chief ''Red Bear,'' on the north side of Pembina River.

In witness whereof, the said Alexander Ramsey and Ashley C. Morrill, commissioners on the part of the United States, and the chiefs, headmen, and warriors of the Red Lake and Pembina bands of Chippewa Indians, have hereunto set their bands, at the Old Crossing of Red Lake River, in the State of Minnesota, this second day of October, in the year of our Lord one thousand eight hundred and sixty-three.

ALEX RAMSEY,
ASHLEY C. MORRILL,
Commissioners.

Mons-O-Mo, his x mark, Moose Dung, Chief of Red Lake.

Kaw-Wash-Ke-Ne-Kay, his x mark, Crooked Arm, Chief of Red Lake.

Ase-E-Ne-Wub, his x mark, Little Rock, Chief of Red Lak[e].

Mis-Co-Muk-Quoh, his x mark, Red Bear, Chief of Pembina.

Ase-Anse, his x mark, Little Shell, Chief of Pembina.

Mis-Co-Co-Noy-A, his x mark, Red Rob, Warrior of Red Lake.

Ka-Che-Un-Ish-E-Naw-Bay, his x mark, The Big Indian, Warrior of Red Lake.

Neo-Ki-Zhick, his x mark, Four Skies, Warrior of Red Lake.

Nebene-Quin-Gwa-Hawegaw, his x mark, Summer Wolverine, Warrior of Pembina.

Joseph Gornon, his x mark, Warrior of Pembina.

Joseph Montreuil, his x mark, Warrior of Pembina.

Teb-Ish-Ke-Ke-Shig, his x mark, Warrior of Pembina.

May-Zhue-E-Yaush, his x mark, Dropping Wind, Head Warrior of Red Lake.

Min-Du-Wah-Wing, his x mark, Berry Hunter, Warrior of Red Lake.

Naw-Gaun-E-Gwan-Abe, his x mark, Leading Feather, Chief of Red Lake.

Signed in presence of—

PAUL H. BEAULIEU, *Special Interpreter*.

PETER ROY, *Special Interpreter*.

T. A. WARREN, *U.S. Interpreter*.

J. A. WHEELOCK, *Secretary*.

REUBEN OTTMAN.

Mr. DAINES. The Little Shell entered this treaty with other bands of the Chippewa Cree. As well, they all support Little Shell's recognition.

I ask unanimous consent that these letters of support be printed in the RECORD.

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

TURTLE MOUNTAIN,
BAND OF CHIPPEWA INDIANS,
Belcourt, ND, March 17, 2015.

Re Support for S. 35 the Little Shell Restoration Act of 2015.

Chairman JOHN BARRASSO,
Senate Committee on Indian Affairs,
Washington, DC.
Vice Chair JON TESTER,
Senate Committee on Indian Affairs,
Washington, DC.

CHAIRMAN BARRASSO & VICE CHAIR TESTER: The Turtle Mountain Band of Chippewa Indians (''Turtle Mountain Band'') supports S. 35 the Little Shell Restoration Act of 2015. The Little Shell Tribe of Chippewa Indians of Montana, along with the Turtle Mountain Band and the Chippewa-Cree Tribe of the Rocky Boy's Reservation (''Rocky Boy''), are political successors in interest to the Pembina Treaty of 1863. Unfortunately, unlike Turtle Mountain and Rocky Boy, the Little Shell Tribe has lacked formal federal recognition. This is an historical injustice that must be remedied. S.35 would restore federal recognition to the Little Shell Tribe so that it may take its rightful place next to its sister tribal nations.

We urge the Senate Committee on Indian Affairs to support S. 35 and the federal recognition of the Little Shell Tribe.

Sincerely,

RICHARD MCCLOUD,
Chairman.

WHITE EARTH
RESERVATION TRIBAL COUNCIL,
White Earth, MN, April 2, 2015.

Re Support for S. 35 the Little Shell Tribe Restoration Act of 2015.

Hon. AMY KLOBUCHAR,
United States Senator,
Washington, DC.
Hon. AL FRANKEN,
United States Senator,
Washington, DC.

DEAR SENATOR KLOBUCHAR & SENATOR FRANKEN: The White Earth Nation offers its strong support for S. 35, the Little Shell Tribe Restoration Act of 2015. This bipartisan legislation offered by Senator Jon Tester (D–MT) and Senator Steve Daines (R–MT) would restore federal recognition to the Little Shell Tribe of Chippewa Indians of Montana (''Little Shell Tribe'' or ''Tribe'').

The White Earth Nation and the Little Shell Tribe are related, and as Anishinaabe, our stories are intertwined. The Little Shell Tribe is one of several recognized political successors to the Pembina Treaty of 1863. After the treaty the Little Shell Tribe moved west eventually settling in the Territory of Montana. Once in Montana, the Tribe remained landless and unrecognized. However, the White Earth Nation knows the Little Shell Tribe and the merits of their cause and that is why we fully support the Tribe.

I urge you to vote in favor of S. 35 and restore the long-awaited federal recognition to the Little Shell people.

Sincerely,

ERMA J. VIZENOR,
Chairwoman.

THE CHIPPEWA CREE TRIBE,
OF THE ROCKY BOY'S RESERVATION,
Box Elder, MT, November 27, 2018.

Re Support for H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. JOHN HOEVEN,
Chairman, Senate Committee on Indian Affairs,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington DC.
Hon. TOM UDALL,
Ranking Member, Senate Committee on Indian Affairs, Washington, DC.

LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, & RANKING MEMBER UDALL: I write on behalf of the Chippewa Cree Tribe of Rocky Boy's Indian Reservation (''Chippewa Cree Tribe'') in support of our sister tribal nation the Little Shell Tribe of Chippewa Indians and to urge the Senate to pass H.R. 3764, the Little Shell Restoration Act.

The Chippewa Cree Tribe and the Little Shell Tribe share a common history where the United States continually sought to remove us from our lands and push us ever westward. The Little Shell Tribe and the Chippewa Cree Tribe along with the Turtle Mountain Band and White Earth Nation are the political successors in interest to the Pembina Treaty of 1863. This was our first experience with land cessations and westward expansion but it was not our last. Unlike Little Shell, the Chippewa Cree Tribe was fortunate to eventually obtain reservation lands. Unfortunately, for Little Shell there was no money in Washington for similar treatment, which has led them to continue to be unrecognized to this day.

I urge the Senate to finally make right with the Little Shell Tribe and its tribal citizens by passing H.R. 3764. The Little Shell Tribe has waited long enough.

Sincerely,

HARLAN BAKER,
Chairman.

ATTORNEY GENERAL,
STATE OF MONTANA,
Helena, MT, November 27, 2018.

Re Urging passage of H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. JOHN HOEVEN,
Chairman, Senate Committee on Indian Affairs,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington DC.
Hon. TOM UDALL,
Ranking Member, Senate Committee on Indian Affairs,
Washington, DC.

LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, & RANKING MEMBER UDALL: I write to urge the Senate to pass Congressman Greg Gianforte's H.R. 3764, the Little Shell Restoration Act. I have long called on Congress to pass legislation to restore the federal recognition of the Little Shell Tribe of Chippewa Indians and it appears this year presents the best opportunity to finally achieve this goal.

The Little Shell Tribe enjoys broad support in the State of Montana because Montanans, like me, understand the Little Shell Tribe's history and its legitimacy. The Little Shell are an integral part of Montana's history, and an important part of Montana's future. I was encouraged when the House of Representatives passed H.R. 3764 by unanimous consent in September because it shows that Congress is finally listening to the people of Montana when it comes to the Little Shell. I hope the Senate will follow suit and pass H.R. 3764 expeditiously.

Again, I fully support the federal recognition of the Little Shell Tribe and call on Congress to pass H.R. 3764 in its current form.

Sincerely,

TIM FOX,
Attorney General.

OFFICE OF THE GOVERNOR,
STATE OF MONTANA,
Helena, MT, November 27, 2018

Re Support for passage of H.R. 3764, the Little Shell Restoration Act.

Hon. MITCH MCCONNELL,
Senate Majority Leader,
Washington, DC.
Hon. JOHN HOEVEN,
Chairman, Senate Committee on Indian Affairs,
Washington, DC.
Hon. CHARLES SCHUMER,
Senate Minority Leader,
Washington DC.
Hon. TOM UDALL,
Ranking Member, Senate Committee on Indian Affairs,
Washington, DC.

DEAR LEADER MCCONNELL, LEADER SCHUMER, CHAIRMAN HOEVEN, AND RANKING MEMBER UDALL:

I urge the United States Senate to pass Montana Representative Greg Gianforte's H.R. 3764, the Little Shell Tribe Restoration Act. This bipartisan bill will finally right the historical injustice perpetrated against the Little Shell Tribe.

As Governor of Montana, I have continued the government-to-government relationship with the Little Shell Chippewa Tribe as a state recognized tribe. In 2015, I supported the Montana State Legislature's passage of

House Joint Resolution No. 15 in the 64th Legislative Session calling on the ''federal government to restore federal recognition to the Little Shell Tribe of Chippewa Indians'' and asking Congress to pass legislation to accomplish this. If the Senate passes H.R. 3764, Montanans' calls to restore federal recognition to the Little Shell Tribe will finally be answered.

The Little Shell Tribe of Montana enjoys immense support in the State of Montana because tribe's history and culture are the fabric of Montana. The Little Shell deserves the passage of this legislation. It has been long overdue for this recognition and I call on the United States Senate to respect the State of Montana's voice in this debate and move to pass H.R. 3764 in its current form. The Tribe has waited long enough for this action.

Sincerely,

STEVE BULLOCK,
Governor.

Mr. DAINES. The Little Shell is also unique, and all 12 of Montana's Indian Tribes on our seven Indian reservations also support its recognition. The Little Shell also has the support of the entire Montana delegation. It has the support of our Governor, and it has the support of our Attorney General.

Here are their letters.

In fact, Federal recognition of the Little Shell has enjoyed support from the congressional delegation and our State's Governors since the 1930s and 1940s when our country first began to federally recognize Indian Tribes. The American Indian Policy Review Commission, from later in 1977, also recognized its plight as a distinct entity.

There are more documents for the RECORD. Clearly, the record has existed in support of this Tribe's Federal recognition. I remember, during my time in the House, looking at what it had been going through—literally, stacks and stacks of paperwork—in following a process. There is, indeed, longstanding evidence supporting its recognition, and I strongly disagree with my colleague's objection.

The Little Shell Tribe has seen lifetimes—not a lifetime but lifetimes—of neglect from our Federal Government. I had hoped we could finally deliver its recognition here today. We are just one vote short in the Senate. I will not stop pushing for our government to rectify this injustice.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Iowa.

NOMINATION OF WILLIAM R. EVANINA

Mr. GRASSLEY. Mr. President, yesterday one of my colleagues came to the floor to talk about my objection to the unanimous consent request relating to the nomination of William R. Evanina.

When I noticed my intention to place a hold on this nominee back in June of this year, I made it very clear to the public and to the administration my reasons for doing so, and I put my statement of those reasons in the RECORD. I have done that consistently, not only since the rules of the Senate require every Member to do that but even before that rule was ever put in place. When I put a hold on a bill or a hold on a nominee, I don't ever want anybody to, say, put the adjective ''secret'' before the word ''hold'' because there is nothing secret about what I do when I place a hold on something.

The Judiciary Committee has experienced difficulty in obtaining relevant documents and briefings from the Justice Department and the Office of the Director of National Intelligence.

For example, Deputy Attorney General Rod Rosenstein personally assured me the Senate Judiciary Committee would receive equal access to information that had been provided to the House Permanent Select Committee on Intelligence with regard to any concessions in its negotiations regarding pending subpoenas from that committee related to the 2016 election controversies. I have not received equal access, as promised, on that front.

On August 7 of this year, I wrote to the Justice Department and pointed out that the House Intelligence Committee had received documents related to Bruce Ohr that we had not received. The Department initially denied those records had been provided to the House Intelligence Committee. After my staff confronted the Department on that misinformation, we eventually received some Bruce Ohr documents.

In that 2018 letter I have referred to, I asked for documents based on my equal access agreement with Deputy Attorney General Rosenstein, and as you might expect, I have not received a response to date.

This morning, I had Acting Attorney General Whitaker in my office for issues he wanted to bring up, but I also had an opportunity to present him with three pages—fairly finely printed—that had a multitude of requests for information that in my constitutional role of oversight of the Justice Department, they should be providing to me. Some of them have nothing to do with this hold, but the Department does have a pretty good record of not responding to this chairman of the Judiciary Committee on things I have a constitutional responsibility to do.

I also have a promise from these Department heads that they will supply information when Congress asks for it. Since that 2018 letter, I have learned the Justice Department has taken the position that Director Coats has prohibited them from sharing the requested records with the committee.

In addition to the records that were requested in May of this year, the Director of National Intelligence and the Justice Department provided a briefing in connection with a pending House Intel subpoena to which no Senate Judiciary Committee member was invited. Thus far, the committee's attempts to schedule any equivalent briefing have been ignored. The administration's lack of cooperation has forced my hand. So then, I continue to press for this hold on this nominee.

My objection, if there were ever a request for a unanimous consent to move ahead, is not intended to question the credentials of Mr. Evanina in any way whatsoever. However, the executive branch must recognize it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner.

INTERNATIONAL TRADE

Mr. GRASSLEY. Mr. President, now I would like to speak to the issue and several issues that deal with international trade.

During the last 2 years, there has been more talk about international trade in this town than at just about any other point since this President has been President or, you might say, over a long period of time in Washington.

When I was elected to the Senate in 1980, the General Agreement on Tariffs and Trade, known as GATT, was the main guiding document on international trade. GATT was signed by 23 nations in Geneva on October 30, 1947, a little more than 2 years after the destruction of World War II. It remained the institutional foundation for global trade until January 1, 1995. That day is when the World Trade Organization—we refer to it as WTO—was born with 81 charter members, including this great country of the United States. The WTO has been in place now for 24 years, serving as the clearinghouse for our rules-based international trading system.

Since the start of the WTO, international trade volumes have increased by 250 percent. Countries representing 98 percent of global merchandise trade are currently members of the WTO, with 22 more countries officially working toward joining. Over all, the WTO is moving global commerce forward just as planned. The rules-based trading system it promotes has been very successful, integrating people across the world into the global economy.

I also must acknowledge that international trade can, at times, be disruptive. There are regions of the country that have been disproportionately impacted by job losses, at least in part, to foreign competition over the last several decades. Those losses become especially problematic when they are the result of market forces being overwhelmed by foreign government intervention—any foreign government, as far as that is concerned. President Trump has rightly pointed that out and has delivered on his promise to make trade fairer for workers across our country, for agriculture and international trade is the bridge to the world's customers.

In Iowa, we export every third row of soybeans. Some people like to say that God made Iowa for the growing of corn and soybeans, and I agree. Iowa also has significant pork and beef exports as well. American farmers produce more than we can possibly consume here in

the United States, so we understand then why the ability to trade and the freer trade, as well, is very important to us. So we rely on global customers. Export markets are and will continue to be vitally important to Iowa's farmers. I will make it a priority, as I resume chairmanship of the Finance Committee. After about 12 years of not being the chairman, I am going to concentrate on gaining access to new markets.

The United States must continue leading the world on trade and economic issues. The U.S. market is one of the most open in the world. Unfortunately, other countries throw up numerous barriers to our exports.

President Trump and Ambassador Lighthizer are working to correct these injustices. I intend to assist them in this fight, with the understanding that creating market barriers of our own, like tariffs, is not a long-term solution.

One of the top issues Congress needs to address next year is implementation of the recently signed United States-Mexico-Canada agreement, which updates NAFTA for the modern economy.

The new trade deal with Mexico and Canada make significant updates to the original NAFTA, with new sections on digital trade, currency manipulation, and State-owned enterprises. It goes further than any other trade agreement in protecting intellectual property rights and makes important changes to market access for agricultural products.

While I commend the President for following through on his promise to renegotiate NAFTA, there are a few areas of concern. Those concerns go beyond just the Canada-Mexico agreement. As long as 232 tariffs on steel and aluminum imports from Canada and Mexico remain, the U.S. farmers and others facing retaliation, along with the American businesses that rely on those imports, will be unable to realize the full potential benefits of the United States-Mexico-Canada agreement.

This is why I urge the administration to consult with Congress, as intended by the trade promotion authority, to ensure a clear path forward for the United States-Mexico-Canada agreement.

I intend to work with members of the Finance Committee and, of course, with the Senate leadership to move the United States-Mexico-Canada agreement quickly in the new Congress as soon as the President submits it. But I can't do it without a strong commitment from the administration that we will work together.

The Constitution tasks Congress with the authority to regulate trade with foreign countries. We collectively—meaning the President and Congress—have a responsibility to ensure that U.S. farmers, ranchers, and businesses face minimal uncertainty from the updating of the United States-Mexico-Canada agreement.

Building on the success of this new agreement, we must continue to play offense and pursue new market access opportunities. That is why I am happy the administration is pursuing new agreements with Japan, the European Union, and the United Kingdom. The economies of those countries account for 27 percent of global GDP. Having more access to those markets will help U.S. farmers, ranchers, and businesses for generations to come.

I expect the agreement with the European Union and with the UK, when ready, to address agriculture. There is some talk that the Europeans don't want to talk about making any agreements on agriculture. The notion that some people in the EU think there could be an agreement that doesn't address the many ways they block our good agricultural products from being sold in Europe is outright ridiculous.

While I agree with the President that we must have fair trade that benefits Americans, I want him to know, as well—and I have told him—that I am not a fan of tariffs. Put simply, tariffs are taxes on U.S. consumers and businesses.

The Constitution grants Congress authority over tariffs and international trade, but Congress has delegated some of its authority to the President through legislation. To some extent, I think, particularly in the 1963 legislation, too much authority was delegated.

I am no novice when it comes to understanding the delicate balance between congressional and executive authority over international trade. In fact, I was the leader in renewing trade promotion authority as the ranking member of the Finance Committee in 2002. In addition to that, and more recently, I strongly supported its renewal under the leadership of Chairman ORRIN HATCH in 2015.

What was important then and remains truer now is that Congress plays a central and pivotal role in crafting trade policy. Our Founding Fathers were very explicit in placing this responsibility with Congress in article I of the Constitution. We must remain vigilant to ensure that the aspects of trade authority that Congress has delegated are used appropriately and in the best interests of our country. I am certainly not opposed to being creative in negotiations with other countries, but I strongly disagree with the notion that imports of steel and aluminum, automobiles, and automobile parts somehow could pose a national security threat, as the President's actions have stated.

So I intend to review the President's use of power under section 232 of the Trade Act of 1962, which grants the President broad legal authority to impose tariffs in the name of national security. Senator PORTMAN and my colleague, Senator ERNST, and others have already introduced legislation to narrow the scope of how an administration can use the power that Congress authorized in 1962 under the influence of the Cold War. Maybe, considering 1962 and the issue of the now-forgotten Cold War, there may have been reasons for Congress at that point to overdelegate power to the President, but I am not sure that those conditions exist today.

I believe these efforts to restrain delegation of the authority to the President serve as a prudent starting point for the discussions we need to have on section 232 authority in the next Congress. The tariffs against products from China that were imposed as a result of U.S. Trade Representatives' findings under section 301 investigations are not ideal, but I do agree with the reasons that have been applied.

The President is absolutely right to confront China regarding section 301 findings. I am glad that he had a successful meeting with President Xi at the G20 summits last month. My hope is that the ensuing negotiations will result in a change in China's discriminatory policies and practices and an easing of tariffs and tensions.

I recommend that everyone read the findings of the section 301 investigation that were published in March of this year. That report outlines in detail many of the ways that China abuses American businesses and workers and steals, or forces the transfer, of U.S. intellectual property. American businesses that are able to access the Chinese market are, as a result of these Chinese policies, often forced to participate in joint ventures with Chinese firms and turn over the details of their technologies. No one can call that a level playing field.

The Chinese claim is that this simply represents the cost of market access. My answer to that is hogwash. That is not how members of the WTO should act. It is an organization you join based upon respect for other people's rights, but the most important thing is to respect the rules of trade.

I voted in favor of China's accession into the WTO. In many ways, I regret that vote. China has not lived up to its obligations or honored its promises, yet it enjoys many of the benefits that come with membership in the WTO.

Part of the reason, in my view, that China gets away with so much is that the WTO systems we rely on have failed and are in great need of reform. The fact that China, the world's most populous country and the second largest economy on Earth, can self-certify as a developing economy—that is a term used in the WTO documents—is extremely frustrating to me. Can you imagine the world's most populous country and the second largest economy in the world is still somehow a developing country?

I know many of my colleagues here in the Congress share that frustration.

I have great interest in the WTO reform process that has begun. Reform and oversight are critical to the proper functioning of institutions. That is true whether we are talking about a Federal agency or the WTO. I will also continue conducting rigorous oversight as chairman of the Finance Committee.

The United States has free-trade agreements in place with 20 countries. One problem we have had with our agreements is that other countries don't always live up to the text and spirit of the agreement they signed. I will work with the administration to hold our partners accountable in order to improve outcomes for American businesses and consumers, but most important to American businesses and consumers is to get the proper respect for the rules of trade that come as a result of the WTO.

In short, the Finance Committee has its work cut out for it and for us on the committee next year. International trade is a force for good. Farmers and businesses in Iowa and across the country have benefited tremendously from international trade and are better off because they can sell their products around the world. I am committed to making sure they have access to open markets with the guarantees of fair treatment and enforceable protections.

JUDICIARY COMMITTEE ACHIEVEMENTS

Mr. GRASSLEY. Mr. President, I now would like to go to a final set of remarks—probably the final set of remarks for this Congress as we draw to a close—to summarize some of the work of the Judiciary Committee, as I have been chairman for the last 4 years.

I have served on the Judiciary Committee for each of my 38 years in the Senate. Four years ago, I became chairman. Senator LEAHY, my colleague from Vermont, who served as chairman before I took the reins, marked the occasion by presenting me with a larger than life gavel. Of course, that was a lighthearted moment, and I appreciated his gesture of good will and collegiality. It is this spirit of camaraderie that sustains the Senate and has guided the bipartisan accomplishments of the Judiciary Committee.

The work we do on the Judiciary Committee shapes our way of life in America to a great extent. Its legislative jurisdiction includes constitutional amendments, bankruptcy laws, civil liberties, immigration, patents, copyrights and trademarks, antitrust laws, juvenile justice, criminal laws, and more. The committee conducts oversight of the Justice Department, including the FBI and sections of the Homeland Security Department. It also handles consideration of judicial nominees.

As chairman, I put forth a number of legislative priorities. I wanted to increase oversight efforts to hold government accountable and advance judicial confirmations. I wanted to strengthen whistleblower protections and increase competition in the pharmaceutical markets to lower the cost of prescription drugs. I wanted to enact juvenile justice reform and update our criminal justice system. I wanted to protect election integrity and bolster victims' rights. At the close of this Congress, I am happy to report that the committee has made progress in all of these areas.

This week, the Senate passed the FIRST STEP Act, a historic criminal justice reform bill that had overwhelming bipartisan support in Congress and the backing of the President.

Earlier this month, the Senate unanimously passed bipartisan juvenile justice legislation, which legislation hadn't been updated since 2002.

The Elder Abuse Prevention and Prosecution Act, the Missing Children's Reauthorization Act, and Kevin and Avonte's Law to help families locate people with dementia and others who wander and go missing all became law during the 115th Congress.

Overall, 61 bills were reported out of committee, all of them bipartisan. Of those bills, 45 were passed in the Senate, and 29 became law in the past two Congresses under Presidents Obama and Trump. And if the House passes our criminal justice reform bill today, that figure will be 30 bills that have gone through Congress. Again, I want to emphasize that all were bipartisan.

The committee also delivered on judicial nominees. This wasn't so bipartisan. The Senate confirmed a historic number of lifetime appointments to the Federal bench this Congress. That includes 53 district court judges, 30 circuit court judges, and 2 Supreme Court Justices—85 Federal judgeships in the last 2 years. This reflects an alltime record for the first 2 years of any Presidency. These lifetime appointments will uphold the rule of law and preserve freedom and liberty for generations to come.

These accomplishments weren't easy. There was contention, and there was rigorous debate and, as I said, plenty of disagreement.

The confirmation hearing for Justice Brett Kavanaugh was the height of discord on the committee. As chairman, I was determined to uphold order and the rule of law, protect due process, and maintain credibility in our constitutional responsibility of advice and consent. I took the allegations that were brought forth very seriously. The committee conducted the most thorough, comprehensive, and transparent confirmation process in history. And if that word ''history'' bothers you, it is numerically justifiable by saying that we had more documents on Kavanaugh than we had on the previous five Supreme Court Justices combined. So I hope, after half a million documents, it is shown that we left no stone unturned. In the end, another extremely well-qualified Justice was confirmed.

However, the divisions that defined the Kavanaugh hearings do not define the body of work produced by the committee this Congress. The Judiciary Committee passed seven bipartisan bills to help families, healthcare professionals, and law enforcement address the opioid crisis in their local communities. The President signed these measures into law with the SUPPORT for Patients and Communities Act. We also passed the Comprehensive Addiction and Recovery Act in 2016 to rapidly respond to the opioid crisis and prevent others from falling into addiction.

With hearings and legislation, the Judiciary Committee also worked toward ending the pervasive problem of human trafficking. In all, the Senate adopted a series of five bills that were signed into law to enhance Federal efforts to protect victims and prevent and prosecute enslavement for forced labor and sex trafficking.

As a committee, we have made great progress on behalf of the American people. We tackled the priorities I outlined at the beginning of my chairmanship and achieved success on a bipartisan basis. That is what our constituents expect from those of us who are Senators. That is what I strive to deliver every day.

The 115th Congress is drawing to a close. Although I won't serve as chairman during the next Congress, I have every confidence that my friend Senator GRAHAM of South Carolina will build upon the successes we have accomplished. I look forward to continuing my service on the Judiciary Committee in the next Congress, and I am thankful to all of my colleagues on the committee and even some off the committee for their hard work and cooperation on behalf of the American people.

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 called the roll.

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

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

SYRIA

Mr. MENENDEZ. Mr. President, yesterday, Christmas came early to the Kremlin. First, we have President Trump's announcement to pull our troops out of Syria. Second, the administration wants to delist three companies controlled by Oleg Deripaska, though, I am not sure he has adequately relinquished control of those companies. Third, the administration has done nothing to respond to Russian aggression in the Sea of Azov and the Kerch Strait. This is a trifecta for Vladimir Putin and sends a global message that creates real concerns. Christmas has indeed come early to Moscow.

The Trump administration's withdrawal from Syria lacks any strategy, is foolhardy, and it puts U.S. security in the Middle East—including our ally, the State of Israel—at great peril. This is not simply an error. It is dangerous. It is dangerous.

Let me be clear. Withdrawal from Syria without success is failure. American credibility will take a horrible hit

if the President moves forward with this decision.

As a country, we have said that Assad, who has butchered his people, cannot stay in power. Assad is likely to stay in power into the foreseeable future. Second, we have said we cannot leave Syria because we have strategic interests. By leaving, and doing so precipitously, the President is willing to leave these strategic interests in the hands of Iran and Russia, and Moscow will be given a solid foothold in the Middle East—something it has aspired to for some time, and now it will happen. It will have developed bases there, and it will have unfettered determination as to what to do.

Third, this move will strengthen Iran's ability to attack Israel.

We are entering a very dangerous time, as it is increasingly clear to all—including many of my Senate Republican colleagues and especially our international allies and adversaries—that this President is completely incapable of addressing our security challenges. Only in Donald Trump's parallel alternate universe has ISIS been defeated. There is no one who would suggest that is reality at this point. We have made gains, and we have had successes, but they have not been defeated.

His erratic decision making indeed poses a great threat to our security interests.

Trump tweeted that Russia is ''not happy'' about his decision to withdraw our forces from Syria. Well, I guess he missed President Putin's end-of-the-year press conference where, in his own words, he showed this morning that Russia is indeed thrilled with this abdication of U.S. leadership.

I worry that we are sending the wrong global message, as well, if this plan is executed. The Kurds have been the most significant fighting force on our behalf and in our interest in Syria. They have been our partners. By pulling out, we are abandoning them. Turkey will come in and seek to destroy them. They will be hit not only by Turkey, they will be hit by Assad, and they will be hit by others.

Imagine the message that sends to other potential partners around the world. For those to whom we say ''Fight with us, fight for us, instead of sending our sons and daughters,'' the message is ''Once the United States is done using you, we will abandon you.''

We can't afford that message. In any other place in the world where we want people to fight with us or for us and carry the burden of being on the frontlines so that our sons and daughters are not in harm's way, they are going to look at this moment and say: No way. They will say: The United States will abandon us. They will say: The United States will leave us on the battlefield to die.

As someone who has voted against the deployment of U.S. troops elsewhere, I don't take these issues lightly. I want our sons and daughters to come home as soon as possible. But by withdrawing these forces now with no strategy, the United States is placing our security and that of our allies at grave risk, and the sacrifices that have been made by our troops will be lost.

Russia has entered into this war in Syria with an unholy marriage with Iran—yes, to prop up Assad, but also, for Iran, it was to gain a tactical vantage point on Israel's northern border. Our withdrawal leaves a vacuum that Iran will fill, putting Israel at even greater risk.

To believe that we can outsource our allies' interest to Russia and that Russia will tell Iran to leave now, in Syria, is ridiculous. Iran is not a simple agent of Russia in this regard. Iran has shed its own blood and national treasure in pursuit of its interests, both to prop up Assad and to have a vantage point on the northern border with Israel—another place to strike at Israel. It is not going to give that up simply because Putin says to leave. Anyone who believes that has a clear misunderstanding of the realities of this relationship.

Completely withdrawing the United States from Syria at this moment with no strategy in place signals to the region and to the world that we are willing to cede our interests to Putin, to Iran, and to others who will exploit this leadership vacuum.

In addition, President Trump has been silent in the face of egregious behavior from Saudi Arabia, a behavior that this Chamber spoke to in a unanimous way.

He has no strategy for securing our interests around the Middle East or the world. It is all too clear who is winning.

The Kremlin attacked Ukranian ships and captured Ukranian sailors nearly a month ago. Those vessels and sailors remain in Russian hands. They are hostages—hostages—who were taken at the high sea in international waters in violation of international law. And what has the administration done—canceled a meeting with President Putin?

It canceled a meeting; that is it. It hasn't rolled out new sanctions on those responsible for the attack. It has not increased U.S. and NATO presence in the Black Sea in order to preserve international maritime passage for all. It has not announced new security assistance for the Ukrainians.

One month has passed, and President Putin has felt zero pressure—zero pressure—on any of these actions or to release these sailors. There is zero pressure to ease the tensions in the Kerch Strait and zero pressure to negotiate an end to the war in the Donbass or to return Crimea to the Ukraine.

In fact, Putin seems quite at ease. His yearly press conference earlier today was a victory lap. He is already prodding President Trump, welcoming the evacuation from Syria, and calling for President Trump to stand by his campaign commitment to also withdraw from Afghanistan. He is doing it purposely to see if he can elicit the same reaction he has elicited in Syria.

This retreat has left Vladimir Putin with a glow of victory. He is winning in Syria; he is winning in Turkey; he is winning in the Ukraine; and Trump wants to take our players off the field. And this misguided withdrawal from Syria drives that point home.

Putin's control of Trump came into sharp focus yesterday, and I urge our Republican colleagues to see this for what it is. The small price that Putin paid to interfere in our national elections has paid off in Syria; it has paid off in Ukraine; and the American people are paying the ultimate price.

This is a dangerous time, and our security lies in the hands of a President who, I will respectfully say, is clearly not up to the task.

I have called on this administration and the last to develop and present and execute a clear and comprehensive strategy to promote our interests in Syria. This means a comprehensive strategy to counter Iran and its proxy networks, which, from Hezbollah to the Houthis, have grown only stronger as this administration continues to bungle its way through one foreign policy crisis to the next.

The President has the opportunity to reverse course and avoid a spectacular failure. He should listen to his military and national security advisers, none of which—none of which—ultimately recommended this course of action. He should listen to our allies, none of which have recommended this course of action.

He should invest in alliances and international institutions that multilateralize and strengthen our reach across the globe.

He should listen to this bipartisan chorus from Congress. There have been voices on both sides of the aisle here who have said: Change course. This is a grave mistake. He has an opportunity to avoid a grave mistake.

I will repeat what I said earlier today at a press conference with Senator GRAHAM and Senator REED: Withdrawal from Syria without success is failure. Simply withdrawing is not a success. Withdrawing without honoring the sacrifices that have been made by our troops there, without honoring the sacrifices that have been made by our allies there, like the Kurds, without recognizing the enormous civilian casualties that will take place in the aftermath, without recognizing that we will leave a void for other particularly nefarious entities to ultimately fill that void, without recognizing that we create a risk for our ally, the State of Israel and its northern border, without recognizing that at the end of the day, our strategic interests will be totally lost in this regard, is indeed a great failure.

I hope the President takes this opportunity to change course, to listen to his national security and military advisers and to the chorus of bipartisan

voices in the Senate, including those of us who are engaged in national security questions, whether it is I, as the senior Democrat on the Senate Foreign Relations Committee, or Senator REED, as the senior Democrat on the Armed Services Committee, or Senator GRAHAM, who sits on Armed Services and is the chair of the Subcommittee on Foreign Operations of the Appropriations Committee. These are bipartisan voices, among others, who are making it very clear that this is a grave mistake. We have a chance not to make that grave mistake and the consequences that flow from it.

I yield the floor.

Mr. MENENDEZ. 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. PERDUE. I ask unanimous consent that the order for the quorum call be rescinded.

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

THE BUDGET DEFICIT

Mr. PERDUE. Mr. President, as we come to a close of the 115th Congress, this will be my last speech in this Congress. It is an honor to be in this body. It is a privilege that I take very seriously, as I know the Presiding Officer does as well.

Today, I come to talk about a topic that I told this body in my maiden speech was the reason I ran for the Senate, and at the end of each year, I try to remind us all of where we are on this topic—the financial crisis that the United States faces today. It is intertwined with the global security crisis that we heard about in a speech just a minute ago. They are very much interrelated.

Today, we have $21 trillion in debt. What makes that so important is that just this week, just recently, the Federal Reserve increased the Fed fund rate one-quarter point. To most people, that really doesn't sound like a big deal, but this is the ninth increase in just the last couple of years. Just this one-quarter point increase means $50 billion of new interest that the Federal Government is obligated to pay each year, every year. Over the last couple of years, those nine increases together represent a 2.25-percent increase. So that 2.25 percent increase in the interest rate means an additional $450 billion of new interest expense liability the Federal Government has incurred over the last couple of years. To put that in perspective, we only raise about $2.2 trillion in total Federal income tax. We spent about $700 billion on our military and only $200 billion on our veterans.

This is a train wreck, and it is a crisis of full proportion. Yet here we were just last night passing our 186th continuing resolution since 1974 when the Budget Act of 1974 passed. That is one of our problems. Combine that with 8 years of lethargic economic productivity, and you end up with a burgeoning debt crisis.

It is projected by the Congressional Budget Office that, at current interest rates, with no other interest rate increases, the interest on the debt will grow—by 2023, just 5 short years, we will be spending more on just interest than we will on national defense. That cannot happen. The world bond markets probably won't let that happen. And here we are in 2018.

How did we get here? In 2000, at the end of the Clinton administration, this country had $6 trillion of debt. In 2008, at the end of President Bush's administration, we had $10 trillion of debt. In 2016, at the end of President Obama's tenure, we had $20 trillion of debt. In that 8 years, America added more to the debt than all other Presidents combined prior to 2008.

Today, the rate of growth continues. We are at $21 trillion. In my office, we have a debt clock that actually shows real time how this debt clicks forward every day, every minute. It is a sobering thing to watch because this is a legacy we are giving to our children and our grandchildren, and there is no reason to let this go forward. We can solve this today.

Under the Obama administration, over those 8 years, the Federal Government borrowed a little less than 35 percent of what it spent as a Federal Government. Let me say that again. It borrowed almost a third of what it spent. To put that in perspective, the discretionary part of our budget—we spend about $4 trillion a year, including all of our mandatory expenses, but only 1.3 of that 4.3 is discretionary. Discretionary spending is about 25 percent. So if you are borrowing 33 percent and your discretionary spending is 25 percent and all of your first money that comes in goes to pay for the mandatory expenses—like a car payment, a house payment, insurance payments—automatically deducted, that is exactly what happens in the Federal Government. What we have is a situation where every dime—during those 8 years—of discretionary spending was by definition borrowed money.

Today, we are not borrowing quite that much, but the problem continues that most of our domestic discretionary spending is borrowed money. This is not lost on leaders around the world. Our near-peer competitors in Russia and China pay attention to this. They saw we cut our military spending over those 8 years ending in 2016 by 25 percent. That is one reason we see a very active China right now in the South China Sea. It is also why we see Russia being very active in the Middle East. It is because of our inactivity and our withdrawal from the global stage, and that was driven largely by the political position that administration was in at the time, but I also believe it is because of the Federal crisis we have relative to our national debt.

Today, if you look at the sources of our income and the uses of that income and our expenses, just on the Federal budget side, we raise about $2.2 trillion.

The first three line items that we dedicate money to or allocate money to is a subsidy for the Social Security trust fund. Now, this is the first year that has really happened. It was never supposed to happen. The trust fund was supposed to sustain itself forever, indefinitely. It was supposed to be self-sustaining.

The second item is the Medicare trust fund. Now, the Medicare trust fund has to be subsidized by the general account of the Federal budget.

The third is this unlimited entitlement we have called Medicaid under the Affordable Care Act. It is an unlimited expense depending on what different Governors decide to do and what the Federal Government has to do in terms of matching funds that go to those States.

Those three line items—just those three—account for more than 50 percent of all Federal income tax dollars we collect—over 50 percent.

The Social Security trust fund is projected to go to zero—the balance in that trust is supposed to go to zero in 12 years. The Medicare trust fund is supposed to go to zero in 8 years. This is a situation that is exploding before us. Discretionary expenditures have leveled out. Those are being fairly controlled. What is not being fairly controlled are all the mandatory expenses—the Social Security, expense of Medicare, Medicaid, pension benefits for Federal employees, and the interest on the debt. The fastest growing of all that is the interest on the debt, as I mentioned earlier. We have added $450 billion of new interest expense just in the last 2 years.

I believe there is a way forward. We have been talking about it. President Trump said job No. 1 when he got elected was growing the economy. Why? Well, one of the benefits—we put people back to work, we have confidence going again, and we get the economy going, but it also raises more dollars for the Federal Government.

The Congressional Budget Office said that if we grow the economy 100 basis points more than we were growing during the Obama administration, which was only 1.9 percent over 8 years, that that 1 percentage point of growth adds $300 billion a year. Well, we are growing much faster than that now. We are growing at almost twice the rate. The GDP is growing at almost twice the rate it grew during the Obama administration. What that means is that we have lowered the curve over the next decade of this debt cycle—this ever increasing debt cycle—we have lowered the curve by as much as $3 trillion, by some estimates. That is the first step.

The second step is this budget process we are working on to try to fix it. We formed a joint select committee this year of equal numbers of participants from Republican to Democrat,

House and Senate. While we didn't pass a bill coming out of that exercise, we did agree on several things that will allow us to avoid putting pressure on the end of the year that leads to these continuing resolutions and these omnibuses that are generating more and more debt.

The third thing is, we are done with Agencies' excess spending. This year, the Department of Defense has provided—the first ever in U.S. history—its own internal financial audit. There was a law written in 1981 that said this was required, but nobody has ever forced that to happen. Secretary Mattis and President Trump have forced that to happen. Over the next couple of years, we will be digesting exactly what they are finding in that internal audit. We can't get a turnaround if we don't know what is going on with the outflows, and that is exactly what we are doing in the Department of Defense.

So make this known, that President Trump says: Yes, we have increased spending to get our readiness back, to recap our military, and to develop the capability we need to protect this country. But at the same time, he is holding the Department of Defense accountable for every single red cent it spends, and the first step of that is this internal audit.

As a member of the Armed Services Committee and the Budget Committee—this is in the wheelhouse of those two committees, and I can state that every single member, Democratic and Republican, is interested in that audit and how it can make us much more productive and efficient in terms of how we spend taxpayer money.

The fourth is, after 8 years of arguing about the healthcare insurance plans for the individual market, which is about 21 million people, we need to start talking about the underlying cost drivers of our spiraling healthcare costs.

Lastly, the fifth and final thing we have to do to address this debt over the next 20 to 30 years is that we immediately have to save the Social Security, Medicare, and Medicaid Programs for our recipients who need those benefits, but we also have to secure them for the future.

There are solutions out there. That is the good news today. The bad news is, yes, the spiraling debt is still with us. It is absolutely the No. 1 threat to our national security; there is no doubt about that. I believe that, and Secretary Mattis believes that. Prior Chairmen of the Joint Chiefs of Staff believe that. We have to get the political will to face the American people and to tell us all that we have to have a plan over the next 20 or 30 years that will absolutely bring this back into reason.

One of my great colleagues in this body, a Democrat, Senator SHELDON WHITEHOUSE from Rhode Island, has an idea to go out in the future and pick a certain date, agree on the debt as a percentage of GDP, and then move backwards with a guardrail plan on a roadmap to today to allow us to get there over time. I am in full support of that. He has been a big ally in this effort to rein in the debt and to develop a budget process that is sensible.

Mr. President, it is clear to me that after 4 years in this body, we have made some progress on this but not nearly enough. In 6 short years, one of our major trust funds, one of the major pillars of our social safety net system, the Medicare system—that trust fund goes to zero.

We deserve better than this. Democrats and Republicans both agree on that. What we have to do now is translate that into cooperation on this floor this next year; to talk about compromise, to find ways to get through the extreme positions this town and the media really encourage us to take.

Behind the scenes—behind that door right there—you know and I know we talk in a different way than we do when we are in front of the media. I believe, behind that door right there, lies the solutions to most of these problems, where we can be cooperative and find common solutions to these problems.

The last thing I will say is this. This country is not bankrupt. We have about $130 trillion of future unfunded liabilities. If you just look at the next 30 years, that is true. Fortunately, though, on the other side of the balance sheet, we have some people estimate well more than $250 trillion of assets.

The question is, Do we have the will to address the debt problem over some reasonable period of time using our assets and our productive capability to make this country stable and financially strong again? Not only do the citizens of the United States deserve this and need this, the rest of the world needs us. We are the most philanthropic country in the history of the world. Yet that is jeopardized by this intransigence that continues in this city.

I am an optimist, and I believe we will solve this. We have a good many new Members coming into this body next year—some great Members who are retiring—but it is time this moves up in our priority chain, where this is the No. 1 crisis that we begin to deal with.

I believe the best days of America are ahead because this problem has solutions, and we have plenty of resources to do it. It just depends on the political will.

Let me say this too. I believe, with a Democratic-controlled House, a Republican-controlled Senate, and a Republican in the White House, the American people have sent a message to Washington saying: OK, guys, it is time. This is one of the priorities.

We will see in this next year if the House decides to legislate or they decide to investigate.

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

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

RECESS

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the chair.

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

Thereupon, the Senate, at 4:05 p.m., recessed until 6:09 p.m. and reassembled when called to order by the Presiding Officer (Mr. YOUNG).

TRIBUTE TO ORRIN HATCH

Mr. LEAHY. Mr. President, as a President pro tempore emeritus, I would like to recognize the retirement of the Senate's current President pro tempore, Senator ORRIN HATCH. Senator HATCH and I have both had the privilege of representing our constituents for more than four decades. He has fought for the interests of Utah and his constituents throughout his career.

Senator HATCH has shown a commitment to his beliefs. As both a chairman and ranking member of the Judiciary Committee during my tenures in both posts, we have had more than one occasion to partner, to spar, and to share a laugh. Once we even exchanged ties. I gave him a Jerry Garcia one, and he gave me a Rush Limbaugh tie.

He will be remembered here in the Senate as a respected colleague.

I wish Senator HATCH, his wife, Elaine, their six children, and all his family the best.

TRIBUTE TO BILL NELSON

Mr. LEAHY. Mr. President, Senator NELSON is the only Member of this body to see the Earth from space. Perhaps that is why he has been a champion of our environment, our climate, clean air and water, both here in the United States, and for the entire planet.

Senator NELSON has said that seeing our little planet suspended in the infinity of space imparted him ''with a profound sense of obligation to become a better steward for our planet Earth.'' He has never shirked that obligation. Whether urgently warning about the dangers of a quickly warming planet or about the importance of conserving wildlife and our natural spaces, Senator NELSON has long understood that the health of our children and grandchildren depends on our responsible stewardship of our planet today. What is more, Senator NELSON understands that confronting climate change is not

only good for the planet but crucial for his constituents. Florida has already begun to feel the effects of extreme weather made worse by warmer temperatures, and Senator NELSON's work on the issue reflects his deep commitment to Floridians.

In addition to his global outlook, Senator NELSON has shown his willingness and ability to accomplish small changes that can have big benefits for his constituents. In the aftermath of horrific shootings in Florida, he didn't just offer condolences to the victims; he got to work to call attention to gun violence, and he issued calls to action. He partnered with me to introduce legislation that would give law enforcement agencies the tools they need to modernize efforts to combat gun violence. The small technical fix in this legislation—allowing the ATF to digitize its records—would make a world of difference to police trying to solve crimes across the country. I wish his calls to action, like so many of ours, were heard by Congress.

Senator NELSON has devoted his career to public service, and his role in elected office started back in the Florida House of Representatives in 1972. Since then, he has faithfully represented the State of Florida, and we have been fortunate to have him here in the Senate. I am sad to see him go, and the Nation will miss his strong voice on environmental issues. I wish Senator NELSON and his wife, Grace, the best.

TRIBUTE TO BOB CORKER

Mr. LEAHY. Mr. President, BOB CORKER is a businessman. He is a husband, a father, and a grandfather. He is a U.S. Senator. But at his heart, he is a Tennessean.

Senator CORKER's success in business has translated into a successful Senate career. In these uncertain times, where diplomacy sometimes seems reduced to a tweet or a hashtag, Senator CORKER has shown a willingness to refuse to compromise American values for political expediency. Most recently, I was proud to join him and other Senators in sending a letter that triggered an investigation under the Global Magnitsky Human Rights Accountability Act to determine if Saudi officials are responsible for the murder of journalist Jamal Khashoggi.

Senator CORKER also recognizes that reducing nuclear weapon stockpiles is an important step to a more peaceful world, and he was just one of 13 Republicans to vote for the New START treaty.

I thank Senator CORKER for his service here in the Senate and wish him and his wife, Elizabeth, well.

TRIBUTE TO CLAIRE MCCASKILL

Mr. LEAHY. Mr. President, Senator MCCASKILL has left an indelible mark on the Senate. A former prosecutor in Missouri, she brought the fight to protect the most vulnerable in her State and across the country to her work here in the U.S. Senate.

Her work to preserve the Affordable Care Act and protect victims of sexual harassment and violence speak to the depth of her convictions. She has also shown great talent safeguarding our Nation and holding our government accountable as a former chair of the Senate Homeland Security and Governmental Affairs Committee and as a member of the Armed Services Committee.

Senator MCCASKILL has fought hard to protect college students from sexual harassment and assault on campus. Senator MCCASKILL has even spoken of the sexual harassment that she herself faced as a young woman in the Missouri State Legislature. Long before the Nation began talking openly about the extent of sexual harassment and assault across all sectors of our society brought into the open by the #MeToo movement, Senator MCCASKILL prepared a report on the extent of sexual harassment and assault on college campuses. But Senator MCCASKILL has never been a woman content with report-writing; she introduced a bill to help address the issue. And when the Senate didn't move on that bill, she worked directly with colleges, holding public roundtables to call attention to the issue.

That is a just a glimpse of the determination that Senator MCCASKILL brings to all of her work on behalf of her constituents. She is a straight shooter. In the face of misinformation campaigns about the Affordable Care Act, Senator MCCASKILL has always stepped up to promote the truth. I have always admired her commitment to preserving that law that helps so many of her rural constituents.

As a former chair of the Senate Homeland Security and Governmental Affairs Committee, and a member of the Senate Armed Services Committee, Senator MCCASKILL has dedicated much of her Senate service to keeping our country safe. I greatly appreciated her support for my National Guard Empowerment Act, which finally gave our National Guard the tools it needs to protect our Nation and take care of its members.

I will miss Senator MCCASKILL's tenacity, and I am sure that Missouri and the Nation will too. Missouri is losing a champion in the Senate. Marcelle and I wish her, her husband, Joe, and her family the very best in this new chapter.

TRIBUTE TO DEAN HELLER

Mr. LEAHY. Mr. President, Senator DEAN HELLER may have been a freshman Senator when he came to this body in 2011, but he was not short on experience. First elected as a Nevada assemblyman in 1990, Senator HELLER has served in government ever since.

During his Senate tenure, Senator HELLER has shown a great interest in protecting American's data privacy, and he was an important partner in our efforts to pass the USA FREEDOM Act. He was a staunch advocate of that bill, even when many in the Senate were pushing for expanded surveillance powers over Americans. Both of us recognized that though the bill may not have included every provision we wanted, the best way to offer privacy protections was through compromise.

While his tenure here was brief, I have appreciated getting to know Senator HELLER and working with him on issues of great importance. I wish Senator HELLER, his wonderful wife, Lynn, and their four children the very best in this next chapter of their lives.

TRIBUTE TO JEFF FLAKE

Mr. LEAHY. Mr. President, I know that Senator JEFF FLAKE believes, as I do, that the Senate at its best can be the conscience of our Nation. Lately, I believe the Senate has been less than that. In the closing months of his tenure in the Senate, however, Senator FLAKE has spoken about his hopes for this body and for our Nation. What is more, throughout his tenure, he has on many occasions reached across the aisle to bridge the partisan divide for the good of the Nation.

When I first approached Senator FLAKE about joining me in visiting Cuba, he was willing to come with an open mind. He recognized the failure of the continuing U.S. embargo, and his partnership helped us create a new path forward that culminated in the release of Alan Gross, an American long imprisoned in Cuba, and restored diplomatic relations between our two countries. The few minutes on the tarmac in Cuba while we waited to bring Mr. Gross back home after 5 years in captivity are some of the most meaningful minutes of my life. Senator FLAKE's partnership helped lead to that moment.

While the release of Alan Gross was the most dramatic event in U.S.-Cuban relations in a generation, Senator FLAKE has also partnered with me on initiatives to encourage Cuban entrepreneurs, open Cuban markets to American farmers and agriculture, and boost the Cuban Government's respect for human rights. His assistance from across the aisle has been helpful in shining light on the more than 50 years of failed policy toward this small island neighbor.

I have also watched with admiration JEFF's commitment of the last month in protecting one of the most pivotal national security investigations in our Nation's history—the special counsel's investigation into Russian interference in our elections. The security and sanctity of our elections is a cornerstone of our democracy. As he rounds out this chapter of his career, Senator FLAKE's stance and insistence that the Senate act to protect the work of the special counsel has been laudable.

I will be sad to see Senator FLAKE leave, and the Senate will be losing an

independent voice willing to pursue bipartisan progress. That is a voice that is needed now more than ever. I will miss working with my friend here in the Senate, and Marcelle and I wish JEFF and Cheryl all the best as they begin a new chapter.

TRIBUTE TO JOE DONNELLY

Mr. LEAHY. Mr. President, I would like to take a moment to recognize the career and service of Senator JOE DONNELLY. Senator DONNELLY has spent more than a decade steadfastly representing the State of Indiana in both Chambers of Congress. He has resisted labels and rigid partisanship, consistently proving that he is open to any policy solutions that benefit Hoosiers.

I have been particularly moved by Senator DONNELLY's commitment to defending fairness in the workplace. He has fought for sustainable minimum wages and helped pass crucial protections for victims of pay discrimination. His work in Congress has made the workplaces of Indiana and the Nation fairer.

I was proud to work with Senator DONNELLY in 2015 to expand the resources available to victims under the Violence Against Women Act. We have also worked together to pass legislation to ensure that law enforcement have access to funds to purchase adequate body armor.

Senator DONNELLY's presence and his desire to bridge partisan divides will surely be missed in this Chamber. I know he will continue to do all he can to serve Hoosiers and our Nation, and I wish him and his wife, Jill, all the best.

TRIBUTE TO HEIDI HEITKAMP

Mr. LEAHY. Mr. Preident, you wouldn't guess it, but North Dakota and Vermont are more alike than they are different. Both depend on agriculture and small businesses to support rural communities. Likewise, Senator HEITKAMP and I are not all that different: We are both natives of our States, and we both are committed to working across the aisle to get things done.

Before running for the Senate, Senator HEITKAMP served as North Dakota's attorney general, where she worked to keep communities safe, much as I did as State's attorney in Vermont before I first ran for the Senate. One of her biggest achievements as State attorney general was forcing the tobacco industry to tell the public the truth about the health risks of smoking, and securing a settlement of $336 million in damages for North Dakota taxpayers.

Senator HEITKAMP was a strong cosponsor of the Violence Against Women Reauthorization Act of 2013. We worked together closely to include provisions to protect Native American victims of domestic violence, human trafficking, and sexual assault. These protections were sorely needed, and it was an honor to fight with her for their inclusion. She also introduced and helped usher into law the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act, which works to ensure that Native children and families have access to critical economic and educational resources.

North Dakota, like Vermont, struggles with affordable housing and a rural housing shortage. As a member of the Senate Committee on Banking, Housing, and Urban Affairs, Senator HEITKAMP worked to help families achieve stable housing. She sought housing finance reform and relief for community banks and credit unions, giving more rural families access to the economic tools they need to thrive.

Senator HEITKAMP and I have served together on the Senate Committee on Agriculture, Nutrition, and Forestry, working most recently to pass a comprehensive and bipartisan farm bill to support the hard work of our farmers, who are the backbone of our rural communities, and to address nutrition and food insecurity challenges across the country and abroad. Senator HEITKAMP has been committed to ensuring we invest in our rural infrastructure and business development, and North Dakota is stronger for that.

Senator HEIDI HEITKAMP has been a tireless champion for the people of North Dakota for longer than just her term in the Senate, and although I will miss her, I know she will continue to serve her State in other ways for years to come. Marcelle and I wish her and Darwin the very best.

SYRIA

Ms. KLOBUCHAR. Mr. President, I rise today in response to the President's announcement on the withdrawal of troops from Syria.

Like many of my colleagues from both sides of the aisle, I am deeply concerned that prematurely withdrawing American troops from Syria is contrary to the advice of senior national security officials and that the President's announcement will have negative consequences for our country's national security interests. I am also concerned about the implications of U.S. withdrawal for the security of our allies and for innocent civilians in Syria.

Since August of this year, the Secretary of Defense, Secretary of State, and National Security Advisor have all suggested that the Syrian conflict requires sustained U.S. commitment. Just last week, the administration's Special Presidential Envoy for the Global Coalition to Defeat ISIS said that ''we can't just pick up and leave'' Syria. This week, the U.S. Special Representative for Syria Engagement said that the U.S. would remain in Syria until the U.S. achieves three objectives: ensuring the defeat of the Islamic State, reducing Iranian influence, and reaching a political solution to resolve the crisis. The President's announcement contradicts the advice of our diplomats and military leaders and fails to address these issues.

These concerns are shared by our key allies, including Israel and Jordan. The withdrawal of U.S. troops will also abandon the Kurds, who have been our partners in the region. Once again, we see the U.S. abandoning critical alliances in favor of narrow and ill-defined aims.

I have seen firsthand the devastating effects of the ongoing Syrian conflict and resulting humanitarian crisis, which has led to the worst refugee crisis since World War II. In 2015, I visited a Greek refugee center and met with officials who are dealing with the crisis. I saw groups of children who had traveled alone to try to find better lives, but when we tried to ask one little boy about his story, he did not want to tell us because he and all his friends were afraid that they would be sent back home. I also visited the Za'atari refugee camp in Jordan, where we heard about atrocities taking place in Syria that one refugee said would ''make stones cry.''

This crisis is not over, and it requires an international response and clear U.S. policy. There are no easy solutions in Syria. But what we need is leadership and a comprehensive plan based on the expertise of those on the frontlines, not hasty and ill-informed decision-making.

Thank you.

REMEMBERING GEORGE H.W. BUSH

Mr. CASEY. Mr. President, today I wish to pay tribute to former President George Herbert Walker Bush who died on November 30 at the age of 94. Henry Clay once said, ''Recognize at all times the paramount right of your Country to your most devoted services, whether she treat you ill or well, and never let selfish views or interests predominate over the duties of patriotism.'' Beginning at the age of 18 when he joined the Navy and served in World War II, President's Bush's life was a life of service and of a greater commitment to his country. Over several decades and in numerous roles, President Bush served with honor and decency offering his country the best of his wisdom, experience, and dedication. When he lost reelection in 1992, he left a note to his successor that ended with ''Your success is now our country's success. I'm rooting hard for you. Good luck.'' Even in defeat, President Bush's focus was on the future of the country and its success.

While many commentators have highlighted his achievements in foreign policy, we should remember as well his domestic policy accomplishments, such as the Americans with Disabilities Act. George Bush was a great supporter of people with disabilities even before he became President. As Vice President to Ronald Reagan, he met with disability advocates Evan Kemp and Justin Dart, forming both a policy partnership and friendship with

them. Both Kemp and Dart were wheelchair users and were able to convince the then-Vice President of the need for a civil rights bill for Americans with disabilities.

When he became President, Bush tapped two key legal advisers, his White House Counsel Boyden Gray and distinguished former Pennsylvania Governor Attorney General Richard L. Thornburg, to work with Congress to craft legislation that would be the civil rights law for people with disabilities. Working closely with House leaders Tony Coelho, STENY HOYER, and Steve Bartlett and Senate leaders Tom Harkin, Ted Kennedy, Bob Dole, and ORRIN HATCH, they crafted a bill that was introduced in the spring of 1989 but failed to pass.

The following year, with President Bush himself and his White House staff working with the congressional leaders and advocates, the Americans with Disabilities Act passed the House and the Senate with overwhelming bipartisan support. The signing ceremony was held on the South Lawn of the White House with hundreds of disability advocates in attendance. As President Bush signed the bill into law, he said, ''Let the shameful wall of exclusion finally come tumbling down,'' and with the stroke of a pen that represented years of advocacy and political compromise, President Bush signed the last great civil rights law of the 20th century.

The world is emptier without President Bush, but his legacy lives on in those who knew and worked with him and in the millions of people whose lives were made better by his policies and his service. They are his ''thousands of points of light,'' and they carry forth his vision and his commitment every day.

SENATE COMMITTEE ON THE JUDICIARY OVERSIGHT SUMMARY

Mr. GRASSLEY. Mr. President, oversight is one of the most important responsibilities of this legislative branch. The Constitution requires it.

Without oversight, the Members of this body cannot legislate in the best interests of their constituents, nor can they ensure the government is accountable to the taxpayers.

In whatever capacity I have served my own fellow citizens of Iowa over the years, I have always strived to faithfully carry out my duty to conduct oversight.

The same is true of these last 4 years that I have been honored to serve as the chairman of the Judiciary Committee.

The agencies under the committee's jurisdiction are some of the most powerful and most consequential in the executive branch.

Our Nation's law enforcement agencies have the authority to seek to search and seize our property and review our communications.

When warranted, they may bring charges that can result in disgorgement of financial resources or loss of personal liberty.

That is because these agencies have the equally weighty responsibility to protect us from criminal and intelligence threats of all stripes.

These agencies help protect the taxpayer from fraud, hunt down violent offenders and fugitives, protect our senior leaders and judges, and dismantle illicit networks that traffic in illegal drugs, endangered wildlife, and worst of all, human beings.

They safeguard our borders, secure our transportation and cyber networks, and return kidnapped children to their families.

That is just a fraction of the many responsibilities of the Departments of Justice and Homeland Security.

I am grateful for the faithful public service of thousands of law enforcement agents, analysts, lawyers, engineers, scientists, officers, managers, and other employees who make up these agencies.

That includes especially those individuals who have not only done their jobs, but have truly gone above and beyond.

A lot of times, they don't like being called whistleblowers because they never meant to be whistleblowers.

But these employees, hundreds of them in the last 4 years, have courageously raised their hands and disclosed waste, fraud, abuse, mismanagement, and all sorts of misconduct.

I could not have fulfilled my oversight responsibilities without them.

Because of whistleblowers, the committee: uncovered a pattern of wasteful spending at the U.S. Marshals Service.

Turns out, the Marshals Service spent $22,000 on a conference table for the Asset Forfeiture Division's headquarters in Arlington, VA, and $50,000 a month on a lavishly furnished training facility in Houston, TX, that was used for only a few weeks out of the year.

Thanks to the whistleblowers and the work done by this Committee, I am happy to report that the Marshals Service closed that facility earlier this year.

Whistleblowers have also highlighted examples of gross mismanagement within the agency.

For example, we know that, last year, roughly 2,000 deputy marshals were using expired or soon to be expired body armor. We also uncovered instances of unfair hiring practices and other serious ethical violations.

In total, over 100 whistleblowers from the U.S. Marshals Service courageously came forward. I thank them for their bravery and commitment to government transparency.

After supervisors ignored their warnings, whistleblowers at the Department of Homeland Security came forward to raise awareness on how smugglers prey on unaccompanied minors and migrants.

A courageous whistleblower told my office that Health and Human Services were not conducting thorough background checks on sponsors before they took custody of the children.

Now, all sponsors and those living with sponsors, are fingerprinted before they can bring a child home. This whistleblower also reported a dangerous tactic used by smugglers to pair kids with unrelated adults to create the appearance of family units.

Smugglers would use kids like pawns in an effort to help adults avoid detention when coming across our border. Now, U.S. Government officials are working with their counterparts in Mexico to investigate and crack down on the smuggling that occurs on the lengthy journey to the United States.

Whistleblowers also contacted my office during the Obama administration about criminals who should be ineligible for DACA, but due to an oversight by the Department, were still receiving benefits, like work authorization. Scrutiny of the program led to more thorough recurrent vetting by the U.S. Citizenship and Immigration Services.

Thanks to more than 10 whistleblowers at the Bureau of Alcohol, Tobacco, and Firearms who courageously reported that their sexual harassment claims were being buried internally, then-Attorney General Lynch updated the sexual harassment policy and a problematic official in internal affairs was replaced.

The GAO is currently assessing how reports of abuse are reviewed and adjudicated at ATF.

I have also had the pleasure of working with a number of whistleblowers at the Department of Veterans Affairs who have had the courage to stand up and do what is right.

Most recently, my office worked with Brandon Coleman after he was put on administrative leave for more than a year and kept from running an addiction treatment program for veterans.

Brandon's only ''mistake'' was to point out poor treatment of suicidal veterans.

Eventually, after a concerted effort by my office, Senator JOHNSON, and the Office of Special Counsel, Brandon was provided a new position within the VA's Office of Accountability and Whistleblower Protection. That is how it should be done.

Although the False Claims Act isn't new, I want to point out that is still working hard for the taxpayers.

Because of the 1986 amendments to the act and all of our efforts to strengthen it, whistleblowers were empowered to help the government fight fraud.

In the last 4 years, thanks largely to whistleblowers, the government has recovered $17 billion under the False Claims Act.

That makes $56 billion since the 1986 amendments.

These are only a few examples of what has been achieved because of whistleblowers. They have saved our money, made us safer, and held our government accountable.

Our oversight efforts have also helped us write better laws.

Through my investigations, I learned about problems with how the Department of Veterans Affairs reports veterans to the national gun ban list, called the NICS list.

Once you are on the list, you can no longer own and possess a firearm.

And there is an unfair double standard at work here.

The VA never determines a veteran to be dangerous before taking away firearms, but to get their firearms back, the veteran is required to prove that they are not dangerous.

The Obama Social Security Administration created a rule that would allow it to report beneficiaries to the NICS list without ever finding the beneficiaries to be mentally ill or dangerous—just like what the VA does to veterans.

If the Federal Government is going to attempt to take away a citizen's fundamental constitutional right, it better have one heck of a compelling reason to do so.

If a person isn't mentally ill, dangerous, or subject to some other Federal restriction, then the government is on shaky ground.

This Obama Social Security regulation was a pure and simple unconstitutional gun-grab.

So I worked to pass legislation with bipartisan support to terminate the regulation, 57 to 43.

I have also worked to pass strong legislation to support the critical work done by inspectors general. In 2016, a broad bipartisan coalition of legislators passed the Inspector General Empowerment Act that reiterated Congress's intent that IGs be able to access ALL agency records.

It also gave IGs better tools that enable them to do their jobs more effectively, including the ability to conduct investigations without getting agency approval. It also strengthened public reporting requirements to ensure as much transparency as possible.

I have also introduced legislation to create an IG for the Federal judiciary to offer those employees the same rights offered to their coequal executive branch counterparts.

After holding a full committee hearing on problems with rampant sexual harassment in the judiciary and raising awareness on a lack of an effective reporting mechanism, the Administrative Office of the U.S. Courts took a step in the right direction by creating the Judicial Integrity Office.

I hope through the establishment of this office, the AO will recognize the importance of transparency and accountability.

Another example of where oversight led to a legislative solution is the Public Safety Officers Benefit Program.

Enacted in 1976, this program provides survivor benefits to the spouses and children of public safety officers who died in the line of duty.

Despite the Department's own 1–year deadline to resolve all claims, we found that over half of all death benefit claims were pending past the 1–year mark. As a result, I introduced and passed bipartisan legislation aimed at creating more transparency and accountability in the administration of this program.

Oversight of the Justice Department also uncovered gross mismanagement by the Office of Juvenile Justice and Delinquency Prevention, or OJJDP for short.

That office provides millions of dollars in grants to States to assist them in addressing juvenile delinquency. Thanks to several whistleblowers, we discovered that OJJDP was issuing millions of dollars to noncompliant States.

I introduced bipartisan legislation which would require the Justice Department to hold States more accountable for fulfilling these grant requirements. A few days ago, this bill unanimously passed both Chambers of Congress.

Oversight is a critical tool Congress must use to help hold the Federal Government accountable to ''we the people''.

It is the job of Congress, which represents the people, to ensure the government is operating above board, transparently, and as a good steward of taxpayer resources.

Of course, as chairman of the Judiciary Committee, over the last 4 years I have focused extensively on the Justice Department proper and FBI.

Much of that focus has been on how the Department handled the Clinton investigation and the Russia investigation.

With respect to the Clinton investigation, some of the most problematic material discovered thus far is classified. However, as many now know, the Department had personnel on the Clinton investigation that exhibited extreme political bias against then-Candidate Trump.

My inquiry also found that the Department and FBI oddly limited the scope of review to the time Secretary Clinton was Secretary of State, even though evidence of obstruction would have occurred after she left the State Department.

Perhaps defying all sense of legal logic, the Department and FBI decided to write in the element of ''intent'' into 18 U.S.C. 793(f), which covers the mishandling of classified information.

By the FBI's own admission, highly classified information transited Secretary Clinton's unclassified nongovernment server that she used for government business.

If any one of us did that to classified information, we would have the book thrown at us.

Also, the Department and FBI used immunity agreements at an alarming rate and then-Director Comey began writing an exoneration statement before interviewing Secretary Clinton and 16 other witnesses.

That same exoneration statement labeled Secretary Clinton's actions as ''grossly negligent,'' a criminal standard, which was later changed to ''extremely careless,'' a noncriminal standard.

All told, the Clinton investigation was mismanaged to the detriment of our country's faith in the FBI.

Perhaps the most breathtaking hypocrisy we identified in the Clinton investigation is that Comey and other FBI officials were using private email to conduct government business while they investigated Secretary Clinton for doing the same.

Congress has an obligation to shine a light on wrongdoing, and I certainly hope the Department and FBI have learned their lesson.

If not, eventually, Congress will find out. And let me say this: Our patience is wearing thin.

Aside from the Clinton investigation, in 2015 I began looking into the Foreign Agents Registration Act before it was made popular by Robert Mueller.

FARA is a very important law. It requires agents of foreign governments or enterprises to register with the Justice Department so we know who they are and who they truly work for.

Sunlight is the best disinfectant. We ought to know where someone's loyalty lies.

I held a hearing in July 2017 about the law and potential fixes to it. As a result, I introduced the Disclosing Foreign Influence Act.

That bill does two important things: No. 1, it provides the Attorney General with civil investigative demand authority; and No. 2, it creates oversight checks and balances on the use of that authority.

We must do whatever we can do identify foreign agents spreading propaganda and lobbying on behalf of foreign governments.

During the course of my investigation into violations of FARA, I became aware of a group of unregistered foreign agents lobbying for the repeal of the Magnitsky Act. That law, passed by Congress in 2012, authorized sanctions against a group of Russians responsible for a particularly egregious case of human rights abuse.

I discovered that those involved in the anti-Magnitsky lobbying effort were the same cast of characters who organized the now infamous Trump Tower meeting in 2016. This prompted a full-scale investigation into the meeting and the reasons behind it.

On May 16 of this year, I am proud to say that the committee released approximately 2,500 pages of transcripts, written statements, and exhibits collected during the course of this investigation, as well as records produced by meeting attendees who were not interviewed. Taken in their entirety, these materials provided the public with the most complete picture of events surrounding that meeting to date.

In the end, the evidence supported what we had suspected all along—that the meeting was just another attempt by this group of unregistered foreign

agents trying to overturn a law that they didn't like.

I also conducted oversight into the FBI's handling of its investigation into Russian interference in the 2016 election.

As a result of our and other committees' investigative efforts, we now know that one of the documents used by the FBI to establish and broaden its early investigation of President Trump was an unsubstantiated political opposition research dossier, prepared by Christopher Steele for the opposition research firm Fusion GPS and paid for by the Hillary Clinton campaign and Democratic National Committee.

As Senator GRAHAM and I described in our criminal referral of Christopher Steele earlier this year, this dossier was used by the FBI to help justify a FISA warrant to surveil a Trump campaign volunteer.

I am proud of the role that the committee has played in bringing additional details about these events into public view, both through the criminal referral of Steele and through the official release of the committee's interview of Fusion GPS founder Glenn Simpson, which took place last August.

My oversight work on this committee has also been bipartisan. Ranking Member FEINSTEIN and I shared equally in the questioning of witnesses involved in the Trump Tower meeting, and we worked together to release the results of the Committee's investigation in May of this year.

Even though I am chairman of Judiciary, my oversight focus extended to health care related matters.

Nonprofit hospitals have been a particular concern.

One nonprofit chain, called Mosaic Life-Care, had been suing low-income patients for debts that should have been covered by the hospital. Tax-exempt hospitals cannot be in the business of profiting off poor people.

After a 16-month inquiry, Mosaic finally changed its ways and approved debt forgiveness for over 3,000 patients. That debt forgiveness was worth approximately $16.9 million.

And when Iowans began contacting me about the rising cost of EpiPen, I began to investigate. In 2007, a pack of two EpiPens cost $100. By 2016, the cost exploded to $600.

In a nutshell, Mylan had classified the EpiPen as a generic under the Medicaid Drug Rebate Program rather than a brand name drug.

Because of this incorrect classification, Mylan only had to pay a 13-percent rebate instead of a 23.1-percent rebate.

I asked the Health and Human Services inspector general to look into these practices.

The inspector general found that the taxpayers may have overpaid for the EpiPen by as much as $1.27 billion over 10 years because of the incorrect classification.

Eventually, Mylan settled a False Claims Act case with the Justice Department for $465 million. Upon learning of that settlement, I expressed my disappointment that it didn't seem the taxpayers had been made whole.

On August 16, 2018, the FDA finally approved a generic EpiPen, which gives consumers more purchasing options.

Simply stated, oversight works.

I also investigated, with Senator WYDEN, Gilead's pricing decisions for its hepatitis C drugs—Sovaldi and Harvoni. Our joint report was a ground-level view of how a drug is priced and what steps some drug companies will take to maximize profit possibly to the detriment of patients in need.

Nursing home social media abuse has also been a focus of mine.

New technologies offer new ways for bad conduct to occur. Steps ought to be taken to stop that.

After extensive communication with CMS about these issues, the government issued a guideline that made clear that compromising photos and recordings of residents is a form of abuse.

But, we didn't stop there.

After reading reports about spending and management problems at the Wounded Warrior Project, I looked into that too.

Reports had shown Wounded Warrior was not spending 80.6 percent of their programs expenses on veterans in fiscal year 2014. My investigation found that Wounded Warrior had been incorporating donated media and millions of dollars in fundraising to get to that 80.6 percent. A more accurate figure is about 68 percent.

Americans want the Wounded Warrior Project to be successful, and if its current leaders are listening to this, I want to reiterate my best wishes that it help as many veterans as possible.

I have also taken a keen interest in the Red Cross over the years.

Most recently, after reports of mismanaged spending after the earthquake in Haiti, I decided it was time to look under the hood.

What I found was troubling, to say the least.

My inquiry found that the Red Cross did not track costs on a project by project basis; instead, it used a complex and inaccurate process to track spending. The Red Cross was simply unable to provide the exact cost of each project and program in Haiti.

Worst yet, my inquiry found that the head of the Red Cross attempted to terminate a review by the Government Accountability Office and lied about it. I will continue to keep my eye on the Red Cross.

During my time as chairman of Judiciary, I have also conducted extensive oversight of our broken immigration system.

For every major terror attack on American soil by a foreign national, I reviewed just how the perpetrators entered the country in the first place. What I found was that often these terrorists and other criminals would lie or conceal information on their visa applications to enter the country.

They often knew which visas to exploit to commit their crimes, which ranged from espionage, to theft of trade secrets, to trafficking.

The committee has also looked into how Homeland Security and State vet refugees, monitored the mass migration caravans, reviewed hundreds of pages of visa and immigration documents, and repeatedly raised concerns with the controversial EB–5 investor visa program.

When Congress created the program, the goal was to spur growth for rural and underserved areas. Now, the EB–5 program has become an often illicit funding source for big-moneyed interests in some of the largest cities around the country. It is no surprise that the Fraud Detection and National Security Directorate also raised national security concerns about the program.

Since 2016, I have written eight letters, held three hearings, and introduced legislation to remedy the glaring problems that plague this program.

I wait with anticipation on the EB–5 modernization and reform regulations the Department of Homeland Security promises to publish very soon.

These are but a few examples of what I have tried to do right by the people of Iowa and the taxpaying public.

Being chairman of the Judiciary Committee has been a rewarding experience, one that I will cherish as some of the most productive years of my career representing the great people and State of Iowa.

I look forward to continuing my oversight work both as chairman of Finance and as a senior member of the Judiciary Committee in the next Congress.

After all, as experience has shown, oversight works, and I will continue to fight the good fight on behalf of ''We the people.''

TRIBUTE TO CONNIE MCKENZIE

Ms. MURKOWSKI. Mr. President, I come to the floor today to recognize a truly exceptional individual who has been a member of my staff for many years. It is bittersweet to stand before you today to recognize the well-deserved retirement of Connie McKenzie, of my Juneau, AK, office.

Connie isn't originally from Alaska, but you would never know it. She moved to our great State in the summer of 1987 to take a seasonal job in Skagway with a cruise ship tour company, but those few weeks in the Alaskan summer soon turned into a home. She has been in Alaska ever since, and that summer job quickly turned into a successful career in the tourism industry in southeast Alaska, giving Connie the opportunity to work closely with community members, interact with local businesses and to help grow the regional economy. She is a people person to her core and someone we all quickly relate to, a valuable trait for any career.

Connie soon gained a reputation as someone to go to when you needed something done. She is a problem-solver who doesn't know the word no. From the beginning, her ability to find solutions, showcase her region, and quickly develop professional contacts made her a well-respected member of the community. For more than 20 years, she has been a dedicated volunteer and officer of local and statewide political groups, including the Capital City Republican Women, district cochair, and the Republican State Central Committee. She has been active in Beta Sigma Phi and a variety of community service projects.

Connie's local involvement eventually opened doors for a new career, one in public service. In 2001, Connie began working for the Alaska Congressional Delegation. She first started working for Congressman YOUNG, now the Dean of the House. She was a natural fit and soon was running a joint office for the entire congressional delegation. It was my good fortune to join the U.S. Senate with a seasoned staff member like Connie. Her regional knowledge and work experience have, no doubt, helped me represent the unique needs of Alaskans, particularly those in southeast.

After serving in this role for many years, Connie left the office in 2013 to work for the State administration under then-Governor Sean Parnell, but she just couldn't stay away, nor could we last too long without her. Thankfully, in 2015, she came back to us and has served our Juneau office in service to Senator SULLIVAN and me. She has been a dedicated public servant, and I know I speak on behalf of so many Alaskans when I say we will be sad to see her go.

Congressman YOUNG said of Connie that she ''is one of the rare gems that comes along rarely in a Congressional career. From the moment I hired her she has been the embodiment of a perfect staff. She is the person who the people of Southeast Alaska have come to rely upon for sound policy advice, every kind of constituent service and has gone above the call of duty to serve as a counselor for the mentally ill and homeless population. She faced any challenge with a positive demeanor, rock solid ethics and made it all look easy. Her guidance to me has been a godsend and a large part of my own success in not only Southeast Alaska but statewide. Whether employed directly by me, the Congressional delegation or any other entity, Connie has always been a stalwart supporter, volunteer and overall great person. Connie, we will sorely miss you!'' I couldn't agree more with DON's words.

Connie has done a great job representing the Alaska Congressional Delegation. She brings new meaning to the term professional. Regardless of what side of the political spectrum you are on, you know you will get a straight and fair answer from Connie. Constituents appreciate her work, other elected officials are comfortable working with her, and the office staff is always asking for and depending on her expertise. In my office, she is our informal office trainer. If you want to know how to do something, Connie is the one to ask. She has provided hundreds of Alaskans with casework assistance on nearly the same amount of issues, from taxes to immigration to forest management, you name it. Connie has handled it.

People that work with Connie will always find a brilliant, caring person that demonstrates a good sense of comradery and teamwork. This is what her colleagues and friends say about her, and I couldn't say it better myself.

Connie's departure will certainly create a loss for me and my team, but I know Connie won't be at a loss for things to do. She is an avid outdoors woman, enjoying skiing, hiking, and biking with her husband Mitch and dog Brodie whenever possible. No hill is too steep, no trail is too long, she tackles each adventure with enthusiasm and a deep love for the outdoors.

Often when I would travel to her region, Connie somehow found time in my otherwise packed schedule to fit constituent meetings into a hike through the Tongass or some other outdoor adventure, giving us a chance to fill our lungs with fresh air while we worked. I will miss those hikes together, but now, I will just have to schedule them with her rather than the other way around.

Connie may be retiring from her career of public service, but I have no doubt she will continue to remain engaged in her community. It is in her blood. Connie leaves behind a legacy of hard work, humor, and commitment to Alaska that will forever be remembered. I wish her all the best in the next chapter of her life. Connie; I'll see you on the trails.

TRIBUTE TO STAFF

Mr. CORKER. Mr. President, over the past 12 years, I have had the privilege to serve the citizens of Tennessee and our country with the finest group of people that I have ever been around. I truly love them.

Today, in my final statement for the CONGRESSIONAL RECORD, I want to recognize the people who have become like family, past and present—178 hardworking, tenacious, conscientious public servants—and thank them for all they have done to make a difference in the lives of countless Tennesseans and to make our world a better place:

Jared Adams, Mike Ahern, Ann Marie Anderson, Jessica Bader, Bridget Baird, David Baird, Michael Bassett, Ryan Berger, Hunter Bethea, Casey Black, Bertie Bowman, Courtney Bradway, Michael Bright, Clay Brockman, Paul Burdette, Tom Callahan, Conor Carney, Mark Cochran, Kim Cordell, Jamie Corley.

Kelly Cotton, Leslie Crisp, Carlie Crenshaw Cruse, Joe Curtsinger, Joe Dagher, Kat Dahl, Anna Catherine Davenport, Ashton Davis Davies, Reese Davis, Garnett Decosimo, Armand DeKeyser, Chris Devaney, Caroline Diaz-Barriga, Bradley Dickerson, Tara DiJulio, Sarah Downs, David Dudik, John Dutton, Alex Eblen, Holt Edwards, Tracey Edwards.

Brooke Eisele, Callie Estes, Heather Scarborough Ewalt, Josh Falzone, Jason Farris, Paul Fassbender, Aaron Fitzgerald, Chris Ford, Katie Davis Freeman, Michael Gallagher, Lee Gatts, Courtney Geduldig, Santo Giordano, Whitney Calhoun Goetz, John Goetz, Paul Goode, Tori Gorman, Jill Grayson, Joey Greer, John Haley.

Stephanie Parsons Hamby, Sam Hamilton, Jenny Hamrick, Chuck Harper, Sarah Mikels Harrington, Joy Hawkins Harris, Jeni Healy, Alex Heaton, Alicia Hennie, Laura Lefler Herzog, Trey Hicks, Caroline Hodge, Farrah Hodge, Chris Howell, Clay Huddleston, Jamil Jaffer, Julia Johnson, Kyle Johnson, Micah Johnson, Jane Jolley, Logan Jolley.

Elizabeth Kelly, David Kinzler, Nick Kistenmacher, Anna Knight, Carrie Lane, Audri Larsen, Molly Lazio, David Leaverton, Carolyn Leddy, Rachel Lee, Ramona Lessen, Sarah Leversee, John Lipsey, Todd Love, Patrick Lynch, Kirsten Madison, Dana Magneson, Emily Manning, Caleb McCarry, Connor McCarthy.

Jonathan McKernan, Claire McVay, Bess McWherter, Abby Meadors, Owen Mercer, Katy Miller, Michael Miller, Christen Mogavero, Becky Moon, Grant Mullins, Lester Munson, Meg Murphy, Angie Nelson, Stacie Oliver, Bentley Olson, Andy Olson, Sarah Osborn, Anne Oswalt, Arne Owens, Connor Pagnani.

Paul Palagyi, Ashley Palmer, Jonathan Parker, Shelby Payne, Michael Phelan, Frank Polley, Shirley Pond, Kelly Puckett, Ben Purser, John Rader, Betsy Ranalli, Tori Read, Rebecca Rial, Scott Richardson, Cate Catani Robertson, Kristin Rosa, Darlene Rosenkoetter, Jill Salyers, Brandeanna Sanders, Marty Schuh.

Patricia Schultz, Hayly Humphreys Schmidt, Les Sealy, Douglas Sellers, Erica Frye Sharber, Evan Sharber, Lowell Sherman, Lexi Simpson, Matthew Smith, Rhonda Smithson, Justin Spickard, Megan Spoone, Dan Springer, Zach Stone, Sarah Ramig Stone, Rob Strayer, James Tatgenhorst, Beth Tipps, Eric Trager.

Chris Tuttle, Daniel Vajdich, Caroline Vik, Morgan Vina, Jennifer Weems, Micki Werner, Jeri Wheeler, Mark White, Brent Wiles, Hallie Williams, Laurie Williams, Staci Willoughby, Bridget Winstead, Todd Womack, Canon Woodward, Alicyn York, John Zadrozny.

ADDITIONAL STATEMENTS

TRIBUTE TO MARY LINCOLN

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Mary Lincoln of Liberty County for her 100 years of determination, joy, and service for others.

At 107, Mary Lincoln has lived through 19 Presidents, two World Wars, the Great Depression, and was born before women could vote. Ms. Lincoln was born in 1911, just north of Rudyard, MT, in a small homestead shack. As an infant, she was placed in a cardboard box with blankets and laid atop of the home's oven to keep warm. From then on, Mary Lincoln has embodied the true spirit of Montana, keeping a light heart and always staying busy.

Mary Lincoln graduated from Havre High School at 16, where she then went

on to get a teaching degree from a small college in Illinois. After college, Ms. Lincoln came back to teach at Juanita County School in Montana. She has out lived all of her students, except for one who, at 91, still visits her. Ms. Lincoln and her husband Donald were married for 60 years and had three children together.

Mary Lincoln is an inspiration to all, she has seized all that life has to offer and at 107 still says that her best years are yet to come. I congratulate Ms. Lincoln for her exemplary Montanan spirit and continual support towards small Montana communities.●

TRIBUTE TO BOBBY OLGUIN

● Mr. HEINRICH. Mr. President, it is an honor to recognize Bobby ''Buckhorn Bob'' Olguin for his decades of serving the best green chile cheeseburgers in the State of New Mexico.

Over the years, the Buckhorn Tavern in San Antonio became one of my favorite places to stop by and grab a bite to eat while driving through the State or after hunting trips with my sons Carter and Micah.

The Buckhorn earned international acclaim in multiple food and travel publications for its delicious burgers. When Food Network celebrity chef Bobby Flay tried to take on Bobby Olguin in a grilling competition in 2009, the winner was never in doubt. However, the real magic in going to the Buckhorn was not just in the burgers; it was Bobby's friendly conversations and the kindness he showed every single person who walked in his door.

After beating cancer, Bobby rightly wants to spend more time with his wife, children, and grandchildren. I am grateful that Bobby is healthy, and I wish him and his family all the best as they start this new stage in life. But speaking for myself, and many other New Mexicans, I am sure going to miss those burgers.●

REMEMBERING BETTYE DAVIS

● Ms. MURKOWSKI. Mr. President, on December 2, 2018, Bettye Davis, a former Alaska legislator and community leader, passed away at the age of 80. The passing of Bettye Davis attracted national media attention, which is unusual, when an Alaska legislator passes. Bettye Davis was not only a historic figure in the State of Alaska, but also in the broader African-American community. She was the first African-American to be elected to the Alaska State Senate.

Bettye Davis was born in Homer, LA, and graduated from high school in Bernice, LA. She earned her bachelor's degree in social work in 1972 from Grambling, one of America's great Historically Black Colleges and Universities. She also held a certificate in nursing from St. Anthony's College.

Bettye's husband, Troy, was transferred to Alaska by the Air Force. Bettye came along. She recalled no way did she ever intend to live in Alaska, but when she arrived, she discovered that she loved the land, she loved the people, and the people of Alaska welcomed her. That was 45 years ago, and it led Bettye to conclude that Alaska was her home. She often analogized her story to that of Ruth in the Bible—arriving in a foreign land, accepting the people, finding acceptance, and committing her life to serve the people of her new homeland.

Bettye began a brilliant career in her adopted home State as a State civil servant. It began as a nurse at the Alaska Psychiatric Institute and subsequently as a social worker for the Alaska Department of Health and Social Services, retiring in 1986.

She served in the Alaska House of Representatives from 1990–1996 and then in the Alaska Senate from 2001–2013. Bettye served as both majority whip and minority whip during her time in the Alaska House. She was the first African-American woman to serve in the Alaska House of Representatives.

In between her periods of State legislative service, Bettye served on the Alaska State Board of Education, which she chaired from 1998–1999.

Although she was defeated in a reelection bid to the Alaska Senate, her public service career continued on. Bettye joined the Anchorage School Board where she served from 2013 until 2018, when she resigned to attend to health issues. This was her third stint on the Anchorage School Board. Altogether, she served 11 years on the school board.

Her community engagements were many and varied. She was a proud and active member of the Shiloh Missionary Baptist Church, the NAACP, the Alaska Black Leadership Conference, Common Ground, the League of Women Voters, Delta Sigma Theta, and the Zonta Club of Anchorage. She was inducted into the Alaska Women's Hall of Fame.

In her induction speech, Bettye said she wanted to be remembered as someone who fought a good fight, did good work, and won the battle. Every day, she got up with a mission of doing something for somebody, somebody who couldn't speak for themselves, somebody who couldn't express themselves, somebody who just needed a kind word.

Bettye Davis was all of that and more to the people of Alaska. Friends described her as a fortress, a champion for Alaska's children and the poor, a shining example of the best of politics, and the conscience of the legislature.

It is with great sadness that we acknowledge the loss of this exceptional Alaska public servant on the floor of the U.S. Senate. While her voice will be sorely missed, her legacy of leadership sets an example for generations of Alaska leaders to come. On behalf of my Senate colleagues, I extend my condolences to Bettye's surviving family and all of her friends and colleagues who hold Bettye's memory dear.●

50TH ANNIVERSARY OF COMMUNITY HEALTH AIDES

● Ms. MURKOWSKI. Mr. President, today I wish to commemorate the 50th anniversary of the Community Health Aides in the State of Alaska.

All across rural Alaska, there are women and men who devote their time and energy to ensure their communities remain healthy, have sufficient care, and provide basic health education. These are our Community Health Aides, working each and every day with all ages.

As a result of lack of access to healthcare in rural Alaska, the Community Health Aide Program, CHAP, was developed. Since 1968, CHAP has received congressional funding and recognition for the tremendous work they do. This program has allowed for a greater relationship between the State and Federal Government, as they coordinate with many of our Tribal health organizations, such as the Alaska Native Tribal Health Consortium.

Alaska has seen outbreaks of tuberculosis, high incidence of infant mortality, and high rates of serious injuries that simply could have been prevented had there been specific community leaders whose role was to educate and provide for the community's health needs.

Currently, there are approximately 550 Community Health Aides and Practitioners, CHA/Ps, in more than 170 rural communities across Alaska. CHA/Ps are truly the people on the frontlines providing firsthand treatment and serving as the link to primary care providers, regional hospitals, and specifically the Alaska Native Medical Center in Anchorage. For those times that the patients cannot travel, the CHA/Ps will coordinate specialized nurses and practitioners to visit their village quickly and efficiently.

CHA/Ps receive ongoing training and education, following their initial 3 to 4-week training period. There are four training centers in Alaska—Anchorage, Bethel, Nome, and Sitka—and it is at these centers where they receive the skills necessary to ensure the highest quality care is administered in rural regions of Alaska. This is a critical role in our communities. I am grateful for the CHAP program and for the men and women who are changing the outcomes of many Alaskans' lives each and every day.

In this 50th year, Alaskans in communities across the State, from Nuiqsut, Ester, Klawock, Illiamna, to Dutch Harbor, have taken time to celebrate their valued community health providers, giving them the honor they surely deserve.

Thank you.●

MESSAGES FROM THE HOUSE

At 11:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks,

announced that the House has passed the following bills, without amendment:

S. 1520. An act to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 2076. An act to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2278. An act to amend the Public Health Service Act to provide grants to improve health care in rural areas.

S. 3530. An act to reauthorize the Museum and Library Services Act.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6652. An act to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes.

H.R. 7279. An act to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1222) to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 6227) to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 6615) to reauthorize the Traumatic Brain Injury program.

At 4:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 7. An act to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

S.S. 2200. An act to reauthorize the National Integrated Drought Information System, and for other purposes.

S. 2652. An act to award a Congressional Gold Medal to Stephen Michael Gleason.

S. 2679. An act to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 2765. An act to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.

S. 2896. An act to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

S. 2961. An act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 3444. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the ''Douglas Fournet Department of Veterans Affairs Clinic''.

S. 3777. An act to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6418. An act to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities.

H.R. 7093. An act to eliminate unused sections of the United States Code, and for other purposes.

H.R. 7227. An act to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.

H.R. 7328. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the amendment of the House to the bill (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 767) to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

The message further announced that the House has agreed to the Senate amendments numbered 1 and 2 to the text of the bill (H.R. 4227) to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

ENROLLED BILLS SIGNED

At 4:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1210. An act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the ''Pleasanton Veterans Post Office''.

H.R. 1211. An act to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the ''Encinal Veterans Post Office''.

H.R. 1222. An act to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

H.R. 1733. An act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

H.R. 1850. An act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the ''Donna Sauers Besko Post Office''.

H.R. 3184. An act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the ''Captain Humayun Khan Post Office''.

H.R. 4326. An act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the ''Sgt. Josh Rodgers Post Office''.

H.R. 5205. An act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the ''Sergeant Kenneth Eric Bostic Post Office''.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the ''Staff Sergeant Alexandria Gleason-Morrow Post Office Building''.

H.R. 5412. An act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the ''Army Specialist Jose L. Ruiz Post Office Building''.

H.R. 5475. An act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the ''SO2 Navy SEAL Adam Olin Smith Post Office''.

H.R. 5791. An act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the ''Deputy Sheriff Zackari Spurlock Parrish, Ill, Post Office Building''.

H.R. 5792. An act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the ''Detective Heath McDonald Gumm Post Office''.

H.R. 6020. An act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the ''Sergeant Donald Burgett Post Office Building''.

H.R. 6059. An act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the ''Thomas P. Costin, Jr. Post Office Building''.

H.R. 6167. An act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the ''James William Robinson Jr. Memorial Post Office Building''.

H.R. 6216. An act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the ''Sergeant David Kinterknecht Post Office''.

H.R. 6217. An act to designate the facility of the United States Postal Service located

at 241 N 4th Street in Grand Junction, Colorado, as the ''Deputy Sheriff Derek Geer Post Office Building''.

H.R. 6227. An act to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

H.R. 6335. An act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the ''Oakville Veterans Memorial Post Office''.

H.R. 6347. An act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6405. An act to designate the facility of the United StatesPostal Service located at 2801 Mitchell Road in Ceres, California, as the ''Lance Corporal Juana Navarro Arellano Post Office Building''.

H.R. 6428. An act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the ''Frank Leone Post Office''.

H.R. 6513. An act to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the ''Judge James E. Horton, Jr. Post Office Building''.

H.R. 6591. An act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the ''Napoleon 'Nap' Ford Post Office Building''.

H.R. 6615. An act to reauthorize the Traumatic Brain Injury program.

H.R. 6621. An act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the ''Major Homer L. Pease Post Office''.

H.R. 6628. An act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the ''James Marshall 'Jimi' Hendrix Post Office Building''.

H.R. 6655. An act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the ''Janet Lucille Oilar Post Office''.

H.R. 6780. An act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the ''Major Andreas O'Keeffe Post Office Building''.

H.R. 6831. An act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the ''Patrick E. Mahany, Jr., Post Office Building''.

H.R. 6930. An act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the ''Ross Bouyea Post Office Building''.

H.R. 7210. An act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

H.R. 7230. An act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the ''Postmaster Frazier B. Baker Post Office''.

The enrolled bills were subsequently signed by the Acting president pro tempore (Mr. YOUNG).

ENROLLED BILL SIGNED

The Acting President pro tempore (Mr. YOUNG) announced that on today, December 20, 2018, he had signed the following enrolled bill:

S. 756. An act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Commerce, Science, and Transportation and referred as indicated:

S. 3720. A bill to authorize the Secretary of Transportation to provide loans for the acquisition of electric buses and related infrastructure; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 20, 2018, she had presented to the President of the United States the following enrolled bills:

S. 1050. An act to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1311. An act to provide assistance in abolishing human trafficking in the United States.

S. 1312. An act to prioritize the fight against human trafficking in the United States.

S. 2101. An act to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2511. An act to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes.

S. 3170. An act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

S. 3749. An act to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

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–7555. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tolfenpyrad; Pesticide Tolerances'' (FRL No. 9987–34–OCSPP) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7556. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Mefenoxam; Pesticide Tolerances'' (FRL No. 9985–52–OCSPP) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7557. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorate; Pesticide Exemptions from Tolerance'' (FRL No. 9986–85–OCSPP) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7558. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Golden Parachute and Indemnification Payments Final Rule'' (RIN2590–AA99) received in the Office of the President of the Senate on December 18, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–7559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approvals; California; Feather River Air Quality Management District'' (FRL No. 9987–78–Region 9) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7560. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; AK: Fine Particulate Matter Infrastructure Requirements'' (FRL No. 9988–51–Region 10) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7561. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; ID; West Silver Valley PM2.5 Clean Data Determination'' (FRL No. 9988–17–Region 10) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7562. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Illinois; Indiana; Revised Designation of Illinois and Indiana 2012 PM2.5 Unclassifiable Areas'' (FRL No. 9988–38–Region 5) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7563. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Illinois; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone Standard'' (FRL No. 9988–37–Region 5) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7564. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; North Carolina: NOx Rule Revisions'' (FRL No. 9988–25–Region 4) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7565. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; WA: Updates to Materials Incorporated by Reference'' (FRL No. 9987–76–Region 10) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7566. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Direct Final Rule: Air Plan Approval; Illinois; NAAQS and VOC Updates'' (FRL No. 9988–04–Region 5) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7567. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Louisiana: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9987–30–Region 6) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7568. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Dakota Department of Environmental Quality'' Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9986–24–Region 8) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7569. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Approval of State Underground Storage Tank Program Revisions'' (FRL No. 9986–98–Region 8) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Environment and Public Works.

EC–7570. 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 2018–0207–2018–0213); to the Committee on Foreign Relations.

EC–7571. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Removal of Final ADA Wellness Rule Vacated by the Court'' (RIN3046–AB01) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–7572. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Removal of Final GINA Wellness Rule Vacated by the Court'' (RIN3046–AB02) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–7573. A communication from the Acting Chief Privacy and Civil Liberties Officer, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation''' (CPCLO Order No. 006–2018) received in the Office of the President of the Senate on December 18, 2018; to the Committee on the Judiciary.

EC–7574. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2018 through September 30, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–7575. A communication from the Associate Administrator, Office of Congressional and Intergovernmental Affairs, General Services Administration, transmitting, pursuant to law, a report relative to the adjustment of the 2019 mileage reimbursement rates for Federal Employees who use Privately Owned Vehicles (POVs); to the Committee on Homeland Security and Governmental Affairs.

EC–7576. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education Agency Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–7577. A communication from the Assistant General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Reporting Multistate Independent Expenditures and Electioneering Communications'' (Notice 2018–17) received in the Office of the President of the Senate on December 20, 2018; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 3561, a bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes (Rept. No. 115–448).

Report to accompany S. 1995, a bill to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes (Rept. No. 115–449).

Report to accompany S. 1961, a bill to amend the Small Business Act to temporarily reauthorize certain pilot programs under the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes (Rept. No. 115–450).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 785, a bill to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans (Rept. No. 115–451).

By Mr. RISCH, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 526, a bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes (Rept. No. 115–452).

Report to accompany S. 3554, a bill to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans (Rept. No. 115–453).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MCCONNELL:

S. 3800. A bill to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''Orrin G. Hatch United States Courthouse''; considered and passed.

By Mr. CRUZ:

S. 3801. A bill to impose sanctions with respect to any entity of the Palestinian Authority, the Palestine Liberation Organization, or any successor or affiliated organization that is responsible for providing payments to Palestinian terrorists imprisoned for committing acts of terrorism against citizens of Israel or the United States, the families of such terrorists, or the families of Palestinian terrorists who died committing such acts of terrorism, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY (for herself, Mr. HATCH, Mr. KAINE, Mr. SCOTT, and Ms. BALDWIN):

S. 3802. A bill to promote effective registered apprenticeships, for skills, credentials, and employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 3803. A bill to establish the San Rafael Swell Recreation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. Res. 739. A resolution congratulating the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship; considered and agreed to.

By Mr. CORNYN:

S. Res. 740. A resolution honoring the life of Admiral James A. Lyons; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 1906

At the request of Mr. MARKEY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Texas (Mr. CRUZ) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1906, a bill to posthumously

award the Congressional Gold Medal to each of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith in recognition of their contributions to the Nation.

S. 2274

At the request of Mr. CARDIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 2274, a bill to provide for the compensation of Federal employees affected by lapses in appropriations.

S. 3688

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 3688, a bill to amend title 18, United States Code, to make it a criminal offense for individuals to engage in sexual acts while acting under color of law or with individuals in their custody, to encourage States to adopt similar laws, and for other purposes.

S. 3742

At the request of Ms. SMITH, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3742, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for cost sharing for oral anticancer drugs on terms no less favorable than the cost sharing provided for anticancer medications administered by a health care provider.

S. RES. 734

At the request of Mr. MANCHIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 734, a resolution authorizing the Senate Legal Counsel to represent the Senate in Texas v. United States, No. 4:18-cv-00167-O (N.D. Tex.).

S. RES. 738

At the request of Mr. GRAHAM, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Delaware (Mr. COONS) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. Res. 738, a resolution expressing the sense of the Senate that the United States should continue its limited military activities within Syria and that ending such activities at this time would embolden ISIS, Bashar al-Assad, Iran, and Russia and put our Kurdish allies in great jeopardy.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL:

S. 3800. A bill to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the ''Orrin G. Hatch United States Courthouse''; considered and passed.

Mr. MCCONNELL. 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:

S. 3800

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

SECTION 1. ORRIN G. HATCH UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 351 South West Temple in Salt Lake City, Utah, shall be known and designated as the ''Orrin G. Hatch United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Orrin G. Hatch United States Courthouse''.

(c) EFFECTIVE DATE.—This Act shall take effect on January 3, 2019.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 739—CONGRATULATING THE MARYLAND TERRAPINS MEN'S SOCCER TEAM OF THE UNIVERSITY OF MARYLAND, COLLEGE PARK FOR WINNING THE 2018 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN'S SOCCER NATIONAL CHAMPIONSHIP

Mr. VAN HOLLEN (for himself and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 739

Whereas, on December 9, 2018, the Maryland Terrapins men's soccer team of the University of Maryland, College Park (referred to in this preamble as the ''University of Maryland Terps'') defeated the University of Akron Zips by a score of 1 to 0 in the 2018 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I national championship game;

Whereas the 2018 NCAA Division I national championship is the fourth national championship in the history of the men's soccer program at the University of Maryland, making the University of Maryland the sixth school in the United States to win 4 national men's soccer titles;

Whereas 3 of the 4 national men's soccer titles won by the University of Maryland Terps were won under the leadership of head coach Sasho Cirovski, who is the ninth coach in the United States to win 3 Division I national titles;

Whereas, in the last 11 games of the season, the University of Maryland Terps had 9 wins, 1 loss, and 1 draw, after starting the season with 4 wins, 5 losses, and 3 draws;

Whereas the University of Maryland Terps scored in each of the last 12 games of the season after not scoring in the first 476 minutes of the season;

Whereas the University of Maryland Terps finished the season without conceding a goal in the last 500 minutes of play, which includes the entire 2018 NCAA tournament;

Whereas the senior midfielder for the University of Maryland Terps, Amar Sejdic, was named the NCAA Tournament Offensive Most Outstanding Player;

Whereas Eli Crognale, Donovan Pines, Ben Di Rosa, and Dayne St. Clair were named to the All-Tournament Team;

Whereas Donovan Pines was named a United Soccer Coaches Second Team All-American; and

Whereas Amar Sejdic and Dayne St. Clair were named United Soccer Coaches All-Region selections: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship;

(2) recognizes the achievements of the players, coaches, students, and staff of the University of Maryland whose perseverance and dedication to excellence helped propel the Maryland Terrapins men's soccer team to win the championship; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the chancellor of the University System of Maryland, Robert L. Caret;

(B) the president of the University of Maryland, College Park, Wallace D. Loh; and

(C) the head coach of the University of Maryland, College Park men's soccer team, Sasho Cirovski.

SENATE RESOLUTION 740—HONORING THE LIFE OF ADMIRAL JAMES A. LYONS

Mr. CORNYN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 740

Whereas James A. Lyons, Admiral (Ret.), known to many as ''Ace'', the 49th Commander-in-Chief of the United States Pacific Fleet, retired from the Navy in 1987, after 36 distinguished years of service;

Whereas Admiral Lyons served in the United States Merchant Marine before attending the United States Naval Academy where he played football and graduated in 1952;

Whereas Admiral Lyons participated in multiple deployments in response to international crises, including a tour on the U.S.S. Salem during the Suez Crisis and the U.S.S. Miller which supported the landings of United States Marines in Lebanon;

Whereas Admiral Lyons served as the Commander of the United States Navy Second Fleet and NATO Striking Force Atlantic at the peak of the Cold War, providing critical leadership in combating Soviet global influence;

Whereas Admiral Lyons served as the Commander-in-Chief of the United States Pacific Fleet and the senior military representative of the United States to the United Nations;

Whereas Admiral Lyons provided steady leadership in times of crisis;

Whereas Admiral Lyons served with great distinction, earning the Distinguished Service Medal, the Defense Superior Service Medal, the Legion of Merit, the Humanitarian Service Medal, and many other decorations and awards;

Whereas Admiral Lyons received the Legion d'Honneur (rank of Officer) from France and the Order of National Security Merit (Tongil Medal) from the Republic of Korea;

Whereas Admiral Lyons was instrumental in bringing together nongovernmental humanitarian organizations, such as Project Hope, with the Navy to provide medical personnel to the hospital ships USNS Mercy and USNS Comfort, which travel the globe providing humanitarian assistance to impoverished and war-torn nations, as well as countries impacted by natural disasters;

Whereas Admiral Lyons' commitment to country and humanitarian purposes reflected great credit upon himself and was in keeping with the highest traditions of the United States Navy; and

Whereas, as we bid fair winds and following seas to Admiral Lyons, it is appropriate that

he be remembered as exemplifying the trademark characteristics exhibited by great leaders: Now, therefore, be it

Resolved, That the Senate—

(1) notes with deep sorrow and solemn mourning the death of Admiral James A. Lyons;

(2) extends heartfelt sympathy to the entire family of Admiral James A. Lyons for his death;

(3) honors and, on behalf of the United States, expresses deep appreciation for the outstanding and important service of Admiral James A. Lyons to the United States; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the family of Admiral James A. Lyons.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4175. Mr. SULLIVAN (for Mr. BARRASSO) proposed an amendment to the bill S. 512, to modernize the regulation of nuclear energy.

SA 4176. Mr. CRUZ (for himself, Mr. NELSON, and Mr. MARKEY) proposed an amendment to the bill S. 3277, to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

SA 4177. Mr. MCCONNELL (for Mr. BOOKER) proposed an amendment to the bill H.R. 6287, to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

SA 4178. Mr. MCCONNELL (for Mr. YOUNG) proposed an amendment to the bill S. 2432, to amend the charter of the Future Farmers of America, and for other purposes.

TEXT OF AMENDMENTS

SA 4175. Mr. SULLIVAN (for Mr. BARRASSO) proposed an amendment to the bill S. 512, to modernize the regulation of nuclear energy; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Nuclear Energy Innovation and Modernization Act''.

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

SEC. 2. PURPOSE.

The purpose of this Act is to provide—

(1) a program to develop the expertise and regulatory processes necessary to allow innovation and the commercialization of advanced nuclear reactors;

(2) a revised fee recovery structure to ensure the availability of resources to meet industry needs without burdening existing licensees unfairly for inaccurate workload projections or premature existing reactor closures; and

(3) more efficient regulation of uranium recovery.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' means a nuclear fission or fusion reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act)), with significant improvements compared to commercial nuclear reactors under construction as of the date of enactment of this Act, including improvements such as—

(A) additional inherent safety features;

(B) significantly lower levelized cost of electricity;

(C) lower waste yields;

(D) greater fuel utilization;

(E) enhanced reliability;

(F) increased proliferation resistance;

(G) increased thermal efficiency; or

(H) ability to integrate into electric and nonelectric applications.

(2) ADVANCED NUCLEAR REACTOR FUEL.—The term ''advanced nuclear reactor fuel'' means fuel for use in an advanced nuclear reactor or a research and test reactor, including fuel with a low uranium enrichment level of not greater than 20 percent.

(3) AGREEMENT STATE.—The term ''Agreement State'' means any State with which the Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(5) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(6) CONCEPTUAL DESIGN ASSESSMENT.—The term ''conceptual design assessment'' means an early-stage review by the Commission that—

(A) assesses preliminary design information for consistency with applicable regulatory requirements of the Commission;

(B) is performed on a set of topic areas agreed to in the licensing project plan; and

(C) is performed at a cost and schedule agreed to in the licensing project plan.

(7) CORPORATE SUPPORT COSTS.—The term ''corporate support costs'' means expenditures for acquisitions, administrative services, financial management, human resource management, information management, information technology, policy support, outreach, and training, as those categories are described and calculated in Appendix A of the Congressional Budget Justification for Fiscal Year 2018 of the Commission.

(8) LICENSING PROJECT PLAN.—The term ''licensing project plan'' means a plan that describes—

(A) the interactions between an applicant and the Commission; and

(B) project schedules and deliverables in specific detail to support long-range resource planning undertaken by the Commission and an applicant.

(9) REGULATORY FRAMEWORK.—The term ''regulatory framework'' means the framework for reviewing requests for certifications, permits, approvals, and licenses for nuclear reactors.

(10) REQUESTED ACTIVITY OF THE COMMISSION.—The term ''requested activity of the Commission'' means—

(A) the processing of applications for—

(i) design certifications or approvals;

(ii) licenses;

(iii) permits;

(iv) license amendments;

(v) license renewals;

(vi) certificates of compliance; and

(vii) power uprates; and

(B) any other activity requested by a licensee or applicant.

(11) RESEARCH AND TEST REACTOR.—

(A) IN GENERAL.—The term ''research and test reactor'' means a reactor that—

(i) falls within the licensing and related regulatory authority of the Commission under section 202 of the Energy Reorganization Act of 1974 (42 U.S.C. 5842); and

(ii) is useful in the conduct of research and development activities as licensed under section 104 c. of the Atomic Energy Act (42 U.S.C. 2134(c)).

(B) EXCLUSION.—The term ''research and test reactor'' does not include a commercial nuclear reactor.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(13) STANDARD DESIGN APPROVAL.—The term ''standard design approval'' means the approval of a final standard design or a major portion of a final design standard as described in subpart E of part 52 of title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(14) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—The term ''technology-inclusive regulatory framework'' means a regulatory framework developed using methods of evaluation that are flexible and practicable for application to a variety of reactor technologies, including, where appropriate, the use of risk-informed and performance-based techniques and other tools and methods.

(15) TOPICAL REPORT.—The term ''topical report'' means a document submitted to the Commission that addresses a technical topic related to nuclear reactor safety or design.

TITLE I—ADVANCED NUCLEAR REACTORS AND USER FEES

SEC. 101. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES THROUGH FISCAL YEAR 2020.

(a) IN GENERAL.—Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) in clause (iii), by striking ''and'' at the end;

(2) in clause (iv), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(v) amounts appropriated to the Commission for the fiscal year for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103 of the Nuclear Energy Innovation and Modernization Act.''.

(b) REPEAL.—Effective October 1, 2020, section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is repealed.

SEC. 102. NUCLEAR REGULATORY COMMISSION USER FEES AND ANNUAL CHARGES FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER.

(a) ANNUAL BUDGET JUSTIFICATION.—

(1) IN GENERAL.—In the annual budget justification submitted by the Commission to Congress, the Commission shall expressly identify anticipated expenditures necessary for completion of the requested activities of the Commission anticipated to occur during the applicable fiscal year.

(2) RESTRICTION.—Budget authority granted to the Commission for purposes of the requested activities of the Commission shall be used, to the maximum extent practicable, solely for conducting requested activities of the Commission.

(3) LIMITATION ON CORPORATE SUPPORT COSTS.—With respect to the annual budget justification submitted to Congress, corporate support costs, to the maximum extent practicable, shall not exceed the following percentages of the total budget authority of the Commission requested in the annual budget justification:

(A) 30 percent for each of fiscal years 2021 and 2022.

(B) 29 percent for each of fiscal years 2023 and 2024.

(C) 28 percent for fiscal year 2025 and each fiscal year thereafter.

(b) FEES AND CHARGES.—

(1) ANNUAL ASSESSMENT.—

(A) IN GENERAL.—Each fiscal year, the Commission shall assess and collect fees and charges in accordance with paragraphs (2) and (3) in a manner that ensures that, to the maximum extent practicable, the amount assessed and collected is equal to an amount that approximates—

(i) the total budget authority of the Commission for that fiscal year; less

(ii) the budget authority of the Commission for the activities described in subparagraph (B).

(B) EXCLUDED ACTIVITIES DESCRIBED.—The activities referred to in subparagraph (A)(ii) are the following:

(i) Any fee relief activity, as identified by the Commission.

(ii) Amounts appropriated for a fiscal year to the Commission—

(I) from the Nuclear Waste Fund established under section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c));

(II) for implementation of section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2601 note; Public Law 108–375);

(III) for the homeland security activities of the Commission (other than for the costs of fingerprinting and background checks required under section 149 of the Atomic Energy Act of 1954 (42 U.S.C. 2169) and the costs of conducting security inspections);

(IV) for the Inspector General services of the Commission provided to the Defense Nuclear Facilities Safety Board;

(V) for research and development at universities in areas relevant to the mission of the Commission; and

(VI) for a nuclear science and engineering grant program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

(iii) Costs for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies, including activities required under section 103.

(C) EXCEPTION.—The exclusion described in subparagraph (B)(iii) shall cease to be effective on January 1, 2031.

(D) REPORT.—Not later than December 31, 2029, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the views of the Commission on the continued appropriateness and necessity of the funding described in subparagraph (B)(iii).

(2) FEES FOR SERVICE OR THING OF VALUE.—In accordance with section 9701 of title 31, United States Code, the Commission shall assess and collect fees from any person who receives a service or thing of value from the Commission to cover the costs to the Commission of providing the service or thing of value.

(3) ANNUAL CHARGES.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in subparagraph (D), the Commission may charge to any licensee or certificate holder of the Commission an annual charge in addition to the fees assessed and collected under paragraph (2).

(B) CAP ON ANNUAL CHARGES OF CERTAIN LICENSEES.—

(i) OPERATING REACTORS.—The annual charge under subparagraph (A) charged to an operating reactor licensee, to the maximum extent practicable, shall not exceed the annual fee amount per operating reactor licensee established in the final rule of the Commission entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' (80 Fed. Reg. 37432 (June 30, 2015)), as may be adjusted annually by the Commission to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor.

(ii) WAIVER.—The Commission may waive, for a period of 1 year, the cap on annual charges described in clause (i) if the Commission submits to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a written determination that the cap on annual charges may compromise the safety and security mission of the Commission.

(C) AMOUNT PER LICENSEE.—

(i) IN GENERAL.—The Commission shall establish by rule a schedule of annual charges fairly and equitably allocating the aggregate amount of charges described in subparagraph (A) among licensees and certificate holders.

(ii) REQUIREMENT.—The schedule of annual charges under clause (i)—

(I) to the maximum extent practicable, shall be reasonably related to the cost of providing regulatory services; and

(II) may be based on the allocation of the resources of the Commission among licensees or certificate holders or classes of licensees or certificate holders.

(D) EXEMPTION.—

(i) DEFINITION OF RESEARCH REACTOR.—In this subparagraph, the term ''research reactor'' means a nuclear reactor that—

(I) is licensed by the Commission under section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation at a thermal power level of not more than 10 megawatts; and

(II) if licensed under subclause (I) for operation at a thermal power level of more than 1 megawatt, does not contain—

(aa) a circulating loop through the core in which the licensee conducts fuel experiments;

(bb) a liquid fuel loading; or

(cc) an experimental facility in the core in excess of 16 square inches in cross-section.

(ii) EXEMPTION.—Subparagraph (A) shall not apply to the holder of any license for a federally owned research reactor used primarily for educational training and academic research purposes.

(c) PERFORMANCE AND REPORTING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall develop for the requested activities of the Commission—

(A) performance metrics; and

(B) milestone schedules.

(2) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION.—The Executive Director for Operations of the Commission shall inform the Commission of a delay in issuance of the final safety evaluation for a requested activity of the Commission by the completion date required by the performance metrics or milestone schedule under paragraph (1) by not later than 30 days after the completion date.

(3) DELAYS IN ISSUANCE OF FINAL SAFETY EVALUATION EXCEEDING 180 DAYS.—If the final safety evaluation for the requested activity of the Commission described in paragraph (2) is not completed by the date that is 180 days after the completion date required by the performance metrics or milestone schedule under paragraph (1), the Commission shall submit to the appropriate congressional committees a timely report describing the delay, including a detailed explanation accounting for the delay and a plan for timely completion of the final safety evaluation.

(d) ACCURATE INVOICING.—With respect to invoices for fees described in subsection (b)(2), the Commission shall—

(1) ensure appropriate review and approval prior to the issuance of invoices;

(2) develop and implement processes to audit invoices to ensure accuracy, transparency, and fairness; and

(3) modify regulations to ensure fair and appropriate processes to provide licensees and applicants an opportunity to efficiently dispute or otherwise seek review and correction of errors in invoices for those fees.

(e) REPORT.—Not later than September 30, 2021, the Commission shall submit to the Committee on Appropriations and the Committee on Environment and Public Works of the Senate and the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives a report describing the implementation of this section, including any impacts and recommendations for improvement.

(f) EFFECTIVE DATE.—Except as provided in subsection (c), this section takes effect on October 1, 2020.

SEC. 103. ADVANCED NUCLEAR REACTOR PROGRAM.

(a) LICENSING.—

(1) STAGED LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 270 days after the date of enactment of this Act, the Commission shall develop and implement, within the existing regulatory framework, strategies for—

(A) establishing stages in the licensing process for commercial advanced nuclear reactors; and

(B) developing procedures and processes for—

(i) using a licensing project plan; and

(ii) optional use of a conceptual design assessment.

(2) RISK-INFORMED LICENSING.—Not later than 2 years after the date of enactment of this Act, the Commission shall develop and implement, where appropriate, strategies for the increased use of risk-informed, performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within the existing regulatory framework, including evaluation techniques and guidance for the resolution of the following:

(A) Applicable policy issues identified during the course of review by the Commission of a commercial advanced nuclear reactor licensing application.

(B) The issues described in SECY–93–092 and SECY–15–077, including—

(i) licensing basis event selection and evaluation;

(ii) source terms;

(iii) containment performance; and

(iv) emergency preparedness.

(3) RESEARCH AND TEST REACTOR LICENSING.—For the purpose of predictable, efficient, and timely reviews, not later than 2 years after the date of enactment of this

Act, the Commission shall develop and implement strategies within the existing regulatory framework for licensing research and test reactors, including the issuance of guidance.

(4) TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK.—Not later than December 31, 2027, the Commission shall complete a rulemaking to establish a technology-inclusive, regulatory framework for optional use by commercial advanced nuclear reactor applicants for new reactor license applications.

(5) TRAINING AND EXPERTISE.—As soon as practicable after the date of enactment of this Act, the Commission shall provide for staff training or the hiring of experts, as necessary—

(A) to support the activities described in paragraphs (1) through (4); and

(B) to support preparations—

(i) to conduct pre-application interactions; and

(ii) to review commercial advanced nuclear reactor license applications.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission to carry out this subsection $14,420,000 for each of fiscal years 2020 through 2024.

(b) REPORT TO ESTABLISH STAGES IN THE COMMERCIAL ADVANCED NUCLEAR REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for expediting and establishing stages in the licensing process for commercial advanced nuclear reactors that will allow implementation of the licensing process by not later than 2 years after the date of enactment of this Act (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for implementing strategies to establish stages in the licensing process for commercial advanced nuclear reactor technologies.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A)(i) the unique aspects of commercial advanced nuclear reactor licensing, including the use of alternative coolants, operation at or near atmospheric pressure, and the use of passive safety strategies;

(ii) strategies for the qualification of advanced nuclear reactor fuel, including the use of computer modeling and simulation and experimental validation; and

(iii) for the purposes of predictable, efficient, and timely reviews, any associated legal, regulatory, and policy issues the Commission should address with regard to the licensing of commercial advanced nuclear reactor technologies;

(B) options for licensing commercial advanced nuclear reactors under the regulations of the Commission contained in title 10, Code of Federal Regulations (as in effect on the date of enactment of this Act), including—

(i) the development and use under the regulatory framework of the Commission in effect on the date of enactment of this Act of a licensing project plan that could establish—

(I) milestones that—

(aa) correspond to stages of a licensing process for the specific situation of a commercial advanced nuclear reactor project; and

(bb) use knowledge of the ability of the Commission to review certain design aspects; and

(II) guidelines defining the roles and responsibilities between the Commission and the applicant at the onset of the interaction—

(aa) to provide the foundation for effective communication and effective project management; and

(bb) to ensure efficient progress;

(ii) the use of topical reports, standard design approval, and other appropriate mechanisms as tools to introduce stages into the commercial advanced nuclear reactor licensing process, including how the licensing project plan might structure the use of those mechanisms;

(iii) collaboration with standards-setting organizations to identify specific technical areas for which new or updated standards are needed and providing assistance if appropriate to ensure the new or updated standards are developed and finalized in a timely fashion;

(iv) the incorporation of consensus-based codes and standards developed under clause (iii) into the regulatory framework—

(I) to provide predictability for the regulatory processes of the Commission; and

(II) to ensure timely completion of specific licensing actions;

(v) the development of a process for, and the use of, conceptual design assessments; and

(vi) identification of any policies and guidance for staff that will be needed to implement clauses (i) and (ii);

(C) options for improving the efficiency, timeliness, and cost-effectiveness of licensing reviews of commercial advanced nuclear reactors, including opportunities to minimize the delays that may result from any necessary amendment or supplement to an application;

(D) options for improving the predictability of the commercial advanced nuclear reactor licensing process, including the evaluation of opportunities to improve the process by which application review milestones are established and met; and

(E) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(c) REPORT TO INCREASE THE USE OF RISK-INFORMED AND PERFORMANCE-BASED EVALUATION TECHNIQUES AND REGULATORY GUIDANCE.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for increasing, where appropriate, the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for implementing a strategy to increase the use of risk-informed and performance-based evaluation techniques and regulatory guidance in licensing commercial advanced nuclear reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to develop and implement, where appropriate, risk-informed and performance-based licensing evaluation techniques and guidance for commercial advanced nuclear reactors within existing regulatory frameworks not later than 2 years after the date of enactment of this Act, including policies and guidance for the resolution of—

(i) issues relating to—

(I) licensing basis event selection and evaluation;

(II) use of mechanistic source terms;

(III) containment performance;

(IV) emergency preparedness; and

(V) the qualification of advanced nuclear reactor fuel; and

(ii) other policy issues previously identified; and

(B) the extent to which Commission action is needed to implement any part of the report.

(d) REPORT TO PREPARE THE RESEARCH AND TEST REACTOR LICENSING PROCESS.—

(1) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report for preparing the licensing process for research and test reactors within the existing regulatory framework (referred to in this subsection as the ''report'').

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATES.—The report shall include proposed cost estimates, budgets, and timeframes for preparing the licensing process for research and test reactors.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the unique aspects of research and test reactor licensing and any associated legal, regulatory, and policy issues the Commission should address to prepare the licensing process for research and test reactors;

(B) the feasibility of developing guidelines for advanced reactor demonstrations and prototypes to support the review process for advanced reactors designs, including designs that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(C) the extent to which Commission action or modification of policy is needed to implement any part of the report.

(e) REPORT TO COMPLETE A RULEMAKING TO ESTABLISH A TECHNOLOGY-INCLUSIVE REGULATORY FRAMEWORK FOR OPTIONAL USE BY COMMERCIAL ADVANCED NUCLEAR REACTOR TECHNOLOGIES IN NEW REACTOR LICENSE APPLICATIONS AND TO ENHANCE COMMISSION EXPERTISE RELATING TO ADVANCED NUCLEAR REACTOR TECHNOLOGIES.—

(1) REPORT REQUIRED.—Not later than 30 months after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report (referred to in this subsection as the ''report'') for—

(A) completing a rulemaking to establish a technology-inclusive regulatory framework for optional use by applicants in licensing commercial advanced nuclear reactor technologies in new reactor license applications; and

(B) ensuring that the Commission has adequate expertise, modeling, and simulation capabilities, or access to those capabilities,

to support the evaluation of commercial advanced reactor license applications, including the qualification of advanced nuclear reactor fuel.

(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report, the Commission shall seek input from the Secretary, the nuclear energy industry, a diverse set of technology developers, and other public stakeholders.

(3) COST AND SCHEDULE ESTIMATE.—The report shall include proposed cost estimates, budgets, and timeframes for developing and implementing a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies, including completion of a rulemaking.

(4) REQUIRED EVALUATIONS.—Consistent with the role of the Commission in protecting public health and safety and common defense and security, the report shall evaluate—

(A) the ability of the Commission to complete a rulemaking to establish a technology-inclusive regulatory framework for licensing commercial advanced nuclear reactor technologies by December 31, 2027;

(B) the extent to which additional legislation, or Commission action or modification of policy, is needed to implement any part of the new regulatory framework;

(C) the need for additional Commission expertise, modeling, and simulation capabilities, or access to those capabilities, to support the evaluation of licensing applications for commercial advanced nuclear reactors and research and test reactors, including applications that use alternative coolants or alternative fuels, operate at or near atmospheric pressure, and use passive safety strategies; and

(D) the budgets and timeframes for acquiring or accessing the necessary expertise to support the evaluation of license applications for commercial advanced nuclear reactors and research and test reactors.

SEC. 104. BAFFLE-FORMER BOLT GUIDANCE.

(a) REVISIONS TO GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Commission shall publish any necessary revisions to the guidance on the baseline examination schedule and subsequent examination frequency for baffle-former bolts in pressurized water reactors with down-flow configurations.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees—

(1) a report explaining any revisions made to the guidance described in subsection (a); or

(2) if no revisions were made, a report explaining why the guidance, as in effect on the date of submission of the report, is sufficient.

SEC. 105. EVACUATION REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report describing the actions the Commission has taken, or plans to take, to consider lessons learned since September 11, 2001, Superstorm Sandy, Fukushima, and other recent natural disasters regarding directed or spontaneous evacuations in densely populated urban and suburban areas.

(b) INCLUSIONS.—The report under subsection (a) shall—

(1) describe the actions of the Commission—

(A) to consider the results from—

(i) the State-of-the-Art Reactor Consequence Analyses project; and

(ii) the current examination by the Commission of emergency planning zones for small modular reactors and advanced nuclear reactors; and

(B) to monitor international reviews, including reviews conducted by—

(i) the United Nations Scientific Committee on the Effects of Atomic Radiation;

(ii) the World Health Organization; and

(iii) the Fukushima Health Management Survey; and

(2) with respect to a disaster similar to a disaster described in subsection (a), include information about—

(A) potential shadow evacuations in response to the disaster; and

(B) what levels of self-evacuation should be expected during the disaster, including outside the 10-mile evacuation zone.

(c) CONSULTATION REQUIRED.—The report under subsection (a) shall be prepared after consultation with—

(1) the Federal Radiological Preparedness Coordinating Committee;

(2) State emergency planning officials from States that the Commission determines to be relevant to the report; and

(3) experts in analyzing human behavior and probable responses to a radiological emission event.

SEC. 106. ENCOURAGING PRIVATE INVESTMENT IN RESEARCH AND TEST REACTORS.

(a) PURPOSE.—The purpose of this section is to encourage private investment in research and test reactors.

(b) RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 104 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amended—

(1) in the first sentence, by striking ''and which are not facilities of the type specified in subsection 104 b.'' and inserting a period; and

(2) by adding at the end the following: ''The Commission is authorized to issue licenses under this section for utilization facilities useful in the conduct of research and development activities of the types specified in section 31 in which the licensee sells research and testing services and energy to others, subject to the condition that the licensee shall recover not more than 75 percent of the annual costs to the licensee of owning and operating the facility through sales of nonenergy services, energy, or both, other than research and development or education and training, of which not more than 50 percent may be through sales of energy.''.

SEC. 107. COMMISSION REPORT ON ACCIDENT TOLERANT FUEL.

(a) DEFINITION OF ACCIDENT TOLERANT FUEL.—In this section, the term ''accident tolerant fuel'' means a new technology that—

(1) makes an existing commercial nuclear reactor more resistant to a nuclear incident (as defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)); and

(2) lowers the cost of electricity over the licensed lifetime of an existing commercial nuclear reactor.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to Congress a report describing the status of the licensing process of the Commission for accident tolerant fuel.

SEC. 108. REPORT IDENTIFYING BEST PRACTICES FOR ESTABLISHMENT AND OPERATION OF LOCAL COMMUNITY ADVISORY BOARDS.

(a) BEST PRACTICES REPORT.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publicly available, a report identifying best practices with respect to the establishment and operation of a local community advisory board to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect, including lessons learned from any such board in existence before the date of enactment of this Act.

(b) CONTENTS.—The report described in subsection (a) shall include—

(1) a description of—

(A) the topics that could be brought before a local community advisory board;

(B) how such a board's input could be used to inform the decision-making processes of stakeholders for various decommissioning activities;

(C) what interactions such a board could have with the Commission and other Federal regulatory bodies to support the board members' overall understanding of the decommissioning process and promote dialogue between the affected stakeholders and the licensee involved in decommissioning activities; and

(D) how such a board could offer opportunities for public engagement throughout all phases of the decommissioning process;

(2) a discussion of the composition of a local community advisory board; and

(3) best practices relating to the establishment and operation of a local community advisory board, including—

(A) the time of establishment of such a board;

(B) the frequency of meetings of such a board;

(C) the selection of board members;

(D) the term of board members;

(E) the responsibility for logistics required to support such a board's meetings and other routine activities; and

(F) any other best practices relating to such a local community advisory board that are identified by the Commission.

(c) CONSULTATION.—In developing the report described under subsection (a), the Commission shall consult with any host State, any community within the emergency planning zone of an applicable nuclear power reactor, and any existing local community advisory board.

(d) PUBLIC MEETINGS.—

(1) IN GENERAL.—The consultation required under subsection (c) shall include public meetings.

(2) PUBLIC PARTICIPATION.—The public meetings under paragraph (1) shall be conducted under the requirements applicable to category 3 meetings under the policy statement of the Commission entitled ''Enhancing Public Participation in NRC Meetings; Policy Statement'' (67 Fed. Reg. 36920 (May 28, 2002)) (or a successor policy statement).

(3) NUMBER OF MEETINGS.—

(A) IN GENERAL.—The Commission shall conduct not less than 10 public meetings under paragraph (1) in locations that ensure geographic diversity across the United States.

(B) PRIORITY.—In determining locations in which to conduct a public meeting under subparagraph (A), the Commission shall give priority to States that—

(i) have a nuclear power reactor currently undergoing the decommissioning process; and

(ii) request a public meeting under this paragraph.

(4) WRITTEN SUMMARY.—The report under subsection (a) shall include a written summary of the public meetings conducted under paragraph (1).

SEC. 109. REPORT ON STUDY RECOMMENDATIONS.

Not later than 90 days after the date of enactment of this Act, the Commission shall submit to Congress a report describing the status of addressing and implementing the recommendations contained in the memorandum of the Executive Director of Operations of the Commission entitled ''Tasking

in Response to the Assessment of the Considerations Identified in a 'Study of Reprisal and Chilling Effect for Raising Mission-Related Concerns and Differing Views at the Nuclear Regulatory Commission' '' and dated June 19, 2018 (ADAMS Accession No.: ML18165A296).

TITLE II—URANIUM

SEC. 201. URANIUM RECOVERY REPORT.

Not later than 90 days after the date of enactment of this Act, the Commission shall submit to the appropriate congressional committees a report describing—

(1) the duration of uranium recovery license issuance and amendment reviews; and

(2) recommendations to improve efficiency and transparency of uranium recovery license issuance and amendment reviews.

SEC. 202. PILOT PROGRAM FOR URANIUM RECOVERY FEES.

Not later than 1 year after the date of enactment of this Act, the Commission shall—

(1) complete a voluntary pilot initiative to determine the feasibility of the establishment of a flat fee structure for routine licensing matters relating to uranium recovery; and

(2) provide to the appropriate congressional committees a report describing the results of the pilot initiative under paragraph (1).

SA 4176. Mr. CRUZ (for himself, Mr. NELSON, and Mr. MARKEY) proposed an amendment to the bill S. 3277, to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Space Frontier Act of 2019''.

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

SEC. 2. DEFINITIONS.

In this Act:

(1) ISS.—The term ''ISS'' means the International Space Station.

(2) NASA.—The term ''NASA'' means the National Aeronautics and Space Administration.

(3) NOAA.—The term ''NOAA'' means the National Oceanic and Atmospheric Administration.

TITLE I—STREAMLINING OVERSIGHT OF LAUNCH AND REENTRY ACTIVITIES

SEC. 101. OFFICE OF COMMERCIAL SPACE TRANSPORTATION.

(a) IN GENERAL.—Section 50921 of title 51, United States Code, is amended—

(1) by inserting ''(b) AUTHORIZATION OF APPROPRIATIONS.—'' before ''There'' and indenting appropriately; and

(2) by inserting before subsection (b), the following:

''(a) ASSOCIATE ADMINISTRATOR FOR COMMERCIAL SPACE TRANSPORTATION.—The Assistant Secretary for Commercial Space Transportation shall serve as the Associate Administrator for Commercial Space Transportation.''.

(b) ESTABLISHMENT OF ASSISTANT SECRETARY FOR COMMERCIAL SPACE TRANSPORTATION.—Section 102(e)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''6'' and inserting ''7''; and

(2) in subparagraph (A), by inserting ''Assistant Secretary for Commercial Space Transportation,'' after ''Assistant Secretary for Research and Technology,''.

SEC. 102. USE OF EXISTING AUTHORITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Transportation should make use of existing authorities, including waivers and safety approvals, as appropriate, to protect the public, make more efficient use of resources, reduce the regulatory burden for an applicant for a commercial space launch or reentry license or experimental permit, and promote commercial space launch and reentry.

(b) LICENSE APPLICATIONS AND REQUIREMENTS.—Section 50905 of title 51, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) APPLICATIONS.—A person may apply to the Secretary of Transportation for a license or transfer of a license under this chapter in the form and way the Secretary prescribes.

''(B) DECISIONS.—Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than the applicable deadline described in subparagraph (C), shall issue or transfer a license if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter.

''(C) APPLICABLE DEADLINE.—The applicable deadline described in this subparagraph shall be—

''(i) for an applicant that was or is a holder of any license under this chapter, not later than 90 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for a new applicant, not later than 180 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(D) NOTICE TO APPLICANTS.—The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than—

''(i) for an applicant described in subparagraph (C)(i), 60 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E); and

''(ii) for an applicant described in subparagraph (C)(ii), 120 days after accepting an application in accordance with criteria established pursuant to subsection (b)(2)(E).

''(E) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written notice not later than 30 days after any occurrence when the Secretary has not taken action on a license application within an applicable deadline established by this subsection.''; and

(B) in paragraph (2)—

(i) by inserting ''PROCEDURES FOR SAFETY APPROVALS.—'' before ''In carrying out'';

(ii) by inserting ''software,'' after ''services,''; and

(iii) by adding at the end the following: ''Such safety approvals may be issued simultaneously with a license under this chapter.''; and

(2) by adding at the end the following:

''(e) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

(c) RESTRICTIONS ON LAUNCHES, OPERATIONS, AND REENTRIES.—Section 50904 of title 51, United States Code, is amended by adding at the end the following:

''(e) MULTIPLE SITES.—The Secretary may issue a single license or permit for an operator to conduct launch services and reentry services at multiple launch sites or reentry sites.''.

SEC. 103. EXPERIMENTAL PERMITS.

Section 50906 of title 51, United States Code, is amended by adding at the end the following:

''(j) USE OF EXISTING AUTHORITIES.—

''(1) IN GENERAL.—The Secretary shall use existing authorities, including waivers and safety approvals, as appropriate, to make more efficient use of resources, reduce the regulatory burden for an applicant under this section, and promote commercial space launch and reentry.

''(2) EXPEDITING SAFETY APPROVALS.—The Secretary shall expedite the processing of safety approvals that would reduce risks to health or safety during launch and reentry.''.

SEC. 104. SPACE-RELATED ADVISORY RULEMAKING COMMITTEES.

Section 50903 of title 51, United States Code, is amended by adding at the end the following:

''(e) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to such space-related rulemaking committees under the Secretary's jurisdiction as the Secretary shall designate.''.

SEC. 105. GOVERNMENT-DEVELOPED SPACE TECHNOLOGY.

Section 50901(b)(2)(B) of title 51, United States Code, is amended by striking ''and encouraging''.

SEC. 106. REGULATORY REFORM.

(a) DEFINITIONS.—The definitions set forth in section 50902 of title 51, United States Code, shall apply to this section.

(b) FINDINGS.—Congress finds that the commercial space launch regulatory environment has at times impeded the United States

commercial space launch sector in its innovation of launch technologies, reusable launch and reentry vehicles, and other areas related to commercial launches and reentries.

(c) REGULATORY IMPROVEMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.—

(1) IN GENERAL.—Not later than February 1, 2019, the Secretary of Transportation shall issue a notice of proposed rulemaking to revise any regulations under chapter 509, United States Code, as the Secretary considers necessary to meet the objective of this section.

(2) OBJECTIVE.—The objective of this section is to establish, consistent with the purposes described in section 50901(b) of title 51, United States Code, a regulatory regime for commercial space launch activities under chapter 509 that—

(A) creates, to the extent practicable, requirements applicable both to expendable launch and reentry vehicles and to reusable launch and reentry vehicles;

(B) is neutral with regard to the specific technology utilized in a launch, a reentry, or an associated safety system;

(C) protects the health and safety of the public;

(D) establishes clear, high-level performance requirements;

(E) encourages voluntary, industry technical standards that complement the high-level performance requirements established under subparagraph (D); and

(F) facilitates and encourages appropriate collaboration between the commercial space launch and reentry sector and the Department of Transportation with respect to the requirements under subparagraph (D) and the standards under subparagraph (E).

(d) CONSULTATION.—In revising the regulations under subsection (c), the Secretary of Transportation shall consult with the following:

(1) Secretary of Defense.

(2) Administrator of NASA.

(3) Such members of the commercial space launch and reentry sector as the Secretary of Transportation considers appropriate to ensure adequate representation across industry.

(e) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the persons described in subsection (d), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress in carrying out this section.

(2) CONTENTS.—The report shall include—

(A) milestones and a schedule to meet the objective of this section;

(B) a description of any Federal agency resources necessary to meet the objective of this section;

(C) recommendations for legislation that would expedite or improve the outcomes under subsection (c); and

(D) a plan for ongoing consultation with the persons described in subsection (d).

SEC. 107. SECRETARY OF TRANSPORTATION OVERSIGHT AND COORDINATION OF COMMERCIAL LAUNCH AND REENTRY OPERATIONS.

(a) OVERSIGHT AND COORDINATION.—

(1) IN GENERAL.—The Secretary of Transportation, in accordance with the findings under section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note) and subject to section 50905(b)(2)(C) of title 51, United States Code, shall take such action as may be necessary to consolidate or modify the requirements across Federal agencies identified in section 1617(c)(1)(A) of that Act into a single application set that satisfies those requirements and expedites the coordination of commercial launch and reentry services.

(2) CHAPTER 509.—

(A) PURPOSES.—Section 50901 of title 51, United States Code, is amended by inserting ''all'' before ''commercial launch and reentry operations''.

(B) GENERAL AUTHORITY.—Section 50903(b) of title 51, United States Code, is amended—

(i) by redesignating paragraphs (1) and (2) as paragraphs (3) and (4), respectively; and

(ii) by inserting before paragraph (3), as redesignated, the following:

''(1) consistent with this chapter, authorize, license, and oversee the conduct of all commercial launch and reentry operations, including any commercial launch or commercial reentry at a Federal range;

''(2) if an application for a license or permit under this chapter includes launch or reentry at a Defense range, coordinate with the Secretary of Defense, or designee, to protect any national security interest relevant to such activity, including any necessary mitigation measure to protect Department of Defense property and personnel;''.

(3) EFFECTIVE DATE.—This subsection takes effect on the date the final rule under section 107(c) of this Act is published in the Federal Register.

(b) RULES OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, may be construed to affect—

(1) section 1617 of the National Defense Authorization Act for Fiscal Year 2016 (51 U.S.C. 50918 note); or

(2) the authority of the Secretary of Defense as it relates to safety and security related to launch or reentry at a Defense range.

(c) TECHNICAL AMENDMENT; REPEAL REDUNDANT LAW.—Section 113 of the U.S. Commercial Space Launch Competitiveness Act (Public Law 114–90; 129 Stat. 704) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 108. STUDY ON JOINT USE OF SPACEPORTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Transportation shall, in consultation with the Secretary of Defense, conduct a study of the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers; and

(2) submit the results of the study to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Science, Space, and Technology and the Committee on Armed Services of the House of Representatives.

(b) CONSIDERATIONS.—In conducting the study required by subsection (a), the Secretary of Transportation shall consider the following:

(1) Improvements that could be made to the current process the Government uses to provide or permit the joint use of United States military installations for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(2) Means to facilitate the ability for a military installation to request that the Secretary of Transportation consider the military installation as a site to provide or permit the licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(3) The feasibility of increasing the number of military installations that provide or are permitted to be utilized for licensed nongovernmental space launch and reentry activities, space-related activities, and space transportation services by United States commercial providers.

(4) The importance of the use of safety approvals of launch vehicles, reentry vehicles, space transportation vehicles, safety systems, processes, services, or personnel (including approval procedures for the purpose of protecting the health and safety of crew, Government astronauts, and space flight participants), to the extent permitted that may be used in conducting licensed commercial space launch, reentry activities, and space transportation services at installations.

SEC. 109. AIRSPACE INTEGRATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) identify and review the current policies and tools used to integrate launch and reentry (as those terms are defined in section 50902 of title 51, United States Code) into the national airspace system;

(2) consider whether the policies and tools identified in paragraph (1) need to be updated to more efficiently and safely manage the national airspace system; and

(3) submit to the appropriate committees of Congress a report on the findings under paragraphs (1) and (2), including recommendations for how to more efficiently and safely manage the national airspace system.

(b) CONSULTATION.—In conducting the review under subsection (a), the Secretary shall consult with such members of the commercial space launch and reentry sector and commercial aviation sector as the Secretary considers appropriate to ensure adequate representation across those industries.

(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Science, Space, and Technology of the House of Representatives; and

(3) the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE II—STREAMLINING OVERSIGHT OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

SEC. 201. NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.

(a) LICENSING OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES.—Chapter 601 of title 51, United States Code, is amended—

(1) in section 60101—

(A) by amending paragraph (12) to read as follows:

''(12) UNENHANCED DATA.—The term 'unenhanced data' means signals or imagery products from Earth observation activities that are unprocessed or subject only to data preprocessing.'';

(B) by redesignating paragraphs (12) and (13) as paragraphs (18) and (19), respectively;

(C) by redesignating paragraph (11) as paragraph (15);

(D) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

(E) by inserting after paragraph (3), the following:

''(4) EARTH OBSERVATION ACTIVITY.—The term 'Earth observation activity' means a space activity the primary purpose of which

is to collect data that can be processed into imagery of the Earth or of man-made objects orbiting the Earth.'';

(F) by inserting after paragraph (11), as redesignated, the following:

''(12) NONGOVERNMENTAL EARTH OBSERVATION ACTIVITY.—The term 'nongovernmental Earth observation activity' means an Earth observation activity of a person other than—

''(A) the United States Government; or

''(B) a Government contractor or subcontractor if the Government contractor or subcontractor is performing the activity for the Government.

''(13) ORBITAL DEBRIS.—The term 'orbital debris' means any space object that is placed in space or derives from a space object placed in space by a person, remains in orbit, and no longer serves any useful function or purpose.

''(14) PERSON.—The term 'person' means a person (as defined in section 1 of title 1) subject to the jurisdiction or control of the United States.''; and

(G) by inserting after paragraph (15), as redesignated, the following:

''(16) SPACE ACTIVITY.—

''(A) IN GENERAL.—The term 'space activity' means any activity that is conducted in space.

''(B) INCLUSIONS.—The term 'space activity' includes any activity conducted on a celestial body, including the Moon.

''(C) EXCLUSIONS.—The term 'space activity' does not include any activity that is conducted entirely on board or within a space object and does not affect another space object.

''(17) SPACE OBJECT.—The term 'space object' means any object, including any component of that object, that is launched into space or constructed in space, including any object landed or constructed on a celestial body, including the Moon.'';

(2) by amending subchapter III to read as follows:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''§ 60121. Purposes

''The purposes of this subchapter are—

''(1) to prevent, to the extent practicable, harmful interference to space activities by nongovernmental Earth observation activities;

''(2) to manage risk and prevent harm to United States national security;

''(3) to ensure consistency with international obligations of the United States; and

''(4) to promote the leadership, industrial innovation, and international competitiveness of the United States.

''§ 60122. General authority

''(a) IN GENERAL.—The Secretary shall carry out this subchapter.

''(b) FUNCTIONS.—In carrying out this subchapter, the Secretary shall consult with—

''(1) the Secretary of Defense;

''(2) the Director of National Intelligence; and

''(3) the head of such other Federal department or agency as the Secretary considers necessary.

''§ 60123. Administrative authority of Secretary

''(a) FUNCTIONS.—In order to carry out the responsibilities specified in this subchapter, the Secretary may—

''(1) grant, condition, or transfer licenses under this chapter;

''(2) seek an order of injunction or similar judicial determination from a district court of the United States with personal jurisdiction over the licensee to terminate, modify, or suspend licenses under this subchapter and to terminate licensed operations on an immediate basis, if the Secretary determines that the licensee has substantially failed to comply with any provisions of this chapter, with any terms, conditions, or restrictions of such license, or with any international obligations or national security concerns of the United States;

''(3) provide penalties for noncompliance with the requirements of licenses or regulations issued under this subchapter, including civil penalties not to exceed $10,000 (each day of operation in violation of such licenses or regulations constituting a separate violation);

''(4) compromise, modify, or remit any such civil penalty;

''(5) issue subpoenas for any materials, documents, or records, or for the attendance and testimony of witnesses for the purpose of conducting a hearing under this section;

''(6) seize any object, record, or report pursuant to a warrant from a magistrate based on a showing of probable cause to believe that such object, record, or report was used, is being used, or is likely to be used in violation of this chapter or the requirements of a license or regulation issued thereunder; and

''(7) make investigations and inquiries and administer to or take from any person an oath, affirmation, or affidavit concerning any matter relating to the enforcement of this chapter.

''(b) REVIEW OF AGENCY ACTION.—Any applicant or licensee that makes a timely request for review of an adverse action pursuant to paragraph (1), (3), (5), or (6) of subsection (a) shall be entitled to adjudication by the Secretary on the record after an opportunity for any agency hearing with respect to such adverse action. Any final action by the Secretary under this subsection shall be subject to judicial review under chapter 7 of title 5.

''§ 60124. Authorization to conduct nongovernmental Earth observation activities

''(a) REQUIREMENT.—No person may conduct any nongovernmental Earth observation activity without an authorization issued under this subchapter.

''(b) WAIVERS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, and the head of such other Federal agency as the Secretary considers appropriate, may waive a requirement under this subchapter for a nongovernmental Earth observation activity, or for a type or class of nongovernmental Earth observation activities, if the Secretary decides that granting a waiver is consistent with section 60121.

''(2) STANDARDS.—Not later than 120 days after the date of enactment of the Space Frontier Act of 2019, the Secretary shall establish standards, in consultation with the Secretary of Defense and the head of such other Federal agency as the Secretary considers appropriate, for determining de minimis Earth observation activities that would be eligible for a waiver under paragraph (1).

''(c) COVERAGE OF AUTHORIZATION.—The Secretary shall, to the maximum extent practicable, require a single authorization for a person—

''(1) to conduct multiple Earth observation activities using a single space object;

''(2) to operate multiple space objects carrying out substantially similar Earth observation activities; or

''(3) to use multiple space objects to carry out a single Earth observation activity.

''(d) APPLICATION.—

''(1) IN GENERAL.—A person seeking an authorization under this subchapter shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require for the purposes described in section 60121, including—

''(A) a description of the proposed Earth observation activity, including—

''(i) a physical and functional description of each space object;

''(ii) the orbital characteristics of each space object, including altitude, inclination, orbital period, and estimated operational lifetime; and

''(iii) a list of the names of all persons that have or will have direct operational or financial control of the Earth observation activity;

''(B) a plan to prevent orbital debris consistent with the 2001 United States Orbital Debris Mitigation Standard Practices or any subsequent revision thereof; and

''(C) a description of the capabilities of each instrument to be used to observe the Earth in the conduct of the Earth observation activity.

''(2) APPLICATION STATUS.—Not later than 14 days after the date of receipt of an application, the Secretary shall make a determination whether the application is complete or incomplete and notify the applicant of that determination, including, if incomplete, the reason the application is incomplete.

''(e) REVIEW.—

''(1) IN GENERAL.—Not later than 90 days after the date that the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall review all information provided in that application and, subject to the provisions of this subsection, notify the applicant in writing whether the application was approved, with or without conditions, or denied.

''(2) APPROVALS.—The Secretary shall approve an application under this subsection if the Secretary determines that—

''(A) the Earth observation activity is consistent with the purposes described in section 60121; and

''(B) the applicant is in compliance, and will continue to comply, with this subchapter, including regulations.

''(3) DENIALS.—

''(A) IN GENERAL.—If an application under this subsection is denied, the Secretary—

''(i) shall include in the notification under paragraph (1)—

''(I) a reason for the denial; and

''(II) a description of each deficiency, including guidance on how to correct the deficiency;

''(ii) shall sign the notification under paragraph (1);

''(iii) may not delegate the duty under clause (ii); and

''(iv) shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of the notification.

''(B) INTERAGENCY REVIEW.—Not later than 3 days after the date that the Secretary makes a determination under subsection (d)(2) that an application is complete, the Secretary shall consult with the head of each Federal department and agency described in section 60122(b) and if any head of such Federal department or agency does not support approving the application—

''(i) that head of another Federal department or agency—

''(I) not later than 60 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support, including a description of each deficiency and guidance on how to correct the deficiency;

''(II) shall sign the notification under subclause (I); and

''(III) may not delegate the duty under subclause (II), except the Secretary of Defense may delegate the duty under subclause (II) to an Under Secretary of Defense; and

''(ii) subject to all applicable laws, the Secretary shall include the notification under clause (i) in the notification under paragraph (1), including classified information if—

''(I) the Secretary of Defense or Director of National Intelligence, as appropriate, determines that disclosure of the classified information is appropriate; and

''(II) the applicant has the required security clearance for that classified information.

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i)(I) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the application.

''(D) INTERAGENCY DISSENTS.—If, during the review of an application under paragraph (1), a head of a Federal department or agency described in subparagraph (B) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (B) with respect to a deficiency under this subsection, the Secretary shall submit the matter to the President, who shall resolve the dispute before the applicable deadline under paragraph (1).

''(E) DEFICIENCIES.—The Secretary shall—

''(i) provide each applicant under this paragraph with a reasonable opportunity—

''(I) to correct each deficiency identified under subparagraph (A)(i)(II); and

''(II) to resubmit a corrected application for reconsideration; and

''(ii) not later than 30 days after the date of receipt of a corrected application under clause (i)(II), make a determination whether to approve the application or not, in consultation with—

''(I) each head of another Federal department or agency that submitted a notification under subparagraph (B); and

''(II) the head of such other Federal department or agency as the Secretary considers necessary.

''(F) IMPROPER BASIS FOR DENIAL.—

''(i) COMPETITION.—The Secretary shall not deny an application under this subsection in order to protect any existing Earth observation activity from competition.

''(ii) CAPABILITIES.—The Secretary shall not, to the maximum extent practicable, deny an application under this subsection based solely on the capabilities of the Earth observation activity if those capabilities—

''(I) are commercially available; or

''(II) are reasonably expected to be made commercially available, not later than 3 years after the date of the application, in the international or domestic marketplace.

''(iii) APPLICABILITY.—The prohibition under clause (ii)(II) shall apply whether the marketplace products and services originate from the operation of aircraft, uncrewed aircraft, or other platforms or technical means or are assimilated from a variety of data sources.

''(4) DEADLINE.—If the Secretary does not notify an applicant in writing before the applicable deadline under paragraph (1), the Secretary shall, not later than 1 business day after the date of the applicable deadline, notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the status of the application, including the reason the deadline was not met.

''(5) EXPEDITED REVIEW PROCESS.—Subject to paragraph (2) of this section and section 60122(b), the Secretary may modify the requirements under this subsection, as the Secretary considers appropriate, to expedite the review of an application that seeks to conduct an Earth observation activity that is substantially similar to an Earth observation activity already licensed under this subchapter.

''(f) ADDITIONAL REQUIREMENTS.—An authorization issued under this subchapter shall require the authorized person—

''(1) to be in compliance with this subchapter;

''(2) to notify the Secretary of any significant change in the information contained in the application; and

''(3) to make available to the government of any country, including the United States, unenhanced data collected by the Earth observation system concerning the territory under the jurisdiction of that government as soon as such data are available and on reasonable commercial terms and conditions.

''(g) PROHIBITION ON RETROACTIVE CONDITIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Secretary may not modify any condition on, or add any condition to, an authorization under this subchapter after the date of the authorization.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be constructed to prohibit the Secretary from removing a condition on an authorization under this subchapter.

''(3) INTERAGENCY REVIEW.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (E), the Secretary or the head of a Federal department or agency described in section 60122(b) may, without delegation, propose the modification or addition of a condition to an authorization under this subchapter after the date of the authorization.

''(B) CONSULTATION REQUIREMENT.—Prior to making the modification or addition under subparagraph (A), the Secretary or the applicable head of the Federal department or agency shall consult with the head of each of the other Federal departments and agencies described in section 60122(b) and if any head of such Federal department or agency does not support such modification or addition that head of another Federal department or agency—

''(i) not later than 60 days after the date of the consultation, shall notify the Secretary, in writing, of the reason for withholding support;

''(ii) shall sign the notification under clause (i); and

''(iii) may not delegate the duty under clause (ii).

''(C) INTERAGENCY ASSENTS.—If the head of another Federal department or agency does not notify the Secretary under subparagraph (B)(i) within the time specified in that subparagraph, that head of another Federal department or agency shall be deemed to have assented to the modification or addition under subparagraph (A).

''(D) INTERAGENCY DISSENTS.—If the head of a Federal department or agency described in subparagraph (A) disagrees with the Secretary or the head of another Federal department or agency described in subparagraph (A) with respect to such modification or addition under this paragraph, the Secretary shall submit the matter to the President, who shall resolve the dispute.

''(E) NOTICE.—Prior to making a modification or addition under subparagraph (A), the Secretary or the head of the Federal department or agency, as applicable, shall—

''(i) provide notice to the licensee of the reason for the proposed modification or addition, including, if applicable, a description of any deficiency and guidance on how to correct the deficiency; and

''(ii) provide the licensee a reasonable opportunity to correct a deficiency identified in clause (i).

''§ 60125. Annual reports

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Space Frontier Act of 2019, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the progress in implementing this subchapter, including—

''(1) a list of all applications received or pending in the previous calendar year and the status of each such application;

''(2) notwithstanding paragraph (4) of section 60124(e), a list of all applications, in the previous calendar year, for which the Secretary missed the deadline under paragraph (1) of that section, including the reasons the deadline was not met; and

''(3) a description of all actions taken by the Secretary under the administrative authority granted under section 60123.

''(b) CLASSIFIED ANNEXES.—Each report under subsection (a) may include classified annexes as necessary to protect the disclosure of sensitive or classified information.

''(c) CESSATION OF EFFECTIVENESS.—This section ceases to be effective September 30, 2021.

''§ 60126. Regulations

''The Secretary may promulgate regulations to implement this subchapter.

''§ 60127. Relationship to other executive agencies and laws

''(a) EXECUTIVE AGENCIES.—Except as provided in this subchapter or chapter 509, or any activity regulated by the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.), a person is not required to obtain from an executive agency a license, approval, waiver, or exemption to conduct a nongovernmental Earth observation activity.

''(b) RULE OF CONSTRUCTION.—This subchapter does not affect the authority of—

''(1) the Federal Communications Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(2) the Secretary of Transportation under chapter 509 of this title.

''(c) NONAPPLICATION.—This subchapter does not apply to any space activity the United States Government carries out for the Government.''; and

(3) by amending section 60147 to read as follows:

''§ 60147. Consultation

''(a) CONSULTATION WITH SECRETARY OF DEFENSE.—The Landsat Program Management shall consult with the Secretary of Defense on all matters relating to the Landsat Program under this chapter that affect national security. The Secretary of Defense shall be responsible for determining those conditions, consistent with this chapter, necessary to meet national security concerns of the United States and for notifying the Landsat Program Management of such conditions.

''(b) CONSULTATION WITH SECRETARY OF STATE.—

''(1) IN GENERAL.—The Landsat Program Management shall consult with the Secretary of State on all matters relating to the Landsat Program under this chapter that affect international obligations. The Secretary of State shall be responsible for determining those conditions, consistent with this chapter, necessary to meet international obligations and policies of the United States and for notifying the Landsat Program Management of such conditions.

''(2) INTERNATIONAL AID.—Appropriate United States Government agencies are authorized and encouraged to provide remote sensing data, technology, and training to developing nations as a component of programs of international aid.

''(3) REPORTING DISCRIMINATORY DISTRIBUTION.—The Secretary of State shall promptly report to the Landsat Program Management any instances outside the United States of discriminatory distribution of Landsat data.

''(c) STATUS REPORT.—The Landsat Program Management shall, as often as necessary, provide to Congress complete and updated information about the status of ongoing operations of the Landsat system, including timely notification of decisions made with respect to the Landsat system in order to meet national security concerns and international obligations and policies of the United States Government.''.

(b) TABLE OF CONTENTS.—The table of contents of chapter 601 of title 51, United States Code, is amended by striking the items relating to subchapter III and inserting the following:

''SUBCHAPTER III—AUTHORIZATION OF NONGOVERNMENTAL EARTH OBSERVATION ACTIVITIES

''60121. Purposes.
''60122. General authority.
''60123. Administrative authority of Secretary.
''60124. Authorization to conduct nongovernmental Earth observation activities.
''60125. Annual reports.
''60126. Regulations.
''60127. Relationship to other executive agencies and laws.''.

(c) RULES OF CONSTRUCTION.—

(1) Nothing in this section or the amendments made by this section shall affect any license, or application for a license, to operate a private remote sensing space system that was made under subchapter III of chapter 601 of title 51, United States Code (as in effect before the date of enactment of this Act), before the date of enactment of this Act. Such license shall continue to be subject to the requirements to which such license was subject under that chapter as in effect on the day before the date of enactment of this Act.

(2) Nothing in this section or the amendments made by this section shall affect the prohibition on the collection and release of detailed satellite imagery relating to Israel under section 1064 of the National Defense Authorization Act for Fiscal Year 1997 (51 U.S.C. 60121 note).

SEC. 202. RADIO-FREQUENCY MAPPING REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense and the Director of National Intelligence, shall complete and submit a report on space-based radio-frequency mapping to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Select Committee on Intelligence of the Senate;

(3) the Committee on Armed Services of the Senate;

(4) the Committee on Science, Space, and Technology of the House of Representatives;

(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

(6) the Committee on Armed Services of the House of Representatives.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) a discussion of whether a need exists to regulate space-based radio-frequency mapping;

(2) a description of any immitigable impacts of space-based radio-frequency mapping on national security, United States competitiveness and space leadership, or Constitutional rights;

(3) any recommendations for additional regulatory action regarding space-based radio-frequency mapping;

(4) a detailed description of the costs and benefits of the recommendations described in paragraph (3); and

(5) an evaluation of—

(A) whether the development of voluntary consensus industry standards in coordination with the Department of Defense is more appropriate than issuing regulations with respect to space-based radio-frequency mapping; and

(B) whether existing law, including regulations and policies, could be applied in a manner that prevents the need for additional regulation of space-based radio-frequency mapping.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

TITLE III—MISCELLANEOUS

SEC. 301. PROMOTING FAIRNESS AND COMPETITIVENESS FOR NASA PARTNERSHIP OPPORTUNITIES.

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

(1) fair access to available NASA assets and services on a reimbursable, noninterference, equitable, and predictable basis is advantageous in enabling the United States commercial space industry;

(2) NASA should continue to promote fairness to all parties and ensure best value to the Federal Government in granting use of NASA assets, services, and capabilities in a manner that contributes to NASA's missions and objectives; and

(3) NASA should continue to promote small business awareness and participation through advocacy and collaborative efforts with internal and external partners, stakeholders, and academia.

(b) GUIDANCE FOR SMALL BUSINESS PARTICIPATION.—The Administrator of NASA shall—

(1) provide opportunities for the consideration of small business concerns during public-private partnership planning processes and in public-private partnership plans;

(2) invite the participation of each relevant director of an Office of Small and Disadvantaged Business Utilization under section 15(k) of the Small Business Act 915 U.S.C. 644(k) in public-private partnership planning processes and provide the director access to public-private partnership plans;

(3) not later than 90 days after the date of enactment of this Act—

(A) identify and establish a list of all NASA assets, services, and capabilities that are available, or will be available, for public-private partnership opportunities; and

(B) make the list under subparagraph (A) available on NASA's website, in a searchable format;

(4) periodically as needed, but not less than once per year, update the list and website under paragraph (3); and

(5) not later than 180 days after the date of enactment of this Act, develop a policy and issue guidance for a consistent, fair, and equitable method for scheduling and establishing priority of use of the NASA assets, services, and capabilities identified under this subsection.

(c) STRENGTHENING SMALL BUSINESS AWARENESS.—Not later than 180 days after the date of enactment of this Act, the Administrator of NASA shall designate an official at each NASA Center—

(1) to serve as an advocate for small businesses within the office that manages partnerships at each Center; and

(2) to provide guidance to small businesses on how to participate in public-private partnership opportunities with NASA.

SEC. 302. LEASE OF NON-EXCESS PROPERTY.

Section 20145(g) of title 51, United States Code, is amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

SEC. 303. MAINTAINING A NATIONAL LABORATORY IN SPACE.

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

(1) the United States national laboratory in space, which currently consists of the United States segment of the ISS (designated a national laboratory under section 70905 of title 51, United States Code)—

(A) benefits the scientific community and promotes commerce in space;

(B) fosters stronger relationships among NASA and other Federal agencies, the private sector, and research groups and universities;

(C) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(D) advances human knowledge and international cooperation;

(2) after the ISS is decommissioned, the United States should maintain a national microgravity laboratory in space;

(3) in maintaining a national microgravity laboratory described in paragraph (2), the United States should make appropriate accommodations for different types of ownership and operational structures for the ISS and future space stations;

(4) the national microgravity laboratory described in paragraph (2) should be maintained beyond the date that the ISS is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(5) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(b) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator deems relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

SEC. 304. PRESENCE IN LOW-EARTH ORBIT.

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

(1) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit; and

(2) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(b) HUMAN PRESENCE REQUIREMENT.—NASA shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the ISS.

SEC. 305. CONTINUATION OF THE ISS.

(a) CONTINUATION OF THE INTERNATIONAL SPACE STATION.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(b) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(c) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(d) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(1) in the heading, by striking ''**2024**'' and inserting ''**2030**''; and

(2) by striking ''2024'' each place it appears and inserting ''2030''.

SEC. 306. UNITED STATES POLICY ON ORBITAL DEBRIS.

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

(1) existing guidelines for the mitigation of orbital debris may not be adequate to ensure long term usability of the space environment for all users; and

(2) the United States should continue to exercise a leadership role in developing orbital debris prevention standards that can be used by all space-faring nations.

(b) POLICY OF THE UNITED STATES.—It is the policy of the United States to have consistent standards across Federal agencies that minimize the risks from orbital debris in order to—

(1) protect the public health and safety;

(2) protect humans in space;

(3) protect the national security interests of the United States;

(4) protect the safety of property;

(5) protect space objects from interference; and

(6) protect the foreign policy interests of the United States.

SEC. 307. LOW-EARTH ORBIT COMMERCIALIZATION PROGRAM.

(a) PROGRAM AUTHORIZATION.—The Administrator of NASA may establish a low-Earth orbit commercialization program to encourage the fullest commercial use and development of space by the private sector of the United States.

(b) CONTENTS.—The program under subsection (a) may include—

(1) activities to stimulate demand for human space flight products and services in low-Earth orbit;

(2) activities to improve the capability of the ISS to accommodate commercial users; and

(3) subject to subsection (c), activities to accelerate the development of commercial space stations or commercial space habitats.

(c) CONDITIONS.—

(1) COST SHARE.—The Administrator shall give priority to an activity under subsection (b)(3) in which the private sector entity conducting the activity provides a share of the coast o develop and operate the activity.

(2) COMMERCIAL SPACE HABITAT.—The Administration may not engage in an activity under subsection (b)(3) until after the date that the Administrator of NASA awards a contract for the use of a docking port on the ISS.

(d) REPORTS.—Not later than 30 days after the date that an award or agreement is made under subsection (b)(3), the Administrator of NASA shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the development of the commercial space station or commercial space habitat, as applicable, including a business plan for how the activity will—

(1) meet NASA's future requirements for low-Earth orbit human space flight services; and

(2) satisfy the non-Federal funding requirement under subsection (c)(1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator of NASA to carry out a low-Earth commercialization program under this section $150,000,000 for fiscal year 2020.

SEC. 308. BUREAU OF SPACE COMMERCE.

(a) IN GENERAL.—Chapter 507 of title 51, United States Code, is amended—

(1) in the heading, by striking ''**OFFICE**'' and inserting ''**BUREAU**'';

(2) by amending section 50701 to read as follows:

''§ 50701. Definition of Bureau

''In this chapter, the term 'Bureau' means the Bureau of Space Commerce established in section 50702 of this title.'';

(3) in section 50702—

(A) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—There is established within the Department of Commerce a Bureau of Space Commerce.'';

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

''(b) ASSISTANT SECRETARY.—The Bureau shall be headed by an Assistant Secretary for Space Commerce, to be appointed by the President with the advice and consent of the Senate and compensated at level II or III of the Executive Schedule, as determined by the Secretary of Commerce. The Assistant Secretary shall report directly to the Secretary of Commerce.'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''Office'' and inserting ''Bureau'';

(ii) in paragraph (2), by inserting '', including activities licensed under chapter 601 of this title'' before the semicolon; and

(iii) in paragraph (5), by striking ''Position,'' and inserting ''Positioning,''; and

(D) in subsection (d)—

(i) in the heading, by striking ''DIRECTOR'' and inserting ''ASSISTANT SECRETARY'';

(ii) in the matter preceding paragraph (1)—

(I) by striking ''Director'' and inserting ''Assistant Secretary''; and

(II) by striking ''Office shall'' and inserting ''Bureau shall, under the direction and supervision of the Secretary,'';

(iii) by redesignating paragraphs (1) through (7) as paragraphs (3) through (9), respectively; and

(iv) by inserting before paragraph (3), as redesignated, the following:

''(1) to oversee the issuing of licenses under chapter 601 of this title;

''(2) coordinating Department policy impacting commercial space activities and working with other executive agencies to promote policies that advance commercial space activities;''; and

(v) in paragraph (8), as redesignated, by inserting '', consistent with the international obligations, foreign policy, and national security interests of the United States'' before the semicolon;

(4) in section 50703—

(A) by striking ''Office'' and inserting ''Bureau''; and

(B) by striking ''Committee on Science and Technology of the House of Representatives'' and inserting ''Committee on Science, Space, and Technology of the House of Representatives''; and

(5) by adding at the end the following:

''§ 50704. Authorization of appropriations

''There is authorized to be appropriated to the Secretary of Commerce to carry out this chapter $10,000,000 for each of fiscal years 2020 through 2024.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents of chapter 507 of title 51, United States Code, is amended—

(A) in the item relating to section 50701, by striking ''Office'' and inserting ''Bureau''; and

(B) by adding after the item relating to section 50703 the following:

''50704. Authorization of appropriations.''.

(2) TABLE OF CHAPTERS.—The table of chapters of title 51, United States Code, is amended in the item relating to chapter 507 by striking ''Office'' and inserting ''Bureau''.

(3) COOPERATION WITH FORMER SOVIET REPUBLICS.—Section 218 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (51 U.S.C. 50702 note) is amended by striking ''Office'' each place it appears and inserting ''Bureau''.

SA 4177. Mr. MCCONNELL (for Mr. BOOKER) proposed an amendment to the bill H.R. 6287, to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001; as follows:

On page 2, lines 5 and 6, strike '', the Pentagon, and United Airlines Flight 93'' and insert ''and the Pentagon''.

SA 4178. Mr. MCCONNELL (for Mr. YOUNG) proposed an amendment to the bill S. 2432, to amend the charter of the Future Farmers of America, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National FFA Organization's Federal Charter Amendments Act''.

SEC. 2. ORGANIZATION.

Section 70901 of title 36, United States Code, is amended—

(1) in subsection (a), by striking ''corporation'' and inserting ''FFA''; and

(2) in subsection (b), by striking ''corporation'' and inserting ''FFA''.

SEC. 3. PURPOSES OF THE CORPORATION.

Section 70902 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''corporation'' and inserting ''FFA'';

(2) by redesignating paragraphs (1) and (2) as paragraphs (7) and (8), respectively;

(3) by striking paragraphs (3), (4), (6), and (7);

(4) by redesignating paragraph (5) as paragraph (11);

(5) by redesignating paragraphs (8) and (9) as paragraphs (12) and (13), respectively;

(6) by inserting before paragraph (7), as redesignated by paragraph (2), the following:

''(1) to be an integral component of instruction in agricultural education, including instruction relating to agriculture, food, and natural resources;

''(2) to advance comprehensive agricultural education in the United States, including in public schools, by supporting contextual classroom and laboratory instruction and work-based experiential learning;

''(3) to prepare students for successful entry into productive careers in fields relating to agriculture, food, and natural resources, including by connecting students to relevant postsecondary educational pathways and focusing on the complete delivery of classroom and laboratory instruction, work-based experiential learning, and leadership development;

''(4) to be a resource and support organization that does not select, control, or supervise State association, local chapter, or individual member activities;

''(5) to develop educational materials, programs, services, and events as a service to State and local agricultural education agencies;

''(6) to seek and promote inclusion and diversity in its membership, leadership, and staff to reflect the belief of the FFA in the value of all human beings;'';

(7) in paragraph (7), as redesignated by paragraph (2)—

(A) by striking ''composed of students and former students of vocational agriculture in public schools qualifying for Federal reimbursement under the Smith-Hughes Vocational Education Act (20 U.S.C. 11–15, 16–28''; and

(B) by inserting ''as such chapters and associations carry out agricultural education programs that are approved by States, territories, or possessions'' after ''United States'';

(8) in paragraph (8), as redesignated by paragraph (2)—

(A) by striking ''to develop'' and inserting ''to build'';

(B) by striking ''train for useful citizenship, and foster patriotism, and thereby'' and inserting ''and''; and

(C) by striking ''aggressive rural and'' and inserting ''assertive'';

(9) by inserting after paragraph (8), as redesignated by paragraph (2), the following:

''(9) to increase awareness of the global and technological importance of agriculture, food, and natural resources, and the way agriculture contributes to our well-being;

''(10) to promote the intelligent choice and establishment of a career in fields relating to agriculture, food, and natural resources;'';

(10) in paragraph (11), as redesignated by paragraph (4)—

(A) by striking ''to procure for and distribute to State'' and inserting ''to make available to State'';

(B) by inserting '', programs, services,'' before ''and equipment''; and

(C) by striking ''corporation'' and inserting ''FFA'';

(11) in paragraph (12), as redesignated by paragraph (5), by striking ''State boards for vocational'' and inserting ''State boards and officials for career and technical''; and

(12) in paragraph (13), as redesignated by paragraph (5), by striking ''corporation'' and inserting ''FFA''.

SEC. 4. MEMBERSHIP.

Section 70903(a) of title 36, United States Code, is amended—

(1) by striking ''corporation'' and inserting ''FFA''; and

(2) by striking ''as provided in the bylaws'' and inserting ''as provided in the constitution or bylaws of the FFA''.

SEC. 5. GOVERNING BODY.

Section 70904 of title 36, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''corporation'' and inserting ''FFA'' each place the term appears;

(B) by striking paragraphs (2) and (3) and inserting the following:

''(2) The board—

''(A) shall consist of—

''(i) the Secretary of Education, or the Secretary of Education's designee who has experience in agricultural education, the FFA, or career and technical education; and

''(ii) other individuals—

''(I) representing the fields of education, agriculture, food, and natural resources; or

''(II) with experience working closely with the FFA; and

''(B) shall not include any individual who is a current employee of the National FFA Organization.

''(3) The number of directors, terms of office of the directors, and the method of selecting the directors, are as provided in the constitution or bylaws of the FFA.''; and

(C) in paragraph (4)—

(i) in the first sentence, by striking ''bylaws'' and inserting ''constitution or bylaws of the FFA''; and

(ii) in the third sentence, by striking ''chairman'' and inserting ''chair'';

(2) by striking subsection (b); and

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

''(b) OFFICERS.—The officers of the FFA, the terms of officers, and the election of officers, are as provided in the constitution or bylaws of the FFA, except that such officers shall include—

''(1) a national advisor;

''(2) an executive secretary; and

''(3) a treasurer.

''(c) GOVERNING COMMITTEE.—

''(1) The board may designate a governing committee. The terms and method of selecting the governing committee members are as provided in the constitution or bylaws of the FFA, except that all members of the governing committee shall be members of the board of directors and at all times the governing committee shall be comprised of not less than 3 individuals.

''(2) When the board is not in session, the governing committee has the powers of the board subject to the board's direction and may authorize the seal of the FFA to be affixed to all papers that require it

''(3) The board shall designate to such committee—

''(A) the chair of the board;

''(B) the executive secretary of the board; and

''(C) the treasurer of the board.''.

SEC. 6. NATIONAL STUDENT OFFICERS.

Section 70905 of title 36, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

''(a) COMPOSITION.—There shall be not less than 6 national student officers of the FFA, including a student president, 4 student vice presidents (each representing regions as provided in the constitution or bylaws of the corporation), and a student secretary.'';

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 7. POWERS.

Section 70906 of title 36, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''corporation'' and inserting ''FFA'';

(2) in paragraph (2), by striking ''corporate'';

(3) in paragraph (4), by striking ''corporation'' and inserting ''FFA'';

(4) in paragraph (6), by striking ''corporation'' and inserting ''FFA'';

(5) by amending paragraph (8) to read as follows:

''(8) use FFA funds to give prizes, awards, loans, and grants to deserving members, local FFA chapters, and State FFA associations to carry out the purposes of the FFA;'';

(6) by amending paragraph (9) to read as follows:

''(9) produce publications, websites, and other media;'';

(7) in paragraph (10)—

(A) by striking ''procure for and distribute to State'' and inserting ''make available to State''; and

(B) by striking ''Future Farmers of America'' and inserting ''FFA''; and

(8) in paragraph (12), by striking ''corporation'' and inserting ''FFA''.

SEC. 8. NAME, SEALS, EMBLEMS, AND BADGES.

Section 70907 of title 36, United States Code, is amended—

(1) by striking ''corporation'' and inserting ''FFA'' each place the term appears;

(2) by striking ''name'' and inserting ''names'';

(3) by striking '''Future Farmers of America''' and inserting '''Future Farmers of America' and 'National FFA Organization,''''; and

(4) by inserting ''education'' before ''membership''.

SEC. 9. RESTRICTIONS.

Section 70908 of title 36, United States Code, is amended—

(1) in subsection (a), by striking ''corporation'' and inserting ''FFA'';

(2) in subsection (b), by striking ''corporation or a director, officer, or member as such'' and inserting ''FFA or a director, officer, or member acting on behalf of the FFA'';

(3) in subsection (c), by striking ''corporation'' and inserting ''FFA'' each place the term appears; and

(4) in subsection (d), in the first sentence, by striking ''corporation'' and inserting ''FFA''.

SEC. 10. RELATIONSHIP TO FEDERAL AGENCIES.

Section 70909 of title 36, United States Code, is amended to read as follows:

''SEC. 70909. RELATIONSHIP TO FEDERAL AGENCIES.

''(a) IN GENERAL.—On request of the board of directors, the FFA may collaborate with Federal agencies, including the Department of Education and the Department of Agriculture on matters of mutual interest and benefit.

''(b) AGENCY ASSISTANCE.—Those Federal agencies may make personnel, services, and facilities available to administer or assist in the administration of the activities of the FFA.

''(c) AGENCY COMPENSATION.—Personnel of the Federal agencies may not receive compensation from the FFA for their services, except that travel and other legitimate expenses as defined by the Federal agencies and approved by the board may be paid.

''(d) COOPERATION WITH STATE BOARDS.—The Federal agencies also may cooperate with State boards and other organizations for career and technical education to assist in the promotion of activities of the FFA.''.

SEC. 11. HEADQUARTERS AND PRINCIPAL OFFICE.

Section 70910 of title 36, United States Code, is amended by striking ''of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but'' and inserting ''of the FFA shall be as provided in the constitution or bylaws of the FFA. The activities of the FFA''.

SEC. 12. RECORDS AND INSPECTION.

Section 709011 of title 36, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''corporation'' and inserting ''FFA''; and

(B) in paragraph (3), by striking ''entitled to vote''; and

(2) in subsection (b), by striking ''corporation'' and inserting ''FFA''.

SEC. 13. SERVICE OF PROCESS.

Section 70912 of title 36, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''DISTRICT OF COLUMBIA'' and inserting ''IN GENERAL'';

(B) by striking ''corporation'' and inserting ''FFA'' each place the term appears;

(C) by striking ''in the District of Columbia'' before ''to receive''; and

(D) by striking ''Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia''; and

(2) in subsection (b)—

(A) by striking ''corporation'' and inserting ''FFA'' each place the term appears; and

(B) by inserting ''of the FFA'' after ''association or chapter''.

SEC. 14. LIABILITY FOR ACTS OF OFFICERS OR AGENTS.

Section 70913 of title 36, United States Code, is amended by striking ''corporation'' and inserting ''FFA''.

SEC. 15. DISTRIBUTION OF ASSETS IN DISSOLUTION OR FINAL LIQUIDATION.

Section 70914 of title 36, United States Code, is amended—

(1) by striking ''corporation'' and inserting ''FFA''; and

(2) by striking ''vocational agriculture'' and inserting ''agricultural education''.

The PRESIDING OFFICER. The majority leader.

GLOBAL HEALTH INNOVATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 364, H.R. 1660.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1660) to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 1660) was ordered to a third reading, was read the third time, and passed.

9/11 MEMORIAL ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 587, H.R. 6287.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6287) to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4177) was agreed to as follows:

(Purpose: To modify the definition of the term ''covered memorial'')

On page 2, lines 5 and 6, strike '', the Pentagon, and United Airlines Flight 93'' and insert ''and the Pentagon''.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The bill (H.R. 6287), as amended, was passed.

NATIONAL FFA ORGANIZATION'S FEDERAL CHARTER AMENDMENTS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2432 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2432) to amend the charter of the Future Farmers of America, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

Without objection, it is so ordered.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Young substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 4178), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 2432), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

JOHN HERVEY WHEELER UNITED STATES COURTHOUSE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 3460, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3460) to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the ''John Hervey Wheeler United States Courthouse.''

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3460) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING THE MARYLAND TERRAPINS MEN'S SOCCER TEAM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 739, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 739) congratulating the Maryland Terrapins men's soccer team of the University of Maryland, College Park for winning the 2018 National Collegiate Athletic Association Division I men's soccer national championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 739) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

DISCHARGE AND REFERRAL—S. 3720

Mr. MCCONNELL. Mr. President, I ask unanimous consent that S. 3720 be discharged from the Commerce, Science, and Transportation Committee and referred to the Banking, Housing, and Urban Affairs Committee.

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

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader and the junior Senator from Indiana be authorized to sign duly enrolled bills or joint resolutions on Thursday, December 20 and Friday, December 21.

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

ORDERS FOR FRIDAY, DECEMBER 21, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Friday, December 21; further, that following the prayer and pledge, the morning hour be

deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ADJOURNMENT UNTIL TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:14 p.m., adjourned until Friday, December 21, 2018, at 12 noon.