

against the Nation's top drill sergeants.

The fact that Staff Sergeant McCarthy and Staff Sergeant Hickey are both from Fort Leonard Wood is no surprise. The men and women stationed there serve with strength, seriousness, and purpose, setting an example of military leadership for the entire Army.

To Staff Sergeants McCarthy and Hickey, and to all of the soldiers stationed at Fort Leonard Wood, I wish to extend to each and every one of you and your families our gratitude and congratulations.

#### CONGRESSIONAL APP CHALLENGE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, technology connects the world in ways like never before. From everyday conveniences at our fingertips to improved communications, technology plays an ever-increasing role in our lives.

We are becoming more dependent on applications, or apps, and the students of today will become the leaders of tomorrow by developing such technology. That is why my office is proud again to participate in the Congressional App Challenge.

This competition allows K-12 students from across the country to practice their code-writing skills by developing an app. Winning apps will be displayed in the Capitol Building later this year.

The 2015 winner from my office, Lachlan Campbell, created an app to store recipes and discover new dishes. I am proud that this State College student was able to show off his talents in our Nation's Capitol.

Mr. Speaker, it is my hope that students from across Pennsylvania's Fifth Congressional District will put their skills to work, create an app, and submit it to the Congressional App Challenge.

Submissions will close on November 1, and I can't wait to see what our students create.

#### RECOGNITION OF BIOENERGY DAY

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

Mr. WESTERMAN. Mr. Speaker, I rise today in recognition of Bioenergy Day, a day we celebrate natural renewable energy in America. On October 18, organizations across America will mark this special day by opening their doors to the public and highlighting how bioenergy is fueling America.

Forest by-products are a primary source of bioenergy, making my home State of Arkansas a leading producer in this field.

Across the country, bioenergy keeps the lights on and so much more. Bio-

energy produces just under 6 percent of the Nation's total energy supply and provides full-time jobs for tens of thousands of Americans, with more plants coming online in the near future.

We need to do more research to find economical ways to harness renewable energy in our abundant biomass that we all too often continue to see going up in flames and wildfires. As we approach October 18, I encourage all Americans to learn more about bioenergy, forest by-products, and the environmental benefits derived from our natural resources.

#### CREATING A TURNING POINT FROM A TRAGEDY

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

Mr. GALLAGHER. Mr. Speaker, I am proud to rise as a cosponsor of the Dr. Chris Kirkpatrick Whistleblower Protection Act the House will be voting on later today.

Dr. Kirkpatrick was a promising young clinical psychologist assigned to the Tomah VA in Wisconsin. Committed to finding innovative treatments for PTSD, he expressed alarm that patients of the VA were being overmedicated, preventing him from providing the treatment they so desperately needed.

Rather than listen to his concerns, the VA retaliated against him and, ultimately, Chris was fired; and that very day, he took his own life. The VA investigation later found that Chris' concerns about overmedication were entirely founded.

Chris' story is a tragedy, but can also serve as a turning point. Just as our veterans have earned world-class care, their allies such as Chris deserve full protection should they bravely decide to document VA wrongdoing or abuse. By increasing these protections today, we are honoring Chris' memory, serving as a fitting memorial to a life that was tragically cut short.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or if the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

#### ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS ACT, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 569) providing for the concurrence by the House in the

Senate amendment to H.R. 2266, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 569

*Resolved*, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 2266, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

#### SEC. 1. SHORT TITLE.

This Act may be cited as the "Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017".

#### DIVISION A—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF REQUIREMENTS ACT OF 2017

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2018, and for other purposes, namely:

#### TITLE I

#### DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF FUND

#### (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Disaster Relief Fund" for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$18,670,000,000, to remain available until expended, of which \$10,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to disasters: *Provided*, That the Administrator of the Federal Emergency Management Agency shall publish on the Agency's website not later than 5 days after an award of a public assistance grant under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172) that is in excess of \$1,000,000, the specifics of each such grant award: *Provided further*, That for any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster in excess of \$1,000,000, not later than 5 days after the issuance of such mission assignment or mission assignment task order, the Administrator shall publish on the Agency's website the following: the name of the impacted State, the disaster declaration for such State, the assigned agency, the assistance requested, a description of the disaster, the total cost estimate, and the amount obligated: *Provided further*, That not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in the preceding proviso is completed and closed out, the Administrator shall update any changes to the total cost estimate and the amount obligated: *Provided further*, That for a disaster declaration related to Hurricane Harvey, Hurricane Irma, or Hurricane Maria, the Administrator shall submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 5 days after the first day of each month beginning after the date of enactment of this Act, and shall publish on the Agency's website, not later than 10 days after the first day of

each such month, an estimate or actual amount, if available, for the current fiscal year of the cost of the following categories of spending: public assistance, individual assistance, operations, mitigation, administrative, and any other relevant category (including emergency measures and disaster resources): *Provided further*, That not later than 10 days after the first day of each month, the Administrator shall publish on the Agency's website the report (referred to as the Disaster Relief Monthly Report) as required by Public Law 114-4.

Of the amounts provided in this division for the Disaster Relief Fund, up to \$4,900,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184) to be used to assist local governments in providing essential services as a result of Hurricanes Harvey, Irma, or Maria: *Provided further*, That such amounts may subsidize gross obligations for the principal amount of direct loans not to exceed \$4,900,000,000 under section 417 of the Stafford Act: *Provided further*, That notwithstanding section 417 of the Stafford Act, a territory or possession, and instrumentalities and local governments thereof, of the United States shall be deemed to be a local government for purposes of this paragraph: *Provided further*, That notwithstanding section 417(b) of the Stafford Act, the amount of any such loan issued to a territory or possession, and instrumentalities and local governments thereof, may be based on the projected loss of tax and other revenues and on projected cash outlays not previously budgeted for a period not to exceed 180 days from the date of the major disaster, and may exceed \$5,000,000: *Provided further*, That notwithstanding any other provision of law or the constitution of a territory or possession that limits the issuance of debt, a territory or possession, and instrumentalities and local governments thereof, may each receive more than one loan with repayment provisions and other terms specific to the type of lost tax and other revenues and on projected unbudgeted cash outlays for which the loan is provided: *Provided further*, That notwithstanding section 417(c)(1) of the Stafford Act, loans to a territory or possession, and instrumentalities and local governments thereof, may be cancelled in whole or in part only at the discretion of the Secretary of Homeland Security in consultation with the Secretary of the Treasury: *Provided further*, That notwithstanding any other provision of law, the Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall determine the terms, conditions, eligible uses, and timing and amount of Federal disbursements of loans issued to a territory or possession, and instrumentalities and local governments thereof: *Provided further*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That FEMA may transfer up to 1.5 percent of the amount under this paragraph to the Disaster Assistance Direct Loan Program Account for administrative expenses to carry out under this paragraph the direct loan program, as authorized by section 417 of the Stafford Act: *Provided further*, That of the amount provided under this paragraph for transfer, up to \$150,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for the cost to lend a territory or possession of the United States that portion of assistance for which the territory or possession is responsible under the cost-sharing provisions of the major disaster declaration for Hurricanes Irma or Maria, as authorized

under section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162): *Provided further*, That of the amount provided under this paragraph for transfer, up to \$1,000,000 may be transferred to the Disaster Assistance Direct Loan Program Account for administrative expenses to carry out the Advance of Non-Federal Share program, as authorized by section 319 of the Stafford Act.

The amount provided under this heading is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE II

### DEPARTMENT OF AGRICULTURE

#### FOREST SERVICE

##### WILDLAND FIRE MANAGEMENT

###### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Wildland Fire Management", \$184,500,000, to remain available through September 30, 2021, for urgent wildland fire suppression operations: *Provided*, That such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2017 to fully repay those amounts: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### FLAME WILDFIRE SUPPRESSION RESERVE FUND

###### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "FLAME Wildfire Suppression Reserve Fund", \$342,000,000, to remain available through September 30, 2021, for necessary expenses for large wildland fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities: *Provided*, That notwithstanding the FLAME Act of 2009 (43 U.S.C. 1748a(e)), such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2017 to fully repay those amounts: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

### DEPARTMENT OF THE INTERIOR

#### DEPARTMENT-WIDE PROGRAMS

##### WILDLAND FIRE MANAGEMENT

###### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Wildland Fire Management", \$50,000,000, to remain available until expended, for urgent wildland fire suppression activities and funds necessary to repay any transfers needed for these costs: *Provided*, That such funds may be available to be transferred to and merged with other appropriations accounts to fully repay amounts previously transferred for wildland fire suppression: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE III

### GENERAL PROVISIONS

SEC. 301. Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 302. No part of any appropriation contained in this division shall remain available

for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. The terms and conditions applicable to the funds provided in this division, including those provided by this title, shall also apply to the funds made available in division B of Public Law 115-56.

SEC. 304. Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 305. (a)(1) Not later than December 31, 2017, in accordance with criteria to be established by the Director of the Office of Management and Budget (referred to in this section as "OMB"), each Federal agency shall submit to OMB, the Government Accountability Office, the respective Inspector General of each agency, and the Committees on Appropriations of the House of Representatives and the Senate internal control plans for funds provided by this division and division B of Public Law 115-56.

(2) Not later than March 31, 2018, the Government Accountability Office shall review for the Committees on Appropriations of the House of Representatives and the Senate the design of the internal control plans required by paragraph (1).

(b) All programs and activities receiving funds under this division shall be deemed to be "susceptible to significant improper payments" for purposes of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note), notwithstanding section 2(a) of such Act.

(c) Funds for grants provided by this division or division B of Public Law 115-56 shall be expended by the grantees within the 24-month period following the agency's obligation of funds for the grant, unless, in accordance with guidance to be issued by the Director of OMB, the Director waives this requirement for a particular grant program and submits a written justification for such waiver to the Committees on Appropriations of the House of Representatives and the Senate. In the case of such grants, the agency shall include a term in the grant that requires the grantee to return to the agency any funds not expended within the 24-month period.

SEC. 306. (a) The first proviso under the heading "Department of Housing and Urban Development—Community Planning and Development—Community Development Fund" in division B of Public Law 115-56 is amended by striking "State or unit of general local government" and inserting "State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))".

(b) Amounts repurposed pursuant to subsection (a) that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of such Act.

SEC. 307. Section 101(a)(7) of division D of Public Law 115-56 is amended to read as follows:

"(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2017 (division G of Public Law 115-31), except the language under the heading 'FLAME Wildfire Suppression Reserve Fund' in the Departments of Agriculture and the Interior."

SEC. 308. (a) Notwithstanding sections 1309, 1310, and 1310a of the National Flood Insurance Act of 1968 (42 U.S.C. 4016 - 4017a) and section 15(e) of the Federal Flood Insurance

Act of 1956 (42 U.S.C. 2414(e)), and any borrowing agreement entered into between the Department of the Treasury and the Federal Emergency Management Agency, of the indebtedness of the Administrator under any notes or other obligations issued pursuant to section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) and section 15(e) of the Federal Insurance Act of 1956 (42 U.S.C. 2414(e)) that is outstanding as of the date of the enactment of this Act, an amount of \$16,000,000,000 is hereby cancelled. To the extent of the amount cancelled, the Administrator and the National Flood Insurance Fund are relieved of all liability to the Secretary of the Treasury under any such notes or other obligations, including for any interest due under such notes and any other fees and charges payable in connection with such notes, and the total amount of notes and obligations issued by the Administrator pursuant to such sections shall be considered to be reduced by such amount for the purposes of the limitation on such total amount under such section 1309(a).

(b) The amount of the indebtedness cancelled under subsection (a) may be treated as public debt of the United States.

(c)(1) This section is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) The amount provided in this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 309.** Notwithstanding section 19(a)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028), not to exceed \$1,270,000,000 of funds made available for the contingency reserve under the heading “Supplemental Nutrition Assistance Program” of division A of Public Law 114–113 shall be available for the Secretary to provide a grant to the Commonwealth of Puerto Rico for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: *Provided*, That funds made available to Puerto Rico under this section shall remain available for obligation by the Commonwealth until September 30, 2019, and shall be in addition to funds otherwise made available: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**SEC. 310.** Notwithstanding section 2208(1)(3) of title 10, United States Code, during fiscal year 2018, the dollar limitation on advance billing of a customer of a working-capital fund in such section shall not apply with respect to the advance billing of the Federal Emergency Management Agency. In the preceding sentence, the term “advance billing” has the meaning given the term in section 2208(1)(4) of title 10, United States Code.

This division may be cited as the “Additional Supplemental Appropriations for Disaster Relief Requirements Act of 2017”.

## **DIVISION B—BANKRUPTCY JUDGESHIP ACT OF 2017**

### **SECTION 1001. SHORT TITLE.**

This division may be cited as the “Bankruptcy Judgeship Act of 2017”.

### **SEC. 1002. EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS.**

(a) TEMPORARY OFFICE OF BANKRUPTCY JUDGES AUTHORIZED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized for the following districts by subsection (b) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C.

152 note) are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs:

- (A) The district of Delaware.
- (B) The southern district of Florida.
- (C) The district of Maryland.
- (D) The eastern district of Michigan.
- (E) The district of Nevada.
- (F) The eastern district of North Carolina.
- (G) The district of Puerto Rico.
- (H) The eastern district of Virginia.

(2) VACANCIES.—

(A) SINGLE VACANCIES.—Except as provided in subparagraphs (B), (C), and (D), the 1st vacancy in the office of a bankruptcy judge for each district specified in paragraph (1)—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF DELAWARE.—The 1st, 2d, 3d, and 4th vacancies in the office of a bankruptcy judge for the district of Delaware—

(i) occurring 5 years or more after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(C) DISTRICT OF MARYLAND.—

(i) The 1st vacancy in the office of a bankruptcy judge for the district of Maryland—

(I) occurring more than 5 years after the date of the enactment of this Act, and

(II) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(ii) The 2d and 3d vacancies in the office of a bankruptcy judge for the district of Maryland resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(D) SOUTHERN DISTRICT OF FLORIDA.—The 1st and 2d vacancies in the office of a bankruptcy judge for the southern district of Florida—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of subsection (b) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

(b) TEMPORARY OFFICE OF BANKRUPTCY JUDGES EXTENDED BY THE BANKRUPTCY JUDGESHIP ACT OF 2005 AND THE TEMPORARY BANKRUPTCY JUDGESHIPS EXTENSION ACT OF 2012.—

(1) EXTENSIONS.—The temporary office of bankruptcy judges authorized by section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note) and extended by subsection (c) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note) and further extended by section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) for the district of Delaware and the district of Puerto Rico are extended until the applicable vacancy specified in paragraph (2) in the office of a bankruptcy judge for the respective district occurs.

(2) VACANCIES.—

(A) DISTRICT OF DELAWARE.—The 5th vacancy in the office of a bankruptcy judge for the district of Delaware—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(B) DISTRICT OF PUERTO RICO.—The 2d vacancy in the office of a bankruptcy judge for the district of Puerto Rico—

(i) occurring more than 5 years after the date of the enactment of this Act, and

(ii) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) APPLICABILITY OF OTHER PROVISIONS.—Except as provided in paragraphs (1) and (2), all other provisions of section 3 of the Bankruptcy Judgeship Act of 1992 (28 U.S.C. 152 note), subsection (c) of the Bankruptcy Judgeship Act of 2005 (28 U.S.C. 152 note), and section 2 of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note) remain applicable to the temporary office of bankruptcy judges referred to in paragraph (1).

### **SEC. 1003. TEMPORARY OFFICE OF BANKRUPTCY JUDGE AUTHORIZED.**

(a) APPOINTMENTS.—The following bankruptcy judges shall be appointed in the manner prescribed in section 152(a)(1) of title 28, United States Code, for the appointment of bankruptcy judges provided for in section 152(a)(2) of that title:

(1) Two additional bankruptcy judges for the district of Delaware.

(2) One additional bankruptcy judge for the middle district of Florida.

(3) One additional bankruptcy judge for the eastern district of Michigan.

(b) VACANCIES.—

(1) DISTRICT OF DELAWARE.—The 6th and 7th vacancies in the office of a bankruptcy judge for the district of Delaware—

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under subsection (a)(1) to such office, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(2) MIDDLE DISTRICT OF FLORIDA.—The 1st vacancy in the office of a bankruptcy judge for the middle district of Florida—

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under subsection (a)(2) to such office, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

(3) EASTERN DISTRICT OF MICHIGAN.—The 2d vacancy in the office of a bankruptcy judge for the eastern district of Michigan—

(A) occurring 5 years or more after the appointment date of the bankruptcy judge appointed under subsection (a)(3) to such office, and

(B) resulting from the death, retirement, resignation, or removal of a bankruptcy judge, shall not be filled.

### **SEC. 1004. BANKRUPTCY FEES.**

(a) AMENDMENTS TO TITLE 28 OF THE UNITED STATES CODE.—Section 1930(a)(6) of title 28, United States Code, is amended—

(1) by striking “(6) In” and inserting “(6)(A) Except as provided in subparagraph (B), in”; and

(2) by adding at the end the following: “(B) During each of fiscal years 2018 through 2022, if the balance in the United States Trustee System Fund as of September 30 of the most recent full fiscal year is less than \$200,000,000, the quarterly fee payable

for a quarter in which disbursements equal or exceed \$1,000,000 shall be the lesser of 1 percent of such disbursements or \$250,000.”

(b) DEPOSITS OF CERTAIN FEES FOR FISCAL YEARS 2018 THROUGH 2022.—Notwithstanding section 589a(b) of title 28, United States Code, for each of fiscal years 2018 through 2022—

(1) 98 percent of the fees collected under section 1930(a)(6) of such title shall be deposited as offsetting collections to the appropriation “United States Trustee System Fund”, to remain available until expended; and

(2) 2 percent of the fees collected under section 1930(a)(6) of such title shall be deposited in the general fund of the Treasury.

(c) APPLICATION OF AMENDMENTS.—The amendments made by this section shall apply to quarterly fees payable under section 1930(a)(6) of title 28, United States Code, as amended by this section, for disbursements made in any calendar quarter that begins on or after the date of enactment of this Act.

**SEC. 1005. CLARIFICATION OF RULE ALLOWING DISCHARGE TO GOVERNMENTAL CLAIMS ARISING FROM THE DISPOSITION OF FARM ASSETS UNDER CHAPTER 12 BANKRUPTCIES.**

(a) IN GENERAL.—Subchapter II of chapter 12 of title 11, United States Code, is amended by adding at the end the following:

**“§ 1232. Claim by a governmental unit based on the disposition of property used in a farming operation**

“(a) Any unsecured claim of a governmental unit against the debtor or the estate that arises before the filing of the petition, or that arises after the filing of the petition and before the debtor’s discharge under section 1228, as a result of the sale, transfer, exchange, or other disposition of any property used in the debtor’s farming operation—

“(1) shall be treated as an unsecured claim arising before the date on which the petition is filed;

“(2) shall not be entitled to priority under section 507;

“(3) shall be provided for under a plan; and

“(4) shall be discharged in accordance with section 1228.

“(b) For purposes of applying sections 1225(a)(4), 1228(b)(2), and 1229(b)(1) to a claim described in subsection (a) of this section, the amount that would be paid on such claim if the estate of the debtor were liquidated in a case under chapter 7 of this title shall be the amount that would be paid by the estate in a chapter 7 case if the claim were an unsecured claim arising before the date on which the petition was filed and were not entitled to priority under section 507.

“(c) For purposes of applying sections 523(a), 1228(a)(2), and 1228(c)(2) to a claim described in subsection (a) of this section, the claim shall not be treated as a claim of a kind specified in subparagraph (A) or (B) of section 523(a)(1).

“(d)(1) A governmental unit may file a proof of claim for a claim described in subsection (a) that arises after the date on which the petition is filed.

“(2) If a debtor files a tax return after the filing of the petition for a period in which a claim described in subsection (a) arises, and the claim relates to the tax return, the debtor shall serve notice of the claim on the governmental unit charged with the responsibility for the collection of the tax at the address and in the manner designated in section 505(b)(1). Notice under this paragraph shall state that the debtor has filed a petition under this chapter, state the name and location of the court in which the case under this chapter is pending, state the amount of the claim, and include a copy of the filed tax return and documentation supporting the calculation of the claim.

“(3) If notice of a claim has been served on the governmental unit in accordance with paragraph (2), the governmental unit may file a proof of claim not later than 180 days after the date on which such notice was served. If the governmental unit has not filed a timely proof of the claim, the debtor or trustee may file proof of the claim that is consistent with the notice served under paragraph (2). If a proof of claim is filed by the debtor or trustee under this paragraph, the governmental unit may not amend the proof of claim.

“(4) A claim filed under this subsection shall be determined and shall be allowed under subsection (a), (b), or (c) of section 502, or disallowed under subsection (d) or (e) of section 502, in the same manner as if the claim had arisen immediately before the date of the filing of the petition.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Subchapter II of chapter 12 of title 11, United States Code, is amended—

(A) in section 1222(a)—

(i) in paragraph (2), by striking “unless—” and all that follows through “the holder” and inserting “unless the holder”;

(ii) in paragraph (3), by striking “and” at the end;

(iii) in paragraph (4), by striking the period at the end and inserting “; and”;

(iv) by adding at the end the following:

“(5) subject to section 1232, provide for the treatment of any claim by a governmental unit of a kind described in section 1232(a).”;

(B) in section 1228—

(i) in subsection (a)—

(I) in the matter preceding paragraph (1)—

(aa) by inserting a comma after “all debts provided for by the plan”; and

(bb) by inserting a comma after “allowed under section 503 of this title”; and

(II) in paragraph (2), by striking “the kind” and all that follows and inserting “a kind specified in section 523(a) of this title, except as provided in section 1232(c).”; and

(ii) in subsection (c)(2), by inserting “, except as provided in section 1232(c)” before the period at the end; and

(C) in section 1229(a)—

(i) in paragraph (2), by striking “or” at the end;

(ii) in paragraph (3), by striking the period at the end and inserting “; or”;

(iii) by adding at the end the following:

“(4) provide for the payment of a claim described in section 1232(a) that arose after the date on which the petition was filed.”

(2) TABLE OF SECTIONS.—The table of sections for subchapter II of chapter 12 of title 11, United States Code, is amended by adding at the end the following:

“1232. Claim by a governmental unit based on the disposition of property used in a farming operation.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) any bankruptcy case—

(A) that is pending on the date of enactment of this Act;

(B) in which the plan under chapter 12 of title 11, United States Code, has not been confirmed on the date of enactment of this Act; and

(C) relating to which an order of discharge under section 1228 of title 11, United States Code, has not been entered; and

(2) any bankruptcy case that commences on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentlewoman from New York (Mrs. LOWEY) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material in consideration of H. Res. 569.

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

There was no objection.

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

Mr. Speaker, I rise today to present H. Res. 569, making additional supplemental appropriations for disaster relief requirements for the current fiscal year to help respond to recent devastating natural disasters.

Over the past 2 months, millions of Americans have had their lives forever altered by destructive hurricanes in Texas, Florida, Puerto Rico, and the Virgin Islands, and by raging and deadly wildfires in the West.

We all support those who are victimized, particularly those who lost their lives or lost loved ones, and we will continue to be with them every step of the way with the Federal support they need as they recover and rebuild.

Our thanks go to the first responders, volunteers, and States who saved countless lives, protected communities, and demonstrated the best of humanity; that includes FEMA, the Army Corps of Engineers, the Department of Defense, the Coast Guard, and many other Federal agencies for getting the first installment of relief to those in need.

However, with such massive, unprecedented damage, more help is clearly needed to continue to respond to these recovery efforts, to rebuild communities with dollars, with resources, with manpower, and with our support.

This emergency funding legislation, the second installment, addresses urgent short-term immediate priorities: replenishing FEMA’s Disaster Relief Fund, supporting ongoing Federal wildfire suppression efforts, providing debt relief for the Federal Flood Insurance Program, and other assistance that will help our fellow Americans in their time of greatest need.

To summarize the \$36.5 billion in emergency funding provided in this bill, in total, \$18.7 billion is provided for the Disaster Relief Fund. This includes \$13.77 billion for the most immediate response needs: lifesaving missions, emergency protection, the repair and restoration of public infrastructure like communications, power, transportation, and, yes, shelter, and financial assistance to individuals and families affected as they rebuild their lives.

This package also includes \$4.9 billion for community disaster loans, which will ensure local governments are able to provide basic municipal services such as police and fire protection and public education throughout this trying time.

In addition to the Disaster Relief Fund, this bill provides a one-time payment of \$1.27 billion to allow Puerto Rico and our fellow citizens to receive the same access to emergency disaster and nutrition program benefits that other States receive.

The bill also ensures that the National Flood Insurance Program is able to meet its existing claim obligations as Americans cope with the tremendous flood damage to their homes and communities.

For wildlife suppression, the bill contains \$576.5 million. As we have seen, the situation out West has grown even more desperate and deadly. We must ensure that those heroic firefighters can continue to save lives and protect property.

As we know, the needs of each disaster area are ever changing. Consequently, our Appropriations Committee and all of our Members continue to monitor the progress of recovery efforts as well as anticipate emerging needs.

This will be a long process, Mr. Speaker, and the second package or installment of the Federal support will certainly not be all that is needed over the long term.

Mr. Speaker, I urge support of this bill. It is important for the Nation, for the communities affected, and I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, since Hurricane Harvey wrought historic flooding in Texas, 12 major disasters have been declared. From a hurricane that damaged large swaths of Florida, storms that annihilated Puerto Rico and the Virgin Islands, and wildfires burning in the West, Americans deserve certainty the Federal Government will stand by them in their time of need. This is particularly important after the President threatened to abandon Puerto Rico in his latest Twitter this morning.

Congress cannot turn its back on recovery, no matter how reckless the President's outburst may be, as Americans are suffering and simply trying to survive. This package provides critical disaster relief, flood insurance aid, and help for communities devastated by wildfires.

Puerto Rico would be aided by provisions to address its liquidity crisis by facilitating recovery, not paying creditors, and providing additional nutrition assistance. Additionally, the bill would continue aid to Puerto Rico and the Virgin Islands from the Department of Defense.

However, more must be done to provide medium- and long-term investments, including rebuilding ports, coastlines, airports, roads, bridges, repairing the electrical grid and other infrastructure, and ensuring the health needs of American citizens are met.

I urge your support for this bill and your continued focus on ensuring the full recovery of American communities devastated by natural disasters.

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

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. SERRANO), the distinguished ranking member of the Commerce, Justice, Science Appropriations Subcommittee.

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

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

This bill is a first step in helping Puerto Rico and the Virgin Islands recover from the devastation of Hurricane Maria. It will provide FEMA and the governments of the islands with the funds needed to address immediate relief needs and begin the recovery process.

I do want to thank the chairman and ranking member for their commitment to this issue and for taking my phone calls at all different times, on weekends. You have been very helpful and very supportive.

□ 1230

Both will be visiting the island tomorrow and will be able to see firsthand the dramatic and comprehensive needs that Puerto Rico is facing.

Right now, 85 percent of the island still lacks electricity more than 3 weeks after the hurricane hit. One-third of the island doesn't have access to clean drinking water. Most of the island still lacks cellular service, hampering the vital information to deliver assistance in the areas that are needed.

Federal employees on the island now are doing important and vital work, but we need more boots on the ground. This funding provides them with the resources needed to do that in the short term.

But to succeed, there needs to be a commitment from the highest levels of government to ensure the recovery of all areas that are part of our Nation, including its territories. Unfortunately, given the President's latest Twitter rant this morning, it seems unlikely that we have that focus and commitment.

So it is up to us in Congress to make sure that the Federal Government doesn't forget about Puerto Rico, and that is what I intend to do in the days and months ahead. But to both of you and to our membership here, thank you for not forgetting Puerto Rico. This is an ongoing battle and an ongoing issue.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CALVERT), the chairman of the Interior, Environment, and Related Agencies Subcommittee on Appropriations.

Mr. CALVERT. Mr. Speaker, I rise in support of the supplemental appropriations bill.

I want to commend Chairman FRELINGHUYSEN and the committee staff for their quick and thorough work

to put this supplemental package together, and I thank the leadership for its swift action in scheduling this for House consideration.

In fiscal year 2017, the Forest Service had a shortfall of nearly \$577 million in firefighting funds. To cover its immediate firefighting costs, the Forest Service borrowed from its nonfire programs, as well as the Department of the Interior.

The bill will replace and repay those borrowed funds and close the books on fiscal year 2017. Specifically, it provides \$526 million for the Forest Service and \$50 million for the Department of the Interior.

The cost of fighting fires on our national forests and other public lands has increased dramatically over the last 15 years, yet these fires and costs remain highly unpredictable.

Right now the West is on fire. In my home State of California, firefighters are battling 22 large wildfires that have burned nearly 170,000 acres. The bill gives the government the tools it needs to assist local officials to get those fires under control as soon as possible.

We, the Congress, need to fix the way we budget for wildland fire so that the Forest Service and the Department of the Interior can focus on managing our Federal lands appropriately. We also need to give them the necessary legal authorities and tools to improve the condition and management of our national forests.

Mr. Speaker, I encourage my colleagues to support this bill.

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Ms. ROYBAL-ALLARD), the ranking member of the Homeland Security Subcommittee.

Ms. ROYBAL-ALLARD. Mr. Speaker, the past few months have witnessed one of the most devastating natural disasters ever endured by our country. They include hurricanes, voracious wildfires in my home State of California that have killed at least 23 people, required mass evacuations, and burned more than 170,000 acres and thousands of homes and businesses.

By acting quickly on this emergency supplemental, we are sending a strong message that we are here for disaster victims, including our fellow citizens in Puerto Rico and the U.S. Virgin Islands. But this is just a downpayment. We still don't have the final damage estimates for many of the affected areas.

In the coming weeks and months, we will need to once again support FEMA's continued recovery efforts, including in Puerto Rico, despite the President's threats to abandon the people there. There will be more to do to address unmet needs through the Community Development Block Grant program and other disaster relief programs.

Mr. Speaker, I encourage support for this bill.

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

Mrs. LOWEY. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member of the Interior, Environment, and Related Agencies Subcommittee.

(Ms. MCCOLLUM asked and was given permission to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, I rise in support of this funding package. This bill is a downpayment on the recovery from the recent fires and hurricanes.

I am pleased that it contains \$576.5 million to fully repay the funds that the U.S. Forest Service borrowed last fiscal year to pay for wildfire suppression. We have all seen the devastation and the tragic loss of life from large fires burning across our country.

Fiscal year 2017 was the most expensive year on record for wildfire suppression, costing \$2.4 billion. As the duration and severity of wildfires grows, costs will continue to rise.

Unfortunately, once again we have missed the opportunity to fix the way the Federal Government funds wildfire suppression.

Let me be clear: the next supplemental must include a legislative fix for wildfire spending, and it must adequately support the Department of the Interior and its vital efforts to help our country rebuild from the recent fires and hurricanes.

Mr. FRELINGHUYSEN. Mr. Speaker, I am pleased to yield 6 minutes to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN), whose leadership in this time of crisis we all salute.

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, first, I thank the Speaker of the House and the whole leadership, Chairman FRELINGHUYSEN, and all of the members from the Appropriations Committee for allowing the Federal Government to help Puerto Rico in this dire situation.

On behalf of the 3.4 million American citizens that live in Puerto Rico and the nearly 5.5 million Puerto Ricans that live on the mainland, I rise today in strong support of this disaster supplemental appropriations bill. They have been focused on Puerto Rico since before the arrival of Hurricane Irma, and then during Hurricane Maria.

I also thank all of my colleagues from both sides of the aisle who have reached out during these past 3 weeks to express their encouragement and offer their assistance during this process. For that, my constituents and I will always be grateful to all of the Members of this House.

As you may know by now, Puerto Rico was hit by two major hurricanes. First, Hurricane Irma, which caused significant damage on the eastern part of the island. That was on September 6. Then, on September 20, a few days later, we got hit by Hurricane Maria, which caused unprecedented destruction throughout the whole island and which many people consider that hurricane to be the most catastrophic natural disaster ever on U.S. soil.

Today, 22 days after the storm hit, nearly 85 percent of our population remains without power, 44 percent without running water, and almost 58 percent without access to telecommunications. To this date, we still have towns like Las Marias, Maricao, Utuado, and many others in the central part of the island, that remain uncommunicated and can only be accessed by air since most of the roads and bridges were washed away. We are talking about more than 18 major roads and bridges that were just washed away. The death toll has reached 48 fatalities, and, unfortunately, certainly that number is going to increase in the coming days and weeks.

This unprecedented humanitarian crisis in our own Nation has begun what is likely to evolve into a mass exodus of Puerto Ricans to the U.S. mainland, further jeopardizing the island's long-term recovery.

Mr. Speaker, I stand here today telling you that the American citizens that live in Puerto Rico still are suffering in different ways. This is not the time to focus on how and when resources will be withdrawn from Puerto Rico, or how slowly we are going to rebuild the island. Today, 85 percent of our island is without electricity, yet 3.4 million American citizens living there just got less than 15,000 people working to recover the power grid. I just want to remind you that Florida got more than 61,000 people helping to recover their power grid in just 4 days. That is not acceptable in our case, and we are still American citizens.

I know a lot of problems persist. It is too difficult to address the issue when you are not part of the mainland, you are not part of the power grid. It is different when you get access and resources to Texas, Louisiana, or Florida, because you can drive or you can have helicopters. In our case, everything is by ship or air. That means it is more difficult for the Federal Government to assist directly. That is the reason we got more than 15,000 personnel from the Coast Guard, National Guard, Army Corps of Engineers, FEMA, Navy, and the assistance of all national guards—Virginia, Florida, and New York, just to name a few.

The Puerto Rican communities in the States and on the island are showing the way, along with private companies, NGOs, and countless volunteers throughout the whole Nation. But there is still a lot that needs to be done as we begin the reconstruction. That is the reason this supplemental is so important for us.

Allowing the people of Puerto Rico to access problems that we never have before, like SNAP, which will provide \$1.3 billion to receive the same emergency disaster and nutrition assistance benefits as the States, this is the first time this Congress has allowed this to happen to Puerto Rico.

I thank the Members and leadership of the House for allowing this money.

This is the bill that provides for \$18.7 billion to FEMA to have the disaster relief fund to help in lifesaving missions across the island for emergency protection and removal of debris—we continue to have a lot of debris on the island—and the repair and restoration of our infrastructure. That is going to be a matter of discussion on another day because we can't rebuild or redo the infrastructure we did before from the fifties or the sixties. We need to redo a lot of things on our power grid.

It will provide also—and this is a very important area—\$7.4 billion to have liquidity to the local government of Puerto Rico just to match Federal funds that are needed to these recovery actions. This is the second step this House has taken in terms of helping the people of Puerto Rico and the U.S. Virgin Islands, people that are American citizens. This is the second step. The first one was the first supplemental that was approved.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Miss GONZÁLEZ-COLÓN of Puerto Rico. So this is the second step. This is not going to be the last one. We are going to need a lot more help in the coming months, and I know we can count on this House and on this Congress to make that happen.

The people of Puerto Rico are grateful, they are resilient, and they are going to continue to show us the way to recover. It is going to take a lot of time, a lot of resources, a lot of money, and a lot of commitment as U.S. citizens, like we are.

Mrs. LOWEY. Mr. Speaker, I am very pleased to yield 1½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Military Construction, Veteran Affairs, and Related Agencies Subcommittee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, let me just start by saying to the people of Puerto Rico: Despite President Trump's indifference and soft bigotry, we will be there for the people of Puerto Rico until the last American's life returns to normal.

While I rise to support this critical emergency appropriations bill, this supplemental leaves much to be desired. This legislation provides vital recovery funds to my home State of Florida, as well as Texas; the U.S. Virgin Islands; Puerto Rico; and California, where wildfires remain ablaze. However, it neglects to include SBA loans for small businesses and homeowners, as well as making smart investments in our ports, coastlines, water systems, and electrical grids.

This bill also neglects to address the devastating agricultural losses, especially to Florida's \$10 billion citrus industry. It is also important to note that, in Florida, this vital funding will not be able to address the public health hazard of debris strewn across our

lawns and streets as Governor Scott shamefully refuses to allow our cities to fully access FEMA funds.

While the majority has said these and other issues can be part of future omnibus negotiations, this delay will leave constituents waiting months longer to receive the services they so desperately need. They should not have to wait.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

□ 1245

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member of the Small Business Committee.

Ms. VELÁZQUEZ. Mr. Speaker, I want to thank both the gentleman from New Jersey, the chairman, and the ranking member from New York for their work.

Mr. Speaker, the people of Puerto Rico, 3.5 million of our fellow citizens, are suffering. The mayor of my home town, Yabucoa, where Maria made landfall, is predicting that as many as 5,000 residents are potentially facing starvation.

More than 85 percent of the island is without electricity. One-third of Puerto Ricans lack access to drinkable water, which will surge the number of bacterial infections and mosquito-borne illnesses.

As Puerto Rico faces this humanitarian crisis, the President of the United States is tweeting out threats to withdraw assistance. That is an outrage. It is an insult. It is an abdication of the President's solemn duty to protect the safety and security of the American people. American citizens everywhere deserve better.

Where the President is failing to lead, Congress must act, and act now.

The legislation we are debating today is far from sufficient. It is not enough, but it is a start. It is a downpayment in helping the response process. It will keep FEMA operating, removing debris and distributing food and water.

It also helps Puerto Rico's Government address a looming cash shortfall. With the government running out of money by November 1, vital services could be suspended when residents can least afford it.

This bill would provide a short-term cash infusion for the government to keep going. The way this assistance is structured under the law, these funds will likely not be paid back, which is reasonable, given the challenges Puerto Rico faces. Some of those challenges have been created by the lack of action of the Congress when it comes to Medicaid.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LOWEY. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. VELÁZQUEZ. Mr. Speaker, let's be clear. There is going to need to be much more assistance in the future. Puerto Rico will need help rebuilding its energy grid, repairing telecommunications networks, and putting its ports, bridges, and roads back together, and we cannot forget shoring up the island's Medicaid system, something that was critical before Maria, but is even more important now.

This problem is of Congress' making, and we must fix it. Make no mistake. Those priorities will require more money, and we will need to come back and address them in a few weeks.

The people of Puerto Rico are American citizens. And, you know, what? Even when so many of my brothers and sisters are suffering in Puerto Rico, are facing a humanitarian crisis, at last, 50 percent of the people in this country who didn't know that Puerto Ricans are American citizens are learning that fact.

Yes, American citizens, when, in 1898, Puerto Rico was invaded and taken over by the U.S. Government. So now it is our responsibility to make Puerto Rico whole.

The SPEAKER pro tempore. Members are once again reminded to refrain from engaging in personalities toward the President.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. DIAZ-BALART), chairman of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee on Appropriations.

Mr. DIAZ-BALART. Mr. Speaker, I want to start by first recognizing one of our own, who has been a superb representative for Puerto Rico in these very difficult times. You rarely see somebody with the talent, the energy of the representative of Puerto Rico here in Congress. Miss GONZÁLEZ-COLÓN has been, frankly, a hero, and I just wanted to mention that, because she has really made all of us understand the situation, and she has done so with great dignity and great passion and great brilliance. I just had to say that.

Mr. Speaker, let me first thank the chairman for being incredibly accessible and engaged. Florida has gotten hit rather hard, as you know. This bill totals \$36.5 billion. \$18.67 billion of that goes directly to FEMA's Disaster Relief Fund, and it also ensures that our National Flood Insurance Program has the resources that it needs to pay the claims, also an important grant food and aid loan eligibility to Puerto Rico, which is crucial.

So far, Mr. Speaker, Florida has received \$740 million for assistance for individuals through FEMA, and is working through over 608,000 applicants. Think about that.

As we continue to recover, again, I look forward to continue working with the chairman, who has been phenomenal.

Specifically, we are going to have to deal with the agricultural impact of

this storm, and again, particularly on the citrus industry, that has been devastated by this storm.

This is an important bill. It is an important bill. I want to thank the chairman for bringing it up so quickly. We must pass it. I look forward to working with Chairman FRELINGHUYSEN and with all our colleagues through this process, because we are going to need more assistance as the days and the months go.

So this is an important bill. I urge your support.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding, and I rise in support of this legislation.

Mr. Speaker, millions of our fellow Americans in Texas, Florida, Puerto Rico, and the Virgin Islands are looking to Congress and the administration to work together to provide aid and assistance in recovery and rebuilding.

I disagree with the President of the United States that we are going to leave Puerto Rico or the Virgin Islands or any other American precipitously before we have done the job we need to do.

The recent hurricanes have left 3.6 million Americans in Puerto Rico and the U.S. Virgin Islands still without power, fuel, clean water, food, electricity, and access to medical facilities. That is unacceptable, I say to the administration.

We are witnessing a humanitarian disaster of historic proportions, and it will get worse if we do not come together as a nation and bring to bear the full force of the Federal Government to assist.

Mr. Speaker, I thank the chairman for bringing this bill to the floor to effect that end.

That is why I have called on President Trump to muster every Federal resource, to muster and ensure that aid and supplies can reach those who need them, and to work on restoring power, water, and communications. Because many are still out of reach, we do not yet know the full extent of the damage and loss of life.

Today's Washington Post has a front page story chronicling the tragedy that continues as of now to unfold in Puerto Rico, where nightfall brings complete darkness, and diseases are spreading by way of contaminated water. The island has been plunged into the 19th century. The Virgin Islands shares that status.

This supplemental must be followed in the weeks and months ahead by additional measures to provide disaster relief funding and financial assistance to bring the infrastructure of Puerto Rico and the U.S. Virgin Islands up to 21st century standards in order to prevent a repeat of what has occurred.

According to a letter sent to the congressional leadership on October 7, by the governor of Puerto Rico, Ricardo Rosselló, the damage of that island is

estimated to cost as much as \$95 billion, which is 150 percent of Puerto Rico's gross national product.

This funding package is an important step, though it fails to provide urgently needed Medicaid funding to help the 1.6 million in Puerto Rico and the U.S. Virgin Islands who rely on Medicaid for their healthcare.

Congress must do its part and ensure that the resources are available, but it is up to the administration to make certain that the resources we provide get to those who need them.

So I ask my colleagues to join me in passing this bill, and I call on the President again to take every necessary measure to address this humanitarian crisis affecting our fellow Americans.

Mr. President, do not send a message to any American that we will turn our backs on them. That is not fair, it is not right, and you ought to correct the statement you made this morning.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

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

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, Puerto Rico has no power. The U.S. Virgin Islands has no power. St. Johns is completely collapsed in the U.S. Virgin Islands. The people are dying from contaminated water.

Mr. President, how can you abandon the American people?

This bill is going to provide FEMA assistance to keep giving so they can have it. It is going to give \$16 billion to the senior citizens in my district, who have paid their flood insurance, who are desperate to get their houses repaired, to get the mold out after being impacted by Hurricane Harvey.

Yes, I woke up this morning to the outrage of the fires and people dying in California. That is what is in this bill.

I can't imagine that a President would make this comment of walking away, but I am here to fight for those who have been impacted by Hurricane Harvey. We are still suffering. Senior citizens are out of their homes. We have been evicting people in public housing. We need community development block grants. The Army Corps of Engineers is greatly needed.

The funding that we ask for is not in here, block grants is not in here, and as well the restoration that we need. We will fight. I will not turn my back on Puerto Rico or the Virgin Islands and vote "no". I will vote "yes"—

The SPEAKER pro tempore. The gentlewoman is out of order.

Ms. JACKSON LEE. And help Americans, but Hurricane Harvey has to be in the next bill.

The SPEAKER pro tempore. The gentlewoman is no longer recognized.

Ms. JACKSON LEE. \* \* \*

The SPEAKER pro tempore. Members are reminded to heed the gavel.

Mr. FRELINGHUYSEN. Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT), who I believe just returned.

Ms. PLASKETT. Mr. Speaker, I thank Chairman FRELINGHUYSEN and Ranking Member LOWEY for bringing more disaster relief legislation to the floor today.

I am pleased to see much-needed support for ongoing disaster response efforts in the Virgin Islands, Puerto Rico, and other hurricane-affected areas, including direct assistance to families, debris removal operations, and emergency protective measures carried out by FEMA, and additional activities of numerous other Federal agencies that are on the ground working around the clock to help us to recover and rebuild.

I cannot thank enough all of our Federal and local personnel helping us through this. I have been on the ground after Irma, after Maria, and just recently, and I tell you, their support is invaluable.

I am particularly pleased to see the subdivision of \$5 billion for Disaster Direct Loan Program to assist local governments and with measures taking into account the unique aid and flexibility needed for the Virgin Islands and Puerto Rico.

Multiple loans will be available based on different types of losses and unanticipated spending needs, and waivers of amount limits are also helpful. Additional loans to pay for local matching requirements is an important support.

However, I am deeply concerned about the important relief that was left out of this bill and the administration's disaster relief request last week. This does not incorporate the medium and long-term assistance that played a clear critical role in the recovery following previous disasters like Katrina and Sandy, and the Virgin Islands cannot afford to wait for this to be a higher priority of the Federal Government.

The package does not include community development and social service block grant funding, Economic Development Administration funds, supplemental housing assistance, nor additional funds for repair of our water infrastructure, ports, community facilities, airports, roads, parks, wetlands, and fisheries.

Damage sustained in all of these areas has been catastrophic, and waiting around until another end of the year for auxiliary funding for these pressing needs is not acceptable.

Perhaps most concerning is the lack of Medicaid program assistance to the territory. Even before two consecutive Category 5 hurricanes that decimated our hospitals and medical infrastructure, the Virgin Islands was forced to operate a Medicaid program that is capped in an amount that has no relationship to local needs, and our rate of Federal matching funds, our FMAP, is limited to an arbitrarily low 55 percent

Federal to 45 percent local contribution.

□ 1300

Thousands of our citizens go without adequate care due to this treatment every year, in addition to the impacts on our providers and hospitals due to uncompensated care, but after these back-to-back storms, there is no revenue being generated in the Virgin Islands and Puerto Rico at this time. Our tourism-related economy is gone. We will miss this entire year, at the very least.

With our public health and social welfare needs, we are in dire need of supplemental Medicaid support, including a temporary 100 percent Federal contribution, just like what was provided to Americans living in Louisiana and Texas following Katrina.

I was pleased to see Ranking Member PALLONE's proposal to provide this 100 percent temporary Federal share with a substantial plus-up to our allotment so that the American citizens—yes, American citizens—in the Virgin Islands and Puerto Rico can have the benefit of Medicaid in this time of greatest need.

This has not been a part of this package. Virgin Islanders cannot wait until Christmas for a Medicaid program. We need it now.

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

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Committee on Financial Services.

Ms. MAXINE WATERS of California. Mr. Speaker, in the wake of the destruction that this historic hurricane season has wrought on Texas, Florida, the Virgin Islands, Puerto Rico, and the Gulf Coast, I am very pleased that, in addition to the emergency relief funds for wildfires that are burning on both ends of California, the bill also includes liquidity and emergency nutritional assistance for Puerto Rico, where they are facing particularly difficult challenges in their recovery efforts. This bill also provides for partial debt forgiveness of \$16 billion for the National Flood Insurance Program.

I am encouraged to see that the administration finally understands what we have been saying for a long time: we need to forgive the debt of the NFIP, which FEMA has repeatedly stated it will never be able to repay.

Following the losses that will be incurred as a result of the recent hurricanes, the NFIP needs debt forgiveness more than ever. But let's be clear. The partial debt forgiveness will leave the NFIP with a crushing level of debt. Although this is a step in the right direction, we should forgive all of the debt that the NFIP has accrued from catastrophic storms like Katrina and Sandy instead of burdening the NFIP policyholders with hundreds of millions of dollars in interest payments every year.



Before this hurricane season, NFIP policyholders were already paying more in interest than the entire NFIP spends on salaries and expenses or funding mitigation or paying for flood maps.

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

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE), a senior member of the Appropriations Committee.

Ms. LEE. Mr. Speaker, I want to thank our ranking member for yielding time to me and for her tireless leadership.

Mr. Speaker, as a Representative from northern California, let me just say that my thoughts and prayers are with our neighbors in the North Bay.

I remember the Oakland Hills. I represent Oakland and Berkeley, California; and just as many helped us then, we will help our neighbors now.

I am deeply grateful to our firefighters and our first responders who have been working around the clock to extinguish these fires.

Mr. Speaker, I also rise in strong support of this emergency supplemental. Our neighbors in the North Bay, the Gulf Coast, Puerto Rico, the U.S. Virgin Islands, Texas, they need our help, and they need it now. Communities are devastated, and many are still without power and water. This is a life-and-death situation for so many.

Make no mistake, the recovery process is just beginning, and we cannot forget our Caribbean neighbors who are also suffering.

Mr. Speaker, the supplemental is a good first step. It is a good first step in a very long process, but we must provide more long-term assistance to help communities rebuild and to help them recover very quickly, and we must leave no one behind.

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

Mrs. LOWEY. Mr. Speaker, I am pleased to be here with my partner, our chairman, Mr. FRELINGHUYSEN. I know that he understands, as we all do, this is not a Republican or Democratic issue. This is our responsibility, to face the tremendous challenge that we see: people are suffering, schools are closed, more than three-quarters of the island does not have any energy, no clean water, need for food, need for basic services.

I am very pleased to work with the chairman of the committee, Mr. FRELINGHUYSEN, and I know that we will both be going to the island of Puerto Rico to actually see firsthand what has to be done, and it is clear it has to be done now.

Mr. Speaker, I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Speaker, I had the opportunity to travel to Puerto Rico this past Saturday with a bipartisan group of legislators. We traveled

there with Resident Commissioner GONZÁLEZ-COLÓN, who has been an absolutely outstanding advocate for Puerto Rico during this difficult time. I have a few takeaways from that:

One, it was a sobering experience to see how widespread the devastation is on the island. Every single aspect of the island of Puerto Rico was affected.

Secondly, the full commitment of the Department of Defense, of FEMA, of every Federal Government agency and the effort to recover that is being conducted in conjunction with the Governor and folks on the ground in Puerto Rico is great to see. It is an effective initial recovery effort that has saved and has sustained lives. Millions of meals and millions of bottles of water have been distributed.

A third takeaway is this will require a sustained active and effective effort.

I want to thank the chairman for introducing this bill today, which is absolutely necessary to bring back the economy on the island of Puerto Rico. The top priority now is to rebuild the grid, which is absolutely essential to getting the economy in Puerto Rico moving. That is why we need this aid package. It is an important step along the long road to recovery for our fellow citizens in Puerto Rico, as well as for all of those impacted by hurricanes in the South and those out West battling wildfires.

One thing I saw as well: the American people come to the assistance of other citizens in need, and that is true whether it is in Houston, Florida, or in Puerto Rico.

Again, I would like to thank the chair for introducing this legislation, and I urge my colleagues to support it.

Mr. FRELINGHUYSEN. Mr. Speaker, I would like to associate my remarks with the gentleman from Pennsylvania (Mr. SMUCKER) as well as with my colleague from New York (Mrs. LOWEY).

On our committee, we try to get the work of the Nation done, and at this point in history we have had some incredible tragedies and natural disasters. As a group, as this House, we must act quickly to ensure that the Federal Government fulfills its duty to millions of Americans in need. Whether they are from Texas or whether they are from Florida or whether they are from Puerto Rico or the Virgin Islands, they are all citizens. Whether they are from the West, who have been fighting these deadly fires, they deserve our support.

This will be the second installment of emergency funding. There will be others. I know people are concerned that not every State's needs are met, but this is a good step in the right direction, and I urge all my colleagues to support this legislation so we can get this money out the door as quickly as possible.

I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to stand with the hundreds of thousands of Texas families victimized by Hurricane Harvey, and urge our state and federal officials to

use available resources to help our fellow Americans in their time of need.

With nearly four-and-a-half feet of rain and 130 mile per hour winds, Hurricane Harvey is the largest and most expensive natural disaster to hit Texas in living memory. At least 270,000 homes and residences were damaged in our state. Most tragically, over 75 innocent people lost their lives as a result of Harvey, most of them in Harris County.

Later today the U.S. House of Representatives will be voting on a \$36.5 billion disaster supplemental bill to sustain relief and recovery efforts in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands.

This is not a perfect bill. I would have strongly preferred Congress provide dedicated funds to rebuild Houston and the Texas Gulf Coast, especially dedicated funding towards our region's flood control infrastructure and immediate housing needs for hurricane victims.

However, this supplemental will sustain the current recovery efforts till the damages caused by these devastating hurricanes can be fully assessed. Today's supplemental is on top of \$15 billion in emergency funding Congress passed last month in the immediate aftermath of Harvey.

The bipartisan Texas Congressional Delegation is committed to securing the substantial federal funds Houston and the Texas Gulf Coast need to rebuild and be prepared for the next big storm before the holiday season.

Our local officials, in particular the Governor of Texas and the state legislature, have the opportunity right now to act and ramp-up rebuilding efforts through our state's Economic Stabilization Fund.

Popularly known as Texas's "rainy day fund," the ESF currently has over \$10 billion available for emergencies. There can be no question that the destruction caused by Harvey and the immediate needs of tens of thousands of Texans are an emergency and are the reason why our state has been investing in a rainy day fund in the first place.

Harris County Judge Ed Emmett and Houston Mayor Sylvester Turner have already called on Governor Greg Abbott to use his authority to tap the rainy day fund and help Texans in need and rebuild our infrastructure.

I join Judge Emmett and Mayor Turner in calling on the governor to immediately authorize emergency funding through our rainy day fund and help rebuild Houston and Harris County.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The question is on the motion offered by the gentleman from New Jersey (Mr. FRELINGHUYSEN) that the House suspend the rules and agree to the resolution, H. Res. 569.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. FRELINGHUYSEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1315

DR. CHRIS KIRKPATRICK WHISTLE-BLOWER PROTECTION ACT OF 2017

Mr. BLUM. Mr. Speaker, pursuant to House Resolution 562, I call up the bill (S. 585) to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 562, the bill is considered read.

The text of the bill is as follows:  
S. 585

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017”.

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

Sec. 1. Short title; table of contents.

**TITLE I—EMPLOYEES GENERALLY**

Sec. 101. Definitions.

Sec. 102. Stays; probationary employees.

Sec. 103. Prohibited personnel practices.

Sec. 104. Discipline of supervisors based on retaliation against whistleblowers.

Sec. 105. Suicide by employees.

Sec. 106. Training for supervisors.

Sec. 107. Information on whistleblower protections.

**TITLE II—DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES**

Sec. 201. Prevention of unauthorized access to medical records of employees of the Department of Veterans Affairs.

Sec. 202. Outreach on availability of mental health services available to employees of the Department of Veterans Affairs.

Sec. 203. Protocols to address threats against employees of the Department of Veterans Affairs.

Sec. 204. Comptroller General of the United States study on accountability of chiefs of police of Department of Veterans Affairs medical centers.

**TITLE I—EMPLOYEES GENERALLY**

**SEC. 101. DEFINITIONS.**

In this title—

(1) the term “agency”—

(A) except as provided in subparagraph (B), means an entity that is an agency, as defined under section 2302 of title 5, United States Code, without regard to whether one or more portions of title 5 of the United States Code are inapplicable to the entity; and

(B) does not include any entity that is an element of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

(2) the term “employee” means an employee (as defined in section 2105 of title 5, United States Code) of an agency; and

(3) the term “personnel action” has the meaning given that term under section 2302 of title 5, United States Code.

**SEC. 102. STAYS; PROBATIONARY EMPLOYEES.**

(a) **REQUEST BY SPECIAL COUNSEL.**—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Merit Systems Protection Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(b) **PROBATIONARY EMPLOYEES.**—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(k) If the Merit Systems Protection Board grants a stay to an employee in probationary status under subsection (c), the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(c) **STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.**—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report discussing retaliation against employees in probationary status.

**SEC. 103. PROHIBITED PERSONNEL PRACTICES.**

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking “or” at the end;

(2) in paragraph (13), by striking the period at the end and inserting “; or”; and

(3) by inserting after paragraph (13) the following:

“(14) access the medical record of another employee or an applicant for employment as a part of, or otherwise in furtherance of, any conduct described in paragraphs (1) through (13).”.

**SEC. 104. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLE-BLOWERS.**

(a) **IN GENERAL.**—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘agency’—

“(A) except as provided in subparagraph (B), means an entity that is an agency, as defined under section 2302, without regard to whether any other provision of this chapter is applicable to the entity; and

“(B) does not include any entity that is an element of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4));

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means an employee who would be a supervisor, as defined under section 7103(a), if the entity employing the employee was an agency.

“(b) **PROPOSED DISCIPLINARY ACTIONS.**—

“(1) **IN GENERAL.**—If the head of the agency employing a supervisor, an administrative law judge, the Merit Systems Protection Board, the Special Counsel, a judge of the United States, or the Inspector General of the agency employing a supervisor determines that the supervisor has committed a prohibited personnel action, the head of the agency employing the supervisor, in accordance with the procedures required under paragraph (2)—

“(A) for the first prohibited personnel action committed by a supervisor—

“(i) shall propose suspending the supervisor for a period of not less than 3 days; and

“(ii) may, in addition to a suspension described in clause (i), propose any other action, including a reduction in grade or pay, that the head of the agency determines appropriate; and

“(B) for the second prohibited personnel action committed by a supervisor, shall propose removing the supervisor.

“(2) **PROCEDURES.**—

“(A) **NOTICE.**—A supervisor against whom an action is proposed to be taken under paragraph (1) is entitled to written notice—

“(i) stating the specific reasons for the proposed action; and

“(ii) informing the supervisor of the right of the supervisor to review the material which is relied on to support the reasons for the proposed action.

“(B) **ANSWER AND EVIDENCE.**—

“(i) **IN GENERAL.**—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) **NO EVIDENCE FURNISHED; INSUFFICIENT EVIDENCE.**—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed action, the head of the agency shall carry out the action.

“(C) **SCOPE OF PROCEDURES.**—An action carried out under this section—

“(i) except as provided in clause (ii), shall be subject to the same requirements and procedures (including regarding appeals) as an action under section 7503, 7513, or 7543; and

“(ii) shall not be subject to—

“(I) paragraphs (1) and (2) of section 7503(b);

“(II) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513; or

“(III) paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543.

“(3) **DELEGATION.**—

“(A) **IN GENERAL.**—Except as provided in paragraph (B), the head of an agency may delegate any authority or responsibility under this subsection.

“(B) **NONDELEGABILITY OF DETERMINATION REGARDING PROHIBITED PERSONNEL ACTION.**—If the head of an agency is responsible for determining whether a supervisor has committed a prohibited personnel action for purposes of paragraph (1), the head of the agency may not delegate that responsibility.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

**SEC. 105. SUICIDE BY EMPLOYEES.**

(a) **REFERRAL.**—The head of an agency shall refer to the Special Counsel, along with any information known to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

(1) an employee of the agency committed suicide;

(2) prior to the death of the employee, the employee made any disclosure of information which reasonably evidences—

(A) any violation of any law, rule, or regulation; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(3) after a disclosure described in paragraph (2), a personnel action was taken against the employee.

(b) **OFFICE OF SPECIAL COUNSEL REVIEW.**—For any referral to the Special Counsel under subsection (a), the Special Counsel shall—