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# *House of Representatives*

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*February 25, 2016.*

I hereby appoint the Honorable CRESENT HARDY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
*Speaker of the House of Representatives.*

## MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

## CARBON CAPTURE ACT

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

Mr. CONAWAY. Mr. Speaker, this morning I introduced the Carbon Capture Act, which makes simple changes to the existing section 45Q tax credit that further incentivizes carbon capture and sequestration projects.

CCS technology will help reduce carbon emissions while simultaneously creating jobs, bolstering domestic oil production, and providing regulatory relief for our coal industry. Yes. You heard that right.

The benefits of CCS are bringing folks who do not traditionally work together to the same table for the betterment of our Nation's energy security.

Often people believe they are forced to choose between supporting economic development or environmental stewardship. However, this bill is evidence that that is a false choice. Above all, CCS serves as a testament to the entrepreneurial spirit and gumption found throughout this great country.

In Texas District 11, I have seen this innovative spirit daily. These projects will play an important role in west Texas' and our Nation's future energy portfolio.

I hope my colleagues will join me in supporting this important legislation.

## DEFENSE AUTHORIZATION AND APPROPRIATIONS

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

Mr. BLUMENAUER. Mr. Speaker, in the weeks ahead, we will be dealing with the budget resolution and we will be dealing with defense authorization and appropriations.

Already we have seen the administration unveil a budget that is not only unrealistic, but actually could be dangerous.

It keeps spending for all the nuclear modernization on track over $3 billion, and it includes funding for a long-range, standoff replacement cruise missile, $2.2 billion in the future year defense program, ultimately costing $20- to $30 billion, if not more, this to replace a cruise missile that the father of this device, former Secretary of Defense William Perry, feels is no longer relevant and has argued against.

There are billions of dollars for the controversial modernization of each leg of the nuclear triad—the land-based missiles, submarine-based missiles, and the bombers—which have not been used in 65 years, have been unable to help us with the military challenges that we face now in the Middle East and are going to consume huge sums of money in this hopelessly redundant program.

It is dangerous because of the cuts in the nuclear nonproliferation program of over $100 million. I mean, these are real threats to our security.

We are battling ISIS now. They have already obtained some low-grade nuclear material in a facility near Mosul. We have had a few nuclear weapons gone missing and other nuclear materials unaccounted for or stolen.

We need to have these proven programs to reduce the inventory, track it down, and take it out of circulation. We should be expanding them, not cutting them back. It continues an overall trillion-dollar spending that we are going to have on the nuclear programs over the course of the next 30 years.

Now, these are resources that are going to be at the expense of our conventional weapons. As I mentioned, the nuclear triad is far more than we need to deter anybody in the world right now and do not help us with the strategic challenges that we face today.

It is not going to prevent Russian adventurism in Ukraine or Crimea, but it will result in our having to cannibalize the Guard and Ready Reserve, the Army that will be paying the price for this.

These are conventional forces that have paid the price for the last two decades of activities and are going to be needed for both deterrence and, God forbid, actual activity in the future. We cannot do all of this within the current budget horizon.

The budget gimmicks ignore that. We have a little trust fund with the overseas contingency account that ignores budget realities that we are not going to be able to continue in perpetuity.



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We ignore the long-term costs of budget programs for weapons, preferring to put that off to a future administration and future Congresses.

In so doing, we are playing fast and loose with the integrity of the Pentagon with the resources and the materials that are necessary to support our troops now and in the future.

It is not too late for this Congress to demand a spending plan, cost accountability, kill the new cruise missile program, and put us on a path of fiscal stability and sanity while we have appropriate priorities for the military strength and defense of our country.

## IN MEMORY OF GEORGE COLLINS JEFFREYS

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

Mr. HOLDING. Mr. Speaker, I rise today to honor the life and work of Goldsboro's own George Collins Jeffreys, who passed away on January 20.

Born over 90 years ago, in 1925, George lived a long and full life. The eldest of four children, he attended St. Mary's School and Oak Ridge Military Academy in Oak Ridge, North Carolina. During the Second World War, George served in the Pacific.

After the war, George returned home to work in the family business, which was originally established back in the 1890s by two prominent North Carolina families to market local produce, chickens, seed, and eggs. The business was successful.

In the 1920s, George's father and uncle took over the business, renaming it Jeffreys and Sons. The two brothers began offering beverage distribution. After the end of prohibition, they became a licensed distributor for Anheuser-Busch products.

It wasn't long before the company had grown so big that it was divided into separate seed, beverage, and cabinet companies. It continued growing and expanding in Goldsboro, Greenville, and other communities.

Today, R.A. Jeffreys Distributing Company is the oldest Anheuser-Busch distributor in North Carolina as well as one of the oldest family-owned distributors in the United States.

R.A. Jeffreys Distributing Company services almost every grocery store, convenience store, and restaurant in the area, supplying 36 counties in North Carolina.

Now, George Jeffreys was not only respected as a business leader. He was a thoughtful and generous member of his community, volunteering and contributing to local schools, Scout troops, churches, and community programs.

In addition to his company being recognized multiple times as an outstanding wholesaler by Anheuser-Busch, receiving the Dimensions of Excellence Award, George also received the Distinguished Service Award from the Tuscarora Council of the Boy Scouts of America.

His dedication to business and to his community were certainly highlights of his long and full life. But the true foundation of George Jeffreys' life was his family.

His wife Lucy and his three children—his daughters, Leigh and Ellen, and his son Robert—and seven grandchildren will all remember him with love.

Mr. Speaker, I am honored to call George Jeffreys a friend.

I pray for God's blessings and God's peace to his family.

## END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, last week during our district work period, I spent the night at the Interfaith Hospitality Network, a family homeless shelter in Worcester, Massachusetts. This was my second time spending a night there in recent years.

It was a wonderful opportunity to hear firsthand the stories of families who are facing tough times and to see the incredible support provided by groups like IHN.

In today's media environment, where every development in the Presidential campaign gets a breaking news banner, it is easy to lose sight of the real issues impacting real families, and homelessness is one of those real issues.

In 2015, more than 500,000 Americans were homeless on any given night. Of that number, more than 200,000 were people and families and nearly 50,000 were veterans.

Even in Massachusetts, which is one of the richest States in the Nation, homelessness continues to be a challenge in many of our communities.

In recent years, State budget cuts have led to a record number of homeless children in Massachusetts, and the overall uptick in homelessness has led to overcrowding in shelters, with thousands of families being turned away.

In the richest country on the planet, it is simply astonishing that anyone is homeless, but the fact is this continues to be a persistent problem. Fortunately, there are amazing organizations like the Interfaith Hospitality Network that are making a difference.

IHN works in partnership with the faith community to provide shelter and assistance to families with children who are homeless. Their primary goals are to assist families by increasing their income and to help them secure permanent housing while providing critical support services necessary for them to succeed.

It is a community bed shelter that provides private bedrooms and shared quality living areas for six families at a time who are homeless, but don't qualify for State-funded shelters.

One of the points that the people I met made very eloquently was that sometimes life is very complicated and sometimes things don't work out as you expect them to.

Many of the families that I met during my stay included at least one working parent, but they had fallen into the gap where they earned too little to make ends meet, but too much to qualify for other housing assistance programs.

Some of the residents included college-educated parents with families that fell on hard times. Maybe a parent is sick or a child is sick or a parent got laid off from a job. Those families are not there because they made poor choices. There were a series of events that led to this.

One thing parents at the shelter have in common is that they love their kids more than anything and they are working tirelessly to get back on their feet.

The families at IHN are not charged rent and work with a caseworker to budget and save money for their own apartments. The caseworker also helps families access necessary health care or counseling, learn job skills, enroll in job training or educational classes, and assists them with other life issues.

Mr. Speaker, IHN is a very special place. It is a home. It is comfortable. It is safe. Families prepare and eat dinner together. Children do their homework together, color in coloring books, and play games. IHN provides a sense of normalcy during these times of turmoil and uncertainty for these families.

With each visit to the IHN shelter in Worcester, I am inspired to see that within our community there are so many wonderful people who care about their neighbors who are going through difficult times and who want to get back on their feet.

The volunteers and staff are incredible people. Places like IHN represent the best of our community. There is a real need for places like this.

Too often in this Chamber I have heard colleagues demonize and disparage America's poorest families, but those who are homeless don't fit into a stereotype.

Every family faces different challenges. It is hard work to be poor in America. The families I met are working hard for a better life for their kids.

We should be helping them get back on their feet, not kicking them while they are down. Certainly we should not be indifferent to their struggles.

To help more of these families get ahead, we must do more at the national level to strengthen the social safety net and to better address homelessness, food insecurity, poverty, and many other issues which deserve to be front and center.

Looking at the big picture, we need to be talking about how we can make sure that work pays enough so that all working families can afford rent and a place to live and be able to put food on the table for their kids.

□ 1015

We might start by increasing, at long last, the Federal minimum wage so

that it is a livable wage. If you work in this country, you ought not to be poor, and you certainly ought not to be homeless.

Mr. Speaker, in the richest country on the planet, I know we can do more to solve homelessness. Spending the night at the Interfaith Hospitality Network was a learning experience. I encourage all of my colleagues to do the same in their districts.

Those of us who serve in Congress are blessed that we don't have to worry about whether or not we will have a roof over our heads on any given night, but there are many families, too many families all throughout this country who do. We need to do a better job of listening to their stories, of trying to lend a helping hand so that they can get out of their difficult situation and move on to a better life.

I urge my colleagues to listen to what I said today and to do what I did and spend a night in a shelter in their own district.

## STACIE WALLS STORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, the war on coal touches every family in my home State of West Virginia. Whether you are a miner or not, you feel the consequences of this administration's regulations that are shutting down our coal mines.

Closing a coal mine doesn't just affect a miner and his family. It affects everyone in the community, from the small town mom-and-pop stores who depend on customers, to our schools that depend on tax revenue. A decline in coal hurts us all.

Stacie Walls contacted me. She is a wife of a coal miner and a mother in Boone County. She sees the consequences firsthand.

Here is what she wrote me: ''My husband has been laid off four times since last April.

''Because of the war on coal, my county is closing my son's school due to not having the coal tax to help keep it opened.

''My son's education is now going to suffer because of the war on coal. I've watched many families leave the State because they must find work.

''There are more 'for sale' signs up than there are kids riding their bikes.''

This, Mr. Speaker, is Stacie. This is Stacie's family. These are the true faces of the war on coal.

West Virginia's families deserve peace of mind. It is time for the EPA to get off the backs of West Virginians and let them do the work that powers our Nation and puts food on our tables.

I am working every day in Congress for our coal families, for all families. I believe in the future of West Virginia coal.

President Obama must stop his war on coal, and we must pass policies that create jobs to ensure a future for West Virginians in West Virginia.

## TWO GREAT AMERICAN HEROES

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

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to commend the Bipartisan Policy Center for the establishment of the Congressional Patriot Award and naming SAM JOHNSON and JOHN LEWIS as its first recipients.

I can think of no two people who are more deserving than SAM JOHNSON and JOHN LEWIS, both of whom serve in this Chamber with distinction, both of whom I have the honor of serving with on the Committee on Ways and Means who do an extraordinary job on behalf of the citizenry of this great Nation. For all of our membership here, we can all be proud to say that we served with both SAM JOHNSON and JOHN LEWIS.

I want to thank and commend TOM COLE, my co-chairman in this effort, on behalf of our two esteemed colleagues. By now every Member should have received, and the public will become increasingly aware of, an invitation to this event on March 15. The event will be held at the Library of Congress. What a fitting place for us to honor our colleagues. The Library will have on display photos and documents from the Vietnam war and photos and documents from the civil rights movement.

It was 50 years ago that SAM JOHNSON was shot down over Vietnam. It was 51 years ago that JOHN LEWIS made that historic trek from Selma to Montgomery and crossing over the Edmund Pettus Bridge. Most people don't realize today that SAM JOHNSON was imprisoned by the Vietcong for 7 years, 42 months of which he spent in solitary confinement, nearly beaten to death but never said a word. What an incredible American.

JOHN LEWIS, nearly beaten to death by the Alabama police as he had the temerity to lock arms and cross the Edmund Pettus Bridge, faced with undaunted courage an unwelcoming crowd who could never deter the will of a movement that he is so identified with.

To have the Bipartisan Policy Center recognize a conservative, a progressive, a Republican, a Democrat, people who served this Nation extraordinarily with their patriotism long before they ever got here, to have a medal named in their honor and to present that once in a biennium to deserving Members of this body, past and present, is a great notion.

It demonstrates to the American people that at the end of the day it is not about conservative or liberal or it is not about Democrat or Republican, it is about the great nation that we serve. There are no more exemplary figures than SAM JOHNSON and JOHN LEWIS.

JOHN MCCAIN will be presenting on behalf of SAM JOHNSON. No one understands what SAM JOHNSON endured better than Senator JOHN MCCAIN. Andrew Young will be speaking on behalf of JOHN LEWIS. He was alongside of JOHN LEWIS during that historic march. No one knows better what they endured.

We are so fortunate to both have the Library of Congress but also to have David Rubenstein, who will be there, who will conduct an interview that evening with SAM JOHNSON and JOHN LEWIS. It will be a wonderful evening, made more special by what the Library of Congress will present in terms of what transpired 50 and 51 years ago respectively, but made greater by the presence of everybody here recognizing the great contribution of our colleagues, SAM JOHNSON and JOHN LEWIS.

I look forward to having everybody on March 15 at the Library of Congress to recognize these two great American heroes.

## HISTORIC ROSENWALD SCHOOLS

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

Mr. HILL. Mr. Speaker, for recently freed African Americans, education denied to them under slavery was a critical component of understanding freedom.

In the wake of the Civil War, with the widespread awareness that education was essential to the advancement of a free people in this society, African Americans flocked to schools established by the Freedmen's Bureau.

The recognition of this relationship between schools, community, and the broader ideal of the American Dream led African American parents and teachers to be among the first Southerners to advocate for universal public education.

However, the dual education system that arose, determined by race and based on the fiction of separate but equal, brought about a hand-me-down approach to Black education in the South. This flawed duality resulted in the perpetuation and exacerbation of institutional inequity.

In the face of such obstacles, leaders like Booker T. Washington, founder of the Tuskegee Institute, embraced and expanded on the early belief in education as the great hope of a truly democratic society.

Washington's vision inspired many, including philanthropist and president of Sears, Roebuck, Julius Rosenwald.

The philanthropic and educational partnership between these two men led to the construction of 5,000 Rosenwald schools across 15 Southern States. In Arkansas, 389 school buildings were constructed in 45 of our 75 counties, with communities pooling their often meager resources to fulfill Rosenwald's pledge to match their contribution.

For many, these buildings were not simply schools but monuments to Black achievement and symbols for an ardent hope in a better future. Rosenwald schools contributed to the education of thousands of African American students across the American

South, including notable figures like Arkansas poet Maya Angelou and our own esteemed colleague and friend, the gentleman from Georgia (Mr. LEWIS).

In 1954, with the U.S. Supreme Court decision in Brown v. Board of Education, to which Julius Rosenwald contributed one-third of the litigation costs, his carefully crafted schools became obsolete. In Arkansas, the tensions behind this great achievement played out in the tumultuous 1957 Little Rock Central High crisis. The courageous determination of the Little Rock Nine hearkens back to that fundamental belief in education equals freedom.

This is the continuing legacy of Washington, of Rosenwald, and the countless parents and teachers who were determined to give future generations the means of mobility, economic advancement, opportunity.

In 2002, the National Trust for Historic Preservation listed Rosenwald schools as one of America's most 11 endangered places. Today in Arkansas, only 18 of those original school buildings remain. One of those remaining buildings is in the Second Congressional District. The only Rosenwald school to be built in Perry County, the Bigelow Rosenwald School, was constructed in 1926.

After 38 years of service toward education, the Bigelow Rosenwald School was transformed into a community center. With a revival of interest in and knowledge about the schools, efforts are being formed around the country to restore these embodiments of our history.

Aviva Kempner's documentary ''Rosenwald'' pays tribute to the man, his work, and the rippling impact on the evolution of African American education in our country.

As we celebrate Black History Month, I rise to recognize how far we have come, how far we still must traverse, and pay a special salute to Julius Rosenwald and his contributions to the advancement of education.

## THE EXTENDED DROUGHT IN CALIFORNIA

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

Mr. COSTA. Mr. Speaker, I rise today to bring attention again to the devastating drought that has impacted California for over 4 years.

Much is said about California and the success that we have had post-World War II, but a lot of it is owed to the fact that we have developed a water system, both a Federal and State water project, that allows us to move water throughout California for beneficial use to every region of California, and that has been a great success.

But today that water system is broken. It is broken because it was designed to meet the needs of 20 million people and the agriculture that we had in the 1960s and 1970s. Today we have over 40 million people in California, we have more intensive agriculture, producing half the Nation's fruits and vegetables—the leading agricultural State in the Nation—and demands for water for the environment that was not part of the project in the beginning.

I have made and will continue to make it a priority to speak on the House floor regularly regarding the devastating drought impacts and will attempt to offer solutions both for the State and Federal agencies to maximize our ability to move water through the system where it is most needed to ensure that we also make the changes at the Federal level and at the State level to fix this magnificent but broken water system today that no longer can meet all of the demands and needs that are subscribed for it.

□ 1030

Protecting and securing a reliable water supply in the San Joaquin Valley is arguably the most important issue facing the region of 4 million people that I, along with four of my other colleagues, represent. We worry every day about job security and the future success of the San Joaquin Valley's economy, which are directly dependent upon our access to a reliable and secure supply of water that is of high quality. The people of the valley and the entire State of California have been directly impacted by this devastating drought in one way or another.

There are many examples of how the San Joaquin Valley, a place I represent, has been impacted:

Over 6,000 acres of productive agricultural land has been fallowed, unplanted.

The land in the San Joaquin Valley is subsiding because, out of devastating need, families are drilling deeper wells to meet their everyday needs to keep what land they can in production and permanent crops irrigated, and farmers are pumping groundwater at unsustainable rates to avoid the catastrophic impacts of pulling out hundreds of millions of dollars' worth of permanent crops.

Unemployment in the San Joaquin Valley is twice as high as the rest of the country; and in 2015 alone, California lost $2.2 billion as a result of the drought.

These devastating impacts have brought many of us to pray for rain and snow in the mountains, but that is not enough. We need to fix this broken water system.

While we will continue to hope for the El Nino year to bring additional rainfall amounts that are significantly greater than average, we know that that is not enough.

With above-average rainfall and snow in the mountains, San Joaquin Valley communities and farmers can now rest easy; right? Sadly, no. Since October 1, 2015, over 3.4 million acre-feet of water has gone out into the ocean. That is water that could be used in the valley and in southern California. This is nearly 1.1 trillion gallons of water. To put that number in context, an average American family uses around 400 gallons of water a day.

My point is that only a small amount of water is being pumped out of the delta to move south for the San Joaquin Valley to assist the farm communities, as well as for southern California. We have yet to recover from the devastating impacts of the drought over the last 4 years, even though we have got more water this year as a result of the El Nino conditions.

The U.S. Bureau of Reclamation announced recently that, even with well-above average rainfall, reservoirs in California are still below the 15-year average for this time of year, and there is no Federal water stored in a major reservoir, the San Luis Reservoir, for the San Joaquin Valley that would be available for water this summer.

Yet, this week, we were devastated to hear that the Bureau of Reclamation is releasing 200,000 acre-feet out of Folsom Lake because of flood control purposes. We are not moving that water—not even 100,000 acre-feet—through the system. That is just not right. This is directly due to the unwillingness of State and Federal agencies to pump water at the maximum levels based the biological opinions that many of us believe are flawed because the science is at least 10 years old.

While weather patterns have had a great impact on the delivery of water over the last 4 years, it has only been one of the impacts. We must make a difference. We must fix this broken water system. I will continue to update the Members of the House on the challenges we face and on legislation that is important to do just that.

## HONORING ALLAN BOWLES ON HIS RETIREMENT

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

Mr. DOLD. Mr. Speaker, on the occasion of his retirement on February 29, 2016, I rise to thank Allan Bowles for over 32 years of outstanding service to the United States House of Representatives.

Allan began his career in the labor division on September 1, 1983. Shortly after that, he worked as a storeroom clerk. Not long after that, he made his way into the cabinet shop and began his rapid assent through the ranks from apprentice to journeyman cabinetmaker.

He can be proud of the many projects that were successfully completed during his tenure. Some of these projects include custom cabinets made for Speaker Wright and Members in leadership, such as Mr. HOYER, Mr. Army, and Ms. PELOSI.

Allan's list of accomplishments is indeed long. In over 32 years, he has produced some of the most exemplary and useful projects, many of which are still being utilized today.

Allan's cabinetmaking expertise and craftsmanship are evident in his body of work. He has worked tirelessly alongside other House employees to make the House more secure following the events of September 11 and the anthrax incident of 2001.

His reputation in the shop for lighthearted humor and quick wit made for long-lasting friendships and camaraderie in the shop. He brought a unique brand of comedy and teamwork to the cabinet shop, which serves the House from behind the scenes.

He made a long-term commitment to excellence and improved services to the House community. In addition, Allan's dedication to his craft and customer service skills made him an extremely valuable member of the service team. Allan has dedicated his life to making the CAO and the United States House of Representatives a better place.

After his retirement from the House, he plans to enjoy country living, fishing, and hunting. He also plans to keep busy working in his own shop in southern Maryland.

On behalf of the entire House community, I extend our congratulations to Allan Bowles for his dedication and outstanding contributions to the United States House of Representatives. We wish him many wonderful years in fulfilling his retirement dreams.

HONORING ANTHONY THOMPSON ON HIS RETIREMENT

Mr. DOLD. Mr. Speaker, on the occasion of his retirement on March 3, 2016, I rise to thank Anthony Thompson for over 34 years of outstanding service to the United States House of Representatives.

Anthony began his career with the House, in November 1981, as an apprentice cabinetmaker in the House cabinet shop. Over the next 34 years, he was promoted to various positions, to include lead cabinetmaker, or ''third man''; assistant foreman; and eventually became manager of the House cabinet shop. His accomplishments are far too lengthy to list in this tribute; however, there are two examples of his contributions that are worthy of recognition.

Anthony designed and constructed the first offsite House floor furniture set which may be used, heaven forbid, in the event that the House Chamber is unavailable for use. He has been instrumental in the design and construction of all the succeeding sets of furniture as well.

He was also involved in the design and construction of the House floor stenographer's table that sits to my right. The table was designed with new technology in mind, while still matching the original design, look, and feel of the existing dais.

On a more personal note and equally worthy of recognition, Anthony has dedicated his life to making the CAO and the United States House of Representatives a better place. He has passed along his many years of cabinetmaking experience to staff and coworkers so that they can continue the extremely high standards of quality craftsmanship that have come to be expected of the House cabinet shop. Upon his retirement, he plans to use his extraordinary talents continuing to make beautiful, one-of-a-kind pieces of furniture for the private sector.

On behalf of the entire House community, I extend our congratulations to Anthony for his many years of dedication and outstanding contributions to the United States House of Representatives. I am honored to call him a friend, and I wish him all the best in the years to follow.

## TRIBUTE TO ANDREW JACKSON LANGUAGE ACADEMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to highlight and pay tribute to one of Chicago's most effective public schools, the Andrew Jackson Language Academy.

Andrew Jackson was opened in 1894 to serve children from the crowded tenement community surrounding the Polk Street station, a port of entry for immigrants. That very same year, one of the first public school kindergartens was established in Chicago. Since 1981, this school has offered foreign language instruction to its students.

In 1988, Andrew Jackson Language Academy moved into a new, up-to-date facility. The building is equipped with science and computer labs, a library, media center, and a large outside area for play and gardening activities.

Today 550 students from diverse racial, ethnic, and religious backgrounds attend the school. Students at Jackson receive extensive instruction in Chinese, French, Italian, Japanese, and Spanish. The curriculum not only emphasizes the skill of understanding and using these languages, but also introduces students to the geography, history, and tradition of other cultures. As a result, students are more adequately prepared for the international marketplace and for success in the 21st century.

The Andrew Jackson Language Academy is a well-organized, safe, and orderly school with an excellent student code of conduct, and the dress code has been developed to promote a suitable learning environment. It has a wealth of school spirit, which is promoted through the Merit Club, family reading night, Project Backpack for the Homeless, musical performances, student ambassadors, Big Sisters and Big Brothers, a Chinese painting workshop, and the Weigi workshop. French and Italian shops are ongoing. Japanese students are learning to work in class, and Spanish students from kindergarten through eighth grade are working hard on building their Spanish skills.

The Dads Club at Jackson is very active and sponsors a number of family events such as the annual basketball fundraiser, family skate night, the daddy-daughter dance, and a number of other ways for dads to be involved.

The Andrew Jackson Language Academy has a very strong and actively engaged local school council. Its chairperson is Ms. Angela Bryant; principal, Ms. Marilou Rebolledo; secretary, Ms. Margaret Kempster; members, Mr. Kevin Lopez, Ms. Mary Clare Maxwell, Ms. Tara Roden, Mr. Jeff Sadoff, Mr. Luis Oviedo, and Mr. Stephen Smith.

The parents council at Jackson Language Academy is actively engaged and involved, led by Heather Alvarez, president; vice president, Rubi Alvarez; recording secretary, Emerlie Ilarde; Virgil Nita; and treasurer, Pamela Alfaro.

I commend and congratulate all of those who work to make and keep the Andrew Jackson Language Academy the great Chicago public school that it is.

Someone—perhaps a philosopher—once said: It takes great souls to make great schools. We thank all of those who have been involved in making the Andrew Jackson Language Academy the great school that it is. It takes great souls to make great schools.

## A FALLEN OFFICER REMEMBERED

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

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in remembrance of fallen St. Joseph, Minnesota, police officer Brian Klinefelter. It has been 20 years now since Brian was killed in the line of duty, and this loss is still felt in our community today.

On a cold night in January, Officer Klinefelter was nearing the end of his shift when he heard of an armed robbery over the radio dispatch and decided to help his fellow officers pursue the robbers. Not long after, Officer Klinefelter was tragically shot and killed in his brave attempt to protect his colleagues and the community he loved.

The men and women in blue are some of the finest this Nation has to offer, and Officer Brian Klinefelter is proof of that. Every morning they put on their uniforms, not knowing if they will safely return to their loved ones at the end of the day. The sacrifices they make are done because of their selfless love of country, community, and neighbors.

The night Brian was killed, he left behind his wife, Wendy; his newborn daughter, Katelyn; along with numerous family members and friends. Wendy and Katelyn, we haven't forgotten you, and we have not forgotten Brian—the incredible life he lived and the brave sacrifice that he made.

□ 1045

## FREE HOUSTON METRO HOT LANE ACCESS FOR DISABLED VETERANS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, this morning I spent some time, and last evening, communicating with leaders of my transit system, Houston METRO, that has received numerous awards; and I applaud them for working very hard, sometimes against odds, to provide mobility for the great citizens of the Houston, Harris County, metroplex area.

I had a particular beef, or a particular issue, that we have been working on since last November, and that is to give disabled veterans in this very vast territory of Texas the ability to ride on what we call the HOT lanes for free.

My premise is simple. When we ask our men and women in the United States to put the uniform on, we ask, with no qualifications, meaning no restraints, that they are expected to defend the United States to the utmost. In the course of that, some fall in battle, lose their lives, or are veterans who ultimately come to their demise by their age and illnesses. Therefore, I think it is enormously important that, when they make a request that helps them in their mobility, whether it is to doctors' offices and family or going back to school, there should be no barriers, no restraints.

So today my METRO board is meeting, and I made contact again, as I did this past week, with the committee, late into the night, to say that there should be no delay, no barrier in allowing those lanes to be used for free by disabled vets.

I want this in the RECORD because I will pursue and persist, even to the extent that an emergency board meeting will need to be called. There just simply is no reason to delay. November, December, January, February, and near March, there is no reason to delay.

I am waiting for the decision, and I will look forward to the Disabled Veterans of America and others reaching out to my office so that together, collectively, we can make sure that not only does this happen in Houston, Texas, but that it be a policy across America.

We should find a way to be able to assist those who have willingly, without any hesitancy, and unselfishly, put on the uniform.

### RESPECT FOR THE THREE BRANCHES OF GOVERNMENT

Ms. JACKSON LEE. Mr. Speaker, I want to turn the attention of my colleagues to another issue of justice, and that is the fair existence of and respect for the three branches of government.

This involves vets and nurses and schools and school teachers and families across America. It is a process that the Congress goes through every year. We call it the budgeting process; and it is an act of Congress and the administration, we hope, working together.

That is the time that the Congress works on the plan for the American people; and it is, of course, the time when the President works on the plan for the American people. It includes reports like this, an economic report of the President. It includes the budget, which is the roadmap for the American people.

Let me be very clear. We are all elected; but there is one person—in this instance, one man—that has been elected by all of the people, and he has submitted a budget.

I would not ever imagine in my tenure in Congress that we would have this Congress overlook a 41-year tradition for the American people, on their behalf, whether you are for it or against it: the right of the representative of the President, in this instance, Shaun Donovan, the President's Budget Director, to make his presentation before the United States Congress.

If I were not standing on this floor, Mr. Speaker, I might simply break down and cry, because I love this institution. I love the constitutional processes documented in the Constitution of the three separate branches of government. We have often disagreed, but we have and should never disrespect.

G. William Hoagland, who was the Republican staff director at the Senate Budget Committee for much of the 1980s and 1990s, now senior vice president of the Bipartisan Policy Center, could not recall a year, since the Martin budget process took effect in the 1970s, when a President's Budget Director was not invited to testify, Republican or Democrat.

While the last budget of an outgoing President is usually aspirational and sets a tone for what he or she hopes will be followed up by, it is not and has not been a time to not see the President's budget. The President's budget is good for education and job creation and national security, and it does not cut, as the Republican budget does, Mr. Speaker, 46 percent in education.

Where is our collegiality?

Shame on us. Let the President's man speak on the budget.

## RECESS

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

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

## AFTER RECESS

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

## PRAYER

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

Merciful God, we give You thanks for giving us another day.

As we meditate on the blessings of life, we especially pray for the blessing of peace in our lives and in our world.

As You have created each person, we pray that You would guide our hearts and minds that every person of every place and background might focus on Your great gift of life and so learn to live in unity.

May Your special blessings be upon the Members of this assembly in the important, sometimes difficult, work they do. Give them wisdom and charity that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

## THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

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

Mr. FITZPATRICK led the Pledge of Allegiance as follows:

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

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

## TEAM VERMILLION'S EFFORTS TO BEAT LEUKEMIA AND LYMPHOMA ARE A FITTING TRIBUTE TO STEVE VERMILLION

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the legacy of a dear friend and long-time public servant, Steve Vermillion, who passed away in 2012 from acute myeloid leukemia.

Steve began his career here in the House in 1986, working for colleagues like JIM SENSENBRENNER and Lincoln Diaz-Balart. He was a strong defender of democracy and human rights, especially when it came to U.S. policy toward Cuba, and he helped cofound the

Congressional Hispanic Leadership Institute.

Team Vermillion, led by his son Joe, has committed to raising funds to support the Leukemia and Lymphoma Society through February 27. Team Vermillion's efforts are a fitting tribute to a good man who sought to help lift others throughout his life.

Steve, you are greatly missed, but you will never be forgotten.

## RECOGNIZING THE LIFE OF EARL THOMAS BROWN

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

Mr. BUTTERFIELD. Mr. Speaker, I rise today to recognize the life and work of Attorney Earl Thomas Brown of Greenville, North Carolina, who this past Saturday tragically died in a one-car collision at the age of 64.

Attorney Brown was a native of Edgecombe County, though he lived and worked in the city of Greenville. He was an extraordinary lawyer. During my years as a Superior Court judge, Earl appeared before my court on many occasions. He treated each case as unique, exceptional in his scholarship, compassionate for his clients.

At the time of his passing, Attorney Brown was a candidate for District Court judge, a position he wanted to achieve so very much. Not only was Earl an exceptional lawyer, but a man of faith and a strong patriarch for his family.

He is survived by his wife, Dr. Hazel J. Brown; a son, Attorney Derek Brown; a daughter-in-law, Joni Marie; and grandchildren, Austin, Alanna, and Myles. He is also survived by his beloved mother, Mrs. Anna Brown, and many other relatives and friends too numerous to mention.

Mr. Speaker, I ask my colleagues to join me today in celebrating the life and work of a great American, Attorney Earl Thomas Brown.

## PRESIDENT OBAMA IS IGNORING THE LAW

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

Mr. WILSON of South Carolina. Mr. Speaker, 10 days ago Congress expected the President to submit his plan to counter the rise of Islamic terrorism in the Middle East. American families deserve to know that the President has a strategy to defeat ISIL and keep us safe.

The 2016 National Defense Authorization Act signed by the President was clear that the President must submit a plan to Congress by February 15 on how to defeat ISIL and reduce risks to American families.

Sadly, the President has not presented a strategy. This is another example of the President's continued disregard for law and the Constitution. We should support our troops by giving them a clear mission and a clear strategy to protect American families.

While I am disappointed that the President has failed to submit a strategy, we cannot be surprised, after he dismissed ISIL as the JV team. He claimed ISIL was contained just 1 day before the Paris slaughter, and he incorrectly assured Americans to be confident just as the mass murder was beginning in San Bernardino by ISIL terrorists.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

## RECOGNIZING AWARD-WINNING ARTIST HARRY DAVIS

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today during Black History Month to recognize a fellow North Carolina artist and living legend, Harry Davis.

Originally from Wilmington, North Carolina, Harry Davis' natural talent was evident from his early drawings. After serving our Nation in the U.S. Army, an accidental shooting left him permanently confined to a wheelchair, which led him to turn to oil painting as a means of expression and therapy.

Self-taught artist Harry Davis' attention to detail and the use of bold and brilliant hues and compositional precision have captivated audiences around the country.

An award-winning artist who has gained national recognition, Davis' work is in private collections of more than a dozen actors, actresses, and public figures.

He has received many honors throughout the country since the 1970s, including best of show in the New Orleans Jazz & Heritage Festival and featured artist for the Greensboro African American Arts Festival.

Harry Davis has also worked tirelessly to share his love for the arts and African culture with students throughout North Carolina. We applaud him on this day. We thank him for his service to this country and his service to the arts.

## CLOSURE OF GUANTANAMO BAY PRISON

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, on Tuesday President Obama presented his plan to close the U.S. military prison at Guantanamo Bay and proposed transferring up to 60 prisoners to the United States mainland.

Bringing dangerous terrorists to the American homeland has been consistently rejected by bipartisan majorities in Congress. The President's plan is lacking key details required under the law, including the exact cost and location of an alternate detention facility.

On the same day that the President announced his plan, Spanish and Moroccan police arrested four suspected members of a jihadi cell that sought to recruit fighters for Islamic State, including one individual described as a former Guantanamo detainee who once fought with militants in Afghanistan.

President Obama's stubborn insistence on fulfilling an ill-advised campaign promise to close the detention facility at Guantanamo Bay distracts from ongoing threats to American national security and highlights the failures of his foreign policy agenda.

## AFRICAN AMERICAN POVERTY

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, as chair of the Democratic Whip Task Force on Poverty, Income Inequality, and Opportunity, I rise to commemorate Black History Month and highlight the disproportionate impacts of poverty on the African American community.

Sadly, our Nation has a long history of individual and institutional racism, from slavery and Jim Crow to redlining and overpolicing. This has locked many, many families out of opportunities, even with the enormous progress that we have made with our great civil rights leaders and foot soldiers whom we honored yesterday.

These deplorable disparities and inequalities continue at every level of our society. For example, the African American poverty rate is 26 percent, nearly triple the poverty rate of White Americans. One in three African American children lives in poverty.

The unemployment rate in the African American community is more than 8 percent, twice the unemployment rate of White Americans. The median wealth of White households is 13 times the median wealth of African American households, the widest gap since 1989.

Poverty doesn't just hurt African American families. We know that communities of color are two times more likely to live in poverty and too many rural White and Native Americans have felt persistent poverty for generations.

These statistics paint a clear and stark picture that Congress cannot ignore. We need to get serious about ending poverty and giving everyone, including African Americans and people of color, an opportunity to live the American Dream.

## HONORING THE LIFE OF WILLIAM AMOS ''BILL'' USHER

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

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life of a personal friend, Major William Amos Usher. Bill passed away at the

age of 86 on Sunday in Paducah, Kentucky.

From 1952 to 1962, Bill served as a fighter pilot in France and Germany for the United States Air Force and Air Force Reserves. Bill proudly served in the 417th tactical fighter squadron and was awarded the Commendation Medal for his outstanding work with the United States military.

In 1962, he retired and returned home to Paducah to help with the family trucking company, Usher Transport. Bill became the manager of the company and eventually the owner for many years. Bill established the local Christmas Cop organization, was honored as a Kentucky Colonel and a Duke of Paducah for all of his contributions.

Mr. Speaker, please join me in honoring the life and legacy of Major William Amos ''Bill'' Usher for his many outstanding contributions to the community as well as his service to our country. God bless him always.

## NATIONAL RARE EYE DISEASE AWARENESS DAY

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to introduce my resolution expressing support for the designation of February 28, 2016, as National Rare Eye Disease Awareness Day. In solidarity with those living with rare eye conditions and blindness, I am introducing it in braille.

Joining me today is the Smedley family from my district in Bucks County, Pennsylvania, whose sons, Michael and Mitchell, suffer from a rare eye condition which has caused them to lose their sight at a very young age.

But this has not stopped them from pursuing their dreams. Michael serves in his high school student government and is a member of the track team. Mitchell is on the wrestling team and performs in school plays.

National Rare Eye Disease Awareness Day will highlight exceptional individuals like Michael and Mitchell as they overcome challenges and show us true inspiration.

In doing so, this day will increase awareness for all rare eye diseases and conditions that lead to blindness as well as the need for increased funding for research and for accessibility of treatments.

As a member of the congressional Rare Disease Caucus and as a voice for the Smedleys and the millions more living with blindness, I am proud to introduce this resolution today. I urge my colleagues' support.

## CLOSING GUANTANAMO IS A MISPLACED PRIORITY

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

Mr. LAMALFA. Mr. Speaker, the 2016 National Defense Authorization Act prevents the President from closing the detention facility at Guantanamo Bay unless he submits a plan that receives congressional approval. He has not. This week President Obama submitted the plan to close the prison anyway.

There are currently 91 detainees at Guantanamo Bay. There were 242 when the President took office. His plan calls for transferring 35 of the remaining detainees to other countries.

These detainees have been cleared for transfer by the relevant national security agencies. Approximately 60 detainees will be transferred to facilities in the United States on our own soil. These are not even specified in the plan.

The Department of Defense has identified many potential sites, but again this has not received congressional approval. Construction for a new facility on American soil would cost nearly half a billion dollars.

With all these things going on, with the former GTMO detainees being rearrested for recruiting new ISIS members and an expiration of the timeline for developing an ISIS plan to defeat ISIS, this is a misplaced priority by the President.

We need to stick to the business of what is going to keep our country safe, not fulfill some campaign promise.

□ 1215

## FUTURE FARMERS OF AMERICA WEEK

(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, as a senior member of the House Agriculture Committee, I rise today in recognition of Future Farmers of America, or FAA, Week.

Earlier this week, the Nation marked the birthday of our first President, George Washington. Since 1948, the week of Washington's birthday has also been FAA Week due to the President's legacy as an agriculturalist and a farmer.

Agriculture is a key to not only the history and heritage of our Nation, but also to Pennsylvania and to our Commonwealth's Fifth Congressional District. It is important that we help the future leaders of this industry continue to grow, ensuring that the future of agriculture is just as bright as its present and past.

''I believe in the future of agriculture'' are the first words from the FFA creed. Earlier this year, I met with FAA members from across Pennsylvania, at the Pennsylvania Farm Show, where I held a forum focused on agriculture issues. I was impressed with their knowledge of issues currently impacting farming across the Nation and was inspired by their vision for the future. Echoing the words of the FAA creed, I am sure that, with the dedication of FAA members across the Nation, the future of agriculture is in good hands.

## GUANTANAMO BAY PRISONER TRANSFERS

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

Mr. OLSON. Mr. Speaker, on November 25, 2015, our Commander in Chief made the 2016 National Defense Authorization bill the law of the land.

Section 1030 of that law states, in part, that no amounts authorized may be used to transfer or release, within the United States, Khalid Sheikh Mohammed or any other detainee.

On Monday, despite those clear words, our Commander in Chief announced that he would try to transfer Guantanamo Bay detainees to American soil. His reason? A political campaign promise he made nearly one decade ago is more important than keeping Khalid Sheikh Mohammed behind bars.

Mr. Speaker, the American people want Khalid Sheikh Mohammed's last breath to be in prison in Guantanamo Bay, Cuba. This House—their House—will grant their wish.

## RESTORING ARTICLE I

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

Mr. ALLEN. Mr. Speaker, I rise today to talk about legislation that my colleagues and I recently introduced that works to restore our article I powers of the Constitution.

We all learned about separation of powers in our grade school civics class. As you know, this separation protects that one branch of government doesn't overrule or overstep another. It also ensures that the power of the American people is never diminished.

Article I specifically grants legislative powers to Congress, as Congress was established to be the most direct voice of the people. We are the people's House. It seems the President simply chooses to ignore this.

I have consistently heard from folks in the 12th District who are sick and tired of this administration overstepping its boundaries and overstaying its welcome in their lives. Americans—myself included—are frustrated with an executive branch that goes around Congress to create new rules and regulations daily.

My biggest disappointment as a new Member of Congress is our lack of authority to carry out the will of the American people in this House. As an original cosponsor of H.R. 613, I strongly support this legislation and urge my colleagues to join me in restoring and respecting the most sacred document in our Nation's history—our Constitution.

## CELEBRATING BLACK HISTORY MONTH

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to celebrate Black History Month and the remarkable contributions of Black Hoosiers to our State and country:

Take, for instance, Madam C.J. Walker, a visionary leader who rose from being orphaned at age 7 to becoming an accomplished entrepreneur of hair care products and a prolific philanthropist in the Indianapolis community. She was also America's first self-made female millionaire;

Or Emma Christy, Indianapolis' first female police officer, who patrolled the city's streets with the department's all-female unit, the largest in the world in 1921;

Or the 1955 Crispus Attucks State Championship basketball team. It was the first all-Black team to win a State title.

These are just some of the many African American Hoosiers who have helped shape Indiana's history, enriched our community, and transformed our Nation.

As this month draws to a close, let us continue to honor and recognize all of the trailblazing Black Hoosiers who have contributed so much. We recognize that their great work has paved the path we walk today and leaves lasting legacies in their wake.

## CARBON CAPTURE ACT

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

Mr. TIPTON. Mr. Speaker, the United States is blessed with nearly 30 percent of the world's coal reserves—more than twice that of the nearest coal reserve country, Russia, and three times as much as China.

Colorado is America's 10th leading coal producer. In Colorado's Third Congressional District, mines in communities like Craig and Delta provide critical jobs and tax revenues as they responsibly produce reliable, affordable electricity on which countless Americans rely.

One thing is certain: the people who work in Colorado's mines and coal-fired power plants take great pride in their communities and the natural environment. They want to develop the land's abundant resources as responsibly as possible with as small a footprint as possible.

I do not support the President's Clean Power Plan and have voted to stop this onerous Federal overreach multiple times. However, as industry continuously searches for safer and more efficient ways to produce energy, we will need to incentivize the improvement of technology. Passing the Carbon Capture Act will help facilitate that.

Our economic, national, and energy security are all served through ensuring that the ability to use our natural resources responsibly to provide abundant, affordable energy continues.

## EATING DISORDERS AWARENESS

(Mrs. ELLMERS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ELLMERS of North Carolina. Mr. Speaker, I rise today in recognition of National Eating Disorders Awareness Week.

This annual campaign sheds light on a disease that affects nearly 30 million Americans and has the highest mortality rate of any mental illness. While recovery is certainly possible, early detection and intervention is key. Unfortunately, many people are unfamiliar with the signs typically associated with an eating disorder.

This is why I introduced a bipartisan bill with several of my female colleagues, H.R. 4153, the Educating to Prevent Eating Disorders Act. It would create a pilot program in middle schools to begin educating school counselors, teachers, and nurses about the symptoms of eating disorders.

The facts are clear: education and early detection save lives. This legislation, H.R. 4153, would allow for us to provide both. We have a responsibility to improve the public's understanding of eating disorders so that we can prevent this mental illness.

## PROVIDING FOR CONSIDERATION OF H.R. 2406, SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015

Mr. NEWHOUSE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 619 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 619

*Resolved,* That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 1 hour.

Mr. NEWHOUSE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NEWHOUSE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and reported a rule, House Resolution 619, providing for consideration of H.R. 2406, the SHARE Act, also commonly known as the sportsmen's bill.

The rule provides for consideration of H.R. 2406 under a structured rule, with 17 amendments made in order that are roughly evenly split between Democratic and Republican members of this legislative body.

Mr. Speaker, the SHARE Act is an important bipartisan package of proposals that will promote greater opportunities for hunting, fishing, and outdoor recreation, as well as safeguard the rights of hunters, anglers, and recreational shooters.

While similar bills have passed the House in the past two Congresses, the Senate has failed to adopt them, making this legislation long overdue. This is especially true when considering the current administration's ongoing assault on the Second Amendment, as well as their restrictions on access to Federal land. This includes restricting hunting and shooting on Federal lands,

where many people go to participate in these time-honored American activities.

The Congressional Sportsmen's Foundation recently stated that roughly 37 million American sportsmen and -women spend over $90 billion annually on outdoor sport activities, highlighting the important economic impact this legislation will have on small businesses across the country that comprise our recreational industries.

Mr. Speaker, these outdoor activities are deeply ingrained in America's heritage and culture, with the values they instill passed down from generation to generation. In fact, according to a 2013 Congressional Sportsmen's Foundation report, hunting, fishing, and shooting are growing in popularity throughout the country, with almost 40 million people over the age of 16 hunting or fishing in the United States. However, over the past 7 years, we have seen the Federal Government continually find ways to block law-abiding Americans from exercising this most fundamental right. People all across my State of central Washington are avid hunters, anglers, and outdoorsmen. Many Americans, especially in the West, look to our vast Federal lands to hunt, fish, and shoot.

Unfortunately, over the past few years, we have seen Federal agencies such as the U.S. Forest Service and the Bureau of Land Management prevent or impede access to Federal lands which should otherwise be available for these purposes. Lack of access to acceptable areas to participate in these activities is often one of the main reasons why sportsmen and -women stop participating in these traditional American pastimes. Ensuring the public has reliable access to our Nation's Federal lands must remain a priority of this Congress.

Mr. Speaker, we should be fostering and growing participation in outdoor sporting activities—rather than trying to create regulatory barriers that drive Americans away from them—which instill important lifelong values and principles.

□ 1230

These include responsibility, firearm safety and conservation, as well as patience, discipline, respect for wildlife, and most of all, appreciation of our country's rich natural heritage and beautiful national parks, forests, and vast wilderness areas.

H.R. 2406 is critical to protecting our way of life and ensuring all Americans have the ability to enjoy outdoor recreation and develop a profound appreciation for our country's marvelous natural landscapes.

This legislation is comprised of a number of provisions that will help provide future generations of Americans with access to our country's Federal lands for outdoor recreation, sport shooting, hunting, and fishing.

The measure will also reaffirm the Second Amendment rights of Americans to lawfully carry firearms on Federal lands.

Additionally, it will help prevent Federal overreach, eliminate regulatory impediments, and protect against the promulgation of new, onerous regulations that impede access or restrict lawful activities on Federal lands.

Sportsmen are natural stewards of public lands and greatly contribute to habitat and wildlife conservation, so I find it difficult to understand the rationale behind many of these Federal decisions.

Mr. Speaker, the SHARE Act also includes legislation that I introduced, the Federal Land Transaction Facilitation Act, or FLTFA, which authorizes the BLM to sell surplus lands to States, localities, or private entities that can be put then to economically beneficial use.

Since its initial enactment, FLTFA reduced Federal land ownership by more than 9,000 acres over the course of a decade, while also enhancing access for hunting, fishing, and shooting on these Federal lands.

This critical program brings a commonsense approach to land transactions and helps streamline land ownership patterns, all without spending taxpayer funds or adding to the surplus of federally owned property.

Additionally, the bill includes the Recreational Land Self-Defense Act, legislation that protects the ability of gun owners to exercise their Second Amendment rights when they are legally camping, hunting, and/or fishing on property owned by the Army Corps of Engineers.

Like many in Central Washington, I grew up responsibly exercising the right to bear arms, and I am a longstanding advocate for the protection of those rights, which is why I am proud to cosponsor this bill.

In my district, access to Federal lands is of paramount importance, and the SHARE Act will ensure that sportsmen, outdoorsmen, and all Americans wishing to enjoy our treasured Federal parks and forests have the ability to do so.

For this reason, I have also introduced an amendment to the SHARE Act that would require the U.S. Forest Service to publish a notice in the Federal Register, along with a justification for the closure of any public road in our forests.

In Central Washington and across our country, the Forest Service has closed public roads with no prior notification, preventing access to public areas in our region's national forests. Often, these blocked roadways have been in use for decades, and many local residents rely on them for both everyday activities as well as for recreational purposes.

The first indication of a closure should not come when an individual is faced with an impassable roadway, but, rather, through an adequate public notice from the Forest Service, which my amendment would provide.

Our country has a deep and longstanding tradition of using Federal land for outdoor and recreational activities, and protecting the ability of Americans to use our abundant Federal lands for these purposes must remain one of our top priorities in Congress, which is why I am committed to working with my colleagues in the House and in the Senate to advance this much-needed legislation.

Mr. Speaker, for generations Americans have passed down these values to their children and to their grandchildren, which have deeply ingrained hunting, fishing, and recreational shooting in America's heritage and our cultural fabric.

As I said, growing up in Central Washington, I experienced the importance of these values firsthand, and they continue to play an important role in my life to this very day.

The rule we consider here today provides for consideration of legislation that will protect these values, increase opportunities for hunters, anglers, and shooters, and ensure that future generations of Americans have equal opportunity to access and enjoy our Nation's vast public lands.

This is a good, straightforward rule, allowing for the consideration of a critically important measure. I support the rule's adoption, and I urge my colleagues to support the rule as well as the underlying bill.

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

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

I thank the gentleman, my colleague on the Rules Committee, for yielding the customary 30 minutes to me.

Mr. Speaker, for months, the Chamber's majority has been bringing recycled bills to the floor to stall and waste time, knowing full well these bills will not be signed into law.

The majority has introduced no budget. Our infrastructure is crumbling. Americans are in need of new bridges, new roads, new water systems, schools, housing, and much more.

It has been said that it costs an estimated $24 million to run the House of Representatives for a week, money basically wasted when we do bills like these.

As a matter of fact, I think if we were to add up all that money, we might even be able to do high-speed rail in the United States.

Wouldn't that be a new venture?

The majority has sidestepped addressing the high cost of a college education and the student loan debt crisis. They have put their heads in the sand concerning the threat of the Zika virus.

We have done nothing about the century-old water pipes crisscrossing the country, even in light of the tragedy in Flint. No wonder Americans are so disgusted and angry. Instead of focusing on what people are crying out for, we now bring up this whole package of bills that has no chance of advancing.

Today we have the Sportsmen's Heritage and Recreational Enhancement Act. It advances an anti-conservation agenda at odds with the decades of longstanding tradition benefiting our uniquely American landscapes, wildlife, and sporting community.

The SHARE Act cobbles together seven separate legislative proposals, along with six other titles. Now, that is some seamstress work. It is a grab bag that includes provisions that would undermine the Wilderness Act, the National Environmental Policy Act, and other essential conservation laws.

What's more, the SHARE Act would drive the extinction of domestic and international wildlife by adding language that would block the administration's efforts under the Endangered Species Act to stop ivory trafficking—it basically says that you can, if you go on a safari, bring back elephant tusks because they are not in any danger, despite what we all hear to the contrary—and to prevent the slaughter of American elephants, which is necessary to get those tusks.

The U.S. Fish and Wildlife Service wouldn't be able to stop the illegal ivory trade, and the importation of polar bears would be made possible again.

But I think one of the worst things is it brings back the traps that captured so many of people's pets, small animals who died a very cruel and long death. Why in the world would we do that? What is sporting about catching an animal, sometimes a person, or a pet, in something from which they cannot extricate themselves, and to suffer and to die?

Let's be clear. This bill undermines bedrock conservation laws. It won't benefit the average hunter or angler. People going on safaris might get something more out of it, like elephant tusks, but it will destroy years of work done by animal protection advocates and conservationists. The delicate balance at work in our ecosystem's food chain is not to be trifled with, and we disrupt it at our own peril.

Aside from rolling back decades of work conserving our majestic natural resources, the bill is a distraction from what we should be doing.

May I remind my colleagues on the other side of the aisle of a piece of wisdom from Teddy Roosevelt, America's favorite outdoorsman and actually the person who is responsible for the wonderful national parks that we have.

He said, and I quote: ''We are prone to speak of the resources of this country as inexhaustible; this is not so.''

If he had this worry that we have today here, 100 years ago, I can only imagine what he would think of this state of affairs.

I urge a ''no'' vote on this rule and a ''no'' vote on the underlying legislation.

I reserve the balance of my time.

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

I would just respond that certainly there are many issues facing Congress today, many important things that we have to consider in many issue areas, but that should not preclude us from addressing a very important issue, and that is access to our national, our Federal lands by sportsmen, by hunters, by fishers.

Protecting the ability of Americans to enjoy our natural abundance of Federal lands, I think, is something that our President Roosevelt, who the distinguished gentlewoman from New York quoted, would be very much in favor of. Certainly he was a proponent of enjoying those same Federal lands.

Any efforts that we can put forth to make sure that we can continue those strong traditions of Americans being exposed to the great outdoors in this country is something that we should do all we can to preserve.

I might note, too, that this is a bipartisan-led effort in the House of Representatives. Passed in the last two Congresses, many of the provisions of this bill have enjoyed overwhelming bipartisan support, and this year we do have a clear path forward, as the committees in the other body across the rotunda are already marking up very similar legislation in their work on this important issue.

So I feel very positive about the direction we are taking, about the bipartisan nature of the effort that we have here before us today, and I think it is an important thing that we need to address, as well as many of the other things that the gentlewoman from New York discussed. But certainly this is something that we can and should move forward.

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

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

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up a resolution that will require the majority to stop the partisan games and hold hearings on the President's budget proposal.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, just out of courtesy to the gentlewoman from New York, I do have one Member who would like to speak on this bill, if that is okay with you.

Ms. SLAUGHTER. Of course.

□ 1245

Mr. NEWHOUSE. So, with that, I would be very happy to yield such time as he may consume to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, I rise today in support of H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015, or the SHARE Act.

The SHARE Act has 13 important provisions that will work to expand opportunities for sportsmen and -women to enjoy their favorite outdoor activities around the country.

Title II of this bill, which I authored, is the Recreational Fishing and Hunting Heritage and Opportunities Act. I grew up in northern Michigan and, like many of my constituents, spent my summers fishing and the fall hunting grouse in the UP woods.

These traditions—spending quality time outdoors with our kids and grandkids—are the kinds of things we must make sure are preserved for generations to come.

This portion of the SHARE Act seeks to create an open until closed policy for sportsmen's use of Federal lands.

As you know, nearly one-quarter of the United States landmass, or over 500 million acres, are Federal lands that are owned by all Americans. It is important that the right to fully utilize these lands is ensured for future generations.

Over the years, legislative ambiguity has allowed antihunting groups to pursue an antihunting agenda that has eliminated opportunities for many of these activities on our Federal lands. Groups like these are taking advantage of loopholes in the law to deprive our constituents of the right to fully use Federal lands.

Recreational anglers, hunters, and sporting organizations, many of whom have endorsed this bill, are passionate supporters of the conservation movement. These dedicated sportsmen and -women deserve to know that the land they cherish will not be closed off to hunting, fishing, and shooting for future generations.

This is a bipartisan issue. Both Presidents Clinton and Bush issued executive orders recognizing the value of these heritage activities. It is time we finally close the loopholes, firm up the language, and make sure that future generations will always be able to enjoy the outdoors, hunting, fishing, shooting, or just taking a walk in the woods.

I encourage all my colleagues today to join me in supporting this piece of commonsense legislation.

Mr. NEWHOUSE. Mr. Speaker, I yield to the gentlewoman from New York (Ms. SLAUGHTER) for an opportunity to respond, since she already yielded back her time.

Ms. SLAUGHTER. That is very kind of the gentleman, but I continue to yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, I do have one more speaker who would like to say a few words on this issue.

I yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the sponsor of the bill.

Mr. WITTMAN. Mr. Speaker, I rise to support today's rule.

Mr. Speaker, I am proud to join with Sportsmen's Caucus Co-chair TIM WALZ

and Caucus Vice Chairs JEFF DUNCAN and GENE GREEN in introducing H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act, better known as the SHARE Act.

This bipartisan package of legislation protects and advances hunting, angling, and recreational shooting traditions and also promotes fish and wildlife conservation efforts.

The SHARE Act passed the House of Representatives in both the 113th and 112th Congress with bipartisan support, and in October 2015 the Natural Resources Committee voted 21–15 in favor of the bill.

In addition, H.R. 2406 is supported by the Nation's leading hunting and fishing conservation organizations, which represent millions of sportsmen and -women across the Nation.

This commonsense proposal will expand opportunities for hunting and fishing and promote conservation across the United States, particularly on Federal lands. In many parts of the country, American sportsmen and -women rely on access to Federal lands to hunt, fish, and recreationally shoot.

This bill would expand access to these lands by requiring the Bureau of Land Management and the U.S. Forest Service to keep lands open for hunting, fishing, and recreational shooting unless there is a specific reason to close them.

The bill also requires the National Park Service or Office of National Marine Sanctuaries to consult with State fish and wildlife agencies prior to closing areas to fishing, and allows State fish and wildlife agencies the added flexibility needed to construct public shooting ranges.

The SHARE Act also protects Second Amendment rights. It ensures the rights of law-abiding citizens to possess firearms on lands and waters managed by the United States Corps of Engineers, which is consistent with rights afforded on other Federal public lands. The bill also prevents the Environmental Protection Agency from unnecessarily regulating ammunition and fishing tackle.

As an avid sportsman, I am humbled to advocate for this commonsense legislation. I am proud, also, to introduce it in order to advance the priorities of American sportsmen and -women.

I encourage my colleagues to ensure that America's hunting and fishing heritage remains a top priority for the Federal Government for years to come and to pass this critical legislation.

Mr. Speaker, I urge my colleagues to support the rule and to support H.R. 2406.

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

Mr. Speaker, in closing, let me first say I very much appreciate the distinguished gentlewoman's indulgence on allowing folks to speak on this issue. As you can tell, it is very important to a lot of people. So I thank her very much for her polite indulgence.

Mr. Speaker, the debate that we have had here today underscores the importance of the legislation that is considered under this rule.

I believe we must take a firm stand against executive overreach on the infringement of Americans' constitutional rights to keep and bear arms by protecting the Second Amendment as well as protecting the public's access to Federal lands for the purposes of hunting, fishing, and sports shooting.

People all across the country are avid hunters, anglers, and outdoorsmen, often utilizing public lands for those purposes, and the SHARE Act will ensure that the Federal Government does not restrict their ability to participate in these activities.

Federal lands represent an important and precious national resource for many mixed-use purposes. We must not tolerate efforts by Federal agencies such as the Forest Service or the BLM to restrict, impede, or prevent access to Federal lands that should otherwise be available for use by our country's outdoor enthusiasts as well as sportsmen and -women.

By adopting this rule, providing for consideration of the underlying bill, the House will be taking an important step toward resolving many of the long overdue issues facing our country's outdoor recreational community.

The SHARE Act will allow the values instilled by hunting, fishing, and recreational shooting to be passed down to future generations of Americans, just as our parents passed them to many of us.

This is particularly important to me because, as a farmer, I consider myself a conservationist, a steward of our resources, and believe we have a responsibility to use our natural resources wisely and with care, preserving them for those who come after.

Mr. Speaker, this is a good, straightforward rule allowing for consideration of a long overdue piece of legislation that ensures future generations have access to our country's Federal lands for outdoor recreation and sporting activities.

I have certainly appreciated the discussion here today, which underscores the importance of this issue to so many people. I believe this rule and the underlying bill are strong measures that are important to preserving our Nation's cultural heritage.

Mr. Speaker, I urge my colleagues to support House Resolution 619 and the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 619 OFFERED BY MS. SLAUGHTER

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 624) Directing the Committee on the Budget to hold a public hearing on the President's fiscal year 2017 budget request with the Director of the Office of Management and Budget as a witness. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the resolution specified in section 2 of this resolution.

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THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools

for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NEWHOUSE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. 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 question will be postponed.

## FRAUDULENT JOINDER PREVENTION ACT OF 2016

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3624.

The SPEAKER pro tempore (Mr. WITTMAN). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 618 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3624.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1254

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1300

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Hardworking Americans are some of the leading victims of frivolous lawsuits and the extraordinary costs that our legal system imposes. Every day, local businessowners routinely have lawsuits filed against them, based on claims they have no substantive connection to, as a means of forum shopping on the part of the lawyers filing the case. These lawsuits impose a tremendous burden on small businesses and their employees. The Fraudulent Joinder Prevention Act, introduced by Judiciary Committee Member KEN BUCK from Colorado, will help reduce the litigation abuse that regularly drags small businesses into court for no other reason than as part of a lawyer's forum shopping strategy.

In order to avoid the jurisdiction of the Federal courts, plaintiffs' attorneys regularly join instate defendants to the lawsuits they file in State court, even if the instate defendants' connections to the controversy are minimal or nonexistent.

Typically, the innocent but fraudulently joined instate defendant is a small business or the owner or employee of a small business. Even though these innocent instate defendants ultimately don't face any liability as a result of being named as a defendant, they nevertheless have to spend money to hire a lawyer and take valuable time away from running their businesses or spending time with their families to deal with matters related to a lawsuit to which they have no real connection.

To take just a couple of examples, in Bendy v. C.B. Fleet Company, the plaintiff brought product liability claims against a national company for its allegedly defective medicinal drink. The plaintiff also joined a resident local defendant health clinic alleging it negligently instructed the plaintiff to ingest the drink. The national company removed the case to Federal Court and argued that the small local defendant was fraudulently joined because the plaintiff's claims against the clinic were time-barred by the statute of limitations, showing ''no possibility'' of recovery.

Despite finding the possibility of relief against the local defendant ''remote,'' the court remanded the case after emphasizing how hard it is to demonstrate fraudulent joinder under the current rules. The court practically apologized publicly to the joined party, stating: ''The fact that Maryland courts are likely to dismiss Bendy's claims against the local defendant is not sufficient for jurisdiction, given the Fourth Circuit's strict standard for fraudulent joinder.''

Shortly after remand, all claims against the local defendant were dismissed, of course, after its presence in the lawsuit served the trial lawyer's tactical purpose of keeping the case in their preferred State court. When courts themselves complain about the unfairness of current court rules, Congress should take notice.

In Baumeister v. Home Depot, Home Depot removed a slip-and-fall case to Federal Court. The day after removal and before conducting any discovery, the plaintiff amended the complaint to name a local business, which it alleged failed to maintain the store's parking lot. The court found the timing of the amended complaint was ''suspect,'' noting the possibility ''that the sole reason for amending the complaint to add the local defendant as a defendant . . . could have been to defeat diversity jurisdiction.''

Nevertheless, the court held Home Depot had not met its ''heavy burden'' of showing fraudulent joinder under current law because the court found it was ''possible,'' even if it were just a tenth of a percent possible, that ''the newly added defendant could potentially be held liable,'' and remanded the case back to State court. Once back in State court, the plaintiff stipulated to dismiss the innocent local defendant from the lawsuit, but only after it had been successfully used as a forum shopping pawn.

Trial lawyers join these unconnected instate defendants to their lawsuits because today a case can be kept in State court by simply joining as a defendant a local party that shares the same local residence as the person bringing the lawsuit. When the primary defendant moves to remove the case to Federal Court, the addition of that local defendant will generally defeat removal under a variety of approaches judges currently take to determine whether the joined defendant prevents removal to Federal Court.

One approach judges take is to require a showing that there is ''no possibility of recovery'' against the local defendant before a case can be removed to Federal Court, or some practically equivalent standard. Others require the judge to resolve any doubts regarding removal in favor of the person bringing the lawsuit. Still, others require the judge to find that the local defendant was added in bad faith before they allow the case to be removed to Federal Court.

The current law is so unfairly heavy-handed against innocent local parties joined to lawsuits that Federal Appeals Court Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals has publicly supported congressional action to change the standards for joinder, saying: ''That's exactly the kind of approach to Federal jurisdiction reform that I like because it's targeted. And there is a problem with fraudulent jurisdiction law as it exists today, I think, and that is that you have to establish that the joinder of a nondiverse defendant is totally ridiculous and that there's no possibility of ever recovering . . . That's very hard to do. So I think making the fraudulent joinder law a little bit more realistic . . . appeals to me because it seems to me the kind of intermediate step that addresses some real problems.''

The bill before us today addresses those real problems in two main ways:

First, the bill allows judges greater discretion to free an innocent local party from a case where the judge finds there is no plausible case against that party. That plausibility standard is the same standard the Supreme Court has said should be used to dismiss pleadings for failing to state a valid legal

claim, and the same standard should apply to release innocent parties from lawsuits.

Second, the bill allows judges to look at evidence that the trial lawyers aren't acting in good faith in adding local defendants. This is a standard some lower courts already use to determine whether a trial lawyer really intends to pursue claims against the local defendant or is just using them as part of their forum shopping strategy.

This bill is strongly supported by the National Federation of Independent Business, representing America's small businesses, and the U.S. Chamber of Commerce, among other legal reform groups.

Please join me in supporting this vital legislation to reduce litigation abuse and forum shopping and to protect innocent parties from costly, extended, and unnecessary litigation.

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

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Members of the House, H.R. 3624, the so-called Fraudulent Joinder Prevention Act, is not really about fraud. Rather, this measure is just the latest attempt to tilt the civil justice system in favor of corporate defendants by making it more difficult for plaintiffs to pursue State law claims in State courts.

Here is why I say that. To begin with, H.R. 3624 addresses a nonexistent problem. Under current law, a defendant may remove a case alleging solely State law claims to a Federal court only if there is complete diversity of citizenship between all plaintiffs and all defendants, with an exception. If the plaintiff adds an instate defendant to the case to defeat diversity jurisdiction, this constitutes fraudulent joinder and, in such circumstance, the case may be removed to Federal court.

In determining whether a joinder was fraudulent, the court must consider only whether there was any basis for a claim against the nondiverse defendant. For the case to remain in Federal Court, the defendant must show that there was no possibility of recovery or no reasonable basis for adding the nondiverse defendant.

This very high standard has ignited our Federal Courts for more than a century, and it has functioned well. H.R. 3624 would replace this time-honored standard with a thoroughly ambiguous one. The measure would require a remand motion to be denied unless the court finds, among other things, that it is ''plausible to conclude that the applicable State law would impose liability'' on an instate defendant; that the plaintiff had a ''good faith intention to prosecute the action against each'' instate defendant or to seek a joint judgment; and that there was no ''actual fraud in the pleading of jurisdictional facts.''

Additionally, H.R. 3624 would effectively overturn the local defendant exception, which prohibits removal to Federal Court even if complete diversity of citizenship exists when the defendant is a citizen of the State where the suit was filed.

The bill's radical changes to longstanding jurisdictional practice reveal the true purpose of this measure. It is simply intended to stifle the ability of plaintiffs to have their choice of forum and, possibly, even their day in court.

In addition, H.R. 3624 would sharply increase the cost of litigation for plaintiffs and further burden the Federal court system. For example, terms like ''plausible'' and ''good faith intention'' are not defined in the bill. This ambiguity will lead to greater uncertainty for both courts and litigants and will spawn substantial litigation over their meaning and application, further delaying many decisions in many cases.

Additionally, these standards require a court to engage in a minitrial during an early procedural stage of a case, without an opportunity for the full development of evidence. Thus, the bill would sharply increase the burdens and costs of litigation for plaintiffs and make it more likely that they would be prevented from choosing the forum for their claims.

□ 1315

Finally, the amendments made by this bill raise fundamental federalism concerns. Subject to certain exceptions as set forth in our Constitution, matters of State law should be decided by State courts. The removal of a State court case to Federal court always implicates federalism concerns, which is why the Federal courts generally disfavor Federal jurisdiction and read removal statutes narrowly.

H.R. 3624, however, ignores these federalism concerns. By applying sweeping and vaguely worded new standards to the determination of when a State case must be remanded to a State court, the bill denies State courts the ability to decide and ultimately to shape State law. H.R. 3624 not only violates State sovereignty, but it also violates our fundamental constitutional structure.

Accordingly, I sincerely urge my colleagues to join me in opposing this problematic legislation.

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

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume to respond to some of the points raised by the gentleman from Michigan (Mr. CONYERS), the ranking member.

First of all, it is not this bill that removes cases from State courts to Federal courts. It is the United States Constitution and the Federal laws that have been passed by this Congress for over 200 years that recognize the importance of the principle of diversity jurisdiction and of having parties from different States in cases in controversy able to remove those cases to the Federal system, which represents all citizens, not just the citizens of one State, as State courts are sometimes perceived as doing.

Secondly, it is not this legislation that creates the kind of circumstance that the gentleman from Michigan claims it does of denying access to the courts. Rather, it is the purpose of this legislation to treat people fairly who have been treated unfairly in the process. If you have no liability in a case, you should not be sued in the first place.

If you are sued by a lawyer who is trying to manipulate the rules in order to keep a case in a court that he has forum-shopped—in other words, he has picked the court that he prefers it to be in—that individual or business, as quickly as possible, should be able to seek redress from the Federal court so as to have a determination made about whether or not it is indeed a party that is ''plausibly liable,'' which is a Supreme Court standard to be held in the case.

If it is not a party, then the rules of Federal procedure would allow for the removal of that case to Federal court. So we should not be blaming innocent parties for spoiling the plans of trial lawyers to try to forum-shop into a favorable jurisdiction.

Let me make a few other quick points about federalism.

Some of the rhetoric on the other side suggests that it is somehow strange for Federal courts to be deciding State law claims, but as a matter of history, that is totally inaccurate. State law claims are heard by Federal courts whenever the Federal courts have the diversity jurisdiction that is outlined in the Constitution.

That has been a major part of the Federal trial court's work for far longer than Federal claims have existed, and out-of-State defendants have been able to remove civil cases from State courts since the beginning of the Federal judicial system created by the very first Congress of which James Madison and many other Founders were members.

All the bill before us today does is protect the right of removal from being subverted by blatant gamesmanship on the part of trial lawyers. H.R. 3624 also protects in-State individuals and small businesses from being dragged into litigation just so the plaintiff can keep the case in State court when the plaintiff's primary target is an out-of-State corporation.

Is it really unfair to say to the trial lawyer, ''when your real target is an out-of-State corporation but you want to keep the case in State court, you have to come up with a claim against the local in-State individual or small business that is at least plausible''?

That is the simple, fair, and modest demand that this bill makes on trial lawyers.

Is it fair to the local individual or small business that it is required to bear the costs and other burdens of litigation when the claim against it isn't even plausible?

No, it is not, but that is what is allowed under current law, and that is what H.R. 3624 will correct.

I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

Somehow the gentleman from Virginia has misunderstood what I said or has mischaracterized what I said.

This bill makes it too difficult to remand cases back to State courts to the point at which federalism concerns are raised and plaintiffs are frequently harmed.

Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN), a distinguished member of the Judiciary Committee.

Mr. COHEN. I thank the ranking member.

Mr. Chairman, this bill which has come before our committee is one that the President has said he will veto because the President says that it is a ''solution that is looking for a problem'' or something to that effect.

This bill will make it more difficult for plaintiffs—people who have been harmed—to get relief because their cases in State courts can more easily be removed to Federal courts.

Now, the gentleman from Virginia is exactly right in that it has always been permitted. You can remove a case to Federal court if you can show that the plaintiff in the State court is not a proper plaintiff, if you can show that there is diversity of citizenship and not complete diversity.

The problem is that this has always been the rule, and it is the way the rule is now; but the courts have not come to us and said this is a problem and have asked us to correct it. We are correcting this because the corporate defendants want to make it easier for them to remove these cases to courts at which they will get better results. It will make it more difficult for plaintiffs to get judgments in State courts, which have historically been a bit healthier. This makes it almost impossible.

It increases litigation. It makes you, on the front end, have to show your case. It increases the cost to the courts and the burden on the courts. It will make the government larger because there will be more activity in Federal court if this becomes law. It will take from the States the right to determine their own State laws, which is generally the position of my friends on the other side—being for states' rights. In certain parts of our country, including in my part of the country, they have been known to sometimes talk poorly about the Federal courts. This gives the Federal courts more power.

It is an aberrant position that this side has taken, kind of like they took when we had reciprocity on gun permits. Rather than having States' laws be paramount, they thought the Federal law should superimpose it. We have got a situation by which the idea of States' laws being sovereign and States having more authority and giving more power to the States falls second to being for things that corporations and the NRA desire. In those cases, states' rights come second, and that is an unusual aberration.

This bill will probably not pass the Senate, but if it does, it will be vetoed, and it won't be overridden.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman an additional 1 minute.

Mr. COHEN. Yesterday we had a program at which we honored the foot soldiers of the civil rights movement. One of the Republican Senators confessed: ''I should have done more.'' I hear that from a lot of folks from the South. They go to Selma and they march and they say they should have done more.

Meanwhile, one can do something today because there is a Voting Rights Act that needs to be extended or amended and approved to give people the ultimate thing that America is most well-known for, which is the right to vote in a democracy.

Voting rights are in peril in our country, income inequality continues, and millions of Americans of both parties are voting for candidates who appeal to those folks. Race relations between police and minority communities are fraught, young people have tremendous burdens of student loan debt, and our infrastructure is in danger.

Let's deal with those issues and let's make Congress great again.

Mr. GOODLATTE. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. BUCK), the chief sponsor of this legislation and a member of the House Judiciary Committee.

Mr. BUCK. I thank the gentleman.

Mr. Chairman, in many cases a trial lawyer's main target is a national business, but if the only defendant in the case is an out-of-State business, the case can be heard in Federal court rather than in a local State court, which trial lawyers often prefer.

By also suing a local defendant in addition to the national defendant, who are the true targets of the lawsuits, trial lawyers can keep their cases in the preferred State courts.

Trial lawyers who sue innocent local people and small businesses simply to keep the lawsuits in their preferred State courts usually drop their cases against these innocent local parties but only after their cases are safely back in State courts and only after the innocent local parties have had to spend time and money in dealing with the lawsuits. That is not right. Trial lawyers shouldn't be able to subject innocent local people and small businesses to costly and time-consuming lawsuits just to rig the places in which their lawsuits will be heard.

This unfairness led respected Federal appeals court Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals to publicly support congressional action to change the standards for joinder to allow judges greater flexibility in making the right decisions on questions of removal to Federal court and to give Federal judges greater discretion to determine earlier in the case whether a local party joined to the lawsuit is there for a good reason or for fraudulent reasons.

H.R. 3624 is precisely the kind of remedy urged by Judge Wilkinson, who has said:

> That is exactly the kind of approach . . . that I like because it is targeted; and there is a problem with fraudulent jurisdiction laws as it exists today, I think, and that is that you have to establish that the joinder of a non-diverse local defendant is totally ridiculous and that there is no possibility of ever recovering. . . . That is very hard to do. So I think making the fraudulent joinder law a little bit more realistic . . . appeals to me because it seems to me the kind of intermediate step that addresses some real problems.

H.R. 3624 would protect innocent local defendants in two main ways.

First, the bill allows Federal judges greater discretion to release local defendants from a case where it is not plausible to conclude, as a legal matter, that applicable State law would impose liability on the local defendant. The term ''plausible'' is taken from the Supreme Court's jurisprudence that interprets rule 8 of the Federal Rules of Civil Procedure, and the Court's decisions provide substantial guidance as to the meaning of the term.

Initially, in Bell Atlantic Corp. v. Twombly, the Court distinguished between plausible claims and claims that are speculative:

> Factual allegations must be enough to raise a right to relief above the speculative level.

Later, in Ashcroft v. Iqbal, the Court stated:

> The plausibility standard . . . asks for more than a sheer possibility that a defendant has acted unlawfully. This standard demands more than an unadorned, 'the defendant unlawfully harmed me' accusation or threadbare recitals of the elements of a cause of action, supported by mere conclusory statements.

Professor Martin H. Redish, one of the Nation's foremost scholars of Federal court jurisdiction, has written:

> The Twombly/Iqbal plausibility standard represents the fairest and most efficient resolution of the conflicting interests in the context of pleading.

It will similarly provide a fair and efficient approach in the context of fraudulent joinder.

Second, the bill codifies a proposition that the Supreme Court has long recognized: that in deciding whether joinder is fraudulent, courts may consider whether the plaintiff has a good faith intention of seeking a judgment against the local defendant.

Consistent with Supreme Court precedent, courts continue to find fraudulent joinder when objective evidence clearly demonstrates there is no good faith intention to prosecute the action against all defendants.

As the Federal court in Faulk v. Husqvarna Consumer Outdoor Products N.A., Inc., said:

> Where the plaintiff's collective litigation actions, viewed objectively, clearly demonstrate a lack of good faith intention to

pursue a claim to judgment against a nondiverse local defendant, the court should dismiss the nondiverse defendant and retain jurisdiction over the case.

□ 1330

The language of this provision is taken almost verbatim from an oftencited decision in the Third Circuit, In re Briscoe: ''The court said that joinder is fraudulent if 'there is . . . no real intention in good faith to prosecute the action against the defendant or seek a joint judgment.' ''

I urge all my colleagues to support this simple, commonsense bill that will protect innocent local parties from being dragged into expensive and time-consuming lawsuits for the sole reason of furthering a trial lawyer's forum shopping strategy.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a veteran member of the House Judiciary Committee.

Mr. NADLER. Mr. Chairman, I rise in opposition to the so-called Fraudulent Joinder Prevention Act.

The main purpose of the bill is to make it easier to remove State cases to Federal courts where large corporate defendants have numerous advantages over consumers, patients, and injured workers.

This bill is yet another attempt by the Republicans to tilt the legal playing field in favor of large corporations. It will clog the Federal courts, drain judicial resources, upset well-established law, and delay justice for plaintiffs seeking to hold corporations accountable for harming consumers or injuring workers.

This bill is part of a general effort by the Republicans to close off access to the courts to ordinary Americans. With every step the Republicans take, whether it be to put forward bills to make class action suits more difficult, to remove more local cases to Federal courts, to reclassify more lawsuits as frivolous and subject to mandatory sanctions, or to oppose legislative attempts to limit mandatory arbitration clauses, they are transforming our system of justice.

Our courts are being turned into a forum where only very rich people can get justice, where corporations can easily escape liability, and where consumers and the injured can get no relief, and it is all tilted one way.

There is nothing in this bill or in any other bill put forward by the other side that will help ordinary consumers hold big corporations responsible for actions that harm the little guy.

Under this so-called Fraudulent Joinder Prevention Act, anytime there is a case with at least one instate, nondiverse, and out-of-state, diverse, defendant, the defendants will use this forum shopping bill law to delay justice.

These attempted removals will result in contentious disputes over whether the court has jurisdiction. It will drain court time, as the courts will have to engage in almost a minitrial, reviewing pleadings, affidavits, and other evidence submitted by the parties since this bill turns a simple procedural determination into a merits determination.

At a minimum, the bill will allow corporate defendants to successfully force the plaintiff to expend their limited resources on what should be a simple procedural matter.

Under this bill, this preliminary decision would become a baseless, time-consuming merits inquiry of the case before a second time-consuming merits inquiry on the substance. While large corporations can easily accommodate such cost, injured workers, consumers, and patients cannot.

I am amazed by some of my colleagues who, with this bill, will bring even more cases to our Federal courts. I don't need to remind you that our Federal courts are facing an enormous number of judicial vacancies with no end in sight due to delays in confirmations in the other body.

Yet, this bill would increase the workload of the Federal courts with cases based on the flimsiest of Federal jurisdiction. It makes no sense. This bill will take up valuable Federal court time with State claims based on State law, preventing the Federal courts from hearing and managing cases that are properly before them.

Finally, despite its name, this bill is not about fraud. Indeed, the proponents cite no example that alleges actual fraud.

I would say this is a bill in search of a problem. I would say that, if I didn't understand, the true purpose of the bill is not to stop fraud, but to further tilt the scales of justice in favor of big corporations over the needs of ordinary Americans.

For these reasons, I oppose it. I urge all of my colleagues to oppose this bill as well.

We should defeat this bill and start making Congress great again.

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

Mr. CONYERS. Mr. Chairman, I yield 3½ minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, just a few minutes ago the Judiciary Committee ranking and chairman were in a hearing that exuded bipartisan expressions for fixing the challenges that we have, with the location of data and international requests for data being held by America's technology companies. It was an interesting and open discussion, which I want to evidence on the RECORD.

The Judiciary Committee is continuing and has had over the years bipartisan approaches to a number of difficult questions, which we have solved, including our approach to criminal justice reform. I thank the chairman and ranking member for that.

I also want to acknowledge that we have some challenges, as was evidenced by comments from the gentleman from Tennessee, on the restoration of the Voting Rights Act. We find ourselves again in a challenge that I hope can be fixed.

First, I want to make it very clear that I practiced law for a number of years and served as an associate municipal court judge and as well was a quasi-prosecutor on the Select Committee on Assassinations which, I allow, this body did research when that select committee was in place the issues of the investigations of Dr. Martin Luther King's assassination and John F. Kennedy.

So I know the importance of lawyers, of which I have the greatest respect and of which I am one. I understand that trial lawyers are representing both defendants and plaintiffs and corporations come into the court with trial lawyers. So I am a little taken aback by any suggestion that the words ''trial lawyers'' have a negative connotation.

Anyone who wants to win a case in a courtroom must have a lawyer, and you would want to make sure that they are a trial lawyer. As well, you want to make sure that you have the rights of due process.

So I would make the argument that trial lawyers go into court, whether they are representing corporations or plaintiffs. Corporations in many instances may be defendants.

In that case, I will tell you you are making it far more difficult by pushing cases into the Federal court under H.R. 3624. It is more expensive and they take longer, making it difficult for workers, consumers, and patients generally to have their cases closer to home in State courts.

However, there may be an instance where a corporation is a plaintiff and you will have the same blocking of that corporation by this bill.

If this bill was enacted, it would tip the scales of justice in favor of corporate defendants or others that make it more difficult for injured plaintiffs. It would effectively eliminate the local defendant exception by diversity jurisdiction. I heard someone say—and it bears repeating—it is a solution looking for a problem.

The current standard used by the courts to determine whether the joinder of a nondiverse defendant is improper, however, has been in place for a century. We have no evidence that this has put anyone in a position of not getting due process. That is our goal in the court system.

The fraudulent joinder doctrine is well established and, in fact, will only be found if the defendant establishes that the joinder of the diversity-destroying party in the State court was made without a reasonable basis. We have a system, but this particular bill reverses this longstanding policy by imposing new requirements.

Finally, Mr. Chairman, if I might, further taking away a defendant's responsibility to prove that Federal jurisdiction over State cases is improper

alters the fundamental precept of a party seeking removal.

I ask my colleagues to recognize that we have bipartisanship on this committee.

I oppose this legislation and ask my colleagues to oppose it.

I thank the gentleman for yielding and rise in strong opposition to H.R. 3624, the ''Fraudulent Joinder Prevention Act of 2016.''

H.R. 3624 is the latest effort to deny plaintiffs access to the forum of their choice and, possibly, to their day in court.

H.R. 3624 seeks to overturn longstanding precedent in favor of a vague and unnecessary test that forces state cases into federal court when they don't belong there, and gives large corporate defendants an unfair advantage to pick and choose their forum without the normal burden of proving proper jurisdiction.

If enacted this bill would tip the scales of justice in favor of corporate defendants and make it more difficult for injured plaintiffs to bring their state claims in state court.

H.R. 3624 would effectively eliminate the local defendant exception to diversity jurisdiction under 28 U.S.C. 1441(b)(2), which currently prohibits removal to federal court even when there is complete diversity when a defendant is a citizen of the state in which the action is brought.

The current standard used by courts to determine whether the joinder of a non-diverse defendant is improper, however, has been in place for a century, and no evidence has been put forth demonstrating that this standard is not working.

Rather, the ''Fraudulent Joinder Doctrine,'' is a well-established legal doctrine providing that: fraudulent joinder will only be found if the defendant establishes that the joinder of the diversity-destroying party in the state court action was made without a reasonable basis of proving any liability against that party.

H.R. 3624 reverses this longstanding policy by imposing new requirements on federal courts considering remand motions where a case is before the court solely on diversity grounds.

Specifically, it changes the test for showing improper joinder from a one-part test (''no possibility of a claim against a nondiverse defendant'') to a complicated four-part test, requiring the court to find fraudulent joinder if: There is not a ''plausible'' claim for relief against each nondiverse defendant; There is ''objective evidence'' that ''clearly demonstrates'' no good faith intention to prosecute the action against each defendant or intention to seek a joint judgment; There is federal or state law that clearly bars claims against the nondiverse defendants; or There is actual fraud in the pleading of jurisdictional facts.

What should be a simple procedural question for the courts, now becomes a protracted mini-trial, giving an unfair advantage to the defendants (not available under current law) by allowing defendants to engage the court on the merits of their position.

By requiring litigation on the merits at a nascent jurisdictional stage of litigation based on vague, undefined, and subjective standards like ''plausibility'' and ''good faith intention,'' and by potentially placing the burden of proof on the plaintiff, this bill will increase the complexity and costs surrounding litigation of state law claims in federal court and potentially dissuade plaintiffs from pursuing otherwise meritorious claims.

Further, taking away a defendant's responsibility to prove that federal jurisdiction over a state case is indeed proper alters the fundamental precept that a party seeking removal should bear the heavy burden of establishing federal court jurisdiction.

The bill is a win-win for corporate defendants.

At its most harmful, it will cause non-diverse defendants to be improperly dismissed from the lawsuit.

At its least harmful, it will cause an expensive, time-consuming detour through federal courts for plaintiffs.

Wrongdoers would not be held accountable for the harm they cause, while the taxpayers ultimately foot the bill.

For example: large corporate defendants (i.e. typically the diverse defendants) would be favored by the bill because, if the nondiverse defendant is dismissed, they can blame the now-absent in-state defendant for the plaintiff's injuries.

Smaller, nondiverse defendants would also be favored because the diverse defendant does all the work for them.

The diverse defendant removes the case to federal court and then argues that the nondiverse defendant is improperly joined.

If the federal court retains jurisdiction, the nondiverse defendant must be dismissed from the case.

If one or more defendants are dismissed from the case, it is easy for the remaining defendant to finger point and blame the absent defendant for the plaintiff's injuries.

Even if a federal court remands the case to state court under the bill, the defendants have successfully forced the plaintiff to expend their limited resources on a baseless, time-consuming motion on a preliminary matter.

While large corporate defendants can easily accommodate such costs, plaintiffs (i.e. injured consumers, patients and workers) cannot.

Regardless of whether the case is remanded to state court or stays in federal court, this new, mandated inquiry will be a drain on the limited resources of federal courts.

By mandating a full merits-inquiry on a procedural motion, H.R. 3624 is expensive, time-consuming, and wasteful use of judicial resources.

Lastly, by seeking to favor federal courts over state courts as forums for deciding state law claims, this bill offends principles of federalism.

The ability of state courts to function independently of federal courts' procedural analysis is a necessary function of the success of the American judiciary branch.

For these, reasons I urge my colleagues to join me in opposing H.R. 3624, the Fraudulent Joinder Prevention Act.

Mr. GOODLATTE. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. JOHNSON), another distinguished member of the House Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chairman, I return to the floor today for the second time in as many months to speak against another crony-capitalist, Republican-led bill to benefit big business.

H.R. 3624, the Fraudulent Joinder Protection Act, as it is so called, is a solution in search of a problem.

Current Federal law already provides Federal courts with ample tools to address possible forum shopping. This crony-capitalist legislation would add needless complications for civil litigants seeking redress for violent claims in the State courts.

Two, it further stretches the already limited resources Federal courts are experiencing due to Republican-passed, budget-cutting sequestration measures.

Currently America is burdened with a Republican Party-caused judicial vacancy crisis in this Nation's Federal courts, where there are over 81 Federal court judicial vacancies around the country, including the one left vacant by the passing of Justice Scalia.

Republicans—who control the Senate and who, in the press conferences and meetings they have held this week, have fully exposed their plot to add to this judicial crisis—are refusing to fill that vacancy on the country's highest Court, and they have an ulterior purpose for doing so.

That purpose, ladies and gentlemen, is because they know that justice delayed is justice denied. They want to gum up the works of the Federal courts by defunding the Federal courts while at the same time bogging them down with State court matters that should be left to the States, and then what it results in is crony capitalists being able to avoid being held accountable in the State or Federal courts.

So this Congress should not further burden the Federal courts, which are already strapped for time and resources, when State courts are more suited and capable of hearing State—not Federal, but State—law claims as State courts have been empowered to do since this country was formed.

The Acting CHAIR (Mr. WALKER). The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield an additional 1 minute to the gentleman from Georgia.

Mr. JOHNSON of Georgia. The 10th Amendment in this country means something. It means something to Republicans, and it means something to Democrats. Sometimes we disagree on what it means and what impacts it should have.

But there is no doubt that the Federal court system has its body of law and the citizens should be able to bring their claim into their State courts, as they have been doing since this country's foundation.

They use the 10th Amendment when it is convenient to them, and then they violate it when it is not convenient. That is not the way that conscientious Republicans should operate. I challenge them to stop this encroachment on states' rights.

This legislation presumes that Federal courts are not currently preventing forum shopping in civil suits,

but there is absolutely no credible evidence that Federal courts are failing to do their duty.

I ask my colleagues to oppose this crony-capitalist legislation.

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

Mr. CONYERS. Mr. Chairman, I yield myself 1 minute.

I thought you might be interested in knowing that 21 different organizations strongly oppose H.R. 3624, the Fraudulent Joinder Prevention Act, including: the American Association for Justice, the Center for Effective Government, the Center for Justice and Democracy, the Consumer Federation of America, the D.C. Consumer Rights Coalition, Main Street Alliance, the National Association of Consumer Advocates, the National Disability Rights Network's lawyers, the National Employment Lawyers Association.

I include in the RECORD the letter containing the list of groups that strongly oppose H.R. 3624.

FEBRUARY 23, 2016.

Re Groups Strongly Oppose H.R. 3624, ''The Fraudulent Joinder Prevention Act''.

Hon. PAUL RYAN,
*Speaker, House of Representatives, Washington, DC.*

Hon. NANCY PELOSI,
*Minority Leader, House of Representatives, Washington, DC.*

DEAR SPEAKER RYAN AND LEADER PELOSI: The House will soon be voting on H.R. 3624, the ''Fraudulent Joinder Prevention Act.'' This bill would upend long established law in the area of federal court jurisdiction, place unreasonable burdens on the federal judiciary, and make it more difficult for Americans to enforce their rights in state courts. The undersigned organizations strongly oppose the bill as harmful and unnecessary.

Under our system of government, federal court jurisdiction is supposed to be very limited. State courts should not be deprived of jurisdiction over a claim they should properly hear, so the burden is always on the party trying to get into federal court to show why it should be there. When a case is properly in state court, only complete ''diversity'' can support removing it to federal court, meaning that no plaintiff in a case may come from the same state as any defendant.

H.R. 3624 would undermine this fundamental precept and force state cases into federal court when they don't belong there. The bill would do this by transforming the centuries-old concept called ''fraudulent joinder,'' which is a way to defeat complete diversity; i.e., when non-diverse defendants are in case. Despite its name, joining such defendants is rarely ''fraudulent'' and has been accepted practice for over a century. As Lonny Hoffman, Law Foundation Professor of Law at the University of Houston Law Center, explained in testimony to this committee, under current, ''well-settled law, fraudulent joinder will only be found if the defendant establishes that the joinder of the diversity-destroying party in the state court action was made without a reasonable basis of proving any liability against that party.'' Current law ''strikes an appropriate balance among competing policies in how it evaluates the joinder of non-diverse defendants.''

However, H.R. 3624 would dramatically change this longstanding, efficient and well-functioning law. The bill alters the fundamental precept that a party seeking removal has a very heavy burden to establish federal court jurisdiction. At a preliminary stage, the court is required to engage in exhaustive fact finding on the merits even before summary judgment. The bill instructs the court to use subjective and vague criteria, like ''objective evidence clearly demonstrates that there is no good faith intention'' or ''based on the complaint . . . it is not plausible to conclude,'' creating uncertainty as courts struggle with how to interpret and apply this new standard. The bill provides no evidentiary standards to help courts make such a complex decision. And requiring the court to engage in extensive factual adjudication at this early stage raises significant 7th Amendment ''right to jury trial'' constitutional concerns. As Professor Hoffman put it in testimony to this committee, although the bill is short in length, its provisions are ''anything but modest; if enacted, they would dramatically alter existing jurisdictional law.''

The process contemplated by this bill would be not only unfair to and incredibly expensive for the plaintiff, but also an enormous waste of judicial resources. There is no reason for these state based claims to be heard in federal court other than corporations' desire to engage in forum shopping. Yet, there is no evidence whatsoever that national corporations, who choose to avail themselves of the marketplaces in states across the country, complying with multiple state laws in the process, should then have a problem appearing in state court.

H.R. 3624 will have a destructive impact on our state and federal judiciary. Professor Hoffman said in his testimony, ''Finally, by divesting state courts of jurisdiction and deciding merits questions that state courts now routinely resolve, proponents appear deaf to the serious federalism concerns that the bill raises.'' We urge you to oppose this legislation.

Thank you.

Very sincerely,

Alliance for Justice, American Association of Justice, Americans for Financial Reform, Asbestos Disease Awareness Organization, Center for Effective Government, Center for Justice & Democracy, Consumer Federation of America, Consumer Action, Consumer Watchdog, Consumers for Auto Reliability and Safety, D.C. Consumer Rights Coalition, Essential Information, Homeowners Against Deficient Dwellings.

Main Street Alliance, National Association of Consumer Advocates, National Consumer Law Center (on behalf of its low income clients), National Consumer Voice for Quality Long-Term Care, National Consumers League, National Disability Rights Network, National Employment Lawyers Association, Protect All Children's Environment, SC Appleseed Legal Justice Center, Texas Watch, The Impact Fund, Woodstock Institute, Workplace Fairness.

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PUBLIC CITIZEN,
*Washington, DC, February 18, 2016.*

Re Opposition to H.R. 3624, The Fraudulent Joinder Prevention Act of 2015.

HOUSE OF REPRESENTATIVES,
*Washington, DC.*

DEAR REPRESENTATIVE: I am writing on behalf of Public Citizen, a non-profit membership organization with more than 400,000 members and supporters nationwide, to express opposition to H.R. 3624, the Fraudulent Joinder Prevention Act of 2015. This bill is an unnecessary intrusion into the province of the federal courts.

H.R. 3624 addresses a federal district court's consideration of a plaintiff's motion to remand a case to state court, after a defendant has removed the case from the state court in which it was filed to federal district court on the theory that the plaintiff had fraudulently joined a non-diverse defendant for the purpose of defeating federal-court jurisdiction. The purpose of the bill, as made clear in the September 29, 2015, hearing, is to assist defendants in keeping cases in federal court after removal. The bill purports to effectuate this purpose by specifying that the federal court consider evidence, such as affidavits, and by specifying four findings that would require a federal district court to deny a plaintiff's motion to remand.

Congress should not get into the business of micro-managing the motion practice of the federal courts without strong evidence that current court procedures are not serving their purpose: facilitating justice. In this case, however, the hearing provided no support for the assumption that the district courts are not denying motions to remand in appropriate cases. Witness testimony that different courts state different standards for reviewing such motions does not support a call for congressional action, unless the existence of different standards is leading to unjust results. The testimony, however, did not demonstrate that the courts' current approach results in injustice, and it did not explain how results would differ under the standard proposed in the bill and why any difference would be an improvement. Simply put, the bill is a supposed fix for an imagined problem. The House should hesitate before taking the step into micromanagement of the federal courts' consideration of one specific type of motion, where that motion has existed for more than a century and evidence of a problem is so flimsy.

Thank you for consideration of our views.

Sincerely,

ROBERT WEISSMAN,
*President, Public Citizen.*

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EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
*Washington, DC, February 24, 2016.*

STATEMENT OF ADMINISTRATION POLICY

H.R. 3624—FRAUDULENT JOINDER PREVENTION ACT OF 2016 (REP. BUCK, R–CO)

The Administration strongly opposes H.R. 3624 because it is a solution in search of a problem and makes it more difficult for individuals to vindicate their rights in State courts.

Federal law currently permits defendants to remove to Federal court a civil case initially filed in State court where the plaintiffs and defendants are citizens of different States and the case's value exceeds a certain monetary threshold. H.R. 3624 purports to address a problem called fraudulent joinder, where plaintiffs fraudulently raise claims against a same-state defendant in order to defeat the Federal court's ability to hear the case.

Existing Federal law already provides Federal courts with ample tools to address this problem, and the proponents of H.R. 3624 have offered no credible evidence that the Federal courts are failing to carry out their responsibility to prevent fraudulent joinder. The bill would therefore add needless complexity to civil litigation and potentially prevent plaintiffs from raising valid claims in State court.

If the President were presented with H.R. 3624, his senior advisors would recommend that he veto the bill.

Mr. CONYERS. Mr. Chairman, I yield back the balance of my time.

□ 1345

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is not often that the House has the opportunity to protect innocent local people and businesses from costly and meritless lawsuits and holding them to a good faith standard in litigation all by passing a bill that is just a few pages long, but that is the opportunity the House has today.

I thank the gentleman from Colorado (Mr. BUCK), a member of the Committee on the Judiciary, for introducing this vital measure, and I urge all my colleagues to join me in supporting it.

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

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 3624

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

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Fraudulent Joinder Prevention Act of 2016''.*

***SEC. 2. PREVENTION OF FRAUDULENT JOINDER.***

*Section 1447 of title 28, United States Code, is amended by adding at the end the following:*

*''(f) FRAUDULENT JOINDER.—*

*''(1) This subsection shall apply to any case in which—*

*''(A) a civil action is removed solely on the basis of the jurisdiction conferred by section 1332(a);*

*''(B) a motion to remand is made on the ground that—*

*''(i) one or more defendants are citizens of the same State as one or more plaintiffs; or*

*''(ii) one or more defendants properly joined and served are citizens of the State in which the action was brought; and*

*''(C) the motion is opposed on the ground that the joinder of the defendant or defendants described in subparagraph (B) is fraudulent.*

*''(2) The joinder of the defendant or defendants described in paragraph (1) (B) is fraudulent if the court finds that—*

*''(A) there is actual fraud in the pleading of jurisdictional facts;*

*''(B) based on the complaint and the materials submitted under paragraph (3), it is not plausible to conclude that applicable State law would impose liability on each defendant described in paragraph (1)(B);*

*''(C) State or Federal law clearly bars all claims in the complaint against all defendants described in paragraph (1)(B); or*

*''(D) objective evidence clearly demonstrates that there is no good faith intention to prosecute the action against all defendants described in paragraph (1)(B) or to seek a joint judgment.*

*''(3) In determining whether to grant or deny a motion under paragraph (1)(B), the court may permit the pleadings to be amended, and shall consider the pleadings, affidavits, and other evidence submitted by the parties.*

*''(4) If the court finds fraudulent joinder under paragraph (2), it shall dismiss without prejudice the claims against the defendant or defendants found to have been fraudulently joined and shall deny the motion described in paragraph (1)(B).''.*

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–428. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BUCK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–428.

Mr. BUCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 1, strike ''the defendant or defendants'' and insert ''a defendant''.

Page 4, line 5, after ''facts'' insert ''with respect to that defendant''.

Page 4 beginning in line 9 and ending in line 10, strike ''each defendant described in paragraph (1)(B)'' and insert ''that defendant''.

Page 4, beginning in line 12 and ending in line 13, strike ''all defendants described in paragraph (1)(B)'' and insert ''that defendant''.

Page 4, beginning in line 16 and ending in line 17, strike ''all defendants described in paragraph (1)(B)'' and insert ''that defendant''.

Page 4, line 17, after ''joint judgment'' insert ''including that defendant''.

Page 4, line 23, strike ''fraudulent joinder'' and insert ''that all defendants described in paragraph (1)(B) have been fraudulently joined''.

Page 4, beginning in line 25 and ending in line 1 of page 5 strike ''the defendant or defendants found to have been fraudulently joined'' and insert ''those defendants''.

The Acting CHAIR. Pursuant to House Resolution 618, the gentleman from Colorado (Mr. BUCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. BUCK. Mr. Chairman, this manager's amendment simply makes a few technical changes to the bill; namely, striking references to multiple defendants and replacing them with references to single defendants to make clear that even if one instate defendant has a legitimate connection to the case, the case can remain in State court.

I urge my colleagues to support this technical and clarifying amendment.

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

Mr. CONYERS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. Members of the House, I oppose the manager's amendment, something I rarely ever do. While I don't take issue with the changes to the bill that the manager's amendment makes, this amendment fails to address any of the concerns that I raised about the underlying bill because the bill is flawed in its very conception.

There is no real problem that this bill addresses. Existing fraudulent joinder law adequately addresses the improper joinder of instate defendants, and the bill's proponents have offered no evidence to the contrary.

This unnecessary bill instead creates great uncertainty and delay in the consideration of State law claims with its ambiguous new requirements. It will also spawn much litigation, leading to increased costs that will be borne disproportionately by plaintiffs.

This bill, in addition, violates State sovereignty by significantly diminishing the ability of State courts to decide and shape State law matters.

Those are my objections to the manager's amendment. I hope it will be voted down.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. BUCK).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–428.

Mr. CARTWRIGHT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 2, strike the close quotation mark and the period which follows.

Page 5, after line 2, insert the following:

''(5) This subsection shall not apply to a case in which the plaintiff seeks compensation resulting from the bad faith of an insurer.''.

The Acting CHAIR. Pursuant to House Resolution 618, the gentleman from Pennsylvania (Mr. CARTWRIGHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. I yield myself such time as I may consume.

Mr. Chairman, I also oppose the underlying bill, which I call the wrongdoers protection act for multistate and multinational corporations, and for that purpose I add this amendment.

It is no coincidence that these corporate wrongdoers want to force consumers to fight them in the Federal court. That is the effect of this bill, to enlarge Federal court diversity jurisdiction.

It is no coincidence that the corporate wrongdoers want to fight there. It is not because they think the Federal judges are better looking or that

the Federal judges are more polite or that the decor is nicer in Federal court. No. They want to go there because they are more likely to beat consumers in Federal court cases.

After a generation of bad decisions by the Supreme Court of the United States, Federal court has become candy land for corporate wrongdoers, generations of bad decisions that invite and exhort district judges to forget about the 7th Amendment in the Bill of Rights. You remember what that says. It was written by James Madison. It was announced as approved by Secretary of State Thomas Jefferson, whose statue stands right outside this Chamber. It says this: ''In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.''

There is nothing ambiguous about that. But since the 1980s, there has been this steady drumbeat of Supreme Court of the United States decisions encouraging and emboldening Federal court judges to decide and dismiss cases without the trouble of a jury trial.

Their toolkit is enormous: motions to dismiss, motions for judgment on the pleadings, motions for summary judgment, motions for directed verdict, motions for judgment as a matter of law.

Cases do get thrown out every day without the trouble of jury trials, and the Seventh Amendment right to jury trial is not preserved. That is why wrongdoer corporations prefer to be in Federal court. So that is the backdrop, Mr. Chairman.

On top of that, I want to give you some very strong reasons why this underlying bill is bad. Number one, it is discriminatory. Unless you are a multistate or multinational corporation, this bill doesn't help you. If you are an individual sued in State court, you get no help. If you are a small-business owner only doing work in your State, you are out of luck. This doesn't provide you any help. Only multistate, multinational corporations get help, and that is why I call this the wrongdoers protection act for multistate and multinational corporations.

Number two, it is burdensome. Representative JOHNSON from Georgia already made this point. The Federal courts are already overworked and understaffed. The civil caseload already is growing at 12 percent a year—much of that, by the way, contract cases filed by corporations. There are currently 81 vacancies in the Federal judiciary. There is no reason to add to this burden.

Number three, this bill is ironic. We have a crowd in this House that constantly preaches about states' rights and the need to cut back on the Federal Government. But a bill like this comes along, and they drop that states' rights banner like it is a hot potato and pick up the coat of arms of the multistate, multinational corporations.

Number four, and maybe most importantly, the underlying bill is wrongheaded because these cases, called diversity cases, are filed in State court under State law; and ever since the 1930s in the Erie Railroad case, if you take these cases and handle them in Federal court, the Federal judges have to follow State law, not Federal law. Mr. Chairman, there is nobody better at interpreting State law than State court judges. It stands to reason.

I offer this amendment that is on the desk to exempt consumer cases against insurance companies for bad faith in insurance practices. If the majority is going to persist and present this gift, this enormous gift to the multistate and multinational corporate wrongdoers, at least include this amendment and give a couple of crumbs to the average American consumer trying to defend himself or herself in court.

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

Mr. BUCK. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. BUCK. I yield myself such time as I may consume.

Mr. Chairman, this amendment should be roundly opposed for the simple reason that not only does it not protect any victims, but it also victimizes innocent local parties in the types of cases covered by the amendment.

The purpose of this bill is to allow judges greater discretion to free innocent local parties—that is, innocent people and innocent small businesses—from lawsuits when those innocent local parties are dragged into a case for no other reason than to further a trial lawyer's forum-shopping strategy.

These innocent local parties have, at most, an attenuated connection to the claims by the trial lawyer against some national company a thousand miles away, and these innocent local parties shouldn't have to suffer the time, expense, and emotional drain of a lawsuit when the plaintiff cannot even come up with a plausible claim against it. The base bill protects those innocent local parties from being dragged into a lawsuit brought against some other party for no other reason than to keep the case in a State court the trial lawyer prefers.

Now, enter this amendment, which denies the bill's protections to innocent local parties joined to a lawsuit simply because the legal allegations in the case fall into one arbitrary category rather than another. That is terribly unfair.

If this were any other kind of bill designed to protect innocent people, no one would argue that it shouldn't apply when the lawsuit relates to a bad faith suit against an insurance company. Innocent people are innocent people, and they should be protected from being dragged into lawsuits, regardless of the nature of the case.

Now, let me say a little something about this amendment based on my career as a prosecutor.

As a prosecutor, I deeply respected all the rules we have developed in this country to protect the innocent. These are rules of general application, such as rules protecting people's rights to have their side of the story told and rules protecting people from biased or inaccurate testimony. I would have been appalled if anyone ever suggested that these general protections designed to protect innocent people from criminal liability should be suspended because the case was one of assault or battery or murder or somehow related to insurance.

Our country is rightfully proud of its principles providing due process and equal protection, but those concepts are meaningless if they are only selectively applied to some cases but not others. For the same reason, we should all be outraged at the suggestion that rules of fairness designed to protect the innocent should be suspended in civil law because the case involves one particular subject or another. But that is exactly what this misguided amendment does.

Further, courts could read this amendment as not even allowing them to consider the fraudulent joinder argument for cases within its coverage, no matter how clear it was that there was no valid claim against the local defendant under State law.

This bill defines and limits fraudulent joinder. It does not license courts to make up their own fraudulent joinder doctrines for cases not within its coverage. Under that reading, claims could be made against local insurance agents with no factual basis supporting the lawsuit.

The amendment would also allow a plaintiff's lawyer to drag an individual insurance adjuster into a lawsuit even when the applicable State law makes absolutely clear that only insurers, not individual people, are subject to bad faith claims.

How does a sponsor explain to a person like Jack Stout why a lawyer pulled him into a bad faith lawsuit targeting State Farm? Mr. Stout was a local insurance agent who merely sold a policy to the plaintiff, met and spoke with the plaintiff once, and had nothing to do with processing the plaintiff's homeowner insurance claim.

A Federal district court in Oklahoma found he was fraudulently joined and dismissed the claim against him. But under this amendment, this innocent person could be struck back into the lawsuit.

How does the sponsor explain to a person like Douglas Bradley why a plaintiff's lawyer named him as a defendant in a bad faith lawsuit against an insurer? In that case, the complaint included Mr. Bradley, an insurance agent, as a defendant in the caption referred to as defendant, singular, not defendants throughout, and did not even mention Mr. Bradley in the body of the complaint.

A Federal district court in Indiana dismissed the claim against him as fraudulently joined, but under this amendment, this innocent person could be sucked back into the lawsuit, and that is not fair.

For all these reasons, this amendment should be soundly rejected.

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

□ 1400

Mr. CARTWRIGHT. Mr. Chairman, to respond to my colleague from Colorado who has just cited two cases where, under existing law and procedure, fraudulent joinder of bad faith insurance claims was claimed and actually succeeded, the proof is right there.

The statute does not need to be amended. It is working already. That is why we don't need to include bad faith insurance cases in the Wrongdoers Protection Act for multistate and multinational corporations.

I yield back the balance of my time.

Mr. BUCK. Mr. Chairman, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARTWRIGHT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

Mr. BUCK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATTA) having assumed the chair, Mr. WALKER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, had come to no resolution thereon.

## RECESS

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

Accordingly (at 2 o'clock and 1 minute p.m.), the House stood in recess.

□ 1515

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 3 o'clock and 15 minutes p.m.

## FRAUDULENT JOINDER PREVENTION ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 618 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3624.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1515

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in House Report 114–428 offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) had been postponed.

AMENDMENT NO. 2 OFFERED BY MR. CARTWRIGHT

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. CARTWRIGHT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 237, not voting 18, as follows:

[Roll No. 87]

AYES—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Griffith
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOES—237

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster

| | | |
|---|---|---|
| Smith (MO) | Upton | Williams |
| Smith (NE) | Valadao | Wilson (SC) |
| Smith (NJ) | Wagner | Wittman |
| Smith (TX) | Walberg | Womack |
| Stefanik | Walden | Woodall |
| Stewart | Walker | Yoder |
| Stivers | Walorski | Yoho |
| Stutzman | Walters, Mimi | Young (AK) |
| Thompson (PA) | Weber (TX) | Young (IA) |
| Thornberry | Webster (FL) | Young (IN) |
| Tiberi | Wenstrup | Zeldin |
| Tipton | Westerman | Zinke |
| Trott | Westmoreland | |
| Turner | Whitfield | |

NOT VOTING—18

| | | |
|---|---|---|
| Butterfield | Hoyer | Rush |
| Cook | Kelly (IL) | Sanchez, Loretta |
| Cooper | Lewis | Simpson |
| Delaney | Luján, Ben Ray (NM) | Smith (WA) |
| Green, Gene | Napolitano | Wilson (FL) |
| Hastings | Roby | |
| Herrera Beutler | | |

□ 1535

Mr. FLEISCHMANN and Mrs. WAGNER changed their vote from ''aye'' to ''no.''

Messrs. SWALWELL of California, POSEY, and DOGGETT changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Chair, on Thursday, February 25, 2016, I was absent during rollcall vote No. 87. Had I been present, I would have voted "yes" on the Cartwright Amendment.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RODNEY DAVIS of Illinois) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3624) to amend title 28, United States Code, to prevent fraudulent joinder, and, pursuant to House Resolution 618, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. WATSON COLEMAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. WATSON COLEMAN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Watson Coleman moves to recommit the bill H.R. 3624 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendments:

Page 5, line 2, strike the close quotation mark and the period which follows.

Page 5, after line 2, insert the following:

''(5) This section shall not apply to a case in which the plaintiff seeks relief in connection with the sexual abuse and exploitation of a minor.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey is recognized for 5 minutes in support of her motion.

Mrs. WATSON COLEMAN. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My amendment would simply ensure that those who have filed a suit in connection with sexual abuse or exploitation of a minor are exempt from the changes that this law makes.

Mr. Speaker, this bill is an assault on the ability of everyday hardworking Americans to seek justice, and despite its misleading title, this bill has absolutely nothing to do with fraud and will do nothing to prevent it.

This is just one more step by my colleagues on the other side of the aisle to offer corporations every opportunity imaginable to take advantage of workers, consumers, and patients.

By making it easier to move cases to Federal court, we make it easier for big corporations to play the long game, waiting out plaintiffs with limited financial resources, with limited capacity to travel far from home for hearings, and with limited ability to sit through the significantly longer Federal process.

The current law has been around for centuries, based on the obvious logic that a State case belongs in a State court.

The new burden that this bill would place on the average American is simply outrageous. The least that we can do is protect children who have already been victimized by sexual assault.

My amendment is simple. It would ensure that we allow those who have filed lawsuits in connection with the sexual abuse or exploitation of a minor to continue to operate under the completely operational and already efficient system currently in place.

Most importantly, it will protect victims who have already experienced incredible emotional and physical trauma from being dragged through a long and costly court process far from home just to benefit some multinational corporation out to maximize its profits.

This isn't a hypothetical situation. In one case heard in Washington State, plaintiffs were minors who were sexually exploited by instate defendants and by an out-of-State defendant who advertised the sexual services of the minors on the defendant's Web site.

When those plaintiffs brought claims against the defendants for sexual exploitation, assault, battery, unjust enrichment, and civil conspiracy, the out-of-State defendant attempted to move the case to Federal court. Federal courts rejected that defendant's arguments, and the case remained at the State level. But if this bill is allowed to pass, that would no longer be the case.

Mr. Speaker, this bill is reprehensible. Unfortunately, it is only the latest in a long line of efforts to put corporations beyond reproach and outside of any accountability. Let's at least ensure that young people, who have already been victimized, don't experience any further mistreatment for the sake of shareholders' profits.

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

Mr. GOODLATTE. Mr. Speaker, I seek time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I would like to thank the gentleman from Colorado (Mr. BUCK) for bringing this outstanding legislation before the House. This is very common sense. It solves a very practical problem, and most importantly, it protects the innocent. I want to quote him with regard to this motion to recommit. He says:

As a prosecutor, I deeply respected all the rules we developed in this great country to protect the innocent. These are rules of general application, such as rules protecting people's rights to have their side of the story told and rules protecting people from biased or inaccurate testimony.

I would have been appalled if anyone ever suggested that these general protections, designed to protect innocent people from criminal liability, should be suspended because the case was one of assault or battery, murder, or somehow related to insurance.

Our country is, rightfully, proud of its principles providing due process and equal protection, but those concepts are meaningless if they are only selectively applied to some types of cases, but not others. For the same reason, we should all be outraged at the suggestion that rules of fairness, designed to protect the innocent, should be suspended in the civil law because the case involves one particular subject or another.

But that is exactly what this motion to recommit does.

□ 1545

The problem with all of the arguments made by opponents of this bill is that those arguments rely on trapping completely innocent local people in lawsuits they don't deserve to be in. That is wrong, and that is unfair. Innocent local people and small businesses deserve protections from being dragged into lawsuits that are really directed against other larger parties, regardless of the nature of those lawsuits against other parties.

In the end, this bill doesn't require much of trial lawyers. It tells trial lawyers not to sue local innocent people

and businesses just so they can further their own forum shopping strategies. It tells trial lawyers they need to have a plausible case before they can wrap up innocent local people and businesses in costly and time-consuming lawsuits.

It tells trial lawyers their lawsuits must be based on good faith. But, apparently, those very modest demands of civility and fairness are too much to ask, according to opponents of this bill who would prefer to dilute it with irrelevancies and distractions.

It is not often that the House has the opportunity to protect innocent local people and businesses from costly and meritless lawsuits, rein in forum shopping abuses by trial lawyers, and hold them to a good faith standard in litigation, all by passing a bill that is just a few pages long. But that is the opportunity the House has today.

I urge all of my colleagues to take that opportunity now. Reject this motion to recommit and, in so doing, expand the opportunities of all local citizens and small businesses that would otherwise be smothered by costly and meritless lawsuits. Pass this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. WATSON COLEMAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; ordering the previous question on House Resolution 619; and adoption of House Resolution 619, if ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 239, not voting 14, as follows:

[Roll No. 88]

AYES—180

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—14

Butterfield
Cook
Cooper
Green, Gene
Hastings
Herrera Beutler
Hoyer
Kelly (IL)
Napolitano
Roby
Sanchez, Loretta
Simpson
Smith (WA)
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HULTGREN) (during the vote). There are 2 minutes remaining.

□ 1553

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, February 25, 2016, I was absent during rollcall vote No. 88. Had I been present, I would have voted "yes" on the Motion to Recommit H.R. 3624—Fraudulent Joinder Prevention Act of 2015.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CONYERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 189, not voting 15, as follows:

[Roll No. 89]

AYES—229

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper

Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—189

Adams
Aguilar
Amash
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Griffith
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Butterfield
Carter (GA)
Cook
Cooper
Costello (PA)
Green, Gene
Hastings
Herrera Beutler
Hoyer
Kelly (IL)
Napolitano
Roby
Sanchez, Loretta
Simpson
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1559

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COSTELLO of Pennsylvania. Mr. Speaker, on rollcall No. 89, I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, February 25, 2016, I was absent during rollcall vote No. 89. Had I been present, I would have voted "no" on Final Passage of H.R. 3624—Fraudulent Joinder Prevention Act of 2015.

## PROVIDING FOR CONSIDERATION OF H.R. 2406, SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 619) providing for consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 178, not voting 15, as follows:

[Roll No. 90]

YEAS—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—178

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes

Hinojosa
Honda
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Butterfield
Cole
Cook
Cooper
Green, Gene
Hastings
Herrera Beutler
Hoyer
Kelly (IL)
Napolitano
Roby
Rogers (KY)
Sanchez, Loretta
Simpson
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1607

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NAPOLITANO. Mr. Speaker, on Thursday, February 25, 2016, I was absent during rollcall No. 90. Had I been present, I would have voted "no" on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 2406.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 175, not voting 17, as follows:

[Roll No. 91]

YEAS—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
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Wilson (SC)
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Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
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Cook
Cooper
Green, Gene
Hastings
Herrera Beutler
Hoyer
Jeffries
Kelly (IL)
Napolitano
Palazzo
Palmer
Roby
Rogers (KY)
Sanchez, Loretta
Simpson
Smith (WA)

□ 1614

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. NAPOLITANO. Madam Speaker, on Thursday, February 25, 2016, I was absent during rollcall vote No. 91. Had I been present, I would have voted "no" on H. Res. 619—Rule providing for consideration of H.R. 2406—Sportsmen's Heritage and Recreational Enhancement (SHARE) Act.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Madam Speaker, I was unable to vote on Thursday, February 25, 2016, due to important events being held today in our district in Houston and Harris County, Texas. If I had been able to vote, I would have voted as follows: On the Cartwright Amendment to H.R. 3624, the Fraudulent Joinder Prevention Act, I would have voted "yea." On the Democratic Motion to Recommit H.R. 3624, I would have voted "yea." On Final Passage of H.R. 3624, I would have voted "no." On the Motion on Ordering the Previous Question on the Rule for H.R. 2406, Sportsmen's Heritage and Recreational Enhancement Act, I would have voted "no." On H. Res. 619, the resolution providing for consideration of H.R. 2406, I would have voted "no."

## SPORTSMEN'S HERITAGE AND RECREATIONAL ENHANCEMENT ACT OF 2015

GENERAL LEAVE

Mr. WITTMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2406, the SHARE Act.

The SPEAKER pro tempore (Mr. DENHAM). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 619 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2406.

The Chair appoints the gentlewoman from Tennessee (Mrs. BLACK) to preside over the Committee of the Whole.

□ 1616

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, with Mrs. BLACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. WITTMAN) and the gentleman from Virginia (Mr. BEYER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Chair, I yield myself such time as I may consume.

Madam Chair, before the House today is the Sportsmen's Heritage and Recreational Enhancement Act of 2016, better known as the SHARE Act. It is a package of commonsense bills that will increase opportunities for hunters, recreational shooters, and anglers; eliminate unneeded regulatory impediments; safeguard against new regulations that impede outdoor sporting activities; and protect Second Amendment rights. Similar packages were passed with strong bipartisan support in both the 112th and 113th Congresses.

Outdoor sporting activities, including hunting, fishing, and recreational shooting, are deeply engrained in the fabric of America's culture and heritage. Values instilled by partaking in these activities are passed down from generation to generation and play a significant part in the lives of millions of Americans.

Much of America's outdoor sporting activity occurs on our Nation's Federal lands. Unfortunately, Federal agencies like the U.S. Forest Service and Bureau of Land Management often prevent or impede access to Federal lands for outdoor sporting activities. Because lack of access is one of the key reasons sportsmen and -women stop participating in outdoor sporting activities, ensuring the public has reliable access to our Nation's Federal lands must remain a top priority.

The SHARE Act does just that. One of the key provisions in the bill, the Recreational Fishing and Hunting Heritage Opportunities Act, will increase and sustain access for hunting, fishing, and recreational shooting on Federal lands for generations to come. Specifically, it protects sportsmen and -women from arbitrary efforts by the Federal Government to block Federal lands from hunting and fishing activities by implementing an ''open until closed'' management policy.

Another provision in the package will give State and Federal agencies the tools to jointly create and maintain recreational shooting ranges on Federal lands. In addition, the bill allows the Department of the Interior to designate hunting access corridors throughout our national parks so that sportsmen and -women can access adjacent Federal lands to hunt and fish.

The package also protects Second Amendment rights and the use of traditional ammunition and fishing tackle. It defends law-abiding individuals' constitutional right to keep and bear arms on lands managed by the Army Corps of Engineers and ensures that hunters are not burdened by outdated laws preventing bows and crossbows from being transported across national parks.

Finally, the package prevents the implementation of onerous constraints by the U.S. Fish and Wildlife Service on lawfully possessed domestic ivory products and eliminates red tape associated with the importation of 41 lawfully harvested polar bear hunting trophies.

This important legislation will sustain America's rich hunting and fishing traditions, improve access to our Federal lands for responsible outdoor sporting activities, and help ensure that the current and future generations of sportsmen and -women are able to enjoy the sporting activities our country has to offer and what we hold dear.

I strongly encourage my colleagues to vote ''yes'' on this important election.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, 22 February 2016.*

Hon. BOB GOODLATTE,
*Chairman, Committee on the Judiciary, Washington, DC.*

DEAR MR. CHAIRMAN: During the week of February 22, 2016, the House will be debating H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary, among other committees.

At the request of Vice Chairman Cynthia Lummis, I ask that you allow the inclusion of the text of H.R. 3279, the Open Book on Equal Access to Justice Act, as passed by the House of Representatives, as part of a manager's amendment to the bill. Mrs. Lummis is a cosponsor of the measure and has discussed this course of action with the bill's author. The Senate counterpart to H.R. 2406 already includes such a provision, and I believe it would be a substantial improvement to the bill and bolster its purpose of increased sportsmen's opportunities to hunt, fish and recreationally shoot. If the amendment is adopted, this action would in no way affect your jurisdiction over the subject matter of the amendment, and it will not serve as precedent for future amendments. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee on this matter. Finally, I would be pleased to include this letter and any response in the Congressional Record to document our agreement.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman,*
*Committee on Natural Resources.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
*Washington, DC, February 23, 2016.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 2406, the ''Sportsmen's Heritage and Recreational Enhancement Act of 2015,'' which the House is scheduled to debate this week. As a result of your having consulted with us on the inclusion of the text of H.R. 3279, the ''Open Book on Equal Access to Justice Act,'' as part of your Committee's manager's amendment to H.R. 2406, I agree to allow the text of H.R. 3279 to be included in the amendment.

The Judiciary Committee takes this action with our mutual understanding that by allowing the inclusion of the text of H.R. 3279 in the manager's amendment, we do not waive any jurisdiction over subject matter contained in H.R. 3279 or similar legislation, and that our Committee will be appropriately consulted and involved as H.R. 2406 moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving H.R. 2406, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 2406.

Sincerely,

BOB GOODLATTE,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, February 23, 2016.*

Hon. KEVIN BRADY,
*Chairman, Committee on Ways and Means, Washington, DC.*

DEAR MR. CHAIRMAN: On December 10, 2015, the Committee on Natural Resources favorably reported as amended H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015.

The reported bill contains provisions affecting import bans, a matter within the jurisdiction of the Ways and Means Committee. I ask that you not seek a sequential referral of the bill so that it may be scheduled by the Majority Leader this week. This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record to document this agreement.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman, Committee on Natural Resources.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
*Washington, DC, February 23, 2016.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 2406, the ''Sportsmen's Heritage and Recreational Enhancement Act of 2015,'' which the Committee on Natural Resources ordered reported favorably. As you note, several provisions of the bill affect the establishment and operation of import bans, a matter that is within the jurisdiction of the Committee on Ways and Means. I agree to forego action on this bill so that it may proceed expeditiously to the House floor for consideration.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2406 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 2406.

Sincerely,

KEVIN BRADY,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, December 2, 2015.*

Hon. K. MICHAEL CONAWAY,
*Chairman, Committee on Agriculture, Washington, DC.*

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Agriculture, among other committees. My staff has shared a copy of the reported text with your staff.

I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman, Committee on Natural Resources.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
*Washington, DC, December 8, 2015.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for the opportunity to review H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 2406 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the Congressional Record during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

K. MICHAEL CONAWAY,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, December 7, 2015.*

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and Infrastructure, Washington, DC.*

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Transportation and Infrastructure, among other committees.

I ask that you allow the Committee on Transportation and Infrastructure to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman, Committee on Natural Resources.*

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HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
*Washington, DC, December 8, 2015.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR CHAIRMAN BISHOP: I write concerning H.R. 2406, the Sportmen's Heritage and Recreational Enhancement Act of 2015 (SHARE Act). This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 2406, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Should a conference on the bill be necessary, I fully expect the Committee on Transportation and Infrastructure to be represented on the conference committee.

Thank you for your assistance in this matter and for agreeing to include a copy of this letter in the bill report filed by the Committee on Natural Resources, as well as in the Congressional Record during Floor consideration.

Sincerely,

BILL SHUSTER,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, December 9, 2015.*

Hon. FRED UPTON,
*Chairman, Committee on Energy and Commerce, Washington, DC.*

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Energy and Commerce, among other committees.

I ask that you allow the Committee on Energy and Commerce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman, Committee on Natural Resources.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
*Washington, DC, December 9, 2015.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015.

As you noted, the bill was additionally referred to the Committee on Energy and Commerce, and I agree to the discharge of the Committee from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects the Committee's jurisdiction over the subject matter of the bill, and it will not

serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I appreciate your support for my request to have the Committee represented on the conference committee.

Finally, I appreciate the inclusion of your letter and this response in the bill report tiled by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your assistance.

Sincerely,

FRED UPTON,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
*Washington, DC, December 9, 2015.*

Hon. BOB GOODLATTE,
*Chairman, Committee on the Judiciary, Washington, DC.*

DEAR MR. CHAIRMAN: On October 8, 2015, the Committee on Natural Resources ordered favorably reported as amended H.R. 2406, the Sportsman's Heritage and Recreational Enhancement Act of 2015. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary, among other committees.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
*Chairman,*
*Committee on Natural Resources.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
*Washington, DC, December 9, 2015.*

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources, Washington, DC.*

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 2406, the ''Sportsmen's Heritage and Recreational Enhancement Act of 2015,'' which the Committee on Natural Resources recently ordered reported favorably. As a result of your having consulted with us on provisions in H.R. 2406 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2406 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 2406.

Sincerely,

BOB GOODLATTE,
*Chairman.*

Mr. WITTMAN. Madam Chair, I reserve the balance of my time.

Mr. BEYER. Madam Chair, I yield myself such time as I may consume.

Madam Chair, I rise to oppose H.R. 2406, with great respect for my friend, the gentleman from Virginia. I respect very much what Representative WITTMAN and others are trying to do.

The best I can do to describe H.R. 2406 is a missed opportunity. Many of the titles in the bill are inoffensive, but others would significantly hinder conservation efforts that benefit hunters, anglers, and other lovers of the outdoors.

I myself am an avid hiker, Madam Chair. I just completed 25 miles on the Appalachian Trail in the snow last week in Representative GOODLATTE's district. I am up to 1,288 miles on the Appalachian Trail. I would love to see conservation efforts that protect the long-term legacy of the Appalachian Trail like the Land and Water Conservation Fund.

Simply put, this bill doesn't include the sporting community's top legislative priorities. The Natural Resources Committee Democrats have been clear from the beginning that we are open to discussions that could lead to compromise legislation—legislation that would indeed include many of the pieces of this bill, but also additional titles that would earn it broad bipartisan support.

In a letter several days ago, Ranking Member GRIJALVA wrote to the chair expressing optimism that a noncontroversial outcome could still be achieved and requesting negotiations to produce a bill that would pass the House without opposition. Unfortunately, this request was denied.

So I would love to have this bill on the suspension calendar, but not on the suspension calendar I would like to detail nine specific objections.

Objection 1, this bill omits the top two priorities of the outdoors community, the permit reauthorization of the Land and Water Conservation Fund, and the permit reauthorization of the North American Wetlands Conservation Act.

LWCF has provided funding to help protect some of Virginia's most special places: the Rappahannock River Valley, Back Bay National Wildlife Refuge, Shenandoah Valley Battlefields Historic District, and the Appalachian Trail.

Studies have shown that for every dollar of LWCF invested, there is a $4 return to communities. The broader outdoor recreation conservation economy is responsible for more than $600 billion in consumer spending every year.

This is one of the Nation's premier programs. Over the years, LWCF has been responsible for more than 40,000 State and local outdoor recreation projects: playgrounds, parks, refuges, and baseball fields. There is strong bipartisan support. I believe 88 percent of Americans want Congress to preserve it. So now is the perfect opportunity to do that.

We have had hearings in the Committee on Natural Resources on Representative Chairman BISHOP's bill. We need hearings on Representative GRIJALVA's H.R. 1814, which has more than 200 bipartisan cosponsors. This bill was the perfect opportunity to include that bill.

It was also the perfect opportunity to do the North American Wetlands Conservation Act, NAWCA. It is a voluntary, nonregulatory conservation program. Farmers, ranchers, and other private landowners support the program, and every project is voluntary. It fosters conservation efforts by the non-Federal sector.

Over the years, nearly 5,000 corporate, small business, nonprofit, State, and local entities have tripled NAWCA dollars by providing matching funds. The 50 State wildlife agencies are all active partners in it, and demand for NAWCA continues to exceed available funds. So this was debated and thoroughly vetted in the 112th and the 113th Congresses. It was unanimously reauthorized by Congress in 2006, and this was a great vehicle to do that.

Objection 2, title X, I believe, which is the ivory title, this would gut the administration's proposed ivory rule. Last year, the U.S. Fish and Wildlife Service seized a 1-ton stockpile of illegal elephant ivory, most of which was seized from a Philadelphia antique dealer named Victor Gordon.

For at least 9 years, Gordon imported and sold ivory from freshly killed African elephants in violation of U.S. law and the laws of the countries where the elephants were poached and the ivory was stolen. While a ton of ivory was confiscated, there is no way to know how much Gordon had sold during the previous decade or where it is now.

How did he get away with it for so long?

The ivory was doctored so it looked old enough to pass through a loophole in enforcement of the African Elephant Conservation Act, a law that was passed by us in 1989 to end the commercial import and export of ivory.

The Obama administration's proposed ivory rule would close that loophole and prevent U.S. citizens from being involved—knowingly or unknowingly—in elephant poaching and the trafficking crisis. Ending the commercial ivory trade does not mean taking away the people's musical instruments, ivory-handled pistols, or family heirlooms. Museum collections, scientific specimens, and sport-hunted trophies will also be allowed to move freely. Neither the Fish and Wildlife Service's direct order nor the forthcoming Endangered Species Act rule restrict possession or transport within the United

States, and transport into and out of the country will still be allowed with the appropriate documentation.

Further, items up to 200 grams—7 ounces—of ivory can still be bought and sold, and that is more ivory than is in any piano or ivory-gripped pistol.

What the rule will do is stop profiteering off elephant parts in this country. As long as ivory has monetary value, people will kill elephants to get it. Eliminating value will eliminate demand, and it is a necessary component of the broader U.S. strategy to reduce wildlife poaching and trafficking.

I am disappointed that Ranking Member GRIJALVA's amendment to strike ivory was not made in order in the Rules Committee, but I understand no one wanting to vote on this floor to be in favor of killing more elephants. Regardless, the inclusion of that provision in this bill before us today shows that somehow we are unaware or unconcerned with the fact that poachers are slaughtering nearly 100 African elephants a day.

Objection 3, Madam Chair, is section 302 of SHARE Act that would allow polar bear trophies. It creates a loophole in the Marine Mammal Protection Act to allow a handful of wealthy trophy hunters to import polar bear trophies into the U.S. in defiance of current law.

If passed, this will be the fourth major carve-out by Congress since 1994 for Americans who have hunted polar bears in Canada. Although the number of polar bears affected by this loophole will be relatively small, the cumulative effect of the carve-outs has been detrimental to an imperiled species.

And these trophy hunters were not caught up in government bureaucracy or red tape. All the individuals hunted the bears after the George W. Bush administration proposed the species for listing as threatened under the Endangered Species Act despite repeated warnings from government agencies, hunting groups, and the conservation community that the trophies could face a bar on importation and that these hunters were hunting at their own risk.

Granting this request would create a dangerous precedent by encouraging hunters to race for trophies the moment any species is considered for listing when such species most need protection, knowing they can rely on Congress later to let them import their trophies.

Objection 4, the provision gives States the veto power on Federal fishing management and national marine parks, sanctuaries, and monuments.

I flew to Homestead, Florida, this past spring, Madam Chair, for their public hearing on the Biscayne Bay, a national marine that was set aside by the park service. It was a small, small percentage of the total Federal lands and waters. About half the fishermen there were for it and half the fishermen were against it, but it missed the fact that these were not State waters and that we in Congress have a responsibility to the entire Nation, not just for any one county or one region.

Our oceans cover more than 70 percent of the Earth, and 99 percent of that water is open to fishing, but in some cases science shows that we must protect certain areas. We all want more people to have more fishing opportunities, but the fish have to be there.

I was impressed by something the director of NOAA told me a couple years ago, that the fishing marine reserves in the Pacific set aside by George W. Bush, you can now see them from space because the fish have recovered so quickly within those reserves, that the fishing vessels outline the perimeter of the reserve, which you can see from 100 miles away.

Objection 5, title 15 bars the Forest Service from restricting dog deer hunting on certain national forest lands in Louisiana, Mississippi, Oklahoma, and Arkansas. The aim is to allow for a continued hunting of deer with dogs, which is an extremely controversial practice that pits landowners against hunters.

Landowners complained. This didn't come from overzealous environmentalists or Federal regulators. It came from landowner complaints to the Forest Service to ban deer dogging in the Louisiana Kisatchie National Forest.

□ 1630

Congress should let expert land managers manage land and other resources valued by all Americans. This decision to ban hunting deer with dogs was necessary to create balance among multiple users of the forest, and Congress should respect that.

Objection 6 is title IV that creates the Recreational Lands Self-Defense Act. This bill would actually prohibit the Army from developing or enforcing any regulation that prohibits an individual from possessing a firearm at recreation areas administered by the Corps of Engineers. It is just hard to believe that we are going to restrict the Army from regulating gun use on Army property. If the Army is in charge of lands management, it should be able to determine whether firearms are appropriate on a site.

Army lands abut family homes and other sensitive sites. We should not lightly permit access in places where an accidental shot could wind up in someone's backyard or in a sensitive location. Accidental shots are real. A longtime family friend—a West Point graduate and a retired Army colonel—was sitting at his desk when a bullet, an accidental bullet, came through the window, hit him in the back of the neck, and he is a quadriplegic today.

Objection 7 is title IX that changes a successful program, the Federal Land Transaction Facilitation Act. On the Natural Resources Committee, we have heard much from the majority, appropriately, about how we need to deal with the incredible infrastructure deferred maintenance backlog that we have on lands that we own. Basically, that we shouldn't buy more until we take care of what we already have. This would allow the existing act to take 100 percent of the land from land transactions and spend it on deferred maintenance.

This violates the whole original idea of the act: that we would sell Federal land to get more Federal land back. Furthermore, it makes these expenditures subject to appropriation. So if we bring in X million dollars in land sold, we don't have to buy or even use that X million dollars on new deferred maintenance. It could just go to—wherever.

I am disappointed that the bipartisan land-for-land FLTFA version that sportsmen in 165 groups have championed for a decade isn't included in the SHARE Act today.

Objection 8 is title VI. Currently over 75 percent of all Federal land is open to hunting and fishing, but title VI deems all Bureau of Land Management and Forest Service land open for hunting unless it is closed by the head of the agency through a long closure process. Right now, they can be closed by local land managers.

Once again, I find this a little ironic because so much of the theme from the majority, which I respect, is to move decisionmaking back close to the communities that are actually affected. In this case, they are moving it away from the communities and to Washington, D.C., to close these lands. It also undermines the Wilderness Act, the National Environmental Policy Act, and the National Wildlife Refuge System Administration Act.

Finally, Madam Chair, objection 9 is trapping. The SHARE Act would dramatically expand the use of body-gripping traps on Federal public lands, including in sensitive wilderness areas. The provision takes the step, unprecedented in Federal law, of adding trapping to the definition of hunting, then creating a presumption that all these Federal public lands are open. Millions of acres of land would be open to trapping.

Even under current law, roughly 6 million targeted animals are killed in traps every year, according to Association of Fish and Wildlife Agencies. Held in a painful leghold trap, a beaver, a bobcat, a fox, will try desperately to break free in the hours or days until they succumb to dehydration, predators, or death at the hands of trappers. Traps are dangerous and they are indiscriminate in snaring not only targeted areas, but threaten endangered species, pets, or even unsuspecting children and adults.

Leghold traps have already been prohibited or severely restricted in nine U.S. States in over 80 countries. Congress should be acting to protect the public, endangered species, and pets from dangerous and indiscriminate body-gripping traps, not expanding their use into additional areas. Really,

how can trapping be described as sportsmanlike?

Madam Chair, I reserve the balance of my time.

Mr. WITTMAN. Madam Chair, I yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Chair, I thank the gentleman for yielding and for his work on behalf of American sportsmen.

Madam Chair, three overarching goals should guide our Federal land policy. First, to restore public access to the public lands; second, to restore sound and proven scientific management to the public lands; and finally, to restore the Federal Government as a good neighbor to the local communities impacted by the public lands.

This measure does all three. It removes the arbitrary and capricious restrictions that are increasingly imposed on hunting and fishing by various Federal agencies; it enlists sportsmen in the long-neglected management of overpopulated species; and it gives more funds to States for recreational activities on public lands while encouraging greater participation by the public in developing these policies.

Outdoor sporting activities, including hunting and fishing and recreational shooting, are deeply engrained in the fabric of America's culture and heritage that are now under attack by the radical left.

In 2011, over 37 million Americans hunted or fished across the country. These traditional outdoor activities contributed over $90 billion to the U.S. economy in 2011, much of it in the gateway communities to our public lands. Unfortunately, Federal agencies like the Forest Service and the BLM often prevent or impede public access for outdoor sporting activities. This is a large and growing class of complaints that my office fields in a district that includes five national forests in the Sierra Nevada of California.

One of the key provisions of this bill will increase and sustain access for hunting and fishing and recreational shooting on public lands by implementing an ''open until closed'' management policy. It also requires Federal agencies to report to Congress on any closures of Federal lands to these pursuits. Another provision would provide State and Federal coordination to create and maintain recreational shooting ranges on the Federal lands.

This bill protects the property rights of those who have acquired ivory products and other trophies over generations, long before any of this hunting was banned, and often passed on down through the generations within a family. It does absolutely nothing to imperil the protected species under current laws.

The purpose of the public lands can be found in the original Yosemite Grant Act of 1864: public use, resort, and recreation for all time. The SHARE Act recognizes our Nation's hunting and fishing heritage; it strengthens the fundamental right of public use; it secures the vital role that recreational hunting and fishing play in resource management; and it guarantees the freedom to sustain that heritage for the many generations of Americans to come.

Mr. BEYER. Madam Chair, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Madam Chair, I thank my colleague for yielding.

Madam Chair, I rise in strong opposition to H.R. 2406. This bill is being described as a simple package to support hunting and fishing on Federal lands.

For fishing and hunting to be sustained, it must be done with a mind toward conservation. Unfortunately, this bill fails to achieve this need, and it threatens the very environment that supports the animals. Of course, by doing so, it endangers the sustainability and long-term viability of hunting and fishing, also.

Furthermore, this bill ignores scientifically based best practices, leaving these lands at risk. While there are numerous bad provisions in the bill, including allowing ill-advised ivory and polar bear importation and actually preventing scientifically based regulations, this bill is particularly troubling because it limits Federal management, lead ammunition, and fishing tackle.

We hear every day about the dangers of lead. The devastating impacts of lead poisoning are not just restricted to people. I have seen these dangers firsthand, as they are extremely apparent in my district on the central coast of California.

As anyone from California knows, the California condor, the largest North American land bird and an iconic species along the central coast, was on the brink of extinction, in large part due to lead poisoning. A looming threat to this species remains, so we must stay vigilant. In fact, this danger is so imminent that published research shows that the species is unlikely to survive unless we continue to substantially reduce the threat of lead in the environment.

The source of this lead is not a mystery. It is in large part the result of lead from hunting and fishing equipment. Lead poisoning is a terrible and cruel way for any animal to die. While the risk to condors is immediate, this risk is not limited in any way to this one species.

Continuing to pollute our lands and waters with lead ammunition and fishing tackle makes absolutely no sense. But the bill before us would keep the Federal Government from doing anything to address this issue. It is so dangerous and shortsighted.

That is why I offered an amendment at the Rules Committee which would have removed this dangerous language from the bill; but unfortunately, we will not be able to fix this problem on the floor because my amendment has been blocked from a vote. Despite its name, the SHARE Act would do little good and a great deal of harm. This is a bad bill.

I urge my colleagues strenuously to oppose it.

Mr. WITTMAN. Madam Chair, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Madam Chair, I want to thank my friend from Virginia for yielding and for his leadership in bringing the SHARE Act forward.

I rise in strong support of this legislation that protects the rights of sportsmen and protects the rights of gun owners.

Madam Chair, I am proud to come from Louisiana, which is called the Sportsman's Paradise. We have great traditions of hunting and fishing throughout our State.

If you look at the barrage of regulations that have come out from this administration over the years, it has attacked so many different fundamental aspects of our society, so many things that make our country great. Of course, the right to hunt and fish is something that is not only a fundamental right for people, but it is actually something that brings families together. It is one of the great traditions that we love to share with our children. Our parents brought us hunting and fishing.

Yet if you look at some of the regulations coming out of these Federal agencies today, it is actually undermining those rights. What this bill is targeted at is restoring those rights, to make sure, for example, when you have got agencies like the Corps of Engineers that are trying to arbitrarily shut off lands for the ability of people to go hunt, they shouldn't be able to do that. In fact, under this legislation, they won't be able to continue doing that. No unelected bureaucrat should be able to limit the rights of law-abiding citizens.

Something else we have seen, Madam Chair, is the Environmental Protection Agency, unfortunately an agency we hear a lot about around this town, that is out there threatening jobs, taking away the ability for people to do things that are important to their everyday lives.

The EPA has been threatening to ban lead ammo and tackle. In this bill, we block the EPA from being able to ban lead ammo. Again, this is something that is fundamental to our rights as sportsmen, as hunters and fishermen, to be able to enjoy the fruits of our land.

There are over 50 sports organizations that are supporting this legislation. I just want to read from the National Rifle Association's Institute for Legislative Action: ''The SHARE Act would give law-abiding gun owners more access to carry firearms on land managed by the Army Corps of Engineers, protect lead-based ammunition, and promote the construction and maintenance of public target ranges.''

Madam Chair, it is important legislation. I encourage all of our colleagues

to support it and pass it over to the Senate.

Mr. BEYER. Madam Chair, I yield 3 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Madam Chair, I thank the gentleman for yielding time.

I rise in support of the SHARE Act and the Sportsmen's Heritage and Recreational Enhancement Act.

I thank my co-chair on the Sportsmen's Caucus, Mr. WITTMAN, for his work on this bill. Like so many you have heard here today, we, as a Nation, are blessed with an abundance of opportunities in the outdoors. Like so many, I take advantage of them: hiking, biking, hunting, and fishing.

For those who do participate in hunting and fishing, it truly is a passion, it is a way of life, and it is a heritage that we share with our parents. I don't think there is one of us who participated in it who doesn't remember a crisp autumn morning, waking up with our father, cooking breakfast, and going out to the field with the dew on the grass and the Sun coming up. To this day, I don't remember if we necessarily got a pheasant, but I remember my dad, and I remember talking about it.

It was on those trips that I think we understood that hunting and fishing, as a way of life, is not in a vacuum.

Hunting and fishing in Minnesota, 1.7 million Minnesotans participate in hunting and fishing. That contributes $3 billion to our economy and creates 48,000 direct jobs. If you take that across the Nation, it is $90 billion a year to our economy. That is not in a vacuum either, because we have a really unique system of conservation in this country: user pays and public benefits. Every shell and cartridge that is purchased and every fishing rod and boat that is purchased has an excise tax in it that goes back into the very conservation.

□ 1645

The people who are out hunting and fishing understand as well as anyone, if you don't have the proper habitat, you don't have the pheasants.

An organization like I belong to, Pheasants Forever, has literally put in all of the money and has leveraged this in order to turn tens of thousands of acres of the prairie back to virgin prairie, which are now abundant with game for people to take advantage of. Those are the types of things that make sense.

I understand the concerns that the gentleman expressed, and I understand that this is not a perfect bill. But I can tell you that it has been worked on for a long time and that it is a starting point.

There is a realization and an understanding that we have to compromise on issues. We are going to have to work with the Senate, and we are going to get this in front of the President.

Yet, I think most of us agree that our goal with this is to allow Americans to continue to have their constitutional rights and their abilities to do those activities they want, whether that be hiking, whether that be mountain biking, whether that be hunting, or whether that be fishing and, at the same time, to make sure that there is an economic engine in it that contributes to the ability to keep those lands up.

I ask my friends to approach it with an open mind and to understand that this is truly deeply engrained in this culture. There are commonalities here. We have the same goals, to make sure these are available for our children.

If we can come together and work on this, we have to take this first step. We are becoming a more populated country, and there are fewer opportunities for people to get out there. Many people are not landowners themselves; so, the public lands are the only places at which these activities can take place.

There is enough out there. If we manage it right, we can share the land, as the act says, and we can do those activities that mean a lot to us and continue them for future generations.

I encourage my colleagues to support this piece of legislation.

Mr. WITTMAN. Madam Chair, I yield 3 minutes to the gentleman from Utah (Mr. BISHOP), the chairman of the Natural Resources Committee.

Mr. BISHOP of Utah. Madam Chair, I thank Mr. WITTMAN and Mr. WALZ for working with our committee to bring this bipartisan bill together to protect hunting and shooting heritages.

One of the things that I, as well as many of my colleagues, hear repeatedly from our constituents is the complaint that land management agencies have blocked access to Federal lands. That especially goes for hunters and anglers and target shooters.

Our national monuments alone have already closed 928,000 acres to hunting and recreational shooting. Most of those areas are, unfortunately, easily accessible. You don't have to walk miles to try and get to them.

There are some who condemn this by saying that the vast majority of public lands is still open for hunting and shooting. The problem is the proximity.

The ones that are being closed are those that are easily accessible to especially those people who live in urban areas who don't have to go miles and miles to do it.

In addition to that, the problem is that the Bureau of Land Management and the Forest Service make no assessment on the impact of closing lands to shooters or to anglers.

They don't identify where the displaced recreationalists are being able to go, how far they have to travel, or what kind of access would be available to them. At a minimum, this bill forces them to take that into consideration.

I wish it were tougher language that would force them to make some kind of accommodations. But at least for the first time they are actually going to consider those issues, because hunting and fishing and shooting are part of the multiple-use mandate for our public lands. There is no question about it.

I also want to make a couple of points very clear in that the language in title IV that deals with this bill, that deals with the Army Corps lands, allows law-abiding American citizens to carry firearms on Army Corps recreational lands.

The Army Corps is not the Army. There is a difference between the two. We are not talking about military lands, but recreational lands.

What this does is make these recreational lands that are owned by the Army Corps of Engineers compliant and parallel to the laws we have for the Forest Service as well as for the BLM and the Park Service, as it deals with carrying weapons as long as they are in compliance with State and Federal law.

Many Members think this is, basically, a hunting issue. It is not. The primary reason for this language has to do with the fundamental right of self-defense, and it does make it consistent.

I want to make two final points here.

The Natural Resources Committee strongly encourages the Bureau of Land Management and the U.S. Forest Service to develop agency-wide policies, in consultation with the Wildlife and Hunting Heritage Conservation Council and the Sport Fishing and Boating Partnership Council, that reflect the intent of this act. These policies should ensure that there is more access to America's Federal lands for hunting, fishing, and recreational shooting.

These councils represent the interests and needs of sportsmen and -women who depend on having access to Federal lands for outdoor sporting activities.

I will also be reaching out to the Bureau of Land Management and to the Forest Service for regular updates on the progress being made in developing these policies within 30 days of each respective council meeting.

I appreciate the gentleman's compliance and understanding.

Vote for what is good about this bill, not for what is not there.

Mr. BEYER. Madam Chair, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER), my colleague and good friend.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this bill.

Madam Chair, I, too, am a passionate advocate of public spaces, of outdoor recreation, and I understand the importance of protecting some of our Nation's most pristine places.

My constituents enjoy hunting and fishing and are involved in exploring the great outdoors. That is why it is unfortunate that what we have before us today is a piece of legislation that is unduly partisan and special-interest-oriented and is not speaking in terms of things that could have brought us

together in something that could have been a lovefest.

Why aren't we making a permanent reauthorization of the Land and Water Conservation Fund and making sure that it is funded?

Yesterday we had hundreds and hundreds of women from the Federated Garden Club of America, just one more group adding its voice to something that is supported by people who hunt, people who fish, people who hike, people who enjoy the opportunity of what the Land and Water Conservation Fund represents.

Instead, we are veering off. We are in the process now of having legislation in this bill that does pose serious problems in terms of environmental protections. I will give one specific example in terms of what is happening in the area of ivory.

Voters in Washington recently voted overwhelmingly to ban on a State level traffic in ivory. You are going to see this fall in my State of Oregon that an initiative is going to be approved that is going to close loopholes in terms of allowing trade in my State for ivory.

This has nothing to do with grandma's antique piano or somebody who has an ivory-handled pistol that has been in the family for years. We have a thriving international trade in ivory that is resulting in the destruction of a species. We are losing 100 elephants a day.

At the rate we are going, by the end of the decade—within 10 years—there will be no more wild African elephants. The trade in ivory fuels some of the most heinous acts by some of the most vicious people in the world.

Terrorists use these funds for their horrific activities, particularly in sub-Saharan Africa, poisoning wells so that the animals are dying by the dozens, hacking off the tusks at that site.

We have to stop the trade in ivory. The United States is the second largest destination. We have China that is finally stepping up and working with us. We should not make it harder for the United States to crack down on the ivory trade.

There is no reason for a civilized society to continue trading in things like ivory tusks and products. It enables this black market to continue. People will find their way into it, and we will continue to slaughter elephants every single day.

What we should be doing is not restricting what the Federal Government is doing. We should be tightening it further like we will do in the State of Oregon.

I find it a little frustrating that people are talking about protecting traditional ammunition and fishing lure. I mean, there are some people who might say, in Flint, Michigan, using lead in the pipes is a traditional way of plumbing, but we figured out that that traditional mechanism is actually poisoning people.

The CHAIR. The time of the gentleman has expired.

Mr. BEYER. Madam Chair, I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. There are, in fact, alternatives if what you want to do is kill animals with guns. We don't need to do lead-based ammunition, which ends up in the environment. It ends up not just in what you are killing. It doesn't go away. It persists and adds to lead pollution.

There is no reason that we can't make changes in these policies that we know are destructive, that we know there are viable alternatives to that actually protect the environment.

As people work through this legislation and hear from animal welfare groups, sports people, and environmentalists and as they look at the problems that are associated with it, it is not a consensus, bipartisan bill.

It is an approach that actually leads us in the wrong direction. It is not rational. It is not popular. It is not based in sound policy. I strongly urge its rejection.

Mr. WITTMAN. Madam Chair, I yield myself such time as I may consume.

I would like respond just briefly to the gentleman's remarks concerning ivory.

If you look at the current state of regulatory efforts by the U.S. Fish and Wildlife Service, for those nations that have sustainable elephant populations, it would actually make it much, much more difficult to manage them and it would actually encourage more poaching.

We want to make sure that we allow the legal trade of legally harvested elephants. In doing that, that makes sure that African nations can put in place sustainable programs for the harvesting of elephants, where there are overpopulations, to make sure that they have the wherewithal to put people on the ground to stop poaching.

This is a sustainable effort, I believe, that is critical, and these regulations will actually stop that.

Madam Chair, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Madam Chair, I rise today in support of H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015, or the SHARE Act.

This legislation is vital in ensuring that Federal agencies like the U.S. Forest Service and the Bureau of Land Management can no longer continue to prevent or deny full access to Federal lands for activities like hunting, fishing, and recreational shooting.

Access to public, Federal lands for these heritage activities is not only an important part of our shared American value, it is also a significant contributor to national, State, and local economies.

In 2011, in the State of Michigan alone, over 1.9 million hunters and anglers spent over $4.8 billion in hunting and fishing. To put this in perspective, spending by sportsmen and -women in Michigan generates over $576 million in State and local taxes each year. That is enough to support the average salaries of over 10,000 police officers.

Madam Chair, when I was a kid, my family owned a small hotel and bar. I worked by making beds, by filling ice buckets, and by hauling beer in order to save for college. Our business depended on hunters in the fall and winter and on fishermen in the summer. Without those sportsmen, we would have had no small business.

There are small businesses like this all over northern Michigan and across America today. There are also grandparents, parents, and children all across the country who are excited for their next hunting and fishing adventures.

That is why we must make sure that we do everything possible to ensure access to public lands for hunting, fishing, and recreational shooting for all Americans, including for future generations to come.

Madam Chair, I urge my colleagues to support the SHARE Act.

Mr. BEYER. Madam Chair, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman from Virginia (Mr. BEYER) for his leadership and for the service that he has given to this Congress. We are so delighted to have him join us. I thank the manager as well, his colleague from Virginia (Mr. WITTMAN).

Madam Chair, in coming from Texas and knowing many of those who seek recreational hunting, fishing, and participation on lands, private and Federal, one wonders whether or not we could have found a way to deal with the concerns of our friends of whom I support: environmental groups and the Humane Society and just a litany of individuals from the Atlantis, the Alaska Wilderness League, the Alliance of the Wild Rockies, the Humane Society International, the Endangered Species Coalition, the Environmental Investigation Agency, the National Audubon Society, the Kentucky Heartwood, and just a whole array of individuals, the names of whom I will offer into the RECORD at another time.

□ 1700

This bill comes and specifically interferes with what I believe is the important protection, if you will, of items that impact our wilderness.

This bill undermines the NEPA Wilderness Act and the National Wildlife Refuge System Administration Act to solve a problem that does not exist. It blocks the administration's rule to restrict trade in African elephant ivory and protects African elephants from being slaughtered for their tusks. It adds indiscriminate and inhumane trapping practices to the legal definition of hunting and does not include a long-term reauthorization of the Land and Water Conservation Fund, a high priority for hunters and anglers.

My simple question is: Couldn't we have found some common ground and

not be supporting legislation that, for one, my amendment on polar bears will, in fact, impact; that the wealthy trophy hunters who shot bears had full knowledge of the pending rule? This is an issue that occurred when 41 polar bears were killed as the Fish and Wildlife Service finalized a rule listing them as threatened under the Endangered Species Act.

The polar bears are vulnerable. They are not yet under the Endangered Species Act, but they are vulnerable. So we have individuals who want to take advantage and seek to utilize the loophole. That is my opposition to this legislation, that it does not find a balance.

What it does do is it puts our animals in jeopardy, animals that make for the ecosystem in a positive way.

So I would ask my colleagues really to go back to the drawing board and come forward with a bill that actually protects animals, allows sport but does not undermine the whole ecosystem, undermine the structure of protecting animals, and certainly, in the memory of Cecil—although a lion—continue to kill our vulnerable species of polar bears just to have trophies.

I urge opposition to this bill.

Mr. Chair, I rise in opposition to H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act of 2015 (SHARE Act).

While several of the proposals are non-controversial, the bill includes provisions that would seriously undermine the Wilderness Act, the National Environmental Policy Act, and the Endangered Species Act, and fails to include important, bipartisan program reauthorizations sought by outdoor enthusiasts.

There are many for reasons for opposing this bill but I list just a few:

More than 75 percent of all federal lands are already open to recreational hunting, fishing and shooting, making the bulk of this legislation unnecessary.

Undermines NEPA, the Wilderness Act, and the National Wildlife Refuge System Administration Act to solve a problem that does not exist.

Blocks efforts to crack down on poachers and protect elephants from being slaughtered for their tusks.

Adds indiscriminate and inhumane trapping practices to the legal definition of hunting.

Does not include a long-term reauthorization of the Land and Water Conservation Fund, a high priority program for hunters and anglers.

Does not include important, bipartisan program reauthorizations that would provide critical funding for wetlands conservation and expanding hunting and fishing access; programs supported by hunters and anglers.

Exempts ammunition and sports fishing equipment from the Toxic Substances Control Act (TSCA) despite the fact that EPA has no plans to regulate this equipment under the Act.

Mr. Chair, H.R. 2406 simply patches together a slew of legislative proposals, allegedly to enhance access to federal lands for hunting, fishing and recreational shooting.

The bill is opposed by virtually every leading environmental organization and the President has announced that it will be vetoed if presented to him for signature.

I urge my colleagues to join me in voting against this unwise and unnecessary legislation.

Mr. WITTMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise today in support of H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act; specifically, title IV of the bill, which includes the Recreational Lands Self-Defense Act. This legislation is vital to preserving and expanding the Second Amendment rights of law-abiding citizens.

In 2010, legislation was enacted that allows campers, hikers, and sportsmen who are legally allowed to possess a firearm to protect themselves and their families on land operated by the National Park Service or the Fish and Wildlife Service. Unfortunately, this law left millions of acres overseen by the U.S. Army Corps of Engineers closed to those who want to legally arm and protect themselves.

Every year, millions of Americans camp, hunt, and hike on Federal lands. They are often in remote locations with no easy access to emergency services or law enforcement. These Americans deserve to have peace of mind and the ability to protect themselves while recreating.

The Army Corps of Engineers' interpretation of the law preempts State firearms laws; thus, preventing Americans from exercising their Second Amendment rights. Even if someone is permitted by the State to carry a firearm, they cannot do so while on the Corps' 11.7 million acres or camping at one of the Corps' 90,000 campsites.

Title IV will prevent the Corps from prohibiting law-abiding American citizens from carrying a firearm as long as they are not prohibited from owning a firearm and the possession of the firearm is in compliance with the State they are located in.

This title in the SHARE Act will provide uniformity and clarity for hunters, campers, and hikers who want to merely protect themselves, and it will preserve the right to bear arms on recreational Federal lands.

I want to thank Congressman WITTMAN for introducing this legislation and including the Recreational Lands Self-Defense Act in the underlying bill.

I urge my colleagues to support the SHARE Act.

Mr. BEYER. Mr. Chair, I inquire how much time the minority side has remaining.

The Acting CHAIR (Mr. WALKER). The gentleman from Virginia has 2½ minutes remaining.

Mr. BEYER. Mr. Chair, I reserve the balance of my time.

Mr. WITTMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Chairman, I rise today in support of H.R. 2406, the SHARE Act. Passage of this bill will increase opportunities and reduce regulatory burdens for all sportsmen and sportswomen.

I want to highlight two specific provisions in the SHARE Act that I sponsored. This legislation will authorize the Wildlife and Hunting Heritage Conservation Council, which will serve as an official advisory board to the Department of the Interior and the Department of Agriculture on policies that benefit recreational hunting and wildlife resources. Authorization of the council is vital to ensuring that hunters maintain an advisory role in future administrations. This legislation will provide levels of certainty and stability necessary to ensure the council's ability to engage in assisting the Federal Government in devising and implementing long-term solutions that are necessary to address policy issues important to sportsmen and sportswomen.

The legislation also directs the Secretary of the Interior and the Secretary of Agriculture to create a new permit that authorizes a crew of five or fewer people to film for commercial or similar purposes on Federal lands and waterways at an annual cost of $200. Aside from this set fee, no additional fees may be added during their time filming and photographing.

We want to rectify disparity in application and approval regulations between smaller crews and their larger, well-funded counterparts while filming on public lands. The financial burden is often too great and unfairly limits their ability to access our national parks and waterways.

As the former co-chairman of the Congressional Sportsmen's Caucus and a cosponsor of the SHARE Act, I believe this legislation will serve to the betterment of current and future generations of hunters and outdoorsmen and -women.

I thank the gentleman from Virginia for his work on this legislation, and I urge the passage of the SHARE Act.

Mr. BEYER. I yield myself the balance of my time.

Mr. Chair, in closing, I would like to thank the co-chairs of the Congressional Sportsmen's Caucus, Mr. WITTMAN and Mr. WALZ, for putting this together.

I clearly resist the idea that our opposition comes from the radical left. The 37 million hunters and fishermen out there are not Democrats. They are not Republicans. They are both. They are not conservative or liberal. They represent all Americans.

Representative MCCLINTOCK and Chairman BISHOP talked about the 928,000 acres, BLM and Forest Service, which are closed now. I very much respect that that seems like a big number and that perhaps there should be movement on that.

I think the question is: Should those decisions be made by State and local land managers or moved to Washington, D.C., to the head of the Forest Service, to the head of BLM? I think it is weird that, in this body, we are talking about moving things to Washington for the decision to be made.

In fact, in the hearing we had on Chairman BISHOP's Land and Water Conservation Fund reauthorization, much of it was about moving the decisionmaking back to States and local governments. Perhaps there is a way to think about opening up these 928,000 acres with more input from State and local governments in the time to come.

On ivory and trafficking, Representative WITTMAN and I had a good conversation about how we really don't want it to address heirlooms that have been in the family for generations. That is not what the Obama rule is trying to do. We are looking at preventing trafficking.

Every 15 minutes every day, an elephant is killed. I would love to explore the economic argument that somehow this ivory rule will make African elephants more endangered. What we are trying to do is cut off demand.

Finally, Majority Whip Scalise talked about being hostile to hunting and fishing. I do think it is probably silly to think of the Army Corps of Engineers as a radical leftist organization. We want them to open the lands appropriately, but this is probably not the legislation to do it.

I think many of these provisions will likely be dead on arrival in the Senate. If it passes, as it is likely to do with the majority, I am looking forward to working with Representative WITTMAN, Representative WALZ, and others to get a good, bipartisan bill at the end of the day that we can all support for the hunters and fishermen of the United States.

I yield back the balance of my time.

Mr. WITTMAN. Mr. Chairman, I thank the gentleman from Virginia for his perspectives on this and for the good conversation we have had in trying to find common ground to make sure that we are, indeed, supporting the great outdoors and the sportsmen and -women that enjoy the great outdoors. I thank him for his efforts there and look forward to continuing to work with him.

I yield such time as he may consume to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Mr. Chairman, I thank Chairman WITTMAN for his leadership on this issue. As a vice chair of the Congressional Sportsmen's Caucus, I commend the caucus co-chairs, Chairman WITTMAN and TIM WALZ, as well as my fellow vice chair, GENE GREEN, for the great work they have done to contribute to the SHARE Act's Sportsmen's package on the floor today.

The Congressional Sportsmen's Caucus is the largest bipartisan caucus in Congress. By offering commonsense policy solutions that expand the joys of hunting, angling, as well as shooting sports and, really, access to public lands and all the great outdoors, our goal is to be the voice of millions of American sportsmen and -women who treasure this unique feature of American heritage.

The SHARE Act is supported by the Nation's leading hunting and fishing conservation organizations, making it a bipartisan win for the sportsmen and -women of America. It includes the Recreational Fishing and Hunting Heritage and Opportunities Act; the Hunting, Fishing, and Recreational Shooting Protection Act; the Target Practice and Marksmanship Training Support Act; and the Hunter and Farmer Protection Act. These, along with many other hunting and fishing conservation provisions, will strengthen America's bond to the blessings given to our great country.

Most important to our role as leaders of the Congressional Sportsmen's Caucus is to promote policies that bring more potential hunters, anglers, and recreational shooters into the sportsmen's community. Sportsmen and -women are leading contributors to the conservation of the great American outdoors.

As a sidebar, I would just ask folks to really research the contribution that hunters make in the whole African elephant goal, because the lack of the hunter in that equation means there is more poaching; and I think, ultimately, that will be detrimental to the African elephant and detrimental to the goals of those who want to protect that.

In conclusion, I request your support for this bill to ensure that we can protect this sacred institution of American heritage.

Mr. WITTMAN. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman from South Carolina for his leadership as vice chairman of the Congressional Sportsmen's Caucus.

We have heard a lot of, I think, good efforts today in wanting to ensure that our sportsmen and our sportswomen have access to Federal properties, to make sure they can enjoy outdoor sports. I think that is absolutely critical. That is what this bill is about. It is about clarifying to make sure that it is the legislative body that does the directing, not the bureaucrats. I want to make sure there is a balance there because we hear each and every day from our constituents about what they feel needs to happen with their land.

We must remember this land belongs to the taxpayers, and we must find responsible ways to make sure that there is access to that land for everyone. I want to make sure that we do that. I believe that this bill achieves that.

I understand, too, that we want to make sure that their voices are heard. Many times from the side of these agencies, they will consider comments, but many times the comments aren't included. This ensures that Congress has a role in defining what those opportunities are. I want to make sure those voices are heard. I can't help but believe that everyone here is in favor of making sure that their voices are heard and that opportunities exist across all these Federal lands for our outdoorsmen, our sportsmen and -women of this Nation.

I want to make sure, too, that we are clear that all of us are against stopping the illegal trafficking of ivory. All of us here want to make sure that stops. I think there are reasonable and thoughtful ways that do that that don't inhibit the sportsmen who want to go there to be part of the legal process to harvest an elephant in the areas where there is an overpopulation. The dollars there are used to support local populations in that area, villages.

None of that animal is wasted. Every bit of it is used. The fees that are collected for hunters are put into stopping the poaching effort there. I think those are sustainable models to make sure that elephant populations continue in those areas and that we, indeed, have the ability and resources in Africa to stop those efforts by poachers.

□ 1715

I think sustainable hunting is a way to do that. In any way impeding the flow of ivory back into the United States from legal hunting operations doesn't allow us to do that. Making sure, too, that it is simple and straightforward for owners of ivory to continue to own that, especially those pieces that are family heirlooms, and not have to go through a long, drawn-out bureaucratic process to prove that something is yours that has been passed down through family history where you may not have documentation to do that.

These efforts that U.S. Fish and Wildlife agencies are putting forward would make it in many instances very, very difficult for individuals and families to demonstrate that. Let's make this process easy and let's get at the issue, and that is the illegally harvested ivory that is coming out of Africa to the United States.

We talked, too, about access elements. We heard the number used that 99 percent of our ocean waters are open to fishing, to recreational fishing. But remember that the entire ocean is different in its habitats. So fish live in certain areas. I would argue that the 1 percent that is being closed off many times is the most productive area for fishermen. It is where the habitat rests. It is where the fish are.

So if you were to say, don't worry about it, you can hunt the entire Sahara Desert, that wouldn't mean much to sportsmen. The same that you are saying if you are allowed to fish these other areas that don't hold the habitat that allow fish to live in those areas also doesn't keep in mind making sure that recreational fishermen have access to the place where fish live. So I want to make sure that that is clear when we talk about these numbers, 99 percent versus the 1 percent.

Remember, this bill is not about what is not included. It is about really making those opportunities available for those men and women who hunt, fish, and use the outdoors. I am in full

support of LWCF. I am in full support of NAWCA. I do believe that we ought to reauthorize those pieces of legislation, and I do believe that there are mechanisms to do that. I believe that the vast majority of folks on our Committee on Natural Resources, as well as in Congress, want to see those things happening.

The difficulty always is in taking one bill and adding a bunch of different elements to it. I think those bills are important enough that they deserve their own level of debate and own level of attention about what we do in reauthorizing those bills.

I think folks outside the 90 square miles of Washington look at us and say, you know, why are you putting all these other elements into a bill rather than debating them individually?

I think we can put too much into a piece of legislation where it becomes confusing and it doesn't get after the true purpose behind the original bill. We tried to put together pieces that were similar in scope but didn't include other areas that really deserve their own level of debate.

So that is the reason that LWCF and NAWCA was left out of this, not by any intention to say we shouldn't address those, but by understanding that we have a responsibility to try to keep these packages of bills as simple and straightforward as we can.

Also, when we talk about lead, remember that the lead we talk about is in things like fishing sinkers. Remember, fishing sinkers are used in water. The gentlewoman from California talked about the issue with California condors. Well, California condors are not an aquatic bird, so I don't think we have to worry about them swimming in water and getting hold of these fishing sinkers.

The same way with bullets. I understand there are a few instances where they might have found a bullet associated with ingestion with a California condor, but the vast majority of shooting sports are put forth in legal ranges where the lead ends up in the ground. It ends up in the ground at a shooting range. Remember, that is the exact area where the lead came from. So returning it to the ground where we know eventually through the years it does indeed decay, it does indeed break down, those things are legal and I think environmentally responsible ways that lead is used in both hunting and fishing. Let's not stop those efforts. I want to make sure that those things happen.

If there are specific issues related to the California condor, I think we ought to address that, but these carte blanche one-size-fits-all efforts to say let's ban lead across the spectrum in the shooting sports, for hunting, and for fishing doesn't get at those root issues and it creates unnecessary burdens on folks who are using those in a legal way and in a way that doesn't affect our fish and wildlife populations. So I want to make sure that those things continue.

I do believe that there are many more areas of agreement than disagreement on this bill. I think that we have talked to folks on many aspects of this. It is different in its scope with the Senate bill, and I look forward to its successful passage out of this House and for our ability to bring it to a conference committee in the Senate and to work through those particular differences between the House and the Senate bill.

Mr. Chairman, I would urge all of my colleagues to support H.R. 2406, the SHARE Act.

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

Mr. GENE GREEN of Texas. Mr. Chair, I support H.R. 2406, the Sportsmen's Heritage and Recreational Enhancement Act or SHARE Act.

Recreational hunting and fishing are some of the oldest traditions in America. I went on my first hunting trip in the early 70's and have loved gaming ever since. The sport was a great way to bond with my father-in-law and a great tradition to pass on to my own son.

I am not alone in enjoying this great tradition. Sportsmen and women contribute billions of dollars to the U.S. economy, support thousands of jobs and enrich our culture. Texas is home to 2,713,000 hunters and anglers, making it the second biggest state for sportsmen and women in the nation.

H.R. 2406, the SHARE Act, is supported by more than 50 of the nation's leading conservation groups and includes provisions that will expand access for hunters and anglers and protect the environment through conservation efforts.

The SHARE Act will protect access to BLM and U.S. Forest Service land for hunting and fishing, reauthorize the Federal Land Transaction Facilitation Act and allows fish and wildlife agencies added flexibility to construct public shooting ranges.

Ensuring future generations of Americans have access to these great traditions must be our priority going forward.

Mr. MARCHANT. Mr. Chair, I rise in support of H.R. 2406, the SHARE Act. This legislation would protect 2nd Amendment rights and prevent unnecessary federal regulations from limiting access to outdoor sporting activities.

Activities like hunting, fishing, and recreational shooting contribute billions of dollars to our economy. But, it's impossible to put a dollar value on what they mean to millions of American families.

For many Texans—myself included—hunting and fishing are more than simple hobbies. They are family traditions that get passed down through generations. These traditions bring us together and teach invaluable lessons about gun safety and environmental responsibility.

Passing the SHARE Act will protect 2nd Amendment rights and help ensure that our sporting traditions can continue for generations to come.

I call on all my colleagues to join me in supporting this important legislation.

The Acting CHAIR. All time for general debate has expired.

Mr. WITTMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HILL) having assumed the chair, Mr. WALKER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2406) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes, had come to no resolution thereon.

## HONORING THE FALLEN SOLDIERS OF THE 14TH QUARTERMASTER DETACHMENT DURING OPERATION DESERT STORM

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

Mr. ROTHFUS. Mr. Speaker, I rise today in remembrance of the soldiers of the 14th Quartermaster Detachment of the United States Army Reserve who were killed or wounded in their barracks by an Iraqi Scud missile attack in Dhahran, Saudi Arabia, during Operation Desert Shield and Operation Desert Storm in 1991 on this date.

The soldiers of the Pennsylvania Army Reserve served with bravery and honor in Operation Desert Shield and Operation Desert Storm, and they will forever make western Pennsylvania proud.

Sixty-nine soldiers of the 14th Quartermaster Detachment stationed in Greensburg, Pennsylvania, were deployed to Saudi Arabia during this campaign. These brave men and women were supporting operations to liberate the people of Kuwait. Even though 13 of these soldiers gave their lives 25 years ago today—another 43 were wounded—the impact of their sacrifice and their loss has not faded and will not be forgotten.

We owe these soldiers and their families a debt of gratitude that can never be repaid, and we sympathize with the pain endured by those they left behind. May God bless them.

## HONORING WADE HENDERSON

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

Mr. COHEN. Mr. Speaker, we are nearing the end of Black History Month. We had a special program yesterday recognizing foot soldiers of the civil rights movement. It reminded me of a man who is a foot soldier up here in Washington, Wade Henderson.

Wade Henderson is the president and CEO of the Leadership Conference on Civil and Human Rights and the Leadership Conference Education Fund. He announced he is going to be retiring after 20 years as the head of that organization at the end of this year.

Wade Henderson has worked with Republicans and Democrats both to bring about change in our country. He was largely responsible for work on the reauthorization of the Voting Rights Act

when it passed and had been working on trying to get it renewed in this Congress. He worked in a major way on the Fair Sentencing Act that took away the disparity in crack and cocaine sentences that was wrongful.

Before he came to his position at the Leadership Conference, he was active in the NAACP here in Washington, where he was the bureau director, and he worked on other issues with the ACLU and other groups on civil and human rights.

When Wade Henderson came to the Capitol, he was a voice of conscience. He and Hilary Shelton, together with the NAACP, are two of the most conscientious men I know. They have served this country well. I will miss him in his retirement. I appreciate the remaining time he has. He is a foot soldier. I thank him for his service.

## CONGRATULATIONS TO THE LIGO TEAM

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to recognize the efforts behind an incredible breakthrough in humanity's understanding of the universe: the first detection ever of the existence of gravitational waves.

Gravitational waves are invisible ripples in the fabric of space-time. Albert Einstein theorized their existence 100 years ago as part of his theory of general relativity.

After more than a decade of work by researchers at two identical observatories—one in Livingston, Louisiana, and another in Hanford, Washington, located in my congressional district—Einstein's theory of the existence of gravitational waves has direct evidence as scientific fact.

On February 11, the Laser Interferometer Gravitational-Wave Observatory, or LIGO, Scientific Collaboration officially confirmed that the world's most sensitive instruments at these observatories had detected gravitational waves for the first time. The gravitational wave detected by LIGO's team was the result of the collision of two black holes 1.3 billion years ago.

Congratulations to my constituents and the entire LIGO team on their historic discovery, which will continue to add to the scientific understanding of the universe for generations.

## THE FEDERAL GOVERNMENT'S BACKDOOR KEY TO THE IPHONE

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

Mr. POE of Texas. Mr. Speaker, Benjamin Franklin said: ''Those who would give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety.''

A Federal judge now has ordered that Apple take an unprecedented step developing a backdoor key for an iPhone. The software that the government is demanding does not exist. It would have to be created from scratch.

The government wants the golden key to crack this phone. Such a key could be used to crack all other phones in the future. Giving a master key for the government to access any phone of any citizen at any time without their knowledge violates the right of privacy. Americans' constitutional right of privacy is under attack by the spying eyes of a powerful government.

My legislation, H.R. 2233, End Warrantless Surveillance of Americans Act, specifically prohibits the government from either mandating or requesting that a backdoor key be installed in the private phones of citizens.

Mr. Speaker, privacy must not be sacrificed on the altar of temporary safety and false security.

And that is just the way it is.

## IN MEMORY OF OFFICER JASON MOSZER

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

Mr. CRAMER. Mr. Speaker, I rise to pay tribute to a hero, Fargo police officer Jason Moszer.

While in the Army National Guard, he was deployed as a combat medic to Bosnia and Iraq. Officer Moszer joined the Fargo Police Department in 2009. In 2012, he and a fellow officer were awarded the department's Silver Star Medal for rescuing two children from an apartment fire.

On the night of February 10, Officer Moszer responded to a domestic disturbance, putting himself in danger to help others, something he had done many times. On this night, however, gunshots were fired and a bullet struck Officer Moszer, causing a fatal wound.

He died the next afternoon, but not before one last heroic act. It is reported at least five people, ages 26 to 61, are being helped thanks to his donated organs.

I thank our U.S. Capitol Police officers for their service to us every day. I especially thank Officer Andy Maybo, who traveled to Fargo to represent the Capitol Police and the National Memorial Committee, which he chairs. Andy lent his expertise to the Fargo PD and planners as they prepared for a fellow officer's funeral, an event that had not occurred in Fargo in over 130 years.

God bless all the men and women who wear the badge, and God bless the memory of Officer Jason Moszer.

## IN MEMORY OF REPRESENTATIVE BOB BRYANT

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember a true civil servant and my friend, Representative Bob Bryant, who died this morning.

Over his lifetime, Representative Bryant's professional career included a variety of services in different areas. He began his career serving 2 years in South Vietnam and 10 years as an Army recruiter before retiring in 1982. He then worked 5 years as general manager for a local radio station, spent time as office manager to a local law firm, and worked 13 years for the city of Savannah, until he retired in 2001. After 40 years of service to his community, he was not done. He was elected to the Georgia House of Representatives in 2004 and was currently serving his 12th year.

I will always remember Representative Bryant, as he and I worked together to pass our first pieces of legislation in the Georgia House over a decade ago. I can truly say that he was beloved by his constituents and colleagues alike. I am deeply saddened by the loss of my friend and colleague.

I wish to extend my condolences to his family. He will be missed.

□ 1730

## CARE FOR THE MENTALLY ILL

The SPEAKER pro tempore (Mr. WALKER). Under the Speaker's announced policy of January 6, 2015, the gentleman from Pennsylvania (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

### GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. MURPHY of Pennsylvania. Mr. Speaker, let me start off with some sobering news. I call it the body count.

Last year, 2015, in the United States, there were 41,000 suicide deaths in this country. There were 45,000 deaths from drug overdoses. Many of those folks suffered from depression. There were an estimated 1,200 homicides by people who are seriously mentally ill. About half of all deadly police encounters occurred with someone who is mentally ill.

There is an unknown number of mentally ill who died 25 years sooner because they tend to die of chronic illnesses. There is about one homeless person per day in Los Angeles who dies. We know about 200,000 homeless people in this country are mentally ill.

It is a sad case in any numbers. But if you add those numbers up, even the most conservative version is that there were some 85,000 deaths last year related to mental illness—and it is probably much higher—and more have died from mental illness-related problems than the total United States combat

deaths of the entire Korean War and Vietnam Wars combined.

That is sobering, but it is worse. It is worse because we could prevent a large number of these mental illness problems. We could save many of those with mental illness from their early demise. We could save their families from suffering. But, unfortunately, the Federal Government is the problem.

Let me lay out this evening in this Special Order some of the particular problems that we have.

In particular, for those who are low income, Medicaid itself is one of the biggest discriminators against people with mental illness getting treatment.

First, consider this. Fifteen percent of Medicaid recipients have serious mental illness. That is far more than the general population. Serious mental illness is things like schizophrenia, bipolar illness, schizoaffective disorder, and severe depression.

Thirty-one percent of those on SSI have serious mental illness. Twenty-six percent of those with Social Security disability have serious mental illness.

In the general population, by the way, there is only about 1 percent with schizophrenia. About 2.6 of the general population have been diagnosed as bipolar.

So look at how much higher those numbers are among the poor. That makes sense. Because mentally ill people are three times more likely to have low income as a result of their mental illness. Low-income individuals are three times more likely to have mental illness, many as a result of being poor.

Poverty and homelessness are both associated with serious mental illness. Both are associated with inadequate primary care and preventative care. But here are some ways that Medicaid makes it harder for people with mental illness to get care.

First of all, there is a rule called the same-day doctor rule. If you take someone to the doctor and the internist or family physician is very concerned that person has a mental illness, they are told they have to come back another day before they can see the psychiatrist.

That is a serious problem. Because when you have the warm handoff in the doctor's office, you have 95 percent that will return versus less than half if they have to come back another day. And treatment is the key to getting better.

There is a 16-bed rule from the Institute of Mental Diseases which says that, if the hospital has more than 16 beds and you are between ages 22 and 64, we are not paying for it.

The problem with that is that serious mental illness tends to emerge in 50 percent of the cases by age 14 and in 75 percent of the cases by age 24.

So at the very time when problems are emerging, the very time when someone may have their first serious crisis that may require some inpatient care, they are told there will be no room.

Only 45 percent of Medicaid recipients with schizophrenia actually get evidence-based care. Only 35 percent of those with a bipolar diagnosis who are on Medicaid get evidence-based care.

Listen to this statistic. Ninety-two percent of low-income children and foster children are prescribed drugs off label—those are drugs that are not approved by FDA—according to an HHS Inspector General's report, and many of those prescriptions, according to the report, are done without clinical justification.

The homeless with schizophrenia have a rate of hospitalization for complications of hypertension almost twice as high as others. Fifty percent of individuals with schizophrenia are noncompliant with treatment regimens during their illness and don't adhere to medications. They need assistance in doing so.

Also, half of those with serious mental illness have at least two chronic physical health conditions, such as chronic pulmonary disease, infectious disease, cardiovascular disease, gastrointestinal problems, and these people are generally in poorer health.

So what happens is that those with serious mental illness and a number of other clinical aspects have compromised physical symptoms and we don't have a place to treat them.

We used to have 550,000 psychiatric hospital beds in the 1950s. Now we have less than 40,000. During that same time, the population of the United States climbed from 150 million to over 300 million today.

So where do people who have an acute mental health crisis go? Sadly, whether it is acute or chronic, about 200,000 of our homeless are mentally ill. Twenty-eight percent of them get some of their food out of a garbage can.

We also have a large portion of those with mental illness filling our prisons. When we closed down those psychiatric hospitals, some got better. But, basically, we traded the hospital bed for the prison cot, a blanket over a subway grate, an emergency room or a gurney or a slab in some morgue.

The incarceration rate among the seriously mentally ill is 16 percent of the population. Some 60 percent of the incarcerated may have some level of mental illness.

And then what happens in the area of violence? Well, in general, people with mental illness are no more violent than the rest of the population. But when untreated serious mental illness occurs, they are 16 times more likely to be perpetrators of violence.

As I said before, there are over 1,000 homicides a year, and we have no idea how many are victims of crime. Estimates are it is 6 to 10 times greater.

What happens if a person with mental illness is not treated? The longer a person waits for treatment for a psychotic episode, the longer it takes a person's illness to come into remission. That means it costs more.

For bipolar illness, the sooner a person starts lithium, the greater their improvement. It means it would cost less if we treated them. Delusions, hallucinations, and other severe symptoms increase the longer treatment is withheld.

As far as the costs go, the cost of schizophrenia alone far exceeds that of coronary artery disease. The mortality rates of schizophrenia are far more than breast cancer.

The costs of serious mental illness in this country are about $55 billion in direct costs and $70 billion in indirect costs, but there is also the added cost of emergency room care, added cost of primary care, and the cost of treating their other medical problems.

The deinstitutionalization move in this country is associated with much higher suicide rates, such that, while our country has made great strides in reducing mortality rates over the last couple of decades in heart disease, auto accidents, HIV/AIDS, stroke, and cancer, we have seen huge increases in suicide rates and drug overdose deaths.

As a Nation, we should be ashamed of that. As a Congress, we should be ashamed if we do nothing about this. That requires a great deal of change on our part. That means we are going to have to do something to help people with mental illness get treatment.

Half are simply not compliant and don't adhere to their medication. They get worse. Their medical problems get worse. The Medicaid bills get higher. Half of those with serious mental illness, as I said, have two or more chronic physical health conditions, and it gets worse for them.

There are several things we must do to treat this. Tonight we are going to hear from a number of Members of Congress. First, my friend JIM MCDERMOTT of the State of Washington will speak. We will talk about a number of the issues before us and what we must do in Congress.

I yield to the gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. I want to first begin by acknowledging Congressman MURPHY. He has taken on an extremely difficult issue. It takes courage to bring that kind of issue to the floor of the House.

More than half a million Americans with serious mental illness continue to fall through the cracks of a broken and outdated system.

As Congress begins the consideration of how to address this national crisis, it is important that we take some stock of history.

Prior to the 1960s, commitment was based on a medical model where two physicians made a determination that a patient needed treatment. I did that when I came out of the military in 1970 in Seattle.

When the first attempt at comprehensive mental health reform began in the 1960s in California, it signaled a shift from the medical model to the legal model.

Ronald Reagan had been elected Governor and was interested in reducing the population in the mental hospitals in California. The result was the Lanterman-Petris-Short Act in the California State Assembly.

This act set a new standard, making it increasingly difficult to obtain commitment to a hospital. That standard was that a patient must be suicidal, homicidal, or gravely disabled. Gravely disabled means that they can't take care of their basic needs.

I moved to California in 1968 shortly after that bill was passed to serve as the chief psychiatrist at the Long Beach Naval Station, where I saw servicemen and -women and their families. For the 2 years I was in California, I had almost no success in getting civil commitment for people that I felt were suicidal.

I was overruled by State employees charged with the duty of evaluating the need for civil commitment. The real pressure was so great on them and the court system that it was nearly impossible to get anyone into treatment in a secure facility. The hospitals in the State were quickly emptied, and literally thousands of mentally disabled people went out on the streets.

At the same time, in Congress, the mental health center movement was taking hold. The Community Mental Health Act was signed into law in 1963. The bill promised adequate funding would go to mental health centers to effectively treat most of these patients on an outpatient basis.

But things didn't go as planned. The political reality resulted in insufficient money going to the mental health system. This had a devastating effect and led to more patients wandering the streets in need of treatment.

When I finished my time in the military and went back to Washington State, I went to the legislature and saw a similar movement was occurring in my State. Remembering what had happened in California, I argued against changing that commitment standard, but the majority ruled and a similar law was passed.

As a result, we closed one of the three mental hospitals in the State of Washington—Northern State Hospital—with the assurance that the money we saved from closing that hospital would go to the mental health centers. We saved $11 million. $3 million went to the mental health centers, and $7 million or $8 million went elsewhere.

As a result, the streets of the State of Washington began to see all kinds of homeless people laying on the street and so forth. As a result, some of the most vulnerable patients were left without a support structure.

Many became homeless or were imprisoned. In the end, we simply replaced hospital beds with prison beds, as Congressman MURPHY has already pointed out. Right now there are 10 times more mentally ill patients in jails and prison than in State hospitals.

Turn the clock forward to 1979. I was a jail psychiatrist in King County, which, in effect, was the second largest mental hospital in the State. I had over 200 patients who belonged in treatment, not in jail.

This had a tremendous cost on our society. All across this country—and Washington is no different than anywhere else you go in this country—it has a human cost as well as a financial cost.

The average cost per year for a prisoner without mental illness in a jail is $22,000 a year. For a mentally ill patient who is a prisoner, the cost is more than double that, at $50,000 a year. It costs 20 times more to imprison a mentally ill patient than to provide that same patient with treatment.

These statistics are deplorable, and the process continues to remain in place across this country. There are some places that have done things on their own and made efforts to improve how they care for behavioral health patients.

In Dixon, Illinois, recently two young people died. It is a town of 20,000 people. The sheriff said: I am going to do what they are doing in Gloucester, Massachusetts, in the ANGEL program.

He made the statement to the community: Anybody who is addicted to heroin or opioids, come in. We won't arrest you. We won't prosecute. We will treat you. Twenty seven people showed up in that jail.

He said, amazingly, another thing happened. The jail was empty because crime went down dramatically. Most of those people were out committing crimes to buy drugs.

□ 1745

Now, this program encouraged those suffering from addiction to go to the police, where they would be directed to drug rehabilitation and not prosecuted. Since then, many individuals have had effective treatment.

We need to treat addiction as a disease state and not as a criminal offense or some moral failure. And the same is true with mental illness. A comprehensive mental health reform bill would go a long way to that effort.

Now, out on the floor here, again and again, we pause for a moment of silence. Some awful thing has happened someplace in this country, in my city, in 25 cities across this country, and we stand here for 1 minute and commemorate the tragedy with a moment of silence. After that pause, we do nothing.

Virtually all mentally ill patients are more likely to be victims of violent crimes rather than perpetrators, and we must recognize there are tragic situations that can be prevented with treatment and early intervention.

I understand—I have been involved in this my whole professional life—that the most contentious issue is whether or not the society has a right to detain a citizen and treat them in the most medically effective way.

Many fear a return to the indeterminate confinement of people like in the 1960s. I saw that in Chicago when I was in medical school. None of us want to see that happen—not me, most of all. But certainly no one on this floor wants that to happen in this society.

The balance between personal liberty and the needs of a society is a challenging one to strike; but difficult as it may be, we have to rise to that challenge. That is why I commend Congressman MURPHY for bringing it out here and beginning the debate that ought to go on in this society.

If a mentally ill person is a danger to themselves or others, there needs to be an ability to commit that person long enough for the treatment to take effect. We need to listen to those who know the patient best. In many cases, it is not their doctor.

We often hear stories from families who have tried desperately to get treatment for their loved ones, or from police officers who have tried desperately to get treatment for people. We, as doctors, can't possible make the best assessment without hearing from family, friends, and those who live with patients and play an integral role in their lives.

Giving patients and families the help they need will dramatically improve and even save lives. That is why we need to work together, on a bipartisan basis, on a bill that Mr. MURPHY has brought out.

Is it a perfect bill? No, but it is a bill from which we can work and reach an agreement to try and help the needs of our society. We have had enough moments of silence on this floor. It is time to act.

Mr. MURPHY of Pennsylvania. I thank Dr. MCDERMOTT. He has been, really, a champion of mental health issues in his career and on this bill as well.

I want to point out, the bill he is referring to is our Helping Families in Mental Health Crisis Act, H.R. 2646. It is bipartisan. It has 183 cosponsors today—50 Democrats, the rest Republicans—because we all recognize that when you are dealing with someone with mental illness, in the 40 years that I have practiced as a psychologist, I have never once asked any of my patients what party they are.

We know that mental illness affects people regardless of gender or race or age, certainly not by party.

We also know, however, that getting care is tougher. Studies have said that if you are Black, your chances of getting treatment for your mental illness are even tougher. In fact, in Los Angeles County, 9.6 percent of the population is Black, and yet they constitute 31 percent of the L.A. County jail prisoners, and they have a lower likelihood of getting psychiatric medication.

Although most crimes committed by people with mental illness tend to be nonviolent, after they have repetitive incarcerations, they tend to serve four times longer sentences when they are

mentally ill than someone who is not. So that is what we mean when we say we have filled our prisons and we have increased our costs with this.

I yield to my friend, the gentleman from Arkansas (Mr. HILL), to also talk about the things we need to do and our problems with mental illness.

Mr. HILL. Mr. Speaker, I thank Congressman MURPHY for this time and for bringing this issue to the floor of the House. I thank my friend, Mr. MCDERMOTT, from Washington, for his views.

Congressman MURPHY's bill opens a bipartisan conversation on how best to address the challenges that have been facing mental health services and our citizens in this country for decades.

President John Kennedy implemented a groundbreaking, community-based treatment model for individuals with mental health illnesses. However, in the decades following his service, the Federal Government has missed opportunity after opportunity to effectively address the needs of Americans with mental illness. Over the years, we have seen our prisons, our hospitals, and our homeless shelters bear the brunt of providing services for our Nation's mentally ill.

One-third of the homeless are mentally ill, some 200,000. Sixteen percent of incarcerated Americans, some 300,000, have mental illness. And mental disorders are some of the most costly health conditions we face in our country.

As noted, many of our incidents of mass violence have mental illness as a factor. Now most States still rely on the standard of imminent danger for commitment of mentally ill individuals. This is, in part, a result of past Supreme Court decisions, most importantly, in 1975, O'Connor v. Donaldson, which has been used consciously many times to oppose involuntary commitment and argue that committing individuals who are not imminently dangerous to themselves or others is unconstitutional.

Congressman MURPHY's bill, the Helping Families in Mental Health Crisis Act, holds our Federal agencies accountable and requires that our States follow evidence-based practices that have proven to reduce hospitalization, homelessness, and violence.

This bill also provides alternatives to institutionalization for Americans with severe mental illness; and for those that need to be institutionalized, it requires States to include need-for-treatment commitment standards in their civil commitment laws in order to remain eligible for certain Federal block grant programs. This will help clarify commitment standards for our States and will ensure that we no longer wait until it is too late to potentially commit dangerous individuals and those who need help.

It is important that we seize this opportunity for future generations of Americans, and I commend my colleague for his leadership on this important issue.

Mr. MURPHY of Pennsylvania. I thank the gentleman so much for his kindness and his support for this legislation.

As has been said, whenever one of these tragic killings occur or when some tragedy occurs, we have our moment of silence, and then we do nothing.

We have a chance to do something. America demands it. I know that the overwhelming majority of Americans expect us to do something more than talk about it, particularly when so many family members are struggling.

As we closed many of these institutions, what we ended up with is families themselves being the ones that are being told, here's your son, your daughter, your brother, your sister, your mother or father; go take care of them. By the way, we are not going to give you much information on them. We are not going to provide you much support, unless that person, indeed, is a danger to themselves or others.

I have heard from many family members that they have called the police when they have had troubles at home, struggling.

By the way, with mental illness, when someone's out of control, we call the police. With other illnesses, you call paramedics because we recognize that that is a disease that needs help, like when someone is having a heart attack or something else. But with mental illness, out of our fear, out of our stigma, or other things, we call the police, and the police are oftentimes not fully trained to do this. Then we tell the parents, well, good luck, and take care of them. We are not going to give you much information.

That whole grand experiment of closing down the hospitals, which those asylums needed to be closed down, but the stopping institutional care and stopping all treatment, that whole process has actually shown more failures than successes, especially when we have not provided community-based treatment.

We provide treatment for so many other diseases, but when it comes to mental illness, we fall far short. And we somehow have this idea, this misguided and self-centered and projected belief of our own, that people are at all times fully capable of deciding their own fate and direction, regardless of their deficits and diseases, and that the right to self-decay and self-destruction overrides the right to be healthy.

But remember what I said earlier about people with severe mental illness and having so many other chronic illnesses and somehow going into the slow-motion death spiral, we walk right by and pretend that that is okay. It is not, and it shouldn't be. Somehow, in so doing, we comfortably abdicate our responsibility to action and live under this perverse redefinition that the most compassionate compassion is to do nothing at all.

It further bolsters those most evil of prejudices we have that the person with disabilities deserves no more than what they are. We will leave it up to them. Under that approach, there are no dreams; there are no aspirations; there is no goal to be better that can even exist. Indeed, to help a person heal is some head-on collision with this bigoted belief we have that the severely mentally ill have no right to be better than they are, and we have no obligation to help them.

This is the corrupt evil of this hands-off approach and, in some cases, the antitreatment model and the things that we have lulled ourselves into, this somnolence where we become comfortable with crossing the street or stepping over a homeless person, when we fear those, when we hear the title, the term, ''mental illness.'' It is this perversion of thought embedded in the glorification that to live a life of deterioration and paranoia and filth and squalor and emotional torment trumps a healed brain and the true chance to choose a better life.

What a sad state of affairs our Nation has to become easy with that, and what a sad statement it is about this Congress for taking so long to take action on this. I don't know how we look ourselves in the mirror and continue to delay this.

A number of my colleagues also feel very strongly about this issue of mental health. I yield now to the gentleman from Louisiana (Mr. ABRAHAM) to take a few minutes to talk about his perspectives of what we need to do with mental health.

Mr. ABRAHAM. Mr. Speaker, I want to first say thank you for Dr. Murphy's persistence and determination for bringing this legislation to this point. It has been an act of love on his part, and I greatly appreciate it.

Dr. Murphy, also, great thanks for your continued work with our men and women in uniform in the mental health field as you continue to do today. It is much appreciated.

As a family doctor in rural Louisiana, I have witnessed firsthand the hardships mental illness can put on families, individuals, and friends. I am sure every American has a story of how someone that they know and love has been affected by mental illness. It is not a partisan issue, as has been said here just recently.

Thankfully, the study and treatment of mental health has improved dramatically in the last 50 years, leading to better outcomes and better lives. But, as our knowledge of mental health improves, we must routinely ensure that our government is keeping up.

It has been over 15 years since Congress last passed comprehensive mental health reform. During that time, the size and authority of our Federal mental health bureaucracy has grown to the point where the amount of coordination required to function effectively is too immense.

How much has it grown?

A recent report from the independent Government Accountability Office

found that there are now a total of 112 Federal programs intended to address mental illness—112. As you can imagine, the report also found that there is serious fragmentation and lack of coordination among these programs.

As history continues to prove time and time again, when the size of bureaucracy increases, the effectiveness decreases; but when mental health bureaucracy fails, it fails individuals, it fails families, and it fails communities.

Unfortunately, the President's solution this year is to throw more money at the problem and increase the bureaucracy. His 2017 budget proposes to add $500 million in mandatory spending to the same Federal programs that have been proven to be inefficient, uncoordinated, and inadequate. This is a shortsighted response to a long-term challenge. We must do more than throw money at a problem and hope for a solution.

Congressman MURPHY's Helping Families in Mental Health Crisis Act has taken inventory of these Federal programs. It refocuses the programs that work and removes the ones that don't, greatly increasing program coordination across the Federal Government. This is only one of the many reasons why I have cosponsored this comprehensive bill, and I welcome rigorous debate on this floor on the rest of the bill's merits.

□ 1800

Finally, I thank again Dr. Murphy for his dedication and leadership on this mental health issue. The time, effort, and attention to detail that he has put into this comprehensive reform bill is what the American public should expect from elected officials. I strongly encourage and support his efforts.

Mr. MURPHY of Pennsylvania. Thank you, Doctor. I appreciate your comments and your support for this bill and, of course, your practice in the field and understanding our needs.

A couple of points you made there I want to elaborate on. You said that there are 112 Federal programs identified scattered across 8 departments that deal with mental health. There are 26 programs for the homeless.

But many of these programs have not met since 2009, and according to the General Accounting Office report, it is uncoordinated. A patchwork quilt would be a compliment because a patchwork quilt is at least stitched together and our mental health approach is not.

Part of this bill is to create an office for the Assistant Secretary of Mental Health and Substance Abuse Disorders. That doctor would then be charged with meeting regularly with these programs and agencies to get them to work together.

Where there is unnecessary redundancy, get them to merge. Where there is exemplary programs, let's expand it. But, above all, get treatment back to the States and back to the communities where they can do the most good with evidence-based programs that work.

I will elaborate more on these in a minute, but first I want to call upon my friend, CHRIS GIBSON, from New York for a few minutes.

Mr. GIBSON. Mr. Speaker, I want to thank my friend and colleague, Dr. Murphy, for organizing this Special Order, but also for his strong leadership in an area that is so important to all Americans. I also want to thank him for his service to our Nation.

Indeed, I rise to give a voice for so many of my constituents who are calling on this House to strengthen Federal mental health policies.

I think this is important not only in terms of these policy changes that we are talking about this evening, but, quite candidly, also about the mindset. I think we need to think about this issue area differently.

Misconceptions out there, I hear this often from my constituents, how we need to change the way that we think. Too often we think of mental health as a permanent state, that individuals are either well or not well, when, in fact, what we have learned is that, over the course of our life, mental health is really a spectra. Sometimes we are flourishing, and sometimes we are challenged.

For me, this is certainly a personal issue. My closest adviser is my beautiful wife, Mary Jo, who is a licensed clinical social worker. I get the benefit of her counsel on a regular basis.

I also look to Dr. Murphy as somebody who has spent over 40 years in this field. I also want to thank GRACE NAPOLITANO, who is also a leader of the Mental Health Caucus. I have worked together with her as we push forward these very important initiatives.

I want to say that I do think we have made some progress. In a moment here, I will talk about some of the details of that. I think that we are making some progress particularly with neuroses, anxiety, and to some degree, depression.

But, candidly, we are not making progress at all with regard to policy when it comes to very severe mental health issues. In part, Dr. MCDERMOTT addressed this earlier.

We know that, in the 1960s and the 1970s, there were a series of exposes, very severe issues that were going on in our psychiatric hospitals. Consequent to that we went through a process of deinstitutionalization.

But we have learned that, when we did this and put nothing in behind it—and I certainly can understand a lot of abuses that were going on and understood the need to take action to roll back and to really make sure that we don't have those abuses.

But what we have learned is that it was a mistake not to put policy in behind that. We see this all the time. It has been mentioned already this evening, the issues with homelessness, the issues with mass violence.

Inasmuch as we know most with very severe mental illness are not violent, we also know that, when we have these very tragic events, that, at times, these are correlated with severe mental illness without Federal support, without any support. So that is part of the calling for this evening.

The American people want to know: Is our Congress listening? We are listening. That is part of the reason why Doc has organized this tonight to express this to the American people, that we know this is a very important priority.

I want to provide some overview of some of the actions we have taken. First of all, last year I was at the White House when the President of the United States signed into law the Clay Hunt suicide awareness and prevention bill.

Corporal Clay Hunt was a great American hero. He served our country very honorably and courageously in Iraq and Afghanistan and lost his life to mental health disease. His family has taken up the standard and are working really hard to move us forward on that.

This bill that the President signed into law last year—a very bipartisan bill—is going to help strengthen mental health support for our servicemen and -women and our veterans.

Likewise, the James Zadroga 9/11 healthcare bill for our first responders also includes a provision in there that strengthens mental health. So we are supporting our veterans, and we are supporting our first responders. These are important bills that have been enacted into law.

We have also passed in this House an important bill called the Female Veteran Suicide Prevention Act, and we are calling on the Senate to pick this up so that we can also send that to the President.

While we have made progress in some of these areas, we have much more to do in so many other areas. I want to talk about the Mental Health in Schools Act.

I think this is a very important and certainly a challenging period in the lives of Americans in the teenage years and so many emotions all going through. We need to provide support.

What we have found in some pilot programs in New York is, when we have social workers in schools, this absolutely stems incidences of drug abuse and crime because we are dealing with this in the area where we really need that support: mental health.

We have a bill that will address this that will scale that, and I hope that we can get more support here in the House.

In addition to our teenagers, I also have a bill that helps with our senior citizens. It is a very simple bill. It basically just adjusts Medicare so that, for seniors looking for counseling, they will get that support.

Finally, of course, the bill that we are all rallying around tonight, H.R. 2646, the Helping Families in Mental Health Crisis Act—I think we have

heard about some of the important dimensions of this bill.

I just want to highlight the fact that I think that this bill is going to help us with the very severely mentally ill, particularly those suffering from psychosis.

We have heard tonight how we have a shortage of inpatient care. We have got to address this because, if we don't address it, we end up seeing it in the penal system. That is absolutely the wrong approach to this, and it is costing the taxpayers as well.

So, in addition to that, we see more coordination among agencies and suicide awareness and prevention programs strengthened.

So, Mr. Speaker, I will close with this. This is a very important issue, and the American people are counting on us to take action. I think we have got a series of bills that we can rally around—bipartisan bills—that will truly make a positive difference.

So let me end where I began and just thank Dr. MURPHY for his great leadership and call upon my colleagues to support his bill and these other bills as we move forward.

Mr. MURPHY of Pennsylvania. I thank my friend from New York in his ongoing support for these issues dealing with mental illness.

Now I would like to call upon my friend from the State of Oregon, EARL BLUMENAUER, who has been a great champion on these issues as well. Many times we have conversed about this. I appreciate my friend's guidance and support on this issue.

I know your heart is in this and you are dedicated to it.

Mr. Speaker, I yield to Mr. BLUMENAUER.

Mr. BLUMENAUER. I appreciate your courtesy in permitting me to join you this evening, and I appreciate the conversation that we have had.

Dr. MCDERMOTT's experience in the 1960s and 1970s really touched me. I started in my political career when I was much smarter than I am now and was part of the deinstitutionalization movement in my State of Oregon, where it was quite clear that we could provide better quality services that were less intrusive and more cost-effective through a program of deinstitutionalization. It made perfect sense on paper.

What happened—and, luckily, karma intervened. I was a local official when it hit full force. The commitments that had been made to help with medication, to help with housing, to help with counseling, and to be able to provide the support services weren't ironclad guarantees.

It was easy for subsequent legislators to erode them, and people were out on their own. This was a process that took place across the country, and we have seen the impact, as Dr. MCDERMOTT mentioned.

I really appreciate you sinking your teeth in here to bring this forward. There are some elements that are clearly controversial. I have found over the course of 2 years that we have been talking about this a willingness to engage in conversation and to be open to refinement because we are all seeking the same objectives.

One of the things that has just become clearer and clearer to me is that there needs to be stronger provisions to deal with assisted outpatient treatment programs. We used to call it involuntary commitment.

It strikes me that we would not have a cancer patient just sort of cast loose on their own to sort of fend for themselves.

But we have some of the most vulnerable members of society, in many cases, who are not capable of fully comprehending the situation they are in.

In fact, in some cases, part of the illness they suffer from is that they don't think that they are sick, that we make it much more difficult than it should be, in some cases, impossible, for people who care about them most to be able to participate in treatment.

I appreciate your willingness to work with us to strike the balance.

I see this as part of a much larger movement. In my community, we are finally opening a facility this fall to get people with mental problems out of emergency rooms, where they actually can't be treated. They can just be warehoused at, actually, great expense and risk to the employees in the emergency room.

I am convinced that, if we are able to work together to tease out the expenses—Dr. MCDERMOTT talked about how incarcerating people and treating them behind bars, where so many people with mental illness end up, is 20 times more expensive than treatment.

Being able to hit that sweet spot, to be able to balance treatment, to be able to have intervention with appropriate safeguards, to empower the families, and to be able to help people on a path to treatment like we would do with any other illness is very, very important.

I would hope that we would be able to continue this conversation. I hope that there will be other Special Orders where we have a chance to involve people who want to explore and maybe refine some of these elements, to be able to answer questions about the necessary protections and have the give-and-take that sometimes is hard to do when we are in sort of a formalized setting.

I have appreciated your willingness to tackle tough issues, to be open to suggestions, to be willing to engage others, but, most importantly, that this Congress not go home without having legislation to meet our responsibilities to refine and focus our mental health programs to get more out of the resources that we have, to provide new tools for families, and I think build on a foundation.

I think the bill that you have introduced is a great start. I am encouraged that you have sparked a very robust conversation and that there are other bills that are moving forward. But I hope we can build on this to be able to get across the finish line.

I look forward to continuing our conversation, whether it is here tonight, in another evening, or with our colleagues, to make sure that we are doing what we should do to correct a situation that is a national tragedy, that is unnecessary, that is wasteful and inhumane.

Mr. MURPHY of Pennsylvania. I thank the gentleman for his comments.

I will add to that in the sense that about 10 people per hour die related to mental illness, and it is probably much more than we know of.

I thank you for your good counsel, too. I may have been doing this 40 years, but I have a lot to learn in the field of mental health.

I have learned a great deal from colleagues and from people like Paul Gionfriddo of Mental Health America or the leaders of the American Psychological Association, the American Psychiatric Association, and from Fuller Torrey. There is a whole host of names in this country who continue to write about and talk about this and show us research on this.

Osteopaths, physical therapists—you name the field—and social workers are out there talking about the problems that we have with this. You are right. It is the most compassionate thing to make some changes on this.

I know one of my colleagues who is also in the Energy and Commerce Committee with me, SUSAN BROOKS, would like to comment on this as well and talk about our needs now, what we need to do in mental health.

Mrs. BROOKS of Indiana. I want to thank the gentleman from Pennsylvania, Dr. MURPHY, for introducing this important legislation and arranging for this Special Order today.

As I am sure it has already been stated, one in five Americans struggle with mental illness. One in five. This is a critical situation in the country, as we have just heard, a national tragedy.

That is why we must address it with a comprehensive, community-based, mental health care proposal like the one we are talking about here today, and we must do it in a bipartisan way.

So I am very pleased that we have colleagues from the other side of the aisle here as well this evening talking about it.

We have all seen the tragic headlines about people who lose their battle with mental illness and their families who are often powerless to help them or prevent them from harming themselves or others.

According to researchers, about half of the people with schizophrenia and 40 percent of people with bipolar disorder don't believe they are mentally ill. These individuals have the right to refuse therapy and medication, and under current law, their families are only able to intervene when their condition becomes suicidal or extremely dangerous.

So in practical reality, my young adult children in their 20s, if they struggle with serious mental illness, I could be completely shut out from their diagnosis and treatment, unable to help them before their condition became completely debilitating.

□ 1815

As a mother, as a parent, this is heartbreaking. It is further evidence that something has to change. We have all talked to too many families, whether it is at ceremonies remembering their lives when they have taken their lives or when they have overdosed. That is too late. This bill is important for all parents in America, the loved ones, the family members who desperately want to help but are unable to do so.

But it is also important to every American regardless of whether or not they have a personal connection to mental illness. It is critically important when we look at our criminal justice system.

Sixty years ago—and I think we talked about this a little bit earlier—there was one psychiatric bed for every 300 Americans. Fast-forward 50 years later, that number has shrunk to one psychiatric bed for every 3,000 Americans. Today, it is even less. The people, as you have mentioned, who work in our emergency rooms and in our criminal justice system are paying the price. Those people who work there are paying the price.

The National Alliance on Mental Illness estimates that between 25 and 40 percent of people with mental illness will be jailed or incarcerated at some time in their lives. I am a former criminal defense attorney and a prosecutor. I can tell you not with respect to treatment, but dealing with them, either if they had been arrested or if we needed to prosecute them, I have seen the statistics—and these are real people.

Our courts, jails, and prisons are full of people with mental illness. Most of them are not getting the treatment they need. In our State prisons and local jails, more than half of the women and three-quarters of the men have at least one mental health diagnosis. In Federal prisons, about half of all inmates, regardless of gender, struggle with some form of mental illness.

We must reform the way we care for and treat people with mental illness. We can't rely on the prisons and jails to serve as the de facto mental health institutions that they have become, and we must make families the partner to ensure that patients with serious and debilitating illness can maintain a comprehensive regimen of care.

I applaud the work of my colleague, Dr. MURPHY, the only psychologist serving in Congress, for his leadership and for crafting the Helping Families in Mental Health Crisis Act, H.R. 2646. I am not going to go through all of the proposals because you have so many people. I am so pleased that you have people. I am sure that you have talked about all that is in the bill.

But I must say, I urge my colleagues to join us in supporting this proposal. It does focus on the programs that will help families and patients. It will improve that connectivity between primary care doctors, mental health professionals, and the patients and families. It will help with the existing shortage of in-patient psychiatric beds. It will bring accountability to programs like SAMHSA, to make sure that their resources are being used in the most effective and consistent way for patients.

I just want to applaud Dr. MURPHY and all of those who care deeply about mental illness, because I don't want to go to more of these ceremonies of family members who are remembering their family members who have died from suicide or who have died from an overdose. Thank you for your work.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I thank my friend, Mrs. BROOKS.

I might say that we have all heard those stories from families. I am sure there are families watching tonight, Mr. Speaker, who will consider contacting a Member of Congress and share that story as well. Nothing is more painful than to hear the story of a parent like you described, a nightmare of a parent to be told that their child has a problem and there is nothing the government will let them do about it. How difficult that must be.

While waiting for my other colleague, DOUG LAMALFA, of California, to come forward, I want to mention a couple of things on the bill that have been referenced.

As I said before, the bill has an assistant secretary for substance abuse and mental health disorders that would organize the programs. It would drive evidence-based care for programs such as response after an initial schizophrenic episode, assisted outpatient treatment, and assertive community treatment, or programs like the National Child Traumatic Stress Network, which is an exceptional program. It is a government-funded program that does exceptionally good, high-quality work.

We know that we have to build a mental health workforce to take care of our extreme doctor shortage. There simply aren't enough psychiatrists, psychologists, or clinical social workers. When we have 9,000 child and adolescent psychiatrists, we need 30,000. We have too few clinical psychologists and others who want to work with those with serious mental illness.

As I said earlier, we have to fix the shortage of mental health beds, places that treat people who are in crisis, instead of putting them in jail, sending them back on the street, or strapping them to a gurney in an emergency room, giving them a five-point tie-down and some chemical sedative. We have to eliminate that same-day doctor barrier which says you can't see two doctors in the same day. We have to empower parents to be part of the treatment plan, because right now they are still harnessed and kept away from them.

I yield to the gentleman from California (Mr. LAMALFA) for some of his comments.

Mr. LAMALFA. Mr. Speaker, I thank Dr. MURPHY. I really appreciate him holding this Special Order, his dedication, and his persistence in moving this issue along. It is very important because mental health is an issue that is getting more and more rampant in our communities.

We really have some challenges in northern California with it and the lack of available treatment. I just had a doctor visit my office yesterday from Siskiyou County who, had she had this ability, had that county had these resources available in the way that your bill prescribes, tragedy would have been prevented with an attempted suicide and a suicide that actually happened in that same family. It is really inexcusable after a point that we are not able to channel the resources and have the effectiveness of the program that you are seeking.

Previously, in Nevada County, California, we witnessed a devastating shooting at a nearby health clinic that took the lives of three individuals back in 2001. The shooter, who suffered from mental illness, had repeatedly refused treatment, despite his family's best efforts to get him help. This is where the system, again, is broken.

Outdated laws leave individuals suffering with severe mental illness to fend for themselves, only to have intervention step in when it is too late. Does it really take an attempted suicide, does it really take a drug overdose, to get attention, instead, when people that have this and know about these triggers would be able to get them the help they need with the right implementation? We need to break down those barriers and provide that pathway.

The Assisted Outreach Treatment program, for example, helps patients and families experiencing severe mental health issues to get the treatment they need before a crisis occurs. Patients are able to live at home and meet their therapist on a regular basis while having access to lifesaving medications. Success rates are testimony to the effectiveness of the program in terms of compassion and effectiveness. Again, in one of my counties, Nevada County, where this program is in effect, hospitalization was reduced 46 percent, incarceration reduced 65 percent, homelessness reduced 61 percent, and emergency contacts and emergency needs reduced 44 percent.

Of the patients who entered the program overall, 90 percent said it made them more likely to keep their appointments and take their medication, and 81 percent said it helped them get well and stay well. This is what it is all

about: to give them hope and to put them in the mainstream of society where they can function well and be successful. Forty-nine percent fewer abused alcohol, 48 percent fewer abused drugs.

Yet, instead of investing in programs such as this, we continue to spend billions on duplicative behavioral wellness programs that allow far too many Americans to fall through the cracks.

We have got to do more to care for our neighbors in this country. I rise today in support, and I am proud to be a cosponsor of the gentleman's legislation. We cannot stand by anymore and allow the status quo because, as we know too well, the cost of inaction is too high for those who suffer from it and for the families and the communities. This is going to be very effective in helping to channel that and having a success we can all be proud of.

Thank you for the time and for your persistence.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I thank the gentleman for his support.

While waiting for my friend JOHN KATKO of New York to come forward, I want to reflect on how long it has taken us to do this.

What we used to do up through the 1800s is just throw people in jail. Then along came an activist by the name of Dorothea Dix, who saw the abysmal conditions in our prisons for the mentally ill, saw them chained to walls in squalor and filth, beaten and abused. She spoke up to have institutions built that would be better respites for them. Indeed, that took place for awhile, but then they became overcrowded, and that was part of what we shut down.

As my other colleague talked about, Mr. BLUMENAUER mentioned that then we thought, well, we have other outpatient care for them. That promise never came through.

This legislation would, as I mentioned before, allow us to have more providers in psychology, psychiatry, social work. It would also merge the mental health and substance abuse dollars to allow States to use both. We have got to be treating mental health and substance abuse dollars, not to cut either one, but to make sure that a person with substance abuse disorder and mental illness can be treated.

It would bring accountability of spending Federal funds for grants. Our bill would establish a national mental health policy lab within SAMHSA, Substance Abuse and Mental Health Services Administration, and set scientific objective outcome measures.

It would also have an interagency serious mental illness coordinating committee, which could coordinate the Federal spending in mental health and make suggestions to the Assistant Secretary's office and to Congress and bring together government offices with experts in the field to develop reforms in the mental health system.

We want to have alternatives to institutionalization and jail diversion. Assisted outpatient treatment is one version; assertive community treatment is another one. We are making sure that we provide the wraparound services for the mentally ill person instead of dumping them into jails and leaving them there only to get worse. And we want to advance early intervention and prevention programs, where this bill establishes most of its funding there to make sure we have those programs.

I yield to the gentleman from New York (Mr. KATKO), someone whom I have also gotten to know pretty well over this bill, with his own passion for this issue as well.

Mr. KATKO. Mr. Speaker, I thank Dr. MURPHY.

I rise today to talk about one of the most serious challenges facing our country, and that is the mental health issue. It is a problem that affects the rich and the poor, old and young, employed and unemployed. It can strike anyone.

For far too long, the issue of mental health has stayed in the shadows in our country. If we want to directly face the challenges that the American people face in their everyday lives, we cannot allow the silence to continue. That is why I so enthusiastically support your bill, Doctor.

A short time ago, I met with some of my constituents in upstate New York that were part of a drug treatment, education training, and rehabilitation program. One of the individuals told me of his personal battle with mental health.

About 10 years ago, his sister died of cancer, and his marriage broke down soon thereafter. He couldn't sleep because of the trauma and stress, which led to anxiety and depression, and he didn't know what to do. As he was doing yard work one day, someone he knew walked past and said he could provide something to help him sleep. It was heroin. He tried it. Pretty soon he was hooked, and his life was ravaged for years and years. In fact, it took 7 years of him being pushed to the brink by drugs for him to seek help—7 years, 7 lost years.

Six years later, he has found paid work, probably for the first time since his addiction. He told me that if we lived in a culture where the trauma of grief and the need to get help for mental health problems were more clearly recognized, things could have been much different for him. Just think how much better it would have been for him and think how much better it would have been for others in the country.

The reality is that, for many people today, mental health is a huge issue. With the awareness of the mental health issue increasing, I fervently hope that the acceptance and understanding of the individual suffering from it will as well.

We cannot prevent all mental health issues. There are no cures for all conditions. But we can help the culture change in our country. This bill goes a long way towards doing that, and I commend you for that, Doctor.

We can insist that everyone counts and that everyone matters and that no one dealing with any form of illness should ever feel ashamed. That is how you bring real change to America.

Before I close, I want to note that the second leading cause of death among individuals 24 years or younger in this country, as the doctor well knows, is suicide. The 10th leading cause of death in this country for all adults is suicide. It is an epidemic. It is not treated as such in this country, and it is high time that we do so.

For every suicide in this country, there are 12 suicide attempts. Think of the costs to our society. Think of the costs and the burdens on families, the burdens on the health industry who have to deal with this. We must do a better job, and we have to do a better job.

That is why I am proud in my district that soon after I was elected last year, we formed a mental health task force. We are enthusiastic about a lot of things and a lot of changes it is going to bring about, but there is nothing we are more enthused about than this bill.

Doctor, I commend you for this. I hope that we get this passed in the House, and I hope we get this bill moving once and for all.

Again, I commend you, Congressman MURPHY, for your steadfastness on this issue.

Mr. MURPHY of Pennsylvania. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 2 minutes remaining.

Mr. MURPHY of Pennsylvania. I yield to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, I am here to support Dr. MURPHY's tremendous work in the area of mental illness. It shows that one person really can make a difference. Dr. MURPHY is leading the charge for our country to change the way that we deal with our mental health programs.

I have got direct experience with this. I have a high school friend who suffered from schizophrenia and eventually lost her family as it is related to that. I have had two high school friends who suffered from severe depression and ended up suicidal and subsequently did take their own lives.

This is critical legislation. With people like Dr. MURPHY working hard to get this done, we really can make a difference on behalf of people with severe mental illness in our country.

I commend you, Dr. MURPHY, for the strong work. Continue to push. I am hopeful we can get this through the House of Representatives this year.

Mr. MURPHY of Pennsylvania. Mr. Speaker, let me close with these statements.

With 60 million Americans out there with some form of mental illness this

year and 10 million or so with severe mental illness, they all have families. I hope those families wake up and speak up. I hope they contact their Member of Congress.

I know that mental illness can be treated, but it cannot be treated if we ignore it and it gets worse. I don't want more tragedies here. I hate to wish any of these tragedies on my colleagues in Congress, but I know it will happen. We will be here again for moments of silence. We will have more Members that face this suffering in their own families and in their communities, and we should not allow that.

I hope that soon we can call forth H.R. 2646, the Helping Families in Mental Health Crisis Act, because to delay it is to cause more harm, to deny it is to cause more death. Let's finally do something to help turn this problem around with mental health in America.

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

□ 1830

## WOMEN'S RIGHTS ARE HUMAN RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the subject of my Special Order.

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

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, next Tuesday the Supreme Court will take up Whole Woman's Health v. Hellerstedt, which is a case that challenges Texas' outright offensive effort to strip women of their right to choose.

Last night the Fifth Circuit Court of Appeals allowed a similar law to move forward in Louisiana, all but guaranteeing the closure of three of four abortion clinics in that State unless the Supreme Court intervenes there as well.

The men who have passed these laws—to be very clear, the Texas State Legislature is 80 percent male, and Louisiana has just made it up from dead last this year at 85 percent—claimed that it would increase the medical accountability and safety of facilities that provide abortion.

That is the new message, the new veil, that covers these laws with the air of legitimacy: We want to make your abortion safer. So every doctor needs to have admitting privileges at a local hospital and every clinic needs to function like an emergency center.

It sounds logical until you hear what the folks behind these laws have to say after the laws have passed.

In Texas, then-Governor Rick Perry said: ''The ideal world is one without abortion. Until then, we will continue to pass laws to ensure that they are as rare as possible.''

One of the authors of the bill said that she was especially proud that ''Texas always takes the lead in trying to turn back what started with Roe v. Wade.''

The first problem here is the same one we have dealt with over and over and over and over again, because Roe v. Wade isn't something you turn back. It wasn't an executive order. It wasn't even a law passed by Congress.

It was a legal challenge 40 years ago that required the Supreme Court to consider whether or not women had the right to make decisions about their bodies. They decided and set a precedent that every woman in this Nation had the constitutional right to an abortion.

What is more, the Court made it clear that States cannot use laws to create an undue burden for women who are seeking to exercise that right. The Court affirmed that decision once more in 1992.

Women in Texas now have firsthand experience of what happens when States ignore the Supreme Court. From what I can see, there is no way that the Texas law can be considered anything other than an undue burden, which brings us to the second problem: There is absolutely no logical, medical reason to suddenly require these clinics to meet the standards of a hospital.

These laws are opposed by a host of leading medical groups, including the American Medical Association and the American College of Obstetricians and Gynecologists, professionals who know better than anyone what kinds of skills and resources should be necessary for an abortion, which is one of the safest medical procedures out there.

I find it incredibly hard to believe that whole organizations of physicians would oppose any of these laws if they really did make clinics safer, Mr. Speaker, but I digress.

In Texas, the full implementation of the bill that is being challenged next week would force more than 75 percent of abortion clinics in that State to close.

In fact, with the limited implementation they have had to date, the number of clinics has been cut in half. If it is allowed to go into effect, only 10 clinics will remain to serve the 5.4 million Texas women of reproductive age.

What is even worse is that, while these laws are being masqueraded as efforts to make abortions safer, they are forcing more women down the dangerous path of attempting to end their pregnancies on their own.

A study by the Texas Policy Evaluation Project found that women who report barriers to abortion are more likely to self-induce an abortion, putting their lives at risk in the process. This sounds like 1955, not 2016.

Mr. Speaker, these laws are an absolute farce, and it is time to stop the sham. Women deserve to make the choices that work for them. If that means having an abortion, they should be able to do it safely, without traveling hundreds of miles or without waiting weeks to be seen.

My colleagues and I are here on the floor tonight because we stand with the women in Texas, with the women in Louisiana, and with the women across this country, women who want to make their own decisions about when, where, and how to make decisions that will change their lives, women whose voices are seldom represented in the legislative bodies, which are filled with men who are ready to take away their rights.

It is now my pleasure to yield to the illustrious Member from the State of Texas, someone who has been a constant fighter for everyone's rights, including women's rights, Congresswoman JACKSON LEE.

Ms. JACKSON LEE. I thank the distinguished gentlewoman from New Jersey, and I thank her for her leadership. As well, I thank my colleagues who are here on the floor of the House who have joined us.

Mr. Speaker, let me associate myself with the comments by the gentlewoman from New Jersey as they relate to Louisiana.

Let me be clear. As I stand here as a constituent of the State of Texas, as a Representative of the State of Texas, and as a woman who lives in Texas, that Texas State Law HB2 has led to the closure of more than 20 abortion facilities in the State, taking the total number of providers down from 40 to 19, its true purpose being to take away women's rights to make their own healthcare decisions.

It could not be more blatant, again, to take away every woman's right to choose. No one stands on this floor tonight to promote and coddle abortion, but we do stand on the floor to protect a woman's right to choose her health and to protect her sacred right of making such decisions with her God, her family, and her physician.

How do HB2 and other bills have the right to interfere with that?

Let me also cite for you that a U.N. working group concluded that women in the United States inexplicably lag behind international human rights.

Pointing to data and research on public and political representation, economic and social rights, and health and safety protections, experts in the U.N. working group boldly acknowledged that there is a myth that women in the United States already enjoy all of the expected standards of rights and protections afforded under America.

Isn't that shameful? Under America, we are still denied our rights.

The reality is women in the United States are experiencing continued discrimination and daunting disparities that prevent the true ability for them to fully participate as equal members of society.

We stand here this evening to acknowledge one striking issue that will

be argued at the Supreme Court next week, and that is this case—HB2—that has shut down clinics and has denied to women that any other access be open to them with this particular legislation. So we are advocating, as it goes to the Supreme Court, that this is an issue of human rights equals women's rights.

In America, we face a real problem of hypocrisy. Isn't it interesting that we say that we believe in the rights of families and in the sacredness of one's religion and in one's choice between one's family, doctor, and God, yet, Danielle Deaver was denied an abortion even as the uterus crushed the fetus.

This family wanted children. This family wanted to be able to have this child. Unfortunately, due to medical reasons, this young lady needed to have this baby taken. She was 22 weeks pregnant.

The real crime is that this was not allowed to take place in a legal manner because just 1 month earlier Nebraska had enacted the Nation's first fetal pain legislation that banned abortions after 20 weeks. It is not one that she wanted. It is not one that she desired.

It was because of health care and need and the fact that a tragedy had happened to her and her family; yet, she was denied. Women's rights equal human rights.

With respect to the Texas case, the Supreme Court is scheduled next Tuesday to hear the case of Whole Woman's Health v. Hellerstedt, which will challenge the Texas law that has stripped thousands of women of access to their constitutional right.

Whole Woman's Health is the most consequential reproductive case in the last two decades that challenges the longstanding precedent of upholding a woman's constitutional right to access to safe and legal abortion services.

It is not a supporting of abortion, but a supporting of the right to choose. It is protective of women's health, of the life of the mother, and of the fact that you engage with your family, with your God, and with your physician.

Ever since the landmark Roe v. Wade decision, which was affirmed again in 1992 in Planned Parenthood v. Casey, the U.S. Supreme Court has made clear that women have a constitutional right to safe, legal abortion care and that States do not have a right to unduly interfere.

The Casey decision explained these matters involving the most intimate and personal choices a person may make in a lifetime, choices that are central to personal dignity and autonomy and that are central to the liberty protected by the 14th Amendment.

The so-called experts who testified in favor of HB2 have been discredited by multiple Federal courts and have been exposed for submitting testimony written by an anti-abortion activist with no medical training.

Texas' HB2 has led to the closure of more than 20 abortion facilities in the State, taking the total number of providers down from 40 to 19.

Mr. Speaker, as I close, let me give an additional personal anecdote that has taken place in the State of Texas. That is, of course, the masquerading of going into the Planned Parenthood offices that have provided these clinics and that have provided health care to college students and to those in rural communities where there are no doctors, OB/GYNs, or facilities to handle the medical needs of these women.

Remember what I said. Women's rights are human rights, and human rights are women's rights, so said by then-First Lady Hillary Rodham Clinton. It is true today.

As I have shown in documents, the United Nations working group has challenged whether or not we are providing women the same rights in America as men. That is a daunting question and an unfortunate answer because the U.N. working group has said no.

In the backdrop of this great discussion and of the Texas HB2, we had the circumstances of people falsifying who they were, stealing the ID of this person's high school classmates and imitating that he was looking for fetuses for research.

Interestingly enough, all of them were calling for the indictment of the Planned Parenthood personnel. Yet, an unbiased grand jury in Texas did not indict those innocent persons who were having a discussion about what was legal, but they indicted those who falsified their documents and tried to mislead people.

Again, this case will be argued in the backdrop of so many who are trying to undermine women's rights. I will continue to work with my colleagues to find ways to address the illogical, unfair, and unjust disparity by reviewing and responding to unwarranted restrictions that result in the disparate access to these constitutionally protected rights.

One day I hope that we will learn and have as our constitutional premise that the Constitution works and that women's rights are human rights.

Mr. Speaker, I thank the Gentlelady for yielding, and I commend the Progressive Caucus for standing firm in defense of our hard-fought women's rights, which in truth, are constitutionally protected American rights.

We face a real problem in America with hypocrisy.

As a country founded on principles of liberty, justice and equality, and a global leader in formulating international human rights standards, the United States fails to meet these basic standards for women who are denied equal access to legal rights and protections.

The United Nations Working Group on Discrimination against Women in Law and Practice (U.N. Working Group) recently issued a sobering statement and assessment detailing a picture of women's missing rights in America.

Upon visiting several states throughout the country, including my home state of Texas, the U.N. Working Group concluded that women in the United States inexplicably lag behind international human rights standards.

Pointing to data and research on public and political representation, economic and social rights, and health and safety protections, experts in the U.N. Working Group boldly acknowledged that there is a myth that women in the United States already enjoy all of the expected standards of rights and protections afforded under America.

The reality is women in the United States are experiencing continued discrimination and daunting disparities that prevent the true ability for them to fully participate as equal members of society.

One of the most alarming deficiencies for women in America is the inability to access basic health care and the imposition of devastating barriers to reproductive health and rights.

Too many women are suffering dire and deadly consequences.

Between 1990 and 2013, the maternal mortality rate for women in the U.S. has increased by 136%.

Black women are nearly 4 times more likely to die in childbirth, and states with high poverty rates have a 77% higher maternal mortality rate.

Our global experts and allies acknowledge that even though women's reproductive rights in America are constitutionally protected, access to reproductive health services are severely abridged by states imposition of sweeping barriers and restrictions.

For instance, in many states, women must undergo unjustified and invasive medical procedures; endure groundless waiting periods; be subjected to harassment, violence or other threatening conditions that remain constant throughout all reproductive health care clinics; and forced to forgo treatment or engage in lengthy and costly travel due to closure of clinics faced with burdensome licensing conditions.

These restrictions disproportionately discriminate against poor women.

The United States can and should do better!

It is unacceptable that women in America are facing a health care crisis so dire that the global community is denouncing it as a human rights violation.

Sadly, the direction States are taking will only further dismantle women's access to affordable and trustworthy reproductive healthcare.

While clinics are shutting down at drastic rates throughout the country, devastating restrictions and barriers imposed throughout Texas strike at the core of this abomination.

A Texas statute known as HB2 (House Bill 2), was enacted several years ago under false claims to promote women's health, when in fact it only set in motion dangerous restrictions on women's access to reproductive health care.

In addition to constant attacks on funding for reproductive health care clinics, abortion providers in Texas were forced to undergo impossible million dollar renovations and upgrades.

Denying hundreds of thousands of women health care services in Texas, nearly half of all reproductive health care clinics were forced to shut down, and now only 10 remain in the second largest state in the country.

Taking an important step toward restoring the constitutional rights of millions of women, the Supreme Court recently granted certiorari of Whole Woman's Health v. Cole to decide the fate of these remaining clinics and the

lives of women in Texas, and throughout the nation.

I am proud to say that I, and a number of my colleagues, signed on to a number of amicus briefs submitted to the Supreme Court, detailing the hardship and injustice Whole Woman's Health v. Cole presents.

While we await the decision of the Supreme Court, in Whole Woman's Health v. Cole, we can only hope that the court will help turn the tide of attacks and diminution on women's rights.

No woman in America should be denied the dignity of being ability to make choices about her body and healthcare.

Access to safe, legal and unhindered healthcare must be realized by all women.

These simple facts can no longer be denied, and hypocrisy can no longer be tolerated.

A woman's right to choose to have an abortion is a constitutionally protected fundamental right.

More than 40 years ago in the landmark decision in Roe v. Wade, 410 U.S. 113, (1973), the U.S. Supreme Court ruled 7–2 that the right to privacy under the Due Process Clause of the 14th Amendment extends to a woman's decision to have an abortion.

More recently, in Planned Parenthood v. Casey, 505 U.S. 833 (1992), the Supreme Court upheld Roe v. Wade and further explained that states could not enact medically unnecessary regulations meant to create substantial obstacles for women seeking abortion services.

Yet, fairness and access to exercise constitutionally protected fundamental rights is trampled on and denied to millions of women.

We cannot ignore the hypocrisy of imbalanced protection and access to fundamentally protected rights for women in America when it is easier to purchase and lawfully possess a firearm—even for a person on the terrorist watch list—than it is for a woman to exercise her constitutional right to terminate a pregnancy.

Mr. Speaker, this is neither fair nor right and it should not be rewarded.

As our nation continues to push back against horrific acts of violence at the hands of dangerous and irresponsible gun owners and gun dealers, and our nation's number one provider of women's healthcare continues to experience violent and devastating attacks on its services and facilities, it is time we find common ground as we look to resolve these polarizing issues that have all too often collided.

A woman's right to choose to have an abortion and an individual's right to possess a firearm are both constitutionally protected fundamental rights.

I will be working with my colleagues to find ways to address this illogical, unfair and unjust disparity by reviewing and responding to unwarranted restrictions that result in disparate access to these constitutionally protected rights.

Namely, if a woman is required to wait several days, undergo a physical examination, receive counseling and education about alternative options before making the decision to terminate a pregnancy, an individual purchasing a deadly weapon should be required to jump through the same restrictive hoops and apparent safety measures.

I hope one day we can come to an agreement in America that it should not be harder for a woman to exercise her fundamental right to choose than it is for a person on the terrorist watch list to lawfully purchase and possess firearms.

At a minimum, I urge my colleagues to take a hard look at our constitutional protections and founding principles to resolve the growing crisis and unacceptable conditions of inferiority in America.

Mrs. WATSON COLEMAN. I thank the Congresswoman.

Mr. Speaker, I yield to the gentleman from Illinois (Mr. QUIGLEY).

Mr. QUIGLEY. Mr. Speaker, let me thank Congresswoman WATSON COLEMAN and my pro-choice colleagues for inviting me to participate in this very timely and important conversation.

As we await to hear the Supreme Court's oral arguments next week in the case of Whole Woman's Health, we must reflect on not only the serious implications of this particular case, but on the attacks on choice that have happened across the country this past year.

The case against Whole Woman's Health threatens to take the number of clinics in Texas down from 19 to just 10 for the 5.4 million women of reproductive age in Texas.

It will also set a legal precedent for years to come—perhaps decades—and it will shape the continued debate on a woman's right to choose.

□ 1845

Clearly, this unacceptable assault on women's health places an undue burden on the women of Texas when accessing abortion and family planning services.

I was proud to sign onto the Amicus brief with 162 congressional colleagues in support of Whole Woman's Health. This case, in particular, is a high profile and extreme example of the attacks that are becoming all too common across the United States.

While abortion still remains legal in the years since Roe v. Wade, opponents of choice have attempted with varying degrees of success to chip away at a woman's right to choose, this despite the fact that abortions are at their lowest rates since Roe.

Last year, we saw ideological attacks against Planned Parenthood from anti-choice activists attempting to mire the organization in scandal and force its closing. Those attacks stemmed from the illegally obtained and questionably edited so-called sting videos filmed by these same anti-choice activists.

Unsurprisingly, Planned Parenthood has been cleared of any wrongdoing in every State that has conducted an investigation. And to top it off, a grand jury in Missouri has indicted those responsible for filming the videos. It goes to show this campaign against Planned Parenthood has been nothing less than a fraud.

While I fundamentally support a woman's right to choose, it is important to point out that the clinics forced to close in Texas and across the U.S. serve women in ways far beyond providing safe abortions. In many cases, especially for low income and minority communities, these clinics serve as a primary healthcare provider. The services they provide include birth control, STD testing, cervical screenings, mammograms, counseling, and health education.

It is crucial that we understand reproductive rights and choice is not a women's issue. It is a civil rights issue, and it is an American issue.

In the City of Chicago, which I represent, women have widespread access to reproductive health services. But women in neighboring States like Indiana are often forced to cross State lines to find a clinic where she can have a safe abortion. This reality is unacceptable. Civil rights should not be dependent upon your ZIP Code.

The decision in Whole Woman's Health will ultimately hold national implications. As a man, I am proud to stand up for choice. As a male Member of Congress, I take my responsibility to protect choice for women very seriously.

Statistics show women's economic output is dramatically impacted for the better when they determine the timing and spacing of their pregnancies. When she is able to plan pregnancy, a woman is more likely to advance in education and the workforce. Conversely, unplanned pregnancies too often force women to leave school and to delay or abandon career ambitions outright in order to care for children before they are ready and with limited support and resources.

In order for our society to ever truly be equal, women must have control of their bodies and determine with their partner if and when they want to have children. Here in Congress, most of us were afforded the right to plan our families. Should we deny this right to the constituents we serve?

The future of millions of young women depend on the decision to be handed down in cases like Whole Woman's Health, and it is my sincere hope that the Court remains consistent in recognizing a woman's right to privacy and protects her right to make her own choices about her health.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield to the gentlewoman from Washington (Ms. DELBENE), who is a member of the select panel that will undoubtedly be examining some of these issues.

Ms. DELBENE. Mr. Speaker, I thank the gentlewoman from New Jersey for yielding.

Mr. Speaker, 43 years ago, the Supreme Court ruled that women have a constitutional right to decide whether and when to have a child. Americans overwhelmingly think that was the right decision, and I agree.

But according to Bloomberg, at no time since 1973 has a woman's access to reproductive health care been more dependent on her income or ZIP Code. Politicians across the country are passing dangerous laws to block women from exercising their constitutionally protected right to choose, and their efforts are working.

That is why the case before the Supreme Court is so important. As the Justices weigh the Whole Woman's Health case, I hope they recognize that these shameful attacks undermine Roe v. Wade, put women's health at risk, and must be struck down. A woman's right to make her own healthcare decisions means nothing without the ability to exercise that right.

If the Court upholds these harmful laws, it could pave the way for similar restrictions at the Federal level, and Republicans are already trying. We cannot let that happen.

Women deserve better. They deserve the freedom to make their own healthcare choices.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman from New Jersey for leading this Special Order hour on this very important issue.

As my colleagues have mentioned, the Supreme Court is scheduled to hear Whole Woman's Health v. Hellerstedt next Tuesday, challenging HB2, a Texas law that has already led to the closing of more than 20 abortion providers in the State.

Now, this is just the most recent example of the attack which is underway all across this country on women's health, not just in the State of Texas, but in many other places around our country. As was just mentioned, politicians are passing laws and enacting regulations to deny women full reproductive health care.

In fact, just last Sunday, Ohio Governor John Kasich signed a law defunding Planned Parenthood. During his time in office, half of Ohio's abortion clinics have closed.

One in three women will have to make a decision in their lifetime if an abortion is the right decision for them. I am very proud to be a member of the Pro-Choice Caucus in the Congress. I know this is an extremely personal decision for women, a decision that should be made between a woman and her physician, and a decision the government has no right to intrude upon, a constitutionally protected right as established in our law. It is absolutely critical that women in every part of this country have access to full reproductive health care, including safe abortion services.

If the Court upholds Whole Woman's Health v. Hellerstedt, there will be only ten clinics available to the women in the State of Texas. Some would have to travel 7½ hours roundtrip to get the health care that they need.

This is settled law in our country. The Court addressed this issue in Roe v. Wade and again in Planned Parenthood v. Casey. It reminds us of the importance of the decision that our Supreme Court will make in connection with this case that they will hear on Tuesday.

Doctors are being required, under Texas provisions, to affiliate with nearby hospitals, and it also limits abortions to ambulatory surgical centers. These measures are designed to reduce or even eliminate, in some circumstances, access to abortion services. Although there are arguments made that these are medically necessary or they are, in fact, intended to improve women's health, Nancy Northup, who is the president of the Center for Reproductive Rights, said it best when she said, the ''laws . . . pretend to be about women's health but actually are designed to close clinics.'' And that is exactly what they intend to do.

These regulations and requirements are very disputed medical value. There are things like limits on nonsurgical drug-induced abortions, mandated building standards for clinics, or 2- or 3-day waiting periods. All of these things are intended to infringe upon a woman's right to choose and to make it more difficult for women to access full reproductive health care.

We all have responsibility in the Congress to stand up against this. I am proud to join my colleagues tonight to say that we will continue to fight to ensure that women have access to all of the reproductive health care they need and that we will resist any effort to infringe upon this important constitutional protection.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank the gentlewoman from New Jersey for her leadership.

It frightens me that in 2016, we are still fighting the same politically motivated battles to roll back women's rights. It has been 43 years since the landmark Supreme Court decision in Roe v. Wade made abortion a constitutional right.

Year after year, GOP lawmakers and anti-choice extremists have tried to tear it down. States like Texas have passed egregious laws to disenfranchise women and infringe on their ability to access safe and legal abortions.

Their State law has cut the number of abortion providers in Texas in half, increasing delays and severely limiting access and, frankly, punishing women for exercising their civil liberties.

This obvious war on women has got to stop. No law should control a woman's right to make decisions about her own body—no government, no legislature, no Congress. A woman's personal decision should be between her and her doctor and nobody else. Every woman deserves equal access to all forms of safe and affordable reproductive health.

As the Supreme Court prepares to hear this case, I will continue to stand with women in North Carolina and women across the country in the fight to protect a woman's right to choose.

Mrs. WATSON COLEMAN. Mr. Speaker, we thank you for this opportunity to raise what is a very important issue in 2016. Women are being attacked on several fronts, whether it is on cases that are being brought before courts or whether it is in this House. We have got to recognize that this decision, the decision for a woman to make with regard to her reproductive rights, have already been established. And we as Congress and we as a society of lawmakers and policymakers need to do all that we can to facilitate those rights to ensure that we do not discriminate against people. To discriminate against women in this regard is illegal, and it is unacceptable.

It is time for us to recognize our responsibility to be stewards of the laws which have been put before us and to uphold the Constitution that we have pledged to support and to uphold and to recognize that the abridgement of a woman's right is the abridgement of a civil right, and that is unacceptable.

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

## GUANTANAMO BAY

The SPEAKER pro tempore (Mr. KATKO). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 30 minutes.

### GENERAL LEAVE

Mr. PERRY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

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

There was no objection.

Mr. PERRY. Mr. Speaker, the safety of Americans, the security of America, should never be jeopardized for any reason, but certainly not simply for the purpose of fulfilling a campaign pledge.

The President recently released a plan about closing Guantanamo Bay, and it demonstrates to me—and I think to the American people—that his plan is misguided, as well as his priorities.

The proposal to close Guantanamo proves that his priority lies in leaving behind a legacy rather than protecting the American people and American national security. As a matter of fact, it presents nothing more than another attempt to fulfill a campaign promise and distracts, based on the timing, from the administration's failure to defeat ISIS.

Perhaps it explains why the administration missed a separate congressionally mandated deadline last week for a plan to counter radical Islamic extremism. So he missed that deadline but was on time for an incomplete plan to close Guantanamo and the detention facility for terrorists that remains on that post.

Now, Congress is a coequal branch of government. It is coequal to the President, equal in power, equal in representation of America's interests, and it

has come to a different conclusion than the President. We have absolutely strong and justified reasons for our concern.

Mr. Speaker, last September, the Director of National Intelligence reported that 30 percent of transfer detainees are confirmed or suspected to be reengaging in terrorist activities. Thirty percent. They are not necessarily in some prison overseas; 30 percent of them are out running around conducting terrorist activities.

The director's report clearly shows that the detainee transfer process is deeply flawed. It poses a real, significant, unnecessary, and unacceptable risk to the security of our Nation.

Just this week, Spanish and Moroccan police arrested four members of a jihadi cell that sought to recruit for ISIS fighters, including one former Guantanamo detainee who once fought against Americans in Afghanistan. I mean, that is this week. I guess he is part of the 30 percent or maybe it is 30-point something now, and I suspect it will just keep going up the more we release.

The President claims that Guantanamo, GTMO, weakens our national security by furthering the recruiting propaganda of Islamist terrorist groups, essentially saying we can't keep these people in prison because it makes the terrorists mad and it makes them want to do more terrorist things.

□ 1900

I guess we shouldn't put gang members in prison either, because their gang buddies would then be mad and want to conduct more gang activities in their communities. Now, based on that logic, we should let all these people out.

Al Qaeda has waged war against the United States long before Guantanamo, long before the detention facility was constructed in Cuba; right? It didn't exist when the World Trade Center was first bombed in 1993, when the U.S. Embassies in East Africa and Tanzania and Kenya were bombed in 1998. It didn't exist when the USS *Cole* was attacked in 2000, and it certainly didn't exist on 9/11 when Islamists attacked our country.

Islamist terror organizations have been and will be at war with Western culture regardless of whether GTMO remains open or is closed. Of that, you can be sure.

The President claims cost savings. His plan, he says, to move or transfer detainees abroad and to the U.S. would lower costs between $140 million and $180 million annually, which is absolutely nothing to sneeze at. I will let everybody know: I had a hearing today in Homeland Security where they wasted $180 million on human resources programs—that is $180 million gone—and 300-some-odd-million dollars for employees at the Department of Homeland Security that are home on leave because of doing something improper, while they adjudicate the issue.

While it is expensive, let's compare the cost, the immediate impact of not having these terrorists in prison.

The 9/11 attacks cost our country over $230 billion initially. So we are looking at $140 million to $180 million annually to $230 billion initially, and that doesn't include the damage made to the airline industry or the additional costs that our whole country has had to endure due to increased security, whether it is at the airport, whether it is at the grocery store, or whether it is in your home. And it certainly doesn't include the cost to our freedoms.

The President's proposal fails to provide the critical details required by law, the law that he signed. His proposal failed to provide critical details, including the exact cost and the location of an alternate facility. Where does he want to put it and how much does it cost? These are required by law, and he hasn't enumerated them. Yet he has had 7 years. This is a campaign pledge. He has had 7 years to come up with this information. Somehow this is Congress' fault? I don't think so. He is just simply unwilling or unable to state where he is going to keep these dangerous terrorists that are currently at Guantanamo Bay in Cuba.

Common sense tells us that the administration is simply avoiding fueling a political outcry when he specifies where these individuals are going to be held, because where he has even implied where they are going to be held, there has been a significant outcry, and it has been bipartisan.

Citizens of the United States don't want these terrorists in their neighborhood. They don't want them in their town. They don't want to be around them. That is exactly what the problem is with his proposal. The plan is just more politics and not any substance. It fails to satisfy the requirements mandated by Congress in the law that he, himself, signed.

You might ask who is still at GTMO. I mean, it has been years now going on. Who is still there? I want to remind everybody, Mr. Speaker, Khalid Sheikh Mohammed, the mastermind of 9/11, the terrorist attacks on the World Trade Center, the Pentagon, and the hijacking of United Airlines flight 93, that is who is there.

Or Mustafa Ahmed Hawsawi, who supported al Qaeda's terrorist network as a facilitator, financial manager, and media committee member. This support included the movement and funding of 9/11 hijackers to the U.S. to participate in terrorist attacks orchestrated by Khalid Sheikh Mohammed. He is affiliated with a number of high-level al Qaeda operatives. That is who is in that prison. Do you want him in your neighborhood? Do you want them in your neighborhood?

It is against the law to transfer these terrorist detainees to American soil. It is against the law. The President signed this law. A bipartisan majority in Congress has, year after year after year, reaffirmed restrictions on transferring these detainees to American soil.

As a matter of fact, the provisions of this were first included in the annual National Defense Authorization Act, the NDAA, in a Democrat-led Congress in 2009. So it is not partisan. In fact, the most recent NDAA passed with the same provisions with 370 votes in the House and 91 votes in the Senate before once again the President signed the law himself. He is simply attempting to make this a partisan issue by seeking to contradict the will of the American people through their duly elected representatives.

Ultimately, the plan is simply not safe. The American people don't want GTMO terrorists in their communities, in their backyard, and for good reason. These terrorists should be tried. They should be tried under the military tribunal provisions already laid out in the $10 million-plus courtroom facility that the taxpayers already paid for. Many of us have visited it. It is sitting right there on the post. We are waiting for these detainees to go to that courtroom that we paid for and be tried. That is fine with us. That is fine with Members of Congress, and that is fine with the American people. We don't need to bring them to America to do that. Congress is going to uphold its promise that any plan that seeks to transfer these dangerous war criminals does not happen.

I yield to the gentleman from Texas (Mr. WEBER), my good friend.

Mr. WEBER of Texas. I thank the gentleman from Pennsylvania (Mr. PERRY), my colleague, for organizing this Special Order.

Mr. Speaker, it is absolutely important that the American people need to learn about the President's proposal and what impact it is going to have on our country.

Folks, closing GTMO and transferring these dangerous terrorists to United States soil is a terrible and an illogical idea. Instead of putting America first, the President once again continues to weaken our national security by pursuing decisions apparently geared toward solidifying some form of his legacy. I am just not sure who he is trying to impress here.

Did you know that as many as one in three—the gentleman from Pennsylvania said 30 percent and rising; with the latest figures I have, 33 percent—one in three former GTMO detainees have returned or are suspected of returning to terrorist organizations? One in three, Mr. Speaker. In baseball, that is a .333 batting average. That is good enough to get you into the Hall of Fame in many instances.

Speaking of Hall of Famers, Mr. Speaker, the most infamous former GTMO detainee, one of their hall of famers, if you will, is Ibrahim al Qosi, once the cook for none other than Osama bin Laden himself.

Al Qosi pled guilty to charges of conspiracy and providing material support

to al Qaeda. Al Qosi was transferred from GTMO to Sudan, his home country, after 2 years. Well, since his release, he has become an influential leader within—you guessed it—al Qaeda in Yemen.

What was the President thinking would happen? Well, the President's plan includes ''transferring the bulk of remaining detainees to other countries and moving the rest because they are deemed too dangerous to transfer abroad to an as yet undetermined detention facility in the United States.''

Mr. Speaker, a recent poll from Rasmussen confirms that the majority—56 percent, in fact—of the American people widely disapprove of the President's irresponsible plan to close GTMO. For those who side with the President's plan and attempt to rationalize the fact that these dangerous and deadly terrorists will be in supermax facilities, let us not forget about the prison break that happened in one of those facilities in New York just last year.

The two men who escaped weren't masterminds. They weren't terrorists of the first order like these guys are. Can you imagine what masterminds who plot terror, who love death and violence almost as much if not more than we love life and liberty, can you imagine what these masterminds of terrorism could do? Who knows how much help they could get from the outside, what their hall of famers could help them do.

Mr. Speaker, I am not willing to find out what they can do with the aid of their hall of famers on the outside, and I don't think the American public is willing to find out, either. Fortunately, as the gentleman from Pennsylvania said, Congress has already taken preventive measures by including language in the recent National Defense Authorization Act, the NDAA, that would bar Guantanamo detainees from being transferred to the United States, and the President signed this legislation into law.

For the President to close GTMO, current law must be changed. Oh, I forget. He doesn't seem to be hampered by the idea of current law. New legislation would have to be written, Mr. Speaker. It would have to be approved by Congress and sent to the President's desk again. Let me just tell you: I, for one, will not support any measure that will allow these dangerous terrorists to be transferred to the United States. America and Americans are far too precious to take this kind of risk.

I want to thank the gentleman from Pennsylvania (Mr. PERRY), my friend, for hosting this Special Order hour tonight.

I want to read something that was written by Michelle Jesse, where Secretary of State John Kerry testified in front of a Senate committee hearing, I think it was yesterday. It was pointed out to the Secretary that this very guy who was the cook of Osama bin Laden, al Qosi, had indeed gone back to terrorism and to trying to kill Americans yet again.

I guess Mr. Kerry in seven simple words probably dismantled the President's argument about why it was a good idea, maybe unwittingly, maybe unknowingly. But when it was pointed out to him that that terrorist was back on the battlefield seeking to destroy Americans and kill Americans again, Mr. Kerry's simple response was: ''Well . . . he's not supposed to be doing that.''

Mr. Speaker, you can't make this stuff up.

I want to thank the gentleman for yielding to me.

Mr. PERRY. I thank my good friend from Texas and agree with him that 30 percent is way too high. One is too many, but 30 percent is way—way too high.

I yield to my good friend from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I want to thank the gentleman from Pennsylvania for his leadership on this issue. We both are on the Committee on Homeland Security, so we are acutely aware of some of the terrorist dangers that are out there because we hear it in a lot of committee meetings, classified briefings, and other things.

Mr. Speaker, it is time that Congress act proactively against a President who holds a personal legacy above the law. Law does not bend to legacy. Law is obeyed, respected, and even honored for the order it brings to our Nation.

Disturbingly, this principle of our Founders seems to be at odds with a growing segment of politicians. That is why I introduced House Resolution 617. House Resolution 617 gives authority to the Speaker of the House to initiate litigation against any executive branch official should they file an illegal order by transferring detainees to U.S. soil. This commonsense approach provides a constitutional check on the President.

Now, whether in Charleston, Colorado, or Kansas, he should not bring American families, neighbors, and communities into close proximity with some of the most dangerous terrorists in the world.

Unfortunately, the President has forgotten about the people. He has forgotten that they don't travel in armored motorcades. They have no security details guarding their every step, looking around every corner.

I know my constituents are fearful of this proposal by the President because the folks in Charleston, South Carolina, have been fearful. The Navy brig the President is proposing to bring these terrorists to is a very, very short distance from an elementary school.

I would also call on the candidates for President of the United States when they are campaigning around South Carolina, ask them a question: Do they support housing terrorists in our neighborhoods—that is a legitimate question—near our children who are at schools or near our churches where we worship?

Mr. Speaker, the language that prevents transferring detainees to U.S. soil was actually put in by a Democratic Congress and passed in bipartisan fashion ever since. It was further reaffirmed in last year's NDAA. It is against the law for the President to transfer detainees—I am going to stop using the word ''detainees''—terrorists. It is against the law for a President of the United States to transfer terrorists from Guantanamo Bay to the United States, to our soil.

□ 1915

That is in the law. It has been in the law since the Democrats controlled this body. We just reaffirmed it this year. This isn't a Republican or Democratic issue. It is bipartisan. It is against the law.

Now, I visited GTMO. When I was a freshman in Congress 5 years ago, I went down there to see it for myself. Some of the biggest names on the terrorist roster are located there due to the brave efforts of our men and women in combat to capture these guys on the battlefield.

We have released a lot of them. Thirty percent, as you heard the gentleman from Texas say, of the terrorists that we have released have returned to terrorism or we suspect they have return to terrorism. That is based on intel.

Thirty percent is a large number of the number that we have released. Whether it is South Carolina, Colorado, Kansas, or any other State, no State should be a terrorist dumping ground for this administration.

So let's follow the law. Let's follow the law passed in a bipartisan manner through the United States Congress. Let's force the President to follow the law.

Because, if he doesn't, let's pass H.R. 1617 and give the Speaker of the House the legal grounds and the authority to file a lawsuit to put an injunction in place to keep him from violating the law, violating a law, by the way, that he signed.

Mr. PERRY. I think sometimes it seems like the President would like Americans to be more concerned with the rights of terrorists than their own rights.

I wonder about and think about all those MPs, all those members of the services that go down and do a tour at Guantanamo and have horrific things happen to them and still act professionally in the face of these terrorists every single day. That is who we should be thinking about, those people and the American people and their rights.

I yield to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

Mr. SCALISE. I appreciate my friend from Pennsylvania (Mr. PERRY) for leading this Special Order to highlight, Mr. Speaker, what is at stake in this latest proposal by President Obama.

As you can see from the passion that my friend from South Carolina just exhibited, this is an issue that rivets throughout the country. People understand what is at stake. People across

America know that there are bad people around the world that want to do us harm.

ISIS is on the move. They are not a JV team. They are not being detained. In fact, they are recruiting Westerners. In fact, they are recruiting Americans into the battle.

So you look at Guantanamo Bay. And this is something that, for whatever reason, has become a rallying cry for the political left. They wanted to close it down.

They wanted to bring those terrorists into the United States, to give them taxpayer-funded rights that the President can't even identify, but that everybody acknowledges they don't deserve. We don't need that kind of threat here.

When you look at the President's proposal this week, I think he has made it clear that he has put the political priorities of the far left elements over the safety and security of the United States of America. This would put Americans at risk by bringing these terrorists into the United States.

Just go look at what kind of people are being held at Guantanamo Bay. These are the worst of the worst. These are people who have plotted and actually carried out attacks against American servicemen and -women. They have killed Americans in the battlefield, killed our troops. These are the people who have carried out those attacks.

So they are being held at GTMO, as it is called, because that is the best place to ensure that we don't have to see them again on the battlefield.

Over 100 of those who have already been released have gone back into the battlefield, in many cases, to kill American soldiers. Why would the President want to give them extra rights? Why would the President want to bring them into the United States of America?

So, Mr. Speaker, we rise today and highlight this to point out, number one, what the President's intent really is and what the President is trying to do. This is something the President has asked Congress to take up.

Mr. Speaker, we are making it very clear it is not going to happen. This House will not allow these terrorists being detained at Guantanamo Bay to enter into the United States to undermine America's national security.

They are over there for a reason, which is because of terrorist attacks they have not only plotted, but carried out, against Americans. So, Mr. Speaker, they belong in Guantanamo Bay. Under this House, they are going to stay in Guantanamo Bay and not be brought into the United States.

Again, I thank my colleague from Pennsylvania for this Special Order that he is leading.

Mr. PERRY. I thank the majority whip for his passion and his remarks. While he talks about the battlefield, we are going to hear from somebody that has been to the battlefield.

The other thing about these terrorists that are spending their time in Guantanamo Bay is that they turned America into a battlefield in New York City.

I yield to my good friend, the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. I would like to congratulate the gentleman from Pennsylvania on his recent promotion to general and for all of his service not just here in Congress, but also in uniform.

This week President Obama sent an incomplete plan to Congress to close the detention facility at Guantanamo Bay, Cuba. This plan would send terrorists back home overseas and even bring high-risk terrorists to detention centers here in the United States.

There are still so many unanswered questions with regard to the President's proposal, for example, what happens when we capture the next 2 or 10 or 30 terrorists? Where are we going to question them? Where are we going to detain them? What is the exact placement inside the United States for those detainees currently in GTMO? Also, what legal protections and rights will detainees have if we bring them into the U.S. and into our civilian court system?

Make no mistake. These detainees at GTMO are the worst of the worst of the worst. All the variables left out of the President's plan shows that this really isn't a plan. It is a political campaign pledge from 8 years ago.

The facility at Guantanamo Bay has not only served as a place to keep some of the most dangerous terrorists in the world, but also as a tactical and strategic facility where intelligence is gathered to prevent potential attacks against our country and ensure U.S. national security.

While the President was speaking this week, it was reported that a former prisoner at Guantanamo Bay was one of four terror suspects affiliated with ISIS who was arrested for his alleged role in plotting terror attacks in Spain. Just one week earlier another former prisoner at Guantanamo was pictured in a number of videos that called for jihad against the Saudi Kingdom and the Western world.

These two cases are not just coincidence. Just a few months ago the Office of the Director of National Intelligence reported that one-third of freed Guantanamo prisoners are either suspected or confirmed of returning to terrorist activities. One-third.

The President is willing to compromise the security and safety of American lives for the sake of his own legacy. Bringing dangerous terrorists to U.S. soil is a dangerous political move that could not come at a worse time, as groups like ISIS continue to spread across the Middle East, Europe, and the rest of the world. Again, Guantanamo is a key strategic and national security asset.

For the sake of our national security, I will do everything in my power to ensure that the detention facility at Guantanamo Bay remains open. I would rather have terrorists in GTMO or dead than in U.S. detention facilities or back on the battlefield.

Mr. PERRY. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 3 minutes remaining.

Mr. PERRY. Folks, there you have it. The case has been made. At this point, it is essentially irrefutable. You can't see what the upside is to bringing these people to the United States and closing the facility.

Al Qaeda, ISIS, radical Islamists, are not going to stop. They are never going to stop. It certainly has nothing to do with where people are detained. It has nothing to do with that.

They hate the West. They hate America. That is not going to change anytime soon. Allowing these people, these terrorists, to live within our community is not going to solve any part of that equation.

Mr. Speaker, the President has had 7 years to come up with a plan, 7 years for specifics, and, yet, he came this week and provided none of those specifics.

Earlier this year I asked the President about the details and about the transfer already conducted of these terrorists to other countries: What are the details? What has American given? How much has it cost us?

I didn't realize at the time that we have already transferred detainees to 55 countries around the world. We have no idea, as American citizens, from the most transparent administration in history—so-called by the administration—what the details of those arrangements are, but we do know this. These terrorists have been transferred to the likes of Yemen, Pakistan, Libya, Iran, and Iraq.

What kind of judgment is that, Mr. Speaker? We are sending terrorists from a detention facility to terrorist nations, nations where terrorism thrives, and expecting them not to reengage, expecting them not to join the fight.

They are going to join the fight and they are coming after us. The President needs to quit being selfish and needs to be responsible with the security of his country.

I yield back the balance of my time.

## ORIGINAL BLACK HISTORY MONTH RESOLUTION OF 2016

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

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

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, tonight we will take up H. Res. 597, the Original Black History Month Resolution of 2016.

This resolution is one that has been endorsed by and cosponsored by 24 Members of the House. I want to thank each of them for their support of this resolution. It was introduced on February 2, 2016. I also want to thank the leadership for allowing us to have this time tonight to talk about Black history.

More specifically, tonight we are going to talk about Black history as it relates to hallowed grounds, the sites of African American memories. But before going there, I think it appropriate to note that the House of Representatives has passed Black history resolutions since 2007.

In 2007, the 110th Congress, we had a resolution that passed. It passed by voice vote. In 2008, the resolution passed 367–0. In 2009, it passed 420–0. In 2010, 402–0. Since 2010, of course, we have not taken votes on any resolutions, generally speaking.

I am honored to speak at this time of hallowed grounds, sites of African American memories. I am honored to do so because there are many persons who have made great sacrifices so that many of us would have the opportunities that we have. Many persons have suffered great pain so that some individuals can have great gains.

Tonight we will discuss some of the pain because pain is associated with hallowed grounds.

There are some things that we should never forget. We should never and cannot forget—nor should we—Pearl Harbor. This is a place where we have hallowed grounds. I have been to Pearl Harbor, and I know of the memorial that is there.

We should not forget 9/11 and the World Trade Center. Hallowed grounds exist on the site where the World Trade Center was taken down.

Because atrocities can sometimes create these hallowed grounds, we will sometimes find that things that we have to say are not always appealing, but the truth is that we cannot sanitize history.

Efforts to sanitize history will only create what we call his story, someone else's version, but it is not the true history.

Tonight we will not sanitize, but we will, in fact, be truthful about some of those hallowed grounds. Some of them have atrocious events associated with them.

Let us start with hallowed grounds, places, sites, if you will, of Black history and some of the memories—not all good—associated with the African American lives that have been lost in this country, unfortunately.

□ 1930

Let us start with Mother Bethel AME Church in Philadelphia, Pennsylvania, established in 1794. This is a place that is, without question, of hallowed ground, because this place is the home of one of the Underground Railroads to freedom.

It was the Union Station, if you will, of the Underground Railroad to freedom, where slaves would be stationed and they could receive sanctuary as they were moving from this country to Canada and moving to freedom.

This church was founded by the Honorable Richard Allen, who was a former slave himself, and became the founder of the AME Church. In fact, he was the first bishop of the church.

This site, if you will, had many people who were, but for the people who were there to give them aid and comfort, who were lost and were people who were trying to find their way on freedom's road, the Underground Railroad, if you will, to freedom, the Underground Railroad.

Well, I am going to quote now Harriet Tubman, because Harriet Tubman reminded us of something that is important as it relates to African American history and some of the incidents that we will talk about.

Harriet Tubman reminded us that she freed 1,000 slaves, but she went on to say: ''I could have freed another thousand if they had only known that they were slaves.'' If they had only known that they were slaves, they, too, could have been freed.

The point that she was making is—and was—that people who are held in servitude can become so conditioned to their servitude that they don't really understand the condition that they are actually existing under and, as a result, they accept it.

Harriet Tubman did not. Those who were part of the Underground Railroad to freedom did not accept servitude, and they wanted to have freedom; and this place, this church, Mother Bethel, was a place of freedom and a sanctuary for those who were seeking new opportunities and a better life in a better place.

Another site, another place for us to remember the hallowed grounds that led to freedom, Seneca Village in New York City. The time of its existence was from 1825 to 1857. It was the site of a free middle class community. It was a small village, founded by Black people in 1825. And it is interesting to note that 10 percent of the African American voters who lived in New York lived in Seneca Village—10 percent.

There were other persons living there as well. The Irish were there. The Germans were there. These were immigrants as well.

The unfortunate circumstance about this hallowed ground, however, is that it was razed. Seneca Village was razed so that Central Park could rise. And the unfortunate circumstance further is that the stain of invidious eminent domain is Central Park's shame. It is so unfortunate that people were forced to leave their homes so that Central Park could have a home.

Another site that we will mention tonight is Freedmen's Town, the historic district in Houston, Texas. Freedmen's Town was one of the first and the largest of the post-Civil War Black urban communities in the United States. It was settled by emancipated slaves in 1866. Although African Americans lived in Houston before and during the Civil War, Freedmen's Town represents the first community of free Black Houstonians in the city. It was, however, more than just a community. It was, indeed, a town. It had the infrastructure. It had the streets that were made of brick. It had lawyers and doctors. It had persons who were teachers, professionals, artisans, tradesmen.

I had the privilege of going into Freedmen's Town not so long ago to the home of one of the prominent lawyers who lived there at that time.

Preserving Freedmen's Town has become quite a challenge, but there are people in the community and Fourth Ward who are committed to its preservation. I will mention one such person. This would be Ms. Gladys House, who has worked tirelessly to maintain the character and infrastructure in Freedmen's Town.

Another site would be Greenwood, the Greenwood community, also known as Black Wall Street. This was in Tulsa, Oklahoma. It was the site of a race riot in 1921. This riot lasted from May 31 to June 1, when the unthinkable—the unthinkable—occurred. The unthinkable occurred because of an allegation of a Black male assaulting a White female. A sexual assault was alleged. I don't know that it was ever proven. I haven't been able to find anyplace in the readings and the research that I have done to substantiate the fact that it was proven. But it was alleged, an attempted sexual assault, if you will.

This attack on this community of African Americans led to 10,000 people being left homeless—10,000—35 or more city blocks were destroyed by fire, and estimates range from 39 to 300 people having been killed by various sources. We have found this to be the information that we can share. The residents rebuilt the community within 5 years. However, the community later declined because of desegregation in the mid-20th century.

This incident, however, is something that we can never forget, just as we can't forget Pearl Harbor, just as we can't forget 9/11. The incident was something that took place and had the blessings of the constabulary. The police actually helped set fire to the property of the people who lived there. Later, a police chief apologized, and this was done in September of 2013. An apology was given for the attack that took place many years before, between May 31 and June 1 of 1921.

Hallowed ground.

We should remember the Bryant's Grocery and Meat Market in Money, Mississippi, because on August 28, 1955, Emmett Till was murdered in Money, Mississippi. He was murdered because of an allegation of his having accosted a White female.

In these times, we don't like to discuss it. I know that it makes some uncomfortable. But during these times, it was dangerous for Black men to speak in an unkind way to a White female. In fact, it was unkind for them to look at White females in a certain way. As a result, many Black men lost their lives because of allegations that were never proven with reference to flirting or attempted rape, in many cases.

Well, as the case was with Emmett Till, he was a 14-year-old child from Chicago. He did not know the ways of the South. His mother had given him warnings before he left, but her admonitions were not enough. At some point, he went into this store, and the owner's wife alleges that he made a pass at her, if you will. Some said he whistled; others said he winked. There are many accounts, but it was never proven that he did anything.

After learning of this alleged incident, the owner of the store, with a friend, literally went into the home of Emmett Till, went into his home and took him from his home. They took him away and they beat him. They took him to a river, the Tallahatchie River, and after actually bludgeoning his eyes out, they threw him in the river, and his body was later discovered. His mother was so shocked, and the country was so shocked by what happened, that it instigated a movement in the country. Much of the movement led to the civil rights movement.

But the one thing that happened that his mother did that made a difference for many of us who are alive today was she allowed him to have an open casket so that the world could see the horrors of invidious segregation.

In 1955, what happened, his death, led to the passage of the Emmett Till Unsolved Civil Rights Crime Act of 2007. His death in 1955 led to the passage of this act in 2007. It was introduced by Congressman JOHN LEWIS, and it authorizes $13.5 million annually, over a 10-year period, for Federal investigations of civil rights violations resulting in death prior to 1970.

However, it is interesting to note, and I hope that all within the sound of my voice will hear this, the bill has never been funded. The bill has never been funded.

The next site that we shall visit will be the National City Lines, and we will talk about bus No. 2857 in Montgomery, Alabama. The time of the Montgomery Bus Boycott was 1955 through 1956. It lasted 381 days. This bus boycott took place because of invidious discrimination alleged and occurring—excuse me, because it actually happened—against Ms. Rosa Parks.

Ms. Parks was a passenger on the bus and was required to give up her seat, which she refused to do not because she was tired of working, but because she was tired of invidious discrimination, if you will. She was tired of having to surrender her seat to persons simply because of her hue, the hue of her skin, so she refused to get up from her seat, and her actions started a boycott that lasted 381 days.

But there was also a lawsuit that was filed, Browder v. Gayle, and that lawsuit went all the way to the Supreme Court. The boycott and the lawsuit complemented each other.

Many times you need the protest movement to let those who are in power know that you are not satisfied with your circumstances, and they protested for the 381 days. The Supreme Court ruled, and they ruled that this type of segregation was unconstitutional. As a result, Dr. King became very prominent in the country. Ms. Rosa Parks, of course, did, as well as Reverend Abernathy.

Another site, the Ebenezer Baptist Church in Atlanta, Georgia, and January 10, 1957, was the date the Southern Christian Leadership Conference was born at this church. This church was a church home of many of the civil rights leaders that participated in many of the boycotts that took place. It was after the successful Montgomery Bus Boycott that Dr. King invited other leaders to associate themselves with him and the civil rights movement at this church. The church became a national historic site in 1980.

Another site that we should remember in memorializing and making note of historic places that are a part of hallowed grounds for African Americans would be Little Rock Central High School in Little Rock, Arkansas.

September 1957, this was the date that a desegregation effort took place, and there was much resistance to this desegregation. This occurred 3 years after the ruling in Brown v. Board of Education. There were nine young children who tried to attend this all-White Little Rock Central High School, and these nine young children were accosted; they were threatened.

The violence that you could see on the faces of the persons who did not want innocent children in their school is something that you will remember. If ever you have an opportunity to review some of the old news reels, you can see the anger that I speak of. President Eisenhower ended up having to use Federal troops to desegregate this school. The event was heavily televised, and the news stories are available for those who would like to see.

Another site would be the Woolworth's Store, the five-and-dime, in Greensboro, North Carolina. This was the place where four young Black males decided that they were going to have a sit-in.

Sit-in simply means that they were going to either be served, or they would sit there until they were served or removed.

These students showed the kind of resistance that inspired others around the country to take up the same cause, to decide that they too would engage in sit-ins. While this was not the first sit-in, it is one of the most famous, if not the most famous sit-in, and the Woolworth's Store was finally desegregated in 1965.

Hallowed grounds.

Another site to remember is the Birmingham jail in Birmingham, Alabama. April 16, 1963, Dr. Martin Luther King wrote his ''Letter from Birmingham Jail,'' one of the most celebrated pieces of literary history. This letter has been studied by historians and is considered one of his most important works.

He, in this letter, defines the nonviolent civil rights movement. It was this letter that was published in the Liberation Magazine in June of 1963 that led many people to understand the horrors of the civil rights movement, the horrors that civil rights workers suffered during the civil rights movement, and some of the suffering that people were enduring who were living under segregation.

□ 1945

Another site to remember would be the Lincoln Memorial on the National Mall in Washington, D.C. August 28 of 1963 is when Dr. King gave his famous ''I Have a Dream'' speech.

This march was one of the most successful in the country's history. 200,000 to 300,000 people attended. This march helped to popularize the movement and support necessary for the Civil Rights Act of 1964.

Another site to remember as we review hallowed grounds, sites of African American memories, would be the 16th Street Baptist Church. On September 15 of 1963, a dastardly terrorist act occurred right here in the United States of America in Birmingham, Alabama.

Terrorists bombed the 16th Street Baptist Church, killing 4 young girls, and 22 others were wounded. The church was repaired and reopened on June 7 of 1964. In 1980, it was added to the National Registry as a historical place.

Another site of hallowed grounds is the Edmond Pettus Bridge. Much is always talked about when we talk about hallowed grounds with respect to the Edmund Pettus Bridge because, on March 7, 1965, about 600 peaceful protesters were attacked and assaulted by the constabulary.

They were beaten back to the place where they started their march. The Honorable JOHN LEWIS was a member of this group of persons, peaceful protesters, who wanted to march from Selma to Montgomery. This violence against the marchers was televised.

One of the things that we have noticed as we reviewed these sites and these incidents, these atrocities, is that television helped to change the American psyche because people had an opportunity by way of television to see what others were actually experiencing, very much akin to what we are seeing now with cell phones and some of the things that are happening to persons at the hands of the constabulary.

Much of what people would say others did not believe. But when you have

the actual pictures to see the representation by way of pictures, it can make a difference in the psyche of people.

As a result of this march, many having suffered, we found that the civil rights law of 1965 was passed. This was done because people suffered and because the Edmund Pettus Bridge became a place for us to memorialize as hallowed grounds.

Moving forward, the civil rights acts, many of them—the history of those who were able to accomplish things by way of the courts is all predicated upon a lot of suffering that took place in this country. Too many people suffered so that I could have the opportunity to be here tonight to talk about these hallowed grounds.

I feel that it is my duty to do this. I know that talking about these things can create a good deal of discomfort for people. We ought to feel a certain amount of discomfort because what happened was, without question, something that this country should never want to see happen again and should never have happened ever to anyone.

But we must remember our history just as we are going to remember Pearl Harbor, just as we are going to remember 9/11, and just as we are going to remember World Wars I and II.

We have to remember the history in this country, the atrocities that occurred against African Americans as they were trying their very best to live peaceful lives. Hallowed grounds, the sites of African American memories.

Mr. Speaker, I want to thank you for the time tonight to bring up these hallowed grounds and to talk about Black History Month, especially as it relates to some of the things that happened in this country.

But I also want to say this, Mr. Speaker. Notwithstanding all of the things that I have said and all of the memories that I have recounted, it is important for us to note that the country has truly come a long way.

I still contend that, notwithstanding all of the atrocities, this is a great place for Americans of all hues to find their way in the world.

This is a special country. I love my country, but I don't forget the things that happened in my country to cause us to memorialize certain places as hallowed ground.

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

## EXPRESSING GRATITUDE TO THE FIRST RESPONDERS AND LOCAL OFFICIALS FOR THEIR SELFLESS RECOVERY EFFORTS IN NORTHEAST TEXAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. RATCLIFFE) for 30 minutes.

Mr RATCLIFFE. Mr. Speaker, on December 26 last year, tornadoes ravaged northeast Texas, tragically resulting in the loss of several lives and destroying hundreds of homes and small businesses in my Congressional District.

But in the wake of this tragedy, I was inspired to see how many wonderful people stepped up in our communities to help those in need.

I am especially grateful to our first responders and local officials whose selfless commitment and dedication to the ongoing recovery efforts over the past few months have brought so much healing to our communities.

In Rowlett, I would like to send a special thanks to Mayor Todd Gottel for his incredible leadership. To City Manager Brian Funderburk, the entire Rowlett Police and Fire Departments, the doctors and staff at Lake Pointe Medical Center, and local residents Sammy Walker and Bruce Hargrave, who pulled a mortally wounded man from the rubble of his home, thank you.

In Rockwell County, our thanks to County Judge David Sweet, Sheriff Harold Eavenson, Chief Deputy David Goelden, and Emergency Manager Joe DeLane.

In Collin County, I would like to thank County Judge Keith Self, Constable Gary Edwards, Assistant Emergency Management Coordinator Jason Lane, and the Collin County Sheriff's Department.

From Farmersville, thank you to the entire police and fire departments there, to Chief Mike Sullivan, to City Manager Ben White, and Mayor Joseph Helmberger.

In Blue Ridge, I would like to thank Mayor Rhonda Williams, the volunteer fire department there, and the Westminster Fire Department.

And in Hunt County, thanks to Judge John Horn and Homeland Security Manager Richard Hill.

Beyond this, I would like to thank the many churches and charities who offered their support, like First Baptist Farmersville and Pastor Bart Barber, First Baptist Rowlett and its director, Jon Bailey.

I know that, without the selfless efforts of all these great people and all these organizations, the recovery efforts and restoration of our communities would simply not be the same. Your efforts are so greatly appreciated.

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

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COOPER (at the request of Ms. PELOSI) for today and February 26 on account of attending a funeral.

## SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2109. An act to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

## ADJOURNMENT

Mr. RATCLIFFE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Friday, February 26, 2016, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4460. A communication from the President of the United States, transmitting a request for emergency supplemental appropriations to respond to the Zika virus both domestically and internationally (H. Doc. No. 114—103); to the Committee on Appropriations and ordered to be printed.

4461. A letter from the Acting Principal Deputy for the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Lieutenant General John W. Nicholson, Jr., United States Army, to wear the insignia of the grade of general, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

4462. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's interim rule — Community Development Financial Institutions Program (RIN: 1505-AA92) received February 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4463. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's interim rule — Bank Enterprise Award Program (RIN: 1505-AA91) received February 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4464. A letter from the Director, Community Development Financial Institutions Fund, Department of the Treasury, transmitting the Department's interim rule — Capital Magnet Fund (RIN: 1559-AA00) received February 22, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4465. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Fiscal Year 2014 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs, pursuant to 42 U.S.C. 295c(d); July 1, 1944, ch. 373, title VII, Sec. 768(d) (as amended by Public Law 111-148, Sec. 10501(m)); (124 Stat. 1002); to the Committee on Energy and Commerce.

4466. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); and 22 U.S.C. 2349aa-9(c); Public Law 99-83, Sec. 505(c); (99 Stat. 221); to the Committee on Foreign Affairs.

4467. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report by the Department on progress toward a negotiated solution of the Cyprus question covering the period of August 1 through September 30, 2015, pursuant to Sec. 620C(c) of the Foreign Assistance Act of 1961, as amended, and in accordance with Sec. 1(a)(6) of Executive Order 13313; to the Committee on Foreign Affairs.

4468. A letter from the Director, Financial Reporting and Internal Controls, Department of Commerce, transmitting the Department's Fiscal Year 2015 Agency Financial Report, pursuant to 31 U.S.C. 3515(a); Public Law 101-576, Sec. 303(a); (104 Stat. 2849); to the Committee on Oversight and Government Reform.

4469. A letter from the Secretary and Treasurer, Financing Corporation, transmitting the Corporation's Statement on the System of Internal Controls and the 2015 Audited Financial Statements, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

4470. A letter from the Secretary and Treasurer, Resolution Funding Corporation, transmitting the Corporation's Statement on the System of Internal Controls and the 2015 Audited Financial Statements, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

4471. A letter from the Assistant Attorney General, Department of Justice, transmitting a report to Congress concerning grants made under the Paul Coverdell National Forensic Science Improvement Grants Program, pursuant to 42 U.S.C. 3797o(b); Public Law 90-351, Sec. 2806(b) (as amended by Public Law 107-273, Sec. 5001(b)(5)); (116 Stat. 1814); to the Committee on the Judiciary.

4472. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3374-EM in the State of Missouri has exceeded the $5 million limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

4473. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Port Everglades final feasibility report and environmental impact statement dated May 2015 (H. Doc. No. 114—104); to the Committee on Transportation and Infrastructure and ordered to be printed.

4474. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Upper Des Plaines River and Tributaries integrated feasibility report and environmental assessment dated January 11, 2016 (H. Doc. No. 114—105); to the Committee on Transportation and Infrastructure and ordered to be printed.

4475. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Orestimba Creek final interim feasibility report and environmental assessment/initial study dated March 2013 (H. Doc. No. 114—106); to the Committee on Transportation and Infrastructure and ordered to be printed.

4476. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Department's Hereford Inlet to Cape May Inlet final feasibility report and integrated environmental assessment dated April 28, 2014 (H. Doc. No. 114—107); to the Committee on Transportation and Infrastructure and ordered to be printed.

4477. A letter from the Secretary, Department of Labor, transmitting the Department's report on the Short-Time Compensation Program, pursuant to Public Law 112-96, Sec. 2166(a); (126 Stat. 178); to the Committee on Ways and Means.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALBERG (for himself, Mrs. LUMMIS, Mr. SMITH of Texas, Mr. FARENTHOLD, Mr. JODY B. HICE of Georgia, Ms. JENKINS of Kansas, Mr. MULVANEY, Mr. DESANTIS, Mr. GOSAR, Mr. RIBBLE, Mrs. MILLER of Michigan, and Mr. BLUM):

H.R. 4612. A bill to ensure economic stability, accountability, and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself and Ms. JUDY CHU of California):

H.R. 4613. A bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals; to the Committee on the Judiciary.

By Mr. OLSON (for himself, Mr. REICHERT, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PASCRELL, and Mr. KIND):

H.R. 4614. A bill to amend title XVIII of the Social Security Act to align physician supervision requirements under the Medicare program for radiology services performed by advanced level radiographers with State requirements; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself and Mr. ROHRABACHER):

H.R. 4615. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received from a water department for water conservation efficiency measures and water runoff management improvements; to the Committee on Ways and Means.

By Mr. NADLER (for himself and Mr. BURGESS):

H.R. 4616. A bill to promote and protect from discrimination living organ donors; to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, House Administration, Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELBENE (for herself, Mr. YOUNG of Alaska, Mr. MCDERMOTT, Ms. HERRERA BEUTLER, Mr. HECK of Washington, Mr. KILMER, Mr. SMITH of Washington, and Mr. LARSEN of Washington):

H.R. 4617. A bill to amend the Richard B. Russell National School Lunch Act to require that the Buy American purchase requirement for the school lunch program include fish harvested within United States waters, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COLLINS of Georgia:

H.R. 4618. A bill to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the ''Sidney Oslin Smith, Jr. Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. CUMMINGS:

H.R. 4619. A bill to strengthen incentives and protections for whistleblowers in the financial industry and related regulatory agencies, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HILL:

H.R. 4620. A bill to amend the Securities Exchange Act of 1934 to exempt certain commercial real estate loans from risk retention requirements, and for other purposes; to the Committee on Financial Services.

By Mrs. CAPPS (for herself and Mr. SARBANES):

H.R. 4621. A bill to amend title XXI of the Social Security Act to improve access to, and the delivery of, children's health services through school-based health centers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONAWAY (for himself, Mr. MCKINLEY, Mr. HARPER, Mr. TIPTON, Mrs. LUMMIS, Mr. CRAMER, Mr. JENKINS of West Virginia, Mr. VEASEY, Mr. BARR, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. BARTON, Mr. BUCSHON, Mr. PETERSON, Mr. MOOLENAAR, Mr. RODNEY DAVIS of Illinois, Mr. MURPHY of Pennsylvania, Mr. JOHNSON of Ohio, Mr. BOUSTANY, and Mr. HUIZENGA of Michigan):

H.R. 4622. A bill to amend the Internal Revenue Code of 1986 to improve and make permanent the credit for carbon dioxide sequestration; to the Committee on Ways and Means.

By Mr. GRIJALVA (for himself, Mr. HASTINGS, Mr. CARSON of Indiana, Ms. LEE, Ms. NORTON, Mr. CONYERS, Ms. KAPTUR, Mr. CLAY, and Ms. CLARKE of New York):

H.R. 4623. A bill to allow homeowners of moderate-value homes who are subject to mortgage foreclosure proceedings to remain in their homes as renters; to the Committee on Financial Services.

By Ms. HAHN:

H.R. 4624. A bill to amend title 49, United States Code, to provide for the inspection of pipeline facilities that are transferred by sale and pipeline facilities that are abandoned, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANNA (for himself and Mr. PASCRELL):

H.R. 4625. A bill to require the Secretary of Health and Human Service to develop a voluntary patient registry to collect data on cancer incidence among firefighters; to the Committee on Energy and Commerce.

By Ms. JENKINS of Kansas (for herself, Mr. BLUMENAUER, Mr. RODNEY DAVIS of Illinois, and Mr. LIPINSKI):

H.R. 4626. A bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 4627. A bill to amend title XIX of the Social Security Act to provide parity among States in the timing of the application of higher Federal Medicaid matching rates for the ACA-expansion population; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself and Mr. KING of New York):

H.R. 4628. A bill to require reporting of terrorist activities and the unlawful distribution of information relating to explosives, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of Florida:

H.R. 4629. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Natural Resources.

By Mr. RUSH (for himself and Mr. PALLONE):

H.R. 4630. A bill to deny corporate average fuel economy credits obtained through a violation of law, establish an Air Quality Restoration Trust Fund within the Department of the Treasury, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSSELL:

H.R. 4631. A bill to amend the Agricultural Risk Protection Act of 2000 to eliminate the authority of the Secretary of Agriculture to make value-added agricultural product market development grants to support the development, production, or marketing of alcoholic beverages and to rescind a portion of the Commodity Credit Corporation funds made available for such grants; to the Committee on Agriculture.

By Mr. WENSTRUP (for himself and Mr. DANNY K. DAVIS of Illinois):

H.R. 4632. A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRABACHER:

H.J. Res. 82. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of Pakistan of F-16 Block 52 aircraft; to the Committee on Foreign Affairs.

By Mr. MURPHY of Pennsylvania (for himself, Mr. KELLY of Pennsylvania, Mr. BRADY of Pennsylvania, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SHUSTER, Mr. COSTELLO of Pennsylvania, Mr. MEEHAN, Mr. MARINO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. FATTAH, Mr. ROTHFUS, Mr. DENT, Mr. BARLETTA, Mr. PERRY, Mr. FITZPATRICK, Mr. CARTWRIGHT, Mr. PITTS, Mr. THOMPSON of Pennsylvania, and Mr. REED):

H. Con. Res. 118. Concurrent resolution recognizing the soldiers of the 14th Quartermaster Detachment of the United States Army Reserve, who were killed or wounded in their barracks by an Iraqi SCUD missile attack in Dhahran, Saudi Arabia, during Operation Desert Shield and Operation Desert Storm, on the occasion of the 25th anniversary of the attack; to the Committee on Armed Services.

By Mr. HOYER (for himself, Mr. BEYER, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. DELANEY, Ms. EDWARDS, Ms. NORTON, and Mr. VAN HOLLEN):

H. Con. Res. 119. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; to the Committee on Transportation and Infrastructure.

By Mr. FITZPATRICK (for himself, Mr. SESSIONS, Ms. ROS-LEHTINEN, and Mr. LAMALFA):

H. Res. 625. A resolution expressing support for the designation of February 28, 2016, as ''National Rare Eye Disease Awareness Day''; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself, Ms. MATSUI, Mr. HONDA, Mr. GRIJALVA, Ms. LEE, Mr. TED LIEU of California, Mr. BECERRA, Mr. TAKAI, Mr. KILMER, Ms. BORDALLO, Ms. JUDY CHU of California, Mr. DESAULNIER, Mr. GRAYSON, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MOORE, Mr. RANGEL, Ms. SPEIER, Mr. SWALWELL of California, Mr. VARGAS, and Ms. MAXINE WATERS of California):

H. Res. 626. A resolution recognizing the significance of the 74th anniversary of the signing of Executive Order 9066 by President Franklin D. Roosevelt and supporting the goals of the Japanese American, German American, and Italian American communities in recognizing a National Day of Remembrance to increase public awareness of the events surrounding the restriction, exclusion, and incarceration of individuals and families during World War II; to the Committee on the Judiciary.

## MEMORIALS

Under clause 3 of rule XII,

174. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 262, urging the Congress of the United States to exercise regulatory control and oversight in order to maintain fair competition, adequate connections with short line railroads, and efficient, low-cost service for rail shippers; which was referred to the Committee on Transportation and Infrastructure.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WALBERG:

H.R. 4612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States; the power to regulate commerce among the several states and Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

The purpose of the bill is to prohibit an outgoing Administration from publishing regulations during a moratorium period defined by Section 1, Title 3 of the U.S. Code through January 20 of the following year. Congress has the authority to limit regulations by the Executive branch under its Commerce Clause power and it is necessary and proper to introduce legislation to effectively carryout this power.

By Mr. KATKO:

H.R. 4613.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States).

Article I, Section 8, Clause 9 of the Constitution of the United States; the power to constitute Tribunals inferior to the Supreme Court.

By Mr. OLSON:

H.R. 4614.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically caluase 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. HUFFMAN:

H.R. 4615.

Congress has the power to enact this legislation pursuant to the following:

Sixteenth Amendment: Congress shall have power to law and collect taxes on incomes, from whatever shource derived, without apportionmen tamong the several States, and without regard to any census or enumeration.

By Mr. NADLER:

H.R. 4616.

Congress has the power to enact this legislation pursuant to the following:

Clauses 3 and 18 of Article 1 Section 8 of the US Constitution

By Ms. DELBENE:

H.R. 4617.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18.

By Mr. COLLINS of Georgia:

H.R. 4618.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution, which states that Congress shall have the power ''to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States or in any department or officer thereof.

By Mr. CUMMINGS:

H.R. 4619.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VII, Clause III: [The Congress shall have Power] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HILL:

H.R. 4620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. CAPPS:

H.R. 4621.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constituion.

By Mr. CONAWAY:

H.R. 4622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GRIJALVA:

H.R. 4623.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Ms. HAHN:

H.R. 4624.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HANNA:

H.R. 4625.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution.

By Ms. JENKINS of Kansas:

H.R. 4626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. LEWIS:

H.R. 4627.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mrs. LOWEY:

H.R. 4628.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. MILLER of Florida:

H.R. 4629.

Congress has the power to enact this legislation pursuant to the following:

Article 1. Section 8. Clause 3.

By Mr. RUSH:

H.R. 4630.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. RUSSELL:

H.R. 4631.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. WENSTRUP:

H.R. 4632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. ROHRABACHER:

H.J. Res. 82.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 258: Mrs. BEATTY.

H.R. 379: Mr. CÁRDENAS.

H.R. 501: Mr. KIND and Mr. LAMALFA.

H.R. 532: Mr. LEVIN.

H.R. 534: Mr. CURBELO of Florida.

H.R. 546: Mr. GIBSON.

H.R. 563: Mr. CÁRDENAS and Ms. JENKINS of Kansas.

H.R. 592: Mr. LAHOOD and Ms. CASTOR of Florida.

H.R. 654: Mr. CARTER of Texas.

H.R. 664: Mr. POE of Texas and Mr. JOLLY.

H.R. 731: Mr. BILIRAKIS.

H.R. 814: Mr. WEBSTER of Florida.

H.R. 864: Mr. GIBSON.

H.R. 868: Mr. CHAFFETZ.

H.R. 870: Mrs. CAROLYN B. MALONEY of New York.

H.R. 885: Ms. BONAMICI.

H.R. 900: Mr. JODY B. HICE of Georgia.

H.R. 953: Mr. DEUTCH.

H.R. 969: Mr. KINZINGER of Illinois.

H.R. 997: Mr. COLLINS of New York.

H.R. 1076: Mr. CARSON of Indiana.

H.R. 1093: Ms. SLAUGHTER, Mr. LUETKEMEYER, and Mrs. LAWRENCE.

H.R. 1101: Mr. MCGOVERN.

H.R. 1170: Mr. DANNY K. DAVIS of Illinois, and Mr. STIVERS.

H.R. 1197: Mrs. MCMORRIS RODGERS and Mr. CROWLEY.

H.R. 1233: Mr. RENACCI, Mr. LAHOOD, and Mr. BARR.

H.R. 1391: Ms. MATSUI.

H.R. 1421: Mr. JEFFRIES.

H.R. 1431: Mr. JODY B. HICE of Georgia.

H.R. 1432: Mr. JODY B. HICE of Georgia.

H.R. 1439: Mr. MEEKS.

H.R. 1449: Mr. CÁRDENAS and Ms. MOORE.

H.R. 1492: Mr. DESAULNIER and Mr. ELLISON.

H.R. 1505: Mr. BILIRAKIS.

H.R. 1516: Mr. ZELDIN.

H.R. 1545: Mr. GIBSON and Mr. GRIFFITH.

H.R. 1552: Mr. MOULTON.

H.R. 1588: Ms. JENKINS of Kansas.

H.R. 1655: Mr. BISHOP of Michigan.

H.R. 1658: Mr. CARTER of Georgia.

H.R. 1706: Mr. VAN HOLLEN.

H.R. 1736: Mr. KINZINGER of Illinois and Mr. CLEAVER.

H.R. 1748: Mr. PETERSON.

H.R. 1761: Mrs. NAPOLITANO and Mr. POCAN.

H.R. 1854: Mr. SHUSTER and Mrs. WATSON COLEMAN.

H.R. 1950: Mr. RIBBLE.

H.R. 2013: Mr. PASCRELL.

H.R. 2102: Mr. FORTENBERRY, Mrs. BEATTY, and Mr. THOMPSON of Mississippi.

H.R. 2144: Mr. HANNA.

H.R. 2254: Mr. FITZPATRICK.

H.R. 2287: Mr. HUDSON.

H.R. 2290: Mr. HUELSKAMP.

H.R. 2304: Mr. CHAFFETZ.

H.R. 2400: Mr. KATKO.

H.R. 2404: Mr. WHITFIELD.

H.R. 2411: Mr. LEVIN and Ms. MATSUI.

H.R. 2460: Mr. CHAFFETZ.

H.R. 2493: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2513: Mr. FLEMING.

H.R. 2539: Mr. CARTER of Georgia.

H.R. 2545: Ms. VELÁZQUEZ.

H.R. 2546: Mr. NADLER.

H.R. 2646: Mr. COOPER.

H.R. 2721: Mr. HASTINGS.

H.R. 2752: Mr. RODNEY DAVIS of Illinois and Mr. BOUSTANY.

H.R. 2817: Mr. CURBELO of Florida.

H.R. 2901: Mr. ROYCE.

H.R. 2903: Ms. ADAMS.

H.R. 2927: Ms. LINDA T. SÁNCHEZ of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. AGUILAR, Mr. CÁRDENAS, Mr. GUTIÉRREZ, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. PIERLUISI, Mr. SERRANO, Mrs. TORRES, and Mr. VARGAS.

H.R. 2962: Ms. DUCKWORTH.

H.R. 2980: Mr. STIVERS and Mr. DEFAZIO.

H.R. 3029: Mr. NADLER.

H.R. 3048: Mr. CONAWAY, Mr. SESSIONS, Mr. POE of Texas, and Mr. BABIN.

H.R. 3071: Mr. SEAN PATRICK MALONEY of New York, Mr. GARAMENDI, and Mr. SWALWELL of California.

H.R. 3084: Mr. VALADAO and Mr. CÁRDENAS.

H.R. 3094: Mr. GOHMERT.

H.R. 3137: Mr. HASTINGS.

H.R. 3220: Mr. MARCHANT and Mrs. MILLER of Michigan.

H.R. 3222: Mr. FRANKS of Arizona.

H.R. 3226: Ms. SINEMA and Mr. CAPUANO.

H.R. 3235: Mr. TED LIEU of California, Mr. GRAYSON, Mrs. WATSON COLEMAN, Mr. MEEKS, Mr. HASTINGS, and Mr. GRIJALVA.

H.R. 3299: Mr. JOYCE, Mr. JOHNSON of Ohio, and Mr. QUIGLEY.

H.R. 3308: Mr. KEATING, Mr. LOEBSACK, Mrs. CAROLYN B. MALONEY of New York, Mr. CAPUANO, Ms. FUDGE, Mr. COURTNEY, Mr. LYNCH, and Mr. TED LIEU of California.

H.R. 3326: Mr. HUDSON, Mr. CURBELO of Florida, Mr. RENACCI, and Mr. EMMER of Minnesota.

H.R. 3353: Mr. ROYCE.

H.R. 3377: Mrs. DAVIS of California.

H.R. 3406: Ms. FUDGE.

H.R. 3445: Mr. ELLISON.

H.R. 3484: Mr. TAKANO.

H.R. 3514: Mr. CAPUANO.

H.R. 3515: Mr. POMPEO and Mr. WESTERMAN.

H.R. 3533: Mr. GIBSON.

H.R. 3546: Mr. DEUTCH.

H.R. 3576: Mr. VELA, Mr. GUTIÉRREZ, Ms. LOFGREN, and Mr. CUELLAR.

H.R. 3599: Mr. COOK.

H.R. 3619: Ms. MENG.

H.R. 3706: Ms. NORTON and Mr. LONG.

H.R. 3713: Mr. POLIS.

H.R. 3719: Mr. BUCHANAN.

H.R. 3742: Mr. KELLY of Pennsylvania and Mr. MURPHY of Pennsylvania.

H.R. 3758: Mr. BYRNE.

H.R. 3765: Mr. HENSARLING.

H.R. 3779: Mr. BRAT.

H.R. 3808: Mr. VALADAO and Mr. FORTENBERRY.

H.R. 3913: Mr. BRADY of Pennsylvania, Ms. DUCKWORTH, and Mr. PAYNE.

H.R. 3926: Mrs. CAPPS.

H.R. 4007: Mr. BABIN.

H.R. 4016: Mr. LONG.

H.R. 4019: Ms. MOORE and Mr. HECK of Washington.

H.R. 4062: Mrs. WAGNER.

H.R. 4102: Mr. GRIFFITH.

H.R. 4126: Mr. BURGESS, Mr. BOUSTANY, Mr. ROUZER, Mr. BRAT, Mr. LUETKEMEYER, Mr. BYRNE, Mr. NEWHOUSE, Mr. WENSTRUP, Mr. RENACCI, Mr. GRAVES of Missouri, and Mr. BISHOP of Michigan.

H.R. 4139: Mr. DELANEY.

H.R. 4167: Ms. BORDALLO and Mr. BRADY of Texas.

H.R. 4197: Mr. HENSARLING.

H.R. 4219: Mr. HUDSON and Mr. DENT.

H.R. 4229: Mr. COSTELLO of Pennsylvania and Ms. STEFANIK.

H.R. 4235: Mr. LOWENTHAL and Ms. MCCOLLUM.

H.R. 4238: Mr. FARR, Mrs. DINGELL, Mr. GUTIÉRREZ, and Ms. MOORE.

H.R. 4247: Mr. FARENTHOLD and Mr. HURD of Texas.

H.R. 4262: Mr. NEWHOUSE.

H.R. 4266: Ms. MOORE.

H.R. 4293: Mr. ZINKE and Mr. DUNCAN of Tennessee.

H.R. 4305: Mr. TED LIEU of California and Mr. FITZPATRICK.

H.R. 4320: Mr. DOLD.

H.R. 4321: Mr. WENSTRUP.

H.R. 4336: Ms. PINGREE, Mr. DEUTCH, Mr. CARTER of Georgia, Mr. MICA, Ms. WASSERMAN SCHULTZ, Miss RICE of New York, and Mr. RUIZ.

H.R. 4352: Mr. BILIRAKIS and Mr. MESSER.

H.R. 4376: Ms. EDWARDS, Ms. CLARKE of New York, Mr. GUTIÉRREZ, and Ms. LEE.

H.R. 4381: Mr. SMITH of Texas and Mr. BABIN.

H.R. 4386: Mr. BEYER and Ms. KUSTER.

H.R. 4396: Mr. PAYNE, Mr. DEUTCH, Mr. VAN HOLLEN, and Mr. ENGEL.

H.R. 4400: Ms. DUCKWORTH.

H.R. 4403: Mr. SHERMAN and Mr. KEATING.

H.R. 4424: Mrs. Beatty, Mr. KLINE, and Mr. SIMPSON.

H.R. 4430: Mr. NOLAN, Mr. ELLISON, and Miss RICE of New York.

H.R. 4442: Mr. PAYNE.

H.R. 4469: Mrs. COMSTOCK.

H.R. 4481: Mr. YARMUTH and Mr. HANNA.

H.R. 4490: Ms. NORTON.

H.R. 4499: Mr. WALBERG, Mr. CARTER of Georgia, Mr. JENKINS of West Virginia, and Mr. MCKINLEY.

H.R. 4514: Mr. ASHFORD, Mr. CUELLAR, Mr. MEADOWS, and Mr. LAMBORN.

H.R. 4519: Mr. TAKANO.

H.R. 4521: Mr. DESAULNIER.

H.R. 4527: Miss RICE of New York.

H.R. 4528: Ms. ESHOO.

H.R. 4537: Mr. HENSARLING and Mr. LUCAS.

H.R. 4557: Mr. MURPHY of Pennsylvania, Ms. GRANGER, and Mr. SESSIONS.

H.R. 4570: Mr. HANNA, Ms. NORTON, and Mrs. MILLER of Michigan.

H.R. 4583: Mr. BUTTERFIELD and Mr. GRIFFITH.

H.R. 4589: Mr. CARTER of Georgia.

H.R. 4595: Mr. UPTON.

H.R. 4602: Mr. SENSENBRENNER.

H.R. 4603: Mr. SERRANO, Ms. MOORE, and Ms. BASS.

H.J. Res. 1: Mr. CONAWAY.

H.J. Res. 2: Mr. ABRAHAM and Mr. CONAWAY.

H.J. Res. 12: Mr. LOUDERMILK.

H.J. Res. 14: Mrs. WAGNER.

H.J. Res. 19: Mr. HARRIS.

H. Con. Res. 17: Ms. CLARK of Massachusetts, Mr. BABIN, and Mr. YARMUTH.

H. Con. Res. 75: Mr. PALAZZO and Mr. COOK.

H. Con. Res. 100: Mr. FITZPATRICK, Mr. HENSARLING, Mr. DENT, and Mr. RATCLIFFE.

H. Con. Res. 114: Mr. SMITH of Nebraska and Mr. FORTENBERRY.

H. Res. 32: Mr. SARBANES.

H. Res. 49: Ms. VELÁZQUEZ.

H. Res. 220: Mr. FITZPATRICK, Mr. LEVIN, and Mr. CICILLINE.

H. Res. 290: Mr. CICILLINE.

H. Res. 343: Mr. FRANKS of Arizona, Mr. COSTELLO of Pennsylvania, Ms. LORETTA SANCHEZ of California, and Mr. BYRNE.

H. Res. 469: Mr. O'ROURKE, Mr. ENGEL, and Mr. COOK.

H. Res. 551: Mr. MARINO, Ms. MOORE, Miss RICE of New York, Mr. AL GREEN of Texas, Ms. MCSALLY, and Mr. COSTELLO of Pennsylvania.

H. Res. 567: Mr. LANCE.

H. Res. 590: Mr. FARENTHOLD, Ms. ESTY, Mr. MASSIE, Mr. ROSS, and Mr. KING of New York.

H. Res. 600: Mr. RENACCI.

H. Res. 616: Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BECERRA, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. COSTA, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. ESHOO, Mr. FARR, Ms. FUDGE, Mr. GARAMENDI, Mr. GRAYSON, Mr. AL GREEN of Texas, Ms. HAHN, Mr. HASTINGS, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Ms. LOFGREN, Mr. LOWENTHAL, Mr. MCDERMOTT, Mrs. NAPOLITANO, Ms. NORTON, Ms. PELOSI, Mr. PETERS, Mr. POCAN, Mr. RANGEL, Mr. RICHMOND, Mr. RUIZ, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SHERMAN, Ms. SPEIER, Mr. TAKANO, Mr. THOMPSON of California, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Ms. MATSUI.

H. Res. 617: Mr. DESJARLAIS, Mr. SANFORD, Mr. GOSAR, Mr. BUCK, Mr. HARRIS, Mr. SALMON, Mr. GIBBS, Mr. BABIN, Mr. LAMBORN, Mr. STUTZMAN, Mr. BARR, Mr. OLSON, Mr. KING of Iowa, Mr. HUELSKAMP, and Mr. TIPTON.

H. Res. 623: Mr. WESTERMAN and Mr. DESAULNIER.

United States
*of* America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

*Vol. 162* WASHINGTON, THURSDAY, FEBRUARY 25, 2016 *No. 30*

# *Senate*

The Senate met at 9:30 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.

Eternal God, You have withheld nothing we need. Today, meet the needs of our lawmakers. Give them so much more than they expect or deserve that they will sing praises for Your goodness. In these days of unprecedented challenges and opportunities, empower them with faith, courage, and good will to make the world a better place. Lord, use them as Your servants to bring healing to our Nation and world.

Today we also pray for the ill, the bereaved, the infirmed, the discouraged, and the lonely. Keep them as the apple of Your eye; hide them in the shadow of Your wings.

We pray in Your merciful Name. Amen.

## PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The majority leader is recognized.

## PROTECTING FAMILIES AFFECTED BY SUBSTANCE ABUSE ACT

Mr. MCCONNELL. Mr. President, by now, many know the numbers. Overdose deaths in Kentucky were responsible for more than 1,000 deaths in 2014 alone. This is a devastatingly high number, among the highest rates in the Nation, but it is even more heartbreaking when you consider the real-world toll substance abuse can take on friends and family members, not to mention their children.

The trickle-down effects of opioid and heroin abuse are palpable and widespread, lasting and cyclical, but there are steps we can take today to help families impacted by drug abuse and keep more families from ever going through it to begin with. That is why I am proud to join my colleague, the senior Senator from Iowa, in introducing the Protecting Families Affected by Substance Abuse Act, which would reauthorize grants to help children in foster care or at risk of being placed there because of their parents' drug habits. This is what one Kentucky group said about their experience with these grants:

The Regional Partnership Grants have been integral to the implementation of Kentucky-START, which has helped more than 800 Kentucky families and more than 1,600 Kentucky children. It's programs like these, which focus on better outcomes for children and safely reuniting families, that are helping combat the negative effects of the opioid, heroin, and other drug epidemics facing the Commonwealth.

I am also proud of the work that is being done in the Commonwealth to address the opioid crisis, particularly in rural communities. For instance, the Appalachia High Intensity Drug Trafficking Areas Program, HIDTA, was recently recognized by Director Botticelli and the Office of National Drug Control Policy as the top program of its type for 2015. I recognize all they have done in the fight against drug trafficking and illegal drug use. I have no doubt that without their efforts and those of the other leaders in the Commonwealth, the toll of the epidemic would be much greater than it already is.

So whether it is working to support the local HIDTAs or working together with the senior Senator from Iowa and me to pass our legislation to reauthorize grants for local communities, there are many opportunities for Senators to help ensure we respond to the drug epidemic wreaking havoc on our communities at home. For example, there are a number of other important pieces of related legislation in the Senate.

This week Senators discussed one of these bills in the Finance Committee. It would allow Medicare Advantage and Part D plans to implement a prescription drug abuse prevention tool similar to what is already available and used in Kentucky in the Medicaid Program and in private plans. I was proud to join the junior Senator from Pennsylvania as a cosponsor of that bill as well.

Of course, there is the Comprehensive Addiction and Recovery Act, CARA. The junior Senators from Ohio and New Hampshire have been leading the charge on that effort, and I thank the chairman of the Judiciary Committee, Senator GRASSLEY, and the chairman of the HELP Committee, Senator ALEXANDER, for working together to have the bill reported out of Judiciary, and it came out of the Judiciary Committee on a voice vote.

In the coming days we will be working to move that important bipartisan bill forward. It has garnered a great deal of support from both sides of the aisle because of its provisions to expand prevention and educational efforts, strengthen prescription drug-monitoring programs, improve treatment programs, and give law enforcement officials more of the tools it needs to address this awful epidemic.

With bipartisan support, we can pass legislation such as CARA and the others I have discussed today in order to promote healthier families and a healthier country.

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



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## CONFIRMATION OF ROBERT CALIFF

Mr. MCCONNELL. Mr. President, in the meantime, we took a step forward yesterday by confirming the new FDA Commissioner, Dr. Robert Califf. In a recent meeting with Dr. Califf, I expressed my concerns regarding the epidemic at hand and the need for more action by the FDA.

I was encouraged by Dr. Califf's recognition that the opioid epidemic is a serious problem and the FDA must do a better job of addressing it. Dr. Califf received broad bipartisan support yesterday in the Senate, and we look forward to working with him. I will continue to hold him accountable to lead the FDA in a new direction to help prevent dependence and abuse of prescription opioids.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

## OPIOID ADDICTION

Mr. REID. Mr. President, I join the Republican leader on the need to address the scourge of opioid addiction. It is a scourge. That is why it is more important than ever that we back our words with real solutions, real resources.

That is why the amendment by Senator SHAHEEN to the opioid bill will be important. I hope it gets every consideration, and I hope it passes.

## FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, I start with a statement the Republican leader made on the Senate floor in 2007: ''I will never agree to retreat from our responsibility to confirm qualified judicial nominees.''

I wish to repeat: ''I will never agree to retreat from our responsibility to confirm qualified judicial nominees.''

My Republican counterpart said that. They are his own words.

Fast forward 9 years to today, now. Not only is the senior Senator from Kentucky abandoning his responsibility to confirm a Supreme Court Justice, he is leading the entire Republican caucus to retreat from their constitutional obligation. This is unfortunate because the Republican leader was right 9 years ago. As Senators, we have a responsibility to uphold a number of things, but one certainly is the Constitution. That responsibility is clearly outlined in the oath we take before we are sworn into office—right there. Every one of them has done it. What are we asked to confirm, to swear to? We swear to ''support and defend the Constitution of the United States.'' We swear to ''bear true faith and allegiance to the same.'' We swear to ''faithfully discharge the duties of office.'' I wish to repeat that. We swear to ''faithfully discharge the duties of office.''

One cannot see how Republicans can claim to uphold this oath as they block the President from appointing a new Supreme Court Justice. Senate Republicans are making pledges of a different sort these days. They have vowed to not hold hearings—even though denying a hearings is unprecedented in history. They have sworn not to meet with the President—I am sorry, with his nominee and maybe even him. He has been waiting for word from the chairman of the Judiciary Committee and the Republican leader to find out if they are willing to come and meet with him in the White House. That has been going on for several days now. They have sworn not to meet with the President's Supreme Court nominee, even though they don't know who that person might be. By refusing to hold confirmation hearings for President Obama's Supreme Court nominee or to hold a vote, they undermine the Presidency, the Constitution, and the Senate.

Senate Republicans are known—and have been for some time now—as a set of human brake pads, obstructing, filibustering virtually everything President Obama has had on his agenda, but this raises obstruction to a new level never seen before in this country—the Supreme Court: no hearings, no vote, and yesterday even more. They even refuse to meet with this man or woman who is going to be nominated—no meetings, no meetings with the nominee to the Supreme Court, a person put forth by the President of the United States because the Constitution states he shall nominate. He has no discretion, he shall nominate.

By refusing to even sit or talk with any nominee, they make a mockery of the office to which the American people elected them.

Think about this. Republicans will not do their due diligence by speaking with a nominee to assess his or her qualifications. Meeting with the nominee is basic. Holding a hearing is routine. These things are common sense, so why won't Republican Senators make an effort to uphold their constitutional responsibilities?

U.S. Senators have an obligation to evaluate the Presidential nominations, not only for the Supreme Court but for every nomination that comes forward—but especially the Supreme Court. That means sitting down with the nominee. That means holding hearings to learn about their record and qualifications for the position, and that means a vote.

The senior Senator from Texas said the same about 7 years ago. After Justice Sonia Sotomayor was nominated, the assistant Republican leader told C–SPAN that ''my own view is that we ought to come with an open mind and do the research and do the reading . . . and then be able to ask the nominee about them.''

What he said, the senior Senator from Texas, is that his view is that we ought to come with an open mind, do the research, do the reading, and then be able to ask the nominee about them. I agree. The Senate should be able to research the background of the President's Supreme Court nominee and ask any questions they may have about them. Why—why—for the first time in history, do we have this situation? Why do Republicans—the Republican Senator from Texas, whom I just quoted, and all Republicans—refuse to even meet with a nominee?

I say to my Republican friends, you cannot offer advice and consent on a nominee you have never met, never considered. It is impossible. Maybe Republicans are hoping the Supreme Court vacancy will just go away, but it will not. Maybe Senate Republicans think they will only endure a few weeks of negative stories—and there have been negative stories, of course. There are no positive stories that I am aware of saying: That is great. For the first time in history you are not even willing to meet with a nominee. I guess they believe the American people will forget about this vacancy, but they will not.

Democrats are going to fight every day to ensure that this important nominee gets a dignified confirmation process that past Senates have afforded all Supreme Court nominations. I, along with every other Member of the Democratic caucus, will be on the floor next week, the week after that, and the week after that, as long as it takes, to bring to the attention of America the failure of this Republican Senate to meet its constitutional mandate.

Pretending the nominee doesn't exist will not make the Supreme Court vacancy go away. It will not make the President's nomination vanish. Rather, it leaves the American people with a Senate full of Republicans who, as the Republican leader said, are ''retreating from their responsibilities.'' That is what the Republican leader said. Their obstruction of the President's Supreme Court nominee is abdication of the oath my Republican colleagues took when they assumed the title of U.S. Senator.

Once again I tell my Republican friends: Don't run away from your responsibilities, just do your job. Do your job.

Mr. President, will the Chair announce the business of the day.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER. 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.

## WATERS OF THE UNITED STATES RULE AND FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Mr. President, I rise for the purpose of showing how one bureaucracy, the Corps of Engineers—and to some extent the EPA working with them—has already made farming very difficult and how, if the waters of the United States rule goes into effect, it can be much worse than even what I am going to be referring to.

Now, I am going to quote word for word a farmer's problem from the Iowa Farm Bureau's Spokesman dated January 27, 2016, and then I am going to make some comments on it.

For that reason, since I am told the next speaker is not going to come until 10:15, I ask unanimous consent to continue until that time.

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

Mr. GRASSLEY. Mr. President, before I start quoting, this is a story about a California farmer by the name of John Duarte, of Tehama County, CA. The title is ''One farmer's ordeal may signal agencies' actions under WOTUS.''

All John Duarte did was hire a guy to plow some grazing land so that he could raise wheat on 450 acres that his family had purchased in California's Tehama County, north of Sacramento. The land had been planted to wheat in the past. The wheat market was favorable and the farmer made sure to avoid some wet spots in the field, called vernal pools, which are considered wetlands.

But that plowing, which disturbed only the top few inches of soil, unleashed a firestorm from the U.S. Army Corps of Engineers, the Environmental Protection Agency, and other regulators against the California Farm Bureau member. The regulators' actions stopped Duarte from raising wheat, tried to force him to pay millions of dollars to restore the wetlands in perpetuity—although there was no evidence of damage—and sparked lawsuits and counter-lawsuits.

Duarte's experience could well turn out to be an example of how the agencies will treat farmers in Iowa and all over the country under the expansive Waters of the United States rule, according to Duarte, his attorneys and experts at the American Farm Bureau Federation.

''This really shows how these agency actions can play out on a specific family farm,'' Duarte said recently during a press conference at the American Farm Bureau Federation annual convention in Orlando. ''We aren't concerned about it because John Duarte is having a bad time with the feds. We are concerned because this is a very serious threat to farming as we know it in America.''

Although the EPA and other agencies continue to say to farmers that the WOTUS rule will not affect normal farming practices, such as plowing, Duarte's case shows that it will, said Tony Francois, an attorney with the Pacific Legal Foundation, which is representing Duarte.

''Anyone who is being told not to worry about the new WOTUS rule, they should be thinking about this case,'' Francois said. ''The very thing they are telling you not to worry about is what they are suing Duarte over—just plowing.''

Don Parish, [American Farm Bureau Federation] senior director of regulatory relations, said a big problem is the wide parameters that the agencies have placed in the WOTUS rule. He noted the rule is filled with vague language like adjacent waters and tributaries, which are difficult to clarify.

As broad as possible. ''They want the Waters of the United States to be as broad as they can get it so it can be applied to every farm in the country,'' Parish said.

Iowa Farm Bureau Federation and other organizations have worked hard to stop the WOTUS rule, which was imposed last year but has been temporarily suspended by court rulings. The rule was designed to revise the definition of what is considered a ''water of the United States'' and is subject to Federal regulations under the Clean Water Act.

But instead of adding clarity, IFBF and others contend the rule has only added ambiguity, leaving farmers, like Duarte, facing the potential of delays, red tape and steep fines as they complete normal farm operations, such as fertilizing, applying crop protection chemicals or moving dirt to build conservation structures.

Another problem, Duarte said, is that the agencies are piling the WOTUS law with other laws, such as the Endangered Species Act, to dictate how farmers use their own land or to keep them from farming it at all.

''They aren't just trying to micromanage farmers. They're trying to stop farmers,'' Duarte said. ''They're trying to turn our farmland into habitat preservation. They are simply trying to chase us off of our land.''

Duarte, who operates a successful nursery that raises grapevines and rootstock for nut trees, was first contacted by the Corps of Engineers in late 2012. In early 2013, the Corps sent a cease-and-desist letter to Duarte, ordering suspension of farming operations based on alleged violations of the CWA.

The Corps did not notify the farmer of the allegations prior to issuing the letter or provide Duarte any opportunity to comment on the allegations.

The agency, Duarte said, wrongly accused him of deep ripping the soil and destroying the wetlands in the field. However, he had only had the field chisel plowed and was careful to avoid the depressions or vernal pools.

It's also important to note, Duarte said, that plowing is specifically allowed under the CWA. Congress specially added that provision to keep farmers from having to go through an onerous permitting process for doing fieldwork, he said.

Deciding to Fight.

That is a headline.

Instead of capitulating to the Corps, Duarte decided to fight the case in court.

His lawsuit was met by a countersuit from the U.S. Justice Department, seeking millions of dollars in penalties. The case is expected to go to trial in March.

Meaning March right around the corner.

The case, Duarte said, has raised some absurd charges by the agencies. At one point, the government experts claimed that the bottom of the plowed furrows were still wetlands, but the ridges of the furrow had been converted to upland, he said.

In another, an agency official claimed that Duarte had no right to work the land because it had not been continuously planted to wheat.

However, he said, the previous owner had stopped planting wheat because the prices were low.

''They said it was only exempt if it was part of an ongoing operation,'' Duarte said. ''There is no law that says farmers have to keep growing crop if there is a glut and prices are in the tank. But by the Corps thinking, if you don't plant wheat when it is unprofitable, you lose your right to ever grow it again.''

Duarte also noted that when federal inspectors came out to his farm, they used a backhoe to dig deep pits in the wetlands. ''If you do that, you can break through the impervious layer and damage the wetland, but it does not seem to be a problem if you are a government regulator.''

To date, his family has spent some $900,000 in legal fees.

Let me say something parenthetically here. If we had to spend $900,000 in legal fees, the Grassleys might as well get out of farming. Now I want to go back to quoting, so I am going to start that paragraph over.

To date, his family has spent some $900,000 in legal fees. That is separate from the work by the Pacific Legal Foundation, which represents the clients it takes for free and is supported by foundations.

It would have been easier, and cheaper, to comply with the wishes of federal agencies and given up use of the land. Many California farmers who found themselves in a similar situation have done just that, Duarte said.

Another two-word headline:

Banding together.

However, it's important to stand and fight the agencies' attempt to bend the CWA, Endangered Species Act and other laws to take control of private lands. And it's important for farmers to band together with Farm Bureau and other groups that oppose the WOTUS rule.

''We are not against the Clean Water Act or the Endangered Species Act as they were intended,'' Duarte said. ''But this is not how those acts are supposed to be enforced. We are getting entangled in regulation, and the noose seems to be tighter every year.''

I said that I would comment after I read that. For people who may be just listening, I just read an article that ran on the front page of the Iowa Farm Bureau Spokesman. The problems illustrated by this article are all occurring under current law with regard to farmers wanting to make a living by planting wheat in their fields. In the case of Mr. Duarte, government regulations from the EPA and the Corps of Engineers are making his life miserable with the threats of millions of dollars of fines.

As the article stated, regulators at one point tried to claim that ''the bottom of the plowed furious were still wetlands, but the ridges of the furrow had been converted to upland.'' That is ridiculous. The EPA is out of control.

You might remember the fugitive dust rule of a few years ago. I don't think now they are trying to push it, but the EPA was going to rule that you had—when you are a farming operation, you have to keep the dust within your property lines. So I tried to explain to the EPA Director: Do you know that only God determines when the wind blows? When you are a farmer and your soybeans are at 13 percent moisture, you have about 2 or 3 days to save the whole crop and get it harvested.

The farmer does not control the wind. The farmer does not control when the beans are dry, ready for harvest. When you combine soybeans, you

have dust. There is no way you can keep that dust within your boundaries. But as Washington is an island surrounded by reality, you can see the fugitive dust rule does not meet a commonsense test, and you can see that what they are trying to do to Duarte does not reach a commonsense test.

Again, referring to the newspaper article I just read, if the EPA and the Corps of Engineers are going around to farmers' fields making determinations about wetlands based on tillage practices under current law, imagine what they might do if this new waters of the United States rule goes into effect—now being held up by the courts.

Just think how you would feel if your family farm had survived for decades, overcoming droughts, overcoming flooding, overcoming price declines—and you can name 10 other things that a farmer has no control over—and then you have to put up with this nonsense. However, one day a government regulator could show up at your farm and hit you with excessive fines, and the next thing you know, your family farm is being auctioned off. That may sound absurd, but that is the reality of threats posed by the EPA. Mr. Duarte's case is the proof.

We have no shortage of assurances from the EPA Administrator that the plain language in the WOTUS rule will not be interpreted in a way that interferes with farmers. It is hard to take some assurances seriously when they are interpreting current law in such an aggressive way.

We have to stop the WOTUS rule so the bureaucrats don't become even more powerful. The WOTUS rule is too vague and allows way too much room for regulators to make their own interpretations about jurisdiction. So we should all continue to fight against the WOTUS rule and all other actions the EPA is taking that are ridiculous actions against farmers.

We have checks and balances in government. The Congress tried three times to stop the WOTUS rule. Senator BARRASSO tried to pass legislation taking away the authority or modifying the authority. That got about 57 votes but not 60 votes, so that could not move forward. The junior Senator from Iowa, my friend Senator ERNST, got a congressional veto through, a resolution of disapproval, with 52 votes. It went to the President. He vetoed it. So we did not override it that way. Then, of course, we tried an amendment on the appropriations bill, but we could not get that into the appropriations bill before Christmas. So we have tried three things. But thank God the courts have held up WOTUS through the Sixth Circuit Court of Appeals. So temporarily, at least, waters of the United States can't move ahead.

This brings back something that is very current right now: Why should we be concerned about who the next person on the Supreme Court is going to be? Because we have a President who said: I have a pen and a phone, and if Congress won't act, I will.

This sort of executive action by the EPA and the Corps of Engineers is kind of an example of the WOTUS rules, kind of an example of what we get out of this President. The President packed the DC Circuit Court of Appeals, which reviews these regulations, so they are going to have a friendly judge who says that whatever these bureaucrats do that may even be illegal or unconstitutional, they can get away with it.

Then, if that goes to the Supreme Court—we had an example just recently, about 1 week or so before Scalia died—a 5-to-4 ruling holding up some other ridiculous EPA rules.

Everybody wonders why everyone around here is saying they are concerned about who is going to be on the Supreme Court. It's because of these 5-to-4 decisions. We're concerned about the role of the Supreme Court in our constitutional system. The American people deserve to have their voices heard before the Court becomes drastically more liberal. I bet the Presiding Officer has people come to his town meetings, as I do, and say: Why don't you impeach those Justices, because they are making law, instead of interpreting law as the Constitution requires?'' Well, you can't impeach a Justice for that. But this does raise something very basic: What is the role of the Supreme Court in our constitutional system? It hasn't been debated in Presidential elections for I don't know how long. There is a chance for this to be debated in the Presidential election and maybe lay out very clearly where Hillary Clinton or BERNIE SANDERS is coming from on one hand, or where our Republican nominee, whoever that is going to be, is coming from and what type of people they are going to put on the Court.

I have about 30 seconds, and I will be done.

We are presented with an opportunity, here. The American people have an opportunity to debate about the proper role for a Supreme Court Justice. The American people can decide whether they want another Justice who just decides cases based on what they feel in their ''heart,'' and who buys into this notion of a ''living Constitution,'' or whether they want a man or woman who believes the text means what it says on the Supreme Court.

I yield the floor.

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

## STOPPING MEDICATION ABUSE AND PROTECTING SENIORS ACT

Mr. TOOMEY. Mr. President, I rise this morning to address a huge problem that is happening in every one of our States and in all of our communities and to talk about a bill that is meant to be helpful in this area. It is about the huge problem we have with opioid abuse, opioid addiction, including both prescription and heroin addiction and abuse. This is an epidemic that is truly unbelievable in scale. It is affecting people of all ages, all ethnic groups, all demographics, all income classes, all geography. It is everywhere, and it is a huge problem. I have heard about it in every county I have visited in my State. In all 67 counties of Pennsylvania, I have heard about how big this problem is. In fact, more Pennsylvanians will die this year from heroin overdoses and the misuse of opioid painkillers than from the flu or homicides.

I wanted to learn more about this, so last fall I convened a hearing of the Senate Finance Subcommittee on Health Care, which I chair. Senator CASEY joined me in that hearing at Allegheny General Hospital in Pittsburgh, where we had this, to learn more to understand about the nature and scale of this huge opioid addiction problem and what we might do about it. I was surprised when I got to the room. It was a huge auditorium, and it was standing room only. The room was completely packed with people because this epidemic is affecting virtually every family. It affects almost all of us at some level and in some way. It is tearing families apart. It is taking the lives of people who are in the prime of their lives. It is a huge problem.

The hearing was very helpful in illuminating some aspects of the nature of the problem. We had medical professionals who are dealing with the treatment, and we had people who are suffering from addiction. A recovering addict who has put her life back together told a very compelling story about what she went through. We had people in law enforcement. So we had a lot of testimony with different perspectives.

One of the things I took away is that there are at least three categories of ways we can help try to deal with this huge scourge. One is the problem of the overprescription of narcotics, the overprescription of painkillers, opioids, which are chemically very similar to heroin. A lot of people begin their addiction with these prescriptions, and then when they can no longer obtain or afford the prescription opioids, they move on to nonprescription forms, such as heroin, and it usually goes downhill very dramatically from there. So reducing overprescription has to help. There are ways to deal with that. A second is to reduce the diversion of these opioids when they are being prescribed. My legislation really does focus on that. The third is, we need better treatment and we need better outreach. We need better ways of treating people. We need to treat the addiction, but also, many people find themselves addicted after they develop a mental health problem that is an underlying problem that contributes to the addiction. We have to do a better job identifying and helping people with mental health problems.

We have many aspects to this challenge that arises from this terrible epidemic, but let me focus in on one aspect of this, the overprescription and the diversion of prescription narcotics.

The Government Accountability Office estimated that in 1 year alone, there were 170,000 Medicare beneficiary enrollees engaged in doctor shopping. Doctor shopping is the process whereby a person goes to multiple doctors, gets multiple prescriptions for perhaps the same opioid—maybe oxycodone or some other kind of painkiller—then goes to multiple pharmacies to get them all filled and ends up walking out of the pharmacy with a huge quantity of these very powerful, very addictive opioids, which they then sell on the black market. It is a very valuable commodity on the black market. The GAO found that there was one beneficiary who visited 89 different doctors in a single year, all for the same kind of prescriptions. There is another beneficiary who received prescriptions for 1,289 hydrocodone pills. That is a 490-day supply. You are not supposed to get more than a 30-day supply.

The inspector general found that a midwestern pharmacy billed Medicare for reimbursement of over 1,000 prescriptions for each of just 2 beneficiaries—1,000 prescriptions per beneficiary—and one physician ordered all the prescriptions for one of those beneficiaries.

Last April, the DEA indicted two doctors in Mobile, AL, who were writing prescriptions for massive amounts of pain pills that were then filled at the pharmacy next door to the pain clinic they also owned.

The examples go on and on. This is fraud. Let's be clear that that is what it is. This is fraud. This is people who are systemically abusing these programs so they can obtain commercial-scale quantities of a very valuable narcotic, which is also very dangerous and very addictive, because it can be lucrative. Why is it lucrative? In part, because the American taxpayer pays for their supply. That is how outrageous this is. People are getting multiple prescriptions, going to multiple pharmacies, and when the prescription is filled at all of these pharmacies on these multiple occasions, the bill is submitted to Medicare, and Medicare reimburses.

Think about this. We have this criminal enterprise where the supply of narcotics is being paid for by taxpayers, and then the people who fraudulently obtain these drugs go out and sell them in what I am sure is a very lucrative arrangement. This is beyond outrageous; It is the description of the obviously fraudulent.

There is another category of people who end up with multiple prescriptions and it is completely innocent. There is no criminal intent whatsoever, no criminal activity. It is especially elderly people who have multiple illnesses and they have different doctors who treat them. In many cases, there is not a good coordination of the care for those patients. There is nobody coordinating what all of the doctors are doing, so doctors separately and—if it weren't for what other doctors are doing—appropriately give a prescription for a powerful narcotic. They don't know there is another doctor doing the same thing. This patient unwittingly ends up with an excessive quantity of these opioids, which dramatically increases the risk that the patient will become addicted and will suffer any number of very harmful consequences.

So we have the fraudulent cases of excessive prescriptions and then we have the innocent cases, but both are problems. The legislation I have introduced addresses both problems. First, I want to thank the cosponsors, the coauthor of the bill. Senator SHERROD BROWN from Ohio is the lead Democrat on this bill. It is a bipartisan bill. Senator PORTMAN and Senator KAINE have also been very helpful. They are original cosponsors of the bill. It is called Stopping Medication Abuse and Protecting Seniors Act. We now have 25 cosponsors.

We had a very constructive hearing last week in the Senate Finance Committee about this legislation, this approach. Senator HATCH said he hopes the bill will move very soon. I hope the bill will move very soon. It is very important.

Here is what it does. When Medicare discovers that a beneficiary is obtaining multiple prescriptions well beyond what any individual should appropriately have, then Medicare would have the authority to require that person to get their prescriptions in the future from one doctor and get it filled at one pharmacy. It is called lock-in because you are locked in to a single doctor and you are locked in to a single pharmacy. In one step, that would go a very long way to making it very difficult to commit this kind of fraud or to accidentally obtain more prescriptions than you ought to have.

This procedure is not a new concept. It already exists in Medicaid. It is used every day in Medicaid to protect innocent people from excessive prescriptions and to protect taxpayers from fraudulent abuse. It is done by private carriers all the time. Private health insurance carriers use this lock-in mechanism when they discover excessive prescriptions being written. It is designed in a way—as these other programs are, the private and Medicaid—so that no one who legitimately needs a prescription—because there are legitimate prescriptions for opioids and for narcotics. No one who has a legitimate need will have an access problem. People will still be able to obtain exactly what they need. The lock-in applies only to a narrow category of controlled substances, schedule II controlled substances, which is what we think is appropriate.

I think this is going to be very helpful. It is going to help opioid-addicted seniors be identified as such so they can get the treatment they need. It is going to stop the diversion of these powerful narcotics. It is going to save taxpayers money. CBO estimates that $79 million over 10 years will be saved by bringing an end to these illegal prescriptions. And it is going to reduce the quantity of these terribly powerful drugs on the streets.

This legislation has very broad bipartisan support. Just last weekend the National Governors Association came out fully in favor of adding a lock-in provision for Medicare. We had nearly identical language passed in a bill in the House as part of the 21st-century cures legislation, which passed overwhelmingly. The support includes the President of the United States. His budget has repeatedly asked Congress to give Medicare this authority. CMS's Acting Administrator, Andy Slavitt, just recently, before our committee, said this legislation makes ''every bit of sense in the world.'' We have the support of the CDC Director; the White House drug czar; Pew Charitable Trusts; Physicians for Responsible Opioid Prescribing; many law enforcement groups; senior groups, such as the Medicare Rights Center. This is a list of just some who support this legislation.

This is really just common sense. We already have this capability in Medicaid. We already have this capability in private health insurance. It is long past due that Medicare have the ability to protect seniors from accidental excessive prescriptions but also to prevent people from committing fraud, which we know is happening on a very large scale today.

I am not aware of any opposition to this. We have broad bipartisan support. I am hoping we can get this passed very soon, certainly in the next week or so. The House will certainly pass this, as it already has as part of the 21st-century cures legislation, and we can get this to the President and get this signed into law and start to help save lives and save taxpayers money at the same time.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

## SMARTPHONE SECURITY

Mr. NELSON. Mr. President, on December 2, 2015, 14 innocent souls in San Bernardino were gunned down in a violent act of terrorism, and it involved one of these, an iPhone. This item has become ubiquitous, and a lot of us carry them around in our pocket. Yet almost 3 months later, law enforcement has not been able to fully access the iPhone—the one used by the terrorists in gunning down these 14 people. The information on this particular iPhone could shed some light on how he planned the attack with his wife and would obviously give authorities an opportunity to see if others were involved in the attack. The contacts in that

iPhone could indicate whether there were other terrorists in the United States or abroad who helped them in that attack. Yet 3 months after these murders, the FBI cannot access the contents of the iPhone because a security feature on the iPhone potentially erases its contents after 10 incorrect passwords are entered. The maker of the iPhone, Apple, says it would need to develop new software—software that it claims does not exist today—in order to disable that feature.

If this security feature were to be disabled by Apple, the FBI could use what it calls ''brute force attack,'' which is the ability to run different combinations of numbers through the iPhone in milliseconds, to try to assess the different password combinations in order to gain access to the iPhone, but they still don't have access even though the court is involved.

Last week a Federal magistrate judge ordered Apple to provide reasonable technical assistance to the FBI in order to provide access to the perpetrator's iPhone. Apple opposes this order, given the concerns that technology developed to intentionally weaken its security features could be abused if it is in the wrong hands. In other words, there would not be the privacy concern. They claim it would put smartphone users' data and privacy at risk. It is a legitimate argument. They also view the Federal magistrate judge's order as an example of government overreach.

Well, in response the Department of Justice filed a motion in district court to compel Apple to comply with the magistrate judge's order, and because of the complicated nature of the issues of national security, individual privacy, which we value, and First Amendment questions involved, there will no doubt be prolonged litigation that may ultimately have to be resolved by the U.S. Supreme Court.

I certainly understand the risk to Americans' privacy, as expressed by Apple and other technology companies, but I don't want to run the risk of letting the trail go so cold on this terrorist attack—and potentially other similar cases—that we lose this valuable information all because this is winding itself through months and years in the courts. In other words, we need to know what was behind this attack. Everybody recognizes that this was a terrorist attack. We need to obtain this information in order to get to the bottom of it and root out and see if there are other terrorists in the country planning to do the same thing so we can protect our people and our national security. There has to be a way that the FBI can get the information it needs from the terrorist's iPhone in a manner that continues to protect American smartphone users.

Now, surely common sense can prevail here. This is why this Senator urges Apple and the FBI to work together in order to resolve the stalemate.

Let me go back over this again. We have a dead terrorist. He and his wife killed 14 Americans. We have that dead terrorist's iPhone, and we have a Federal judge's order that says we have the right to get that information in order to protect the Nation and its people. It is just like if we had this terrorist, dead or alive, and we needed to get an order to invade that person's privacy to get into their home and get evidence to protect the Nation from other terrorist attacks. There would certainly be no objection to that. The judge's order would be the protector of that privacy. This is a similar situation, except the FBI has an iPhone and they still can't get the information in it.

What if this terrorist were not an American citizen and this terrorist were illegally in the United States? Would the same standard apply? I think Apple would say yes. We can draw up the different scenarios, but the bottom line is we are going to have to protect our people. That is why this Senator urges Apple and the FBI to work together in order to resolve the stalemate. I understand that consideration must be given as far as the protection of privacy in people's iPhones. We have always found a way to balance our cherished right to privacy and our cherished right of securing ourselves and our national security, and that is what is needed in this case. The safety and security of our fellow Americans depend on it. Otherwise, when the next terrorist strikes—51 percent of Americans who have been surveyed today say they feel the government needs access to this information to protect against future attacks. If the next attack happens and information is on an iPhone, that 51 percent will soar and it will be very clear that the American people support the protection of our national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

## FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Mr. President, yesterday the minority leader came to the floor to disparage the work of the Senate Judiciary Committee and also disparage the work of the Senate as a whole. And, of course, as he does from time to time, he launched into a personal attack against me. Now, that is OK. I don't intend to return the favor. I love Senator REID. I don't want to talk about the nuclear option and the tremendous damage that did to the Senate, not to mention the years and years that Democratic Senators had to endure his leadership without even being able to offer an amendment. There is at least one Democratic Senator, who was defeated in the last election, who never got a chance to get a vote on an amendment during the entire 6 years he was in the Senate.

We all know that is how some people act when they don't get their own way, but childish tantrums are not appropriate for the Senate. I think if my friend Senator BIDEN had been in the Chamber yesterday, he would have said—as we have heard him say so many times—''that is a bunch of malarkey.''

I didn't come to the floor today to talk about the minority leader. However, I did want to follow up on my remarks from earlier this week on the Biden rules. Now, in fairness, Senator BIDEN didn't just make these rules up out of thin air. His speech, back in 1992, went into great historical detail on the history and practice of vacancies in Presidential election years. He discussed how the Senate handled these vacancies and how Presidents have handled and should handle them. Based on that history and a dose of good common sense, Senator BIDEN laid out the rules that govern Supreme Court vacancies arising during a Presidential election year, and of course, he delivered his remarks when we had a divided government, as we have today, in 1992.

Now, the Biden rules are very clear. My friend from Delaware did a wonderful job of laying out the history and providing many of the sound reasons for these Biden rules, and they boil down to a couple fundamental points. First, the President should exercise restraint and ''not name a nominee until after the November election is completed.'' As I said on Monday, President Lincoln is a pretty good role model for this practice. Stated differently, the President should let the people decide. But if the President chooses not to follow President Lincoln's model but instead, as Chairman BIDEN has said, ''goes the way of Fillmore and Johnson and presses an election-year nomination,'' then the Senate shouldn't consider the nomination and shouldn't hold hearings. It doesn't matter ''how good a person is nominated by the President.'' Stated plainly, it is the principle, not the person, that matters.

Now, as I said on Monday, Vice President BIDEN is an honorable man and he is loyal. Those of us who know him well know this is very true, so I wasn't surprised on Monday evening when he released a short statement defending his remarks and of course, as you might expect, defending the President's decision to press forward with a nominee. Under the Constitution, the President can do that. Like I predicted on Monday, Vice President BIDEN is a loyal No. 2, but the Vice President had the difficult task of explaining today why all the arguments he made so cogently in 1992 aren't really his view.

It was a tough sell, and Vice President BIDEN did his best Monday evening, but I must say that I think Chairman BIDEN would view Vice President BIDEN's comments the same way he viewed the minority leader's comments yesterday. He would call it like he sees it and as we have so often heard him say: It is just a bunch of malarkey. Here is part of what Vice President

BIDEN said on Monday. It is a fairly long quote.

''Some critics say that one excerpt of a speech is evidence that I do not support filling a Supreme Court vacancy during an election year. This is not an accurate description of my views on the subject. In the same speech critics are pointing to today, I urge the Senate and the White House to overcome partisan differences and work together to ensure the Court function as the Founding Fathers intended.''

That doesn't sound consistent with all of those Biden rules I shared with my colleagues on Monday. So we ask: Is it really possible to square Chairman BIDEN's 1992 election-year statement with Vice President BIDEN's 2016 election-year statement? Was Chairman BIDEN's 1992 statement really just all about greater cooperation between the Senate and the White House? When Chairman BIDEN said in 1992 that if a vacancy suddenly arises, ''action on a Supreme Court nomination must be put off until after the election campaign is over,'' was he simply calling for more cooperation? When he called for withholding consent ''no matter how good a person is nominated by the President,'' was he merely suggesting the President and the Senate work together a little bit more? When he said we shouldn't hold hearings under these circumstances—was that all about cooperation between the branches?

Since we are talking about filling Justice Scalia's seat, it seems appropriate to ask: How would he solve this puzzle? I suppose he would start with the text. So let us begin there.

In 1992, did Chairman BIDEN discuss cooperation between the branches? Yes, in fact, he did. So far, so good for Vice President BIDEN, but that can't be the end of the matter because that doesn't explain the two vastly different interpretations of the same statement. Let us look a little more closely at the text. Here is what Chairman BIDEN said about cooperation between the branches: ''Let me start with the nomination process and how the process might be changed in the next administration, whether it is a Democrat or a Republican.''

Remember, again, I emphasize that was during the 1992 election year. We didn't have to search very long to unearth textual evidence regarding the meaning of Chairman BIDEN's words in 1992. Yes, he shared some thoughts about how he believed the President and Senate might work together, but that cooperation was to occur ''in the next administration''—in other words, after the Presidential election of 1992, after the Senate withheld consent on any nominee ''no matter how good a person is nominated by the President.''

So the text is clear. If you need more evidence that this is an accurate understanding of what the Biden rules mean, look no further than a lengthy Washington Post article 1 week prior. In that interview he made his views quite clear. He said: ''If someone steps down, I would highly recommend the president not name someone, not send a name up.'' And what if the President does send someone up?—''If [the President] did send someone up, I would ask the Senate to seriously consider not having a hearing on that nominee.''

Specifically, my friend Chairman BIDEN said: ''Can you imagine dropping a nominee after the three or four or five decisions that are about to be made by the Supreme Court into that fight, into that cauldron in the middle of a presidential [election] year?''

Chairman BIDEN went on: ''I believe there would be no bounds of propriety that would be honored by either side. . . . The environment within which such a hearing would be held would be so supercharged and so prone to be able to be distorted.''

At the end of the day, the text of Chairman BIDEN's 1992 statement is very clear. So, in 2016, when he is serving as a loyal No. 2 to this President, Vice President BIDEN is forced to argue that the Biden rules secretly mean the exact opposite of what they say. Ironically, that is a trick Justice Scalia taught us all to recognize and to reject on sight. We know we should look to the clear meaning of his text, as Justice Scalia taught us. This was not a one-off comment by Senator BIDEN. It was a 20,000-word floor speech forcefully laying out a difficult and principled decision. It relied on historical precedent. It relied upon respect for democracy. It relied on respect for the integrity of the nomination process. There is no doubt what Senator BIDEN meant.

Of course there is a broader point, and I hope in the next several months we concentrate on his broader point. That is this. Words have meaning. Text matters. Justice Scalia devoted his adult life to these first principles. Do the American people want to elect a President who will nominate a Justice in the mold of Scalia to replace him? Or do they want to elect a President Clinton or SANDERS who will nominate a Justice who will move the Court in a drastically more liberal decision? Do they want a Justice who will look to the constitutional text when drilling down on the most difficult constitutional questions or do they want yet another Justice who, on those really tough cases, bases decisions on ''what is in the Judge's heart,'' as then-Senator Obama famously said.

It comes down to this. We have lost one of our great jurists. It is up to the American people to decide whether we will preserve his legacy.

More importantly, do you want a Justice who follows the text of the Constitution? Do you want a Justice who follows the text of the law?

Or, do you want a Justice who makes decisions based on his or her ''heart''? This is a debate we should have. This is a debate I hope we will have. This is a debate I hope will be part of the three or four national presidential debates between Nominee Clinton or SANDERS on one side, and whomever the Republicans nominate on the other side. The American people should have this debate. And then we should let the American people decide.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I will thank my colleague from Iowa. I hoped to get a chance to speak to him personally about another matter, but I will call him from the floor afterward. We will get in touch. Senator HATCH is here. I don't want to delay the proceedings of the Senate, but I would like an opportunity to respond on this issue that was raised by Senator GRASSLEY.

Senator GRASSLEY of Iowa is my friend. Politicians say that sometimes and mean it, and say it sometimes and don't mean it. I mean it. We have become friends as neighboring States and sharing a lot of plane rides together, serving on the same committee, serving in the same body for a number of years, and I respect him very much. We have different points of view on many things, but we found common agreement on many other things. So I do respect him when I say that at the outset as I respond to his remarks.

What is this about? This is about the passing of Justice Scalia and whether his seat on the Supreme Court will be filled, and if it will be filled, who will do it and when. The first place for us to turn when it comes to asking questions is the one document, the only document, that matters, the U.S. Constitution. It is this document that we literally all swore to uphold and defend, every one of us, Democrat and Republican. It is this document that is explicit, not making a suggestion but really spelling out the responsibilities when it comes to a vacancy on the Supreme Court, and it is article II section 2. Article II, section 2 says that the President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court.'' Shall.

It is our responsibility under this Constitution to do this. It is amazing to me in the history of this Republic, guided by this great document, we have reached a point in the year 2016 where those simple words, directions in the Constitution, are being challenged and ignored by the Republican majority because, you see, there has never—underline the word never—been a moment in history when the Senate has refused to extend a hearing to a Supreme Court nominee until this moment. There has never been a moment in history, never—underline that word—when the Senate has refused a vote on a Supreme Court nominee.

I can't say never, but it is been more than 150 years since we have allowed a vacancy on the Supreme Court to go on for more than a year, as the Republicans in the Senate are determined to do here. That 150 years goes back to the Civil War. So I would say to my colleague from Iowa, you are about to

make history if you stand by this decision. If you decide the Senate Judiciary Committee will not even entertain a nomination to fill the Scalia vacancy on the Supreme Court, it will be the first time in the history of the U.S. Senate—the first. If the Senate Republican leadership makes the decision that even if a nominee is sent they will never allow a vote, it will be the first time in the history of the United States of America. That is why this is such a definitive issue. That is why the position taken by the Senate Republican majority is so different, so unusual, and in some cases so extreme.

The argument is being made on the other side—listen to this argument. This argument is being made: Well, we are in a campaign year. This is a Presidential election year. Who knows who the next President will be. Let the American people choose that President and that President choose the nominee.

It overlooks one basic fact. Three years and three months ago, the American people chose a President. By a margin of 5 million votes, Barack Obama defeated Mitt Romney for President of the United States. They made their selection. Did they elect President Obama for a 3-year term? Let me check the Constitution, but I think it was a 4-year term. Oh, was it 3 years and 3 months? No. It turns out the American people spoke in our democracy by a margin of 5 million votes and said: Barack Obama, you will be President of the United States until January the 20th, 2017. Was there a rider or some exclusion that said you can't appoint a nominee, name a nominee to fill a vacancy on the Supreme Court in the last year of your Presidency? I don't remember that. Perhaps that was the case in some States, but not in Illinois and, to be honest, in no other State.

The President was elected for 4 years. He was given the consent and authority of the American people to govern this Nation for 4 years and to fill the vacancies on the Supreme Court as he is directed to do by the U.S. Constitution.

Now the Senate Republicans have come up with a different spin: No; he may have been elected, but from their point of view, he wasn't given the full power of office. They say Barack Obama was given something less than any other previous President of the United States. They say he was not given the authority to fill a vacancy on the Supreme Court in the last year of his term.

I would like to find the constitutional precedent for that. I invite my colleagues—we have two on the floor. One is the current chairman of the Judiciary Committee, and one is the former chairman of the Judiciary Committee. I invite them to show me that historical, constitutional precedent that says Barack Obama, the President of the United States, really only has the authority of the office for 3 years—3 years and 2 months. Beyond that, he is a lame duck President. Give me the authority for that.

What do they hang their hat on? They hang their hat on a speech made by Vice President BIDEN when he served in this body 25 years ago. JOE BIDEN is truly my friend, as he is the friend of virtually every Senator from both sides of the aisle. I respect him so much. I wasn't surprised at all when I heard the Senator from Iowa say that he gave a 20,000-word speech. He gave a lot of 20,000-word speeches. I saw him deliver a few here, and they were a sight to behold. This one I think went on for 90 minutes as then Senator BIDEN shared his views on filling judicial vacancies and on recommendations. If we listen closely, we know the Senator from Iowa said that Vice President BIDEN ''recommended,'' ''should consider.'' Well, let me ask this question: Was there ever any time when Senator BIDEN was the chairman of the Senate Judiciary Committee that he denied a hearing to a Supreme Court nominee? No. Was there ever a time as chairman of the Senate Judiciary Committee when he recommended to the Senate that they deny a vote on a Presidential nomination to fill a Supreme Court vacancy? No. So whatever his theory was that he expressed on the floor of the Senate—and we all express a lot of theories—JOE BIDEN was respectful of this document. He knew what the U.S. Constitution said.

I find it hard to imagine that the Republican Senators now in the majority are going to walk away from this Constitution and turn their backs on it. I have a lengthy statement that I ask unanimous consent be printed in the RECORD following my remarks which goes into the question of why the Republican majority continues to obstruct the appointment of judges and people to serve in the executive branch of government under this President. It has been unprecedented. They decided not just on this nominee but long ago that they would not give this President the same treatment, the same respect that has been given other Presidents. Now it has been brought front and center with this vacancy, the Scalia vacancy on the Supreme Court.

I sure disagreed with Justice Scalia on a lot of things, but I do not argue with Judge Posner of the Seventh Circuit in my State when he said that Justice Scalia was a major force in terms of thinking on the Supreme Court. And what really undergirded the philosophy of Justice Scalia was what he called originalism. Some people mocked it, and some people just flat out disagreed with it. But he said time and again: Read the Constitution and read the precise wording of the Constitution. I saw different things in those words than he did, but that was his North Star when it came to Supreme Court decisions.

Well, if he read article II, section 2, which says the President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court''—there is little doubt—no doubt—in those words. And if he relied on the precedent of the United States, the history of the United States that the U.S. Senate has never denied a hearing to a Presidential nominee until this moment in history, has never refused a vote on a nominee until this moment in history, then he would realize that what is being done here is unprecedented and uncalled for.

If my Republican colleagues now in the majority—54 votes strong against 46 on the Democratic side—really disagree with the President's choice, his nominee, whoever it may be, they have an option. There is a constitutional option. The constitutional option is to hold a hearing, do the background check which is done, and then vote, and if you disapprove of that nominee, vote no. That is the regular order and the regular course of events. That is the constitutional way to approach this.

But they have gone even further. Senator MCCONNELL said two days ago he would not only give the President's nominee no hearing and no vote, he refuses to even meet with that person, whoever it may be. Those are the lengths they will go to to avoid facing the constitutional responsibility that every Senator has.

Senators can quote Vice President JOE BIDEN's speeches of 25 years ago as long as they want. They can read his words over and over again, but the fact is he never stopped a hearing, he never stopped a vote, and he honored the Constitution. The wording of the Constitution didn't go on for 20,000 words. It is just a handful of words that we have sworn to uphold and defend before we can become U.S. Senators.

History will not look kindly on this political decision by the Republican majority. History will not give them a pass. History will ask time and again: How could you ignore the Constitution? How could you ignore your responsibility under the Constitution? Why won't you do your job, a job you were elected to do to fill this vacancy? Is a temporary political victory worth this—to turn your back on the Constitution and the history of this country? I don't think it is.

I hope that when the Republican Senators go home and meet with their constituents over this weekend and in the days ahead, they will have second thoughts. When the President sends a nominee, I hope they will abide by the Constitution, be respectful of this document and respectful of this President, and give his nominee the same due consideration that has been given to Supreme Court nominees throughout history.

Justice Anthony Kennedy became a Justice on the Supreme Court when a Democratic-controlled Senate gave him a vote—a hearing, and then a vote in a Presidential election year much like this one. A lameduck, outgoing President appointed Justice Kennedy.

A Democratic Senate did not refuse to meet with him, did not refuse to have a hearing, did not refuse a vote, but said: We will abide by the Constitution. For that outgoing President, he had the full authority of office. President Barack Obama deserves nothing less. And we as Senators have a responsibility under this Constitution, regardless of what speech was made 25 years ago, to pay close attention to these words and to do our constitutional duty.

When the Senate majority leader said that he would not give any consideration to any Supreme Court nominee named by the President—no vote, no hearing, not even a courtesy meeting—it set a new low for the Senate. Throughout our Nation's history, no pending Supreme Court nominee who sought a hearing has been denied one. Some nominees were confirmed so quickly after their nomination that a hearing was not scheduled, and one nominee withdrew before her scheduled hearing could take place, but the Senate has never before refused a hearing to a pending nominee. Similarly, every pending nominee for an open Supreme Court vacancy has been voted upon by Senators. Some nominees were confirmed on the floor, some were rejected on the floor, some nominees were renominated before they got their vote, and some only received a vote on whether to be reported or discharged out of committee, but all of them got a vote. Yet the Senate majority leader has announced that President Obama's next nominee will get no hearing, no vote, not even a meeting.

The President is obligated by Article II, section 2 of the Constitution to send a nominee to the Senate. That is the process the Founding Fathers established. There is nothing in the Constitution that provides for this process to be abandoned in an election year. Just as the President and Senate must do their jobs in times of war and economic depression, they must do their jobs in election years.

The reality is that Republicans simply want to keep the Supreme Court seat vacant in the hopes that their presidential nominee will get to fill it. It is a purely political calculation. But Presidential politics do not trump the Constitution.

The Republican leader should do what past Republican leaders like Senator Everett Dirksen of Illinois did when a Supreme Court vacancy arose in the election year of 1968—roll up his sleeves and get to work.

Senate Republicans have come up with a number of excuses for shirking their constitutional responsibilities. But the bottom line is that there is no excuse for the Senate to fail to do its job.

The President made clear yesterday that he is taking his constitutional responsibility seriously. He wrote a piece in the website SCOTUSblog explaining the careful, deliberative process he is undertaking to choose a nominee. The President said he will select a person who has outstanding qualifications, a commitment to impartial justice, a deep respect for the role of the judiciary, and a life experience that shows integrity and good judgment.

The President is doing his job, as the Constitution requires. Senate Republicans must stop the pattern of obstruction that they have shown with so many of President Obama's nominees and do their job, too. Once the President selects a Supreme Court nominee, Senators should meet with the nominee, give him or her a fair hearing, schedule a vote, and fill the vacancy on our Nation's highest Court.

Mr. President, I yield the floor.

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

REPUBLICAN OBSTRUCTION OF PRESIDENT OBAMA'S NOMINEES, FEBRUARY 23, 2016

Senate Republicans have announced they will obstruct President Obama's forthcoming nominee to the Supreme Court without even considering the nominee's merits, simply because Republicans do not want President Obama to make the nomination.

This is far from the first time that Republicans have engaged in unreasonable obstruction of nominations made by President Obama. According to statistics from the Congressional Research Service as reported in a Jan. 5, 2016 Politico article, ''the Senate in 2015 confirmed the lowest number of civilian nominations—including judges and diplomatic ambassadors—for the first session of a Congress in nearly 30 years.'' Only 173 civilian nominees were confirmed last year.

Other examples of Republican obstruction of nominations include the following:

Judicial nominations:

D.C. Circuit: In 2013, Republicans announced they would oppose any person President Obama nominated to fill three vacancies in the D.C. Circuit Court of Appeals, simply because they did not want Obama to fill those vacancies. The President nominated three unquestionably qualified people — Patricia Millett, Nina Pillard, and Robert Wilkins, and twice Senate Republicans opposed cloture votes on Millett's nomination. This prompted Senator Reid to change Senate rules to lower the cloture vote threshold for lower court nominees to 50, and subsequently the three D.C. Circuit nominees were confirmed.

Obstruction in the current Republican Senate: Last year, Senate Republicans matched the record for confirming the fewest number of judicial nominees in more than half a century, with 11 for the entire year. Overall, in the current Congress Republicans have only allowed 16 judges to be confirmed, compared to 68 judges that were confirmed by the Democratic-controlled Senate in the last two years of George W. Bush's administration. There are 17 non-controversial judicial nominees pending on the Senate executive calendar, all of whom were reported out of committee by unanimous voice vote. Currently there are 81 judicial vacancies, including 31 judicial emergencies.

National security nominations:

Attorney General Loretta Lynch had to wait 165 days after her nomination to be confirmed by the Republican Senate in April 2015. This was far longer than other recent Attorney General nominees had to wait for a confirmation vote. By comparison, the Democratic Senate confirmed Michael Mukasey in 53 days in 2007.

Treasury Undersecretary for Terrorism and Financial Crimes: Adam Szubin was nominated on April 20, 2015 for this position, which involves tracking and blocking financing to terror groups like ISIS. Banking Chairman Shelby described Szubin as ''eminently qualified'' for the position, but he has still not received a floor vote in over 10 months.

Under Secretary of Defense for Personnel and Readiness: Brad Carson was nominated on July 8, 2015 for this position, which is responsible for ensuring our military is ready to face threats around the world. He is waiting for a hearing.

Secretary of the Army: Eric Fanning was nominated on Sept. 21, 2015 for this position, which involves overseeing U.S. Army personnel, strategy, and readiness around the world. He waited four months just to get a hearing, and now he is waiting to receive a Committee vote.

General Counsel, Defense Department: Jennifer O'Connor was nominated on Sept. 21, 2015 for this position, but she is waiting for a hearing.

Under Secretary for the Navy: Janine Davidson was nominated on Sept. 21 for the #2 position in the Navy, but she is still awaiting confirmation.

Foreign policy nominations

Ambassadors and foreign policy positions: Only 59 ambassador or other key foreign policy positions have been confirmed in this Congress with an average confirmation wait of six months. For comparison, during the 110th Congress (2007–08) when George W. Bush was President and the Democrats controlled the Senate, more than 120 nominees for key foreign policy positions were confirmed with an average confirmation wait of under three months.

Of the seven State Department nominees confirmed a few weeks ago, three were nominated in 2014 or earlier. These include Brian Egan (Legal Advisor, first nominated in 2014), John Estrada (Trinidad and Tobago, first nominated in 2013), and Azita Raji (Sweden, first nominated in 2014).

Ambassador to Mexico: Roberta Jacobson, a career nominee, was nominated as ambassador to Mexico on June 2, 2015 but she is still awaiting confirmation.

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

Mr. HATCH. Madam President, before I begin, let me note that I have been very concerned about the tenor of the debate. I am very upset that yesterday my dear friend, the minority leader, yesterday attacked my other dear friend, the chairman of the Judiciary Committee, Senator GRASSLEY, by calling him inept as a committee chairman. There is no reason for that kind of language on the floor, even if it were true, which it is not, and I think the minority leader knows it is not true.

Senator GRASSLEY is one of the most effective, hard-working, decent Senators in the U.S. Senate. He is not an attorney, and yet he has run the Judiciary Committee as well as any chairman that I recall in my 40 years here. Everybody knows he treats people fairly. So I hope we can get rid of that kind of language and start treating people with decency and with regard. We differ widely with the Democrats on this issue and on other issues, but we are not slandering them. If a Republican behaved similarly, I would stand up to him. It just shouldn't happen.

On Tuesday, I rose to honor the memory of the late Justice Antonin

Scalia, whom I knew quite well. With his passing, the Nation lost one of its greatest Supreme Court Justices ever to have served, and I lost a dear friend.

Today, I rise to make the case that the next President should chose the nominee to replace Justice Scalia. As we embark on this debate, our first task should be to situate properly the Senate's role in seating members of the judiciary as well as the reasons for the role. In doing so, let me invoke an approach that Justice Scalia himself employed to make the same point.

In addressing audiences, the late Justice often asked: What part of our Constitution was most important in protecting the liberties of the people? Invariably, audiences would provide answers such as protections for the freedom of speech, the freedom of religion, the right to keep and bear arms, the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, and the like.

Justice Scalia, like the vast majority of Americans, agreed that these protections are obviously important. I certainly do, too. Nevertheless, he always made one crucial observation: Even the most repressive dictatorships, such as the Soviet Union and North Korea, typically have provisions akin to our Bill of Rights in their Constitutions. Simply enshrining these basic rights in constitutional text does not ensure their protection.

I ask unanimous consent that I be permitted to complete my remarks.

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

Mr. HATCH. Our Nation's Founders knew, in the sage words of James Madison in Federalist 47, that ''[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands . . . may justly be pronounced the very definition of tyranny.'' They bestowed upon us the blessing of the Constitution that creates a Federal Government with limited and enumerated powers, with those powers diffused and balanced between three coequal branches of government.

The Federal judiciary occupies a unique station in this constitutional architecture. In deciding cases and controversies, it is, in the seminal words of Marbury v. Madison, ''emphatically the province and the duty of the judicial department to say what the law is.'' Unelected and armed with life tenure and salary protection, judges thereby have the power to hold the political branches to account.

This power is the source of much of the Constitution's great brilliance in its ability to restrain transient political majorities from exceeding the authority granted to government by the sovereign people; however, it is also the source of one of the great potential pitfalls of our system of government, in which five lawyers can substitute their personal policy preferences to the legitimate judgments of the executive and legislative branches, thereby usurping the powers of the self-governing people.

This tension between the stark necessity of judicial independence to preserve limited government under the Constitution and the dangers of an unaccountable judiciary shirking its duty to say what the law is—and instead saying what it thinks the law should be—makes the judicial selection process vitally important. Hewing to a careful process envisioned by the Framers that vests the Executive and legislature with critical but distinct roles is the means by which we can maintain the integrity of the judicial branch.

The appointments clause delineates these distinct roles for the President and the Senate in the appointment property. Article II, section 2 provides that the President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court, and all other Officers of the United States.'' By creating two separate roles in the confirmation process, the executive branch to nominate and the legislative branch to provide its advice and consent, the Framers were creating rival interests.

Alexander Hamilton cogently explained the various rationales for this particular allocation of appointment powers in Federalist 76. Following the example of the Massachusetts Constitution, the Framers vested the responsibility for nominations in one officer, the President, to ensure accountability and impartiality in selecting nominees and to guard against corruption, impropriety or imprudence that characterized the appointment process in many of the States. By concentrating the power of nomination in one person, the Framers sought to create accountability or in Hamilton's words a ''livelier sense of duty and a more exact regard to reputation.''

That said, the Framers expressly rejected the notion of vesting an unchecked appointment power in the President alone. By requiring the President to submit his nominee for the Senate's approval, the Founders sought to forestall any potential abuse of the nomination power. Hamilton argued that the requirement of advice and consent would serve as ''an excellent check upon a spirit of favoritism in the President and would tend greatly to prevent the appointment of unfit characters from State prejudice, from family connection, from personal attachment, or from a view to popularity.''

While the practice of the early Republic confirmed that the Chief Executive enjoys plenary authority over nominations, history also shows that the Senate equally possesses the plenary authority to withhold its consent the nominee for any reason. Nothing in the text of the appointment clause appears to limit the Senate's considerations. Just as the President has an unfettered right to veto legislation, the Senate enjoys complete and final discretion in whether to approve or even consider a nomination.

My colleagues on the other side of the aisle have taken up the mantra that we must ''do our job'' with respect to the current vacancy, and so we must. But our job, despite what the Democrats are saying, is not to follow a particular path found nowhere in the Constitution. Rather, it is to determine the most appropriate way to fulfill our advice and consent role for this particular vacancy. The Senate would not be doing its job if we followed a process that is not appropriate for the situation before us today.

Indeed, withholding consent can be just as valid an exercise of our role as granting it, and deferring the confirmation process for a particular vacancy may be the most appropriate and responsible exercise of the advice and consent role entrusted to us. It all depends on the circumstances.

Consider these precedents. The Senate has never confirmed a nominee to a Supreme Court vacancy that opened up this late in a term-limited President's time in office. It is only the third vacancy in nearly a century to occur after the American people had already started voting in a Presidential election, and in both the previous two instances—in 1956 and in 1968—the Senate did not confirm the nominee until the following year after the election had occurred.

It has been more than three-quarters of a century since a Supreme Court Justice has been nominated and confirmed in a Presidential election year, and the only time the Senate has ever confirmed a nominee to fill a Supreme Court vacancy created after voting began in a Presidential election year was in 1916. That vacancy arose only because Chief Justice Charles Evans Hughes resigned his seat on the Court to run against incumbent President Woodrow Wilson.

The cautiousness with which Senators in times past have approached election-year vacancies is only amplified by present circumstances. As my colleagues in the minority are fond of saying, elections have consequences, and the election of 2014 certainly had tremendous consequences.

In the last election, the American people went to the polls to register their opposition to the wide range of illegal and unconstitutional actions of the Obama administration, including: its unilateral cancellation of duly enacted law, such as with illegal immigration; its regulation contrary to the plain text of the law, such as with the Clean Power Plan; its willingness to ignore its statutory obligations without meaningful justification, such as with the President's decision to release the top five Taliban leaders in U.S. custody without notifying Congress beforehand as required by Federal law; its efforts to stretch what lawful authorities the executive branch does possess beyond all recognition, such as with its mass

clemency effort for drug offenders; and its attempt to bypass the Senate's role in the confirmation process, one of nearly two dozen times the Obama administration has lost 9 to 0 before the Supreme Court.

The American people elected our Republican Senate majority in large part to check the overreach of President Obama, and given how crucial the courts have proven in holding this administration accountable to the Constitution and the law, the Senate has every reason to approach lifetime appointments cautiously and deliberately, especially appointments to the highest Court in the land.

Moreover, leaving Justice Scalia's seat vacant until after the election would hardly result in a constitutional crisis. An even number of Justices has never inhibited the Supreme Court from functioning. An absence of this length would be far from unprecedented, as the Court has adapted to vacancies that lasted for more than 2 years in its history and as recently as 1970 accommodated a vacancy of more than a year thanks to liberal obstruction of two candidates nominated by a Republican President. Famously, when Justice Robert Jackson took a yearlong leave of absence to serve as chief prosecutor at the Nuremburg war crimes tribunal, Justice Felix Frankfurter wrote to him and advised him that having a temporary eight-member Court as a result of his prolonged absence did not ''sacrifice a single interest of importance.''

Moreover, the recusal process oftentimes requires the Court to consider various cases with a reduced number of Justices, including recent high-profile cases such as Arizona v. United States in 2012 and Fisher v. University of Texas in 2013. Consider that Justice Kagan, due to her service as Solicitor General, had to recuse herself in 38 cases. In these situations the Court has well-established rule for dealing with its cases, including 4-to-4 splits. At its discretion, the Court has the authority to hold cases over or reargue them when a new Justice is confirmed.

Indeed, the vast majority of Supreme Court decisions are unanimous, nearly so, or are split along nonideological lines. Only a relatively small minority of cases—typically less than 20 percent—are decided 5-to-4, and even fewer divide along predictable ideological lines. In the unlikely event that a tie should occur, as has occurred in only 2 of 38 of Justice Kagan's recusals, the ruling of the lower court is simply upheld. Put simply, the absence of one of the nine Justices on the Court is far from calamitous, but a hastily made appointment could be.

If the particular circumstances we face today counsel in favor of waiting until after the election, why would we act otherwise simply because the other party tells us to do so?

The minority leader made this same point in 2005 when he flatly rejected the claim that the Senate must always give nominees an up-or-down vote. In fact, he said that the very idea would be, in his own words, ''rewriting the Constitution and reinventing reality.''

He said: ''The duties of the United States Senate are set forth in the Constitution of the United States. Nowhere in that document does it say that the Senate has a duty to give Presidential nominees a vote. It says that appointments shall be made with the advice and consent of the Senate. That is very different than saying that every nominee receives a vote.''

Yesterday, I was stunned to hear numerous Democrats contradict the minority leader on this point. For example, the minority whip said that the ''clear language of the Constitution'' requires an up-or-down confirmation vote. That claim is obviously wrong on its face, since the Constitution says no such thing. By the minority leader's 2005 standard, these Democrats today are ''rewriting the Constitution and reinventing reality.'' Perhaps they received different sets of talking points.

This claim by the minority whip and others that the Constitution requires an up-or-down vote is baffling for another reason. Between 2003 and 2007 the minority whip voted 25 times to filibuster Republican judicial nominees. In other words, he voted 25 times to deprive judicial nominees of an up-or-down confirmation vote that he now says the Constitution's clear language requires.

Many of my colleagues on the other side of the aisle have also repeatedly observed that deferring the confirmation process until the next President takes office would be unprecedented. This point escapes me as well. The filibusters used to defeat Republican judicial nominees were also unprecedented, yet many Democrats voted for them anyway. While past practice matters, the ultimate question is not whether this has happened before but whether it is an appropriate step to take now.

The Senate's job is to decide how best to carry out its duty of advice and consent in the situation before us. Thankfully, we are not without guidance in making that judgment. I think back to 1992, a Presidential election year not unlike this one, in which different parties controlled the White House and the Senate. My friend, then-Judiciary Committee Chairman and now-Vice President JOE BIDEN, came to this very floor on June 25, 1992, and delivered what he said was the longest speech in his then 19 years in this body. He evaluated the state of the confirmation process, suggested reforms for the future, and made a specific recommendation. He said that if a Supreme Court vacancy occurred in that Presidential election year, President George H.W. Bush ''should consider following the practice of a majority of predecessors and not—and not—name a nominee until after the November election is completed.''

If the President did choose a Supreme Court nominee, Chairman BIDEN said: ''The Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination until after the political campaign season is over.'' While Vice President BIDEN might feel differently about that today, that is what he said then as chairman of the committee.

In other words, deferring the confirmation process until the next President was in office was the most appropriate way for the Senate to fulfill its advice and consent role. Then-Chairman BIDEN listed several factors that led him to this recommendation, and every one of these factors exists today.

First, he noted that an appointment process in 1992 would take place in divided government. Different parties also control the White House and Senate today.

Second, he said that Presidents had recently made controversial Supreme Court appointments, noting that those nominees received a significant number of negative votes in the Senate. Again, the same is true today. President Obama's appointments of Sonia Sotomayor and Elena Kagan, for example, are both among the top five most opposed Supreme Court appointees in history.

Third, then-Chairman BIDEN noted that the Presidential election process had already begun. Once again, that is the case today. That is the case today, with voters in numerous States having already cast ballots.

Fourth, Chairman BIDEN said that the confirmation process itself had become increasingly divisive. This criterion strikes me as ironic, given its source. After all, Senate Democrats are responsible for provoking the so-called confirmation wars with the political and ideological inquisition used to defeat the Supreme Court nomination of Robert Bork and the despicable smear tactics used against the nomination of Clarence Thomas.

Senate Democrats have also been responsible for every major escalation in judicial confirmations since 1992.

Within 2 weeks of President George W. Bush's inauguration, the Senate Democratic leader vowed to use ''whatever means necessary'' to defeat undesirable judicial nominees.

A few months later, Senate Democrats organized a retreat with the goal, as the New York Times described it, of changing the ground rules for the confirmation process.

In January 2002, former Democratic Congressman, appeals court judge, and White House Counsel Abner Mikva urged Senate Democrats not to consider any Supreme Court nominees during President Bush's first term.

In 2003, Democrats began for the first time to use the filibuster to defeat judicial nominees who otherwise would have been confirmed.

In July 2007, Senator CHARLES SCHUMER—another friend of mine—said in a speech to the American Constitution Society that the Senate should not confirm a Supreme Court nominee during President Bush's final 18 months in

office except in what he called ''extraordinary circumstances.''

When then-Chairman BIDEN said in 1992 that the state of the confirmation process should defer consideration of any Supreme Court nominees, no judicial nominee had been defeated by a filibuster in nearly 25 years. During President George W. Bush's tenure alone, Democrats led 20 filibusters that ultimately defeated five appeals court nominees.

More to the point, in 2006, then-Senators BIDEN, Clinton, REID, LEAHY, SCHUMER, DURBIN, and Obama voted to filibuster the Supreme Court nomination of Samuel Alito. President Obama did say last week that he now regrets voting to filibuster the Alito nomination, although it took him 3,670 days to reach that conclusion. He told me that last night at the White House in a private conversation we had, and I accept his statement. I like the President personally, but the record does not support the other side's audacious claims.

Finally, after the District of Columbia Circuit Court of Appeals—a court that many of us consider nearly as important as the Supreme Court, given its role in regulatory oversight—rightfully invalidated several key actions of the Obama administration, Democrats openly sought to fill that court with compliant judges in order to obtain more favorable decisions. The President's allies in this body, in their own words, ''focus[ed] very intently on the D.C. Circuit'' to ''switch the majority'' and were willing to ''fill up the D.C. Circuit one way or another.''

In the rush to eliminate any possible judicial obstacle to the administration's overreaching agenda, Senate Democrats in 2013 used a parliamentary maneuver—the so-called nuclear option—to abolish the very nomination filibusters they had used so aggressively, but with one telling exception: They left alone the possibility of filibustering a Supreme Court nomination. Having done so, they must continue to believe the Senate's advice and consent role allows denying any confirmation vote to a Supreme Court nominee.

I am disappointed and, frankly, a little baffled at the response so far of my Democratic colleagues. Now-Vice President BIDEN and President Obama himself have both said that he was speaking in 1992 about a ''hypothetical vacancy.'' Of course he was, and his purpose in doing so was to outline what the President and Senate should do if that hypothetical vacancy materialized. Well, that vacancy is no longer hypothetical; it is very real. Yet the Vice President now says the Senate should not take his advice after all.

Vice President BIDEN has also said that his words from 1992 are being taken out of context. We have all faced the inconvenient truth of our past words—especially in these areas—and the go-to objection is often about context.

I have two suggestions. First, my colleagues should read then-Chairman BIDEN's speech for themselves. It takes up 10 full pages in the CONGRESSIONAL RECORD, so there is as much context as anyone could possibly want to consider. A second option is to consider how the media had described that speech. One CBS news story, for example, has the headline: ''Joe Biden Once Took GOP's Position on Supreme Court Vacancy.'' Perhaps they, too, are contextually challenged.

This is what the Washington Post said about the speech: ''But Biden's remarks were especially pointed, voluminous and relevant to the current situation. Embedded in the roughly 20,000 words he delivered on the Senate floor that day were rebuttals to virtually every point Democrats have brought forth in the past week to argue for the consideration of Obama's nominee.''

The constant refrain of Senate Democrats and their media allies over the past few days is that the Senate should just ''do its job.'' Of course, what they really mean is that the Senate should do what they want the Senate to do. Then-Chairman BIDEN believed in 1992 that the Senate would be doing its job by deferring the confirmation process for a Supreme Court nominee. Senate Democrats presumably believed the Senate was doing its job by denying confirmation votes to judicial nominees under President George W. Bush. The minority leader presumably believed the Senate would be doing its job by not voting on nominations since, as he said in 2005, the Constitution does not require it to do so. And I can only assume that the senior Senator from New York believed the Senate would be doing its job if it followed his 2007 recommendation and refused to consider Supreme Court nominees in a President's final 18 months.

Perhaps the most audacious claim trafficked by the other side of the aisle over the past few days is, as the senior Senator from New York has said, ''It doesn't matter what anybody said in the past,'' or, as President Obama put it, ''Senators say stuff all the time.''

In response, consider this point: Benjamin Franklin wrote in 1789 that ''in this world, nothing can be said to be certain except death and taxes.'' I would like to add one more thing to that list: It is equally certain that if a Supreme Court Justice beloved by the left passed away in the final year of a Republican President's tenure, a Democratic-controlled Senate would not only refuse to consider any nominee of the lame-duck President but would also extensively cite then-Chairman BIDEN's 1992 speech and other such clear statements for support. No one should have any doubt about that.

Indeed, my friends on the other side seem to have fallen into the trap identified by Justice Scalia in his opinion in the Noel Canning case in which he warned that ''individual Senators may have little interest in opposing Presidential encroachment on legislative prerogatives, especially when the encroacher is a President who is the leader of their own party.''

Before I conclude, I cannot let pass the disturbing comments yesterday by my friend the minority leader about Judiciary Committee Chairman CHUCK GRASSLEY. I have served with Senator GRASSLEY for nearly 25 years on the Finance Committee and for 35 years on the Judiciary Committee. If there is anybody in this body who knows his own mind and makes his own decisions, it is CHUCK GRASSLEY.

I was flabbergasted by the minority leader's statement that Chairman GRASSLEY has allowed the majority leader to ''run roughshod'' over him. If the minority leader's case for committee action depends on grasping at such unwarranted and unjustified personal attacks, then he has simply exposed the weakness of his own position.

Under Chairman GRASSLEY's leadership, the Judiciary Committee has reported 21 bipartisan bills. Five of them have become law—the same number as during the entire 113th Congress under Democratic leadership. This record contrasts quite favorably to the senior Senator from Nevada's abysmal record in the last Congress as majority leader, in which the Senate set a record for bills that bypassed committee consideration and voted on only 15 amendments in all of 2014.

I know there are different opinions about whether or how to address filling the vacancy left by Justice Scalia's death, and I appreciate that. And I appreciate that Senators and others feel strongly about these issues. Nevertheless, it is absolutely disingenuous for the minority leader, who today demands the same up-or-down confirmation vote he 25 times tried to prevent for Republican nominees, to suggest that Chairman GRASSLEY is doing anything other than what he believes is right. Senator GRASSLEY is one of the great Senators here. He is totally honest, and we all know it. He speaks his mind, and we all know that, too.

I have served longer on the Judiciary Committee than any other current Member of this body. During these past four decades, including during my more than 8 years as chairman of the committee, I have strived to develop a record of true fairness toward the nominations made by Presidents of each party. I have absolutely no doubt that my treatment of this vacancy fits squarely within this record of fairness.

The bottom line is simple: The Constitution obliges the Senate to take its role seriously as a check on the President in the consideration of lifetime appointments to the Federal courts, especially the Supreme Court. With voting already underway to replace our lame-duck President, delaying consideration of a nomination until after the election comports not only with historical practice but also with the prescriptions of key Democrats in the Senate and the White House over many years. By protecting the integrity of the Supreme Court from this environment, Senate Republicans are unquestionably doing the job the Constitution charges

us to do. We can have differences, no question about it, but the Senate Republicans are acting responsibly.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

## WOMEN'S REPRODUCTIVE RIGHTS

Mrs. MURRAY. Madam President, next week the Supreme Court is going to hear oral arguments in Whole Woman's Health v. Hellerstedt. This is a case that could not mean more to a woman's ability to exercise her constitutionally protected health care rights. As this case now moves forward, I want to take a few minutes today to explain how much is at stake and why it is so critical that Texas's extreme anti-abortion law be treated as exactly what it is: unconstitutional.

Madam President, in Texas and across the country, extreme rightwing conservatives continue to try and turn back the clock on American women. Just yesterday, the Fifth Circuit allowed a Louisiana law to go into effect. That law would leave women with only one health center where they can exercise their reproductive rights.

This debate is frustrating, it is disappointing, and, frankly, it is appalling that in the 21st century—43 years since the historic ruling in Roe v. Wade—we even have to have a discussion about whether a woman has the right to make her own decisions about her own body. But one thing that has always kept me going is seeing that when their health and their rights and their opportunities are at stake, women stand up and make it clear why reproductive freedom is so important.

As we have fought back against Texas's extreme anti-abortion law, women have explained that because they were able to plan when they had children, they were able to escape abusive relationships. They have told us that because they had control over their own bodies, they were able to break cycles of poverty generations long and give back to their communities. They have shared their experiences of making the extraordinarily difficult decision to end a pregnancy out of medical necessity. These are powerful stories about the difference self-determination makes for women. These stories are possible because of constitutional rights affirmed in Roe v. Wade and protected in Planned Parenthood v. Casey.

If Texas's extreme anti-abortion law stands, three-quarters of clinics in the State are expected to shut down—three-quarters of them. As a result, 900,000 women of childbearing age in Texas will have to drive as far as 300 miles round trip just to get the care they need. And women in States with laws like Texas will face similar barriers.

I believe strongly that a right means nothing without the ability to exercise that right. Laws like those in Texas and Louisiana, which are driven by extreme conservative efforts to undermine women's access to care, are, without question, getting in between women and their constitutional rights, especially the rights of women who cannot afford to take off work and drive hundreds of miles when they need health care.

Put simply: Texas's extreme anti-abortion law and laws like it across the country threaten women's lives. These laws are intended to take women back to the days before Roe v. Wade when women had less control over their bodies and their futures.

As a mother, as a grandmother, and as a U.S. Senator, I know that is absolutely the wrong direction for our country. Our daughters and granddaughters should have more opportunity and stronger rights, not less. That is why 163 Democratic and Independent Members of the House and Senate urged the Supreme Court in an amicus brief to stand up for women's constitutionally protected health care rights. And it is the reason that even some of our Republican colleagues are focused on doing everything they can to undermine the Supreme Court.

My Democratic colleagues and I are focused on how much the Court's decision in this case will mean for women now and for generations to come. So instead of trying to obstruct justice, we are urging the Supreme Court to ensure justice by upholding settled law. For women, being able to exercise their constitutionally protected reproductive rights means health, it means freedom, and it means opportunity. We cannot and we should not go backward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

## NATIONAL CHILDREN'S DENTAL HEALTH MONTH

Mr. CARDIN. Madam President, I rise today to recognize February as National Children's Dental Health Month. Since 1981, this month has afforded us the opportunity to acknowledge the importance of children's dental health, recognize the significant strides we have made and the work that remains to be done, and renew our commitment to ensuring all children in our country have access to affordable and comprehensive dental services. To echo former U.S. Surgeon General C. Everett Koop, ''there is no health without oral health.''

Despite being largely preventable, tooth decay is the single most chronic health condition among children and adolescents in the United States. It is 5 times more common than asthma and 20 times more common than diabetes. Nearly half, 44 percent, of the children in the United States will have at least one cavity by the time they start kindergarten. Children with cavities in their primary or ''baby'' teeth are three times more likely to develop cavities in their permanent adult teeth, and the early loss of baby teeth can make it harder for permanent teeth to grow in properly.

Left untreated, tooth decay can not only destroy a child's teeth, but also can have a debilitating impact on his or her health and quality of life. Tooth and gum pain can impede a child's healthy development, including the ability to learn, play, and eat nutritious foods. Recent studies have shown that children with poor oral health are nearly three times more likely to miss school due to dental pain, and children reporting recent toothaches are four times more likely to have a lower grade point average than their peers without dental pain.

Tooth decay and oral health problems also disproportionately affect children from low-income families and minority communities. According to the National Institutes of Health, approximately 80 percent of childhood dental disease is concentrated in 25 percent of the population. These children and families often face inordinately high barriers to receiving essential oral health care, and, simply put, the consequences can be devastating.

Madam President, many have heard me speak before about the tragic loss of Deamonte Driver, a 12-year-old Prince George's County resident. In 2007, Deamonte's death was particularly heartbreaking because it was entirely preventable. What started out as a toothache turned into a severe brain infection that could have been prevented by an $80 extraction. After multiple surgeries and a lengthy hospital stay, sadly, Deamonte passed away—9 years ago today. So today we mark the ninth anniversary of his tragic death.

Since the tragic death of Deamonte in 2007, we have made significant progress in improving access to pediatric dental care in the country. For example, in 2009, Congress reauthorized the Children's Health Insurance Program—CHIP—with an important addition: a guaranteed pediatric dental benefit. Today, CHIP provides affordable comprehensive health coverage, including dental coverage, to more than 8 million children. Thanks to CHIP, we now have the highest number of children in history with medical and dental coverage. In addition, in 2010, Congress included pediatric dental services in the set of essential health benefits established under the Affordable Care Act.

I am very proud my State of Maryland has been recognized as a national leader in pediatric dental health coverage. In a 2011 Pew Center report, ''The State of Children's Dental Health,'' Maryland earned an A and was the only State to meet seven of the eight policy benchmarks for addressing children's dental health needs.

In addition, in the Maryland Health Benefit Exchange, every qualified health plan now includes pediatric dental coverage, so families do not have to pay a separate premium for dental coverage for their children and do not have a separate deductible or out-of-

pocket limit for pediatric dental services.

However, Madam President, more work remains to be done. For example, according to a recent report by the Department of Health and Human Services Office of Inspector General, three out of four children covered by Medicaid did not receive all required dental services over a recent 2-year period, with one in every four failing to see a dentist at all. This is simply unacceptable. We must act to ensure that all American children have access to comprehensive oral health care.

I urge my colleagues to join me in this effort. Tragically, our health care system was not there for Deamonte. Today, on the ninth anniversary of his death, let us honor his memory and pledge to do better for the children in our country by working together to build on the significant strides we have made over the past 9 years, and to ensure that all children have access to affordable and comprehensive pediatric dental services.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

## SENATE ACCOMPLISHMENTS AND FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Madam President, notwithstanding our occasional dustups and kerfuffles and disagreements that we have in the Senate—and that is not a bad thing—the Senate is supposed to be a place where differences of opinion and different points of view are debated, voted on, and played out here on the floor of the Senate in an attempt to achieve consensus on a bipartisan basis and make legislative progress for the American people.

I have to say that since 2015, under new leadership, this Chamber has been marked by a spirit of hard work, bipartisanship, and accomplishment. I am sure we have all been frustrated by the things we cannot accomplish because, frankly, there is no consensus, but that shouldn't deter us from working together where we can to make progress for the American people. So I am frankly proud of what the Senate has done, again on a bipartisan basis.

I think one of the greatest frustrations under the previous leadership was that even if you were a Member of the majority party, you could not get amendments on legislation. You could not get votes on amendments. So you were basically shut out of the process, not just if you were in the minority but including when you were in the majority. That is a little hard to explain to your constituents back home. Indeed, I think that is one reason we saw some races for the Senate turn around the way they did in 2014.

The truth is that under new leadership we have proved we can work together on the issues that matter most to the people of our country. That is not to say there will not be some partisan differences. There is a reason people choose to be Republicans or Democrats. But my experience has been that most of the time we agree on the goal, just not on the means to achieve the goal.

While bipartisanship is important, leadership really does matter, and I think we have seen what a difference it can make in the 114th Congress—since the last election in 2014. I will mention just a couple of examples.

One is the first major overhaul to education reform since No Child Left Behind. We also passed a major long-term Transportation bill. I know it seems like a small thing in isolation, but it really does make a difference to fast-growing States such as mine—Texas—to be able to plan ahead when it comes to maintaining and operating our transportation infrastructure. Frankly, it saves taxpayer money when you can plan on the long haul rather than in a series of starts and stops.

A subject that is near and dear to my heart is the first major help we have been able to provide to victims of human trafficking in 25 years. Because of a resource deficit at the local level, a lot of big-hearted people who wanted to help simply didn't have the resources to do it—simple things such as rescuing people who are victims of human trafficking and providing them a safe place to stay. Now, as a result of the Justice for Victims of Trafficking Act, we are going to be able to provide through a victim's compensation fund up to $60 million a year to help provide grants for housing, for rescue, and for victims of human trafficking.

It is true there are some differences between the political parties, and that shouldn't be a matter for panic. We shouldn't say: Well, I guess we can't do anything since we can't do this one thing. It is certainly true with respect to the recent passing of Supreme Court Justice Antonin Scalia.

It is clear that we have reached a major point of disagreement or I guess you could look at it this way: We actually are agreeing with the position that Vice President BIDEN took when he was chairman of the Senate Judiciary Committee. We are now agreeing with the position that was taken by then-Senate Democratic leader REID, and we are agreeing with the position that was taken in 2007 by Senator CHUCK SCHUMER, a Member of the senior Senate leadership of the Democratic Party.

I mentioned these yesterday. I will just go over them really quickly again. Surely, our Democratic friends don't think that Republicans, when we are in the majority, ought to be constrained by different rules than apply to them. That does not make any sense at all. How foolish we would be, in the majority, to say that this is the way that Democrats view the rules and that we are going to apply a different set of rules to ourselves.

This is what Senator REID said in 2005. He said:

> The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give Presidential appointees a vote.

That is a fact. Senator REID is correct. The President proposes a nominee, and the Senate either grants or withholds consent under the terms of the Constitution itself. But of course, that is what Senator REID was suggesting back when George W. Bush was President of the United States—that the Senate was under no obligation to even give those nominees a vote.

Then, more recently, there is Senator SCHUMER, who I know is really stirred up about our intention not to process a nominee this year and to have a referendum as a result of this Presidential election on who makes that appointment—perhaps for the next 30 years. That is how long Justice Scalia served on the Supreme Court of the United States. But here is Senator CHUCK SCHUMER, the senior Senator from New York. This was 18 months before President George W. Bush left office—18 months, or a year and a half, before he left office.

Senator SCHUMER said: For the rest of this President's term, we ''should reverse the presumption of confirmation.'' In other words, he was saying there was a presumption against confirming. He said he would recommend to his colleagues that we should ''not confirm a Supreme Court nominee except in extraordinary circumstances.''

Then, of course, more recently a little research was done into the record of Vice President BIDEN when he was Chairman of the Senate Judiciary Committee back in 1992. He said: The Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination until after the political campaign season is over. Action on a Supreme Court nomination must be put off until after the election campaign is over.

So it strikes me as rather hypocritical for our Democratic friends to say that these were the rules when George W. Bush was in office or when his father, George Herbert Walker Bush, was in office, in the case of 1992, but now that President Obama is in office, a different set of rules ought to apply.

It would be completely hypocritical of them to say that. But this is a matter of disagreement. There is no debate about that. But it does not mean that just because we are divided along party lines on this matter that there are other things we cannot do together. I think our friends across the aisle would agree that there is a lot of important work that we can and should do together.

The chairman of the Energy and Natural Resources Committee, along with the ranking member from Washington, has worked diligently on energy legislation that we are currently considering. It is legislation that would update and modernize our country's energy infrastructure for the 21st century. We still need to find a way forward to deal with this legislation. I

know this is an opinion that many members on the Energy Committee and in this Chamber share on a bipartisan basis.

There is another piece of legislation that has strong bipartisan support that was voted out of the Senate Judiciary Committee, unanimously, called the Comprehensive Addiction and Recovery Act, known as CARA. This legislation is in response to the growing opioid abuse epidemic that affects our Nation, an epidemic that has claimed the lives of tens of thousands of Americans each year, along with the concomitant scourge of cheap heroin coming across our borders from Mexico, because when people can't get the prescription drugs—the opioids—then too many of them revert to cheaper heroin with disastrous consequences.

I know that on a bipartisan basis the junior Senators from New Hampshire and Ohio have particularly led on this on my side of the aisle. But they have worked with the junior Senator from Rhode Island, Mr. WHITEHOUSE, and the senior Senator from Minnesota, Ms. KLOBUCHAR, to make this a top priority. So we are going to have a chance to show very soon that we are committed to actually getting important legislation, such as the Comprehensive Addiction and Recovery Act, passed by this Chamber.

This week also, the senior Senator from Vermont, Mr. LEAHY, who is the ranking member on the Senate Judiciary Committee, and I introduced legislation called the Justice for All Reauthorization Act. That bill would provide important resources to victims of domestic violence, and it would target resources on the rape kit backlog, which is, just frankly, an embarrassment to our criminal justice system.

It has been estimated that there are as many as 400,000 rape kits; that is, forensic evidence taken after a sexual assault that would, if tested, reveal the identity of the attacker through DNA testing.

There is just no excuse not to test those rape kits, which are part of that backlog. We know that many of the assailants in these cases are serial abusers, and many times we can stop someone before they attack again, if we will just test those kits. There is about $120 million each year that Congress appropriates for the Debbie Smith Act. Debbie Smith is the person for whom this legislation is named—and quite appropriately so. She has been a champion of eliminating that rape kit backlog. That is a large part of what the Justice for All Reauthorization Act would help us do.

So I would ask our friends across the aisle, while they come out on the floor or give press conferences and express mock horror at the fact that Republicans in the majority now would apply the same standards that they advocated for when they were in the majority, to tone down the rhetoric and avoid the hypocrisy that seems so apparent when they argue for different standards today than they advocated in the past. That is nothing more, nothing less than hypocritical.

What is out of line is when you have personal attacks against the Members of the Senate, particularly the chairman of the Senate Judiciary Committee. The minority leader, the Democratic leader, made a personal attack against the chairman of the Judiciary Committee right here on the Senate floor just yesterday. What he said was so far from the truth that it is not even worth repeating.

But what I would like to make clear is that Chairman GRASSLEY, the chairman of the Judiciary Committee, has made a big impression on this Chamber and on the legislation that we have passed. I mentioned the CARA Act that passed out of the Judiciary Committee unanimously. Senator GRASSLEY has a decades-long dedication to serving the people of Iowa in this body.

So I don't know how the Democratic leader can come out and personally attack a colleague who has done an outstanding job as chairman of the Judiciary Committee, while basically what we are embracing is what he himself argued for in 2005. How does that work?

Well, I would say the Democratic leader does not have a lot of firm ground to stand on when it comes to judicial nominations. I would like to remind my colleagues that the Democratic leader, just a few short years ago, took the position that there were no fixed rules when it comes to judicial nominations. Then, in 2014, he simply tore up the rule book by invoking the so-called nuclear option, breaking the rules to change the rules on judicial nominations, as he attempted—successfully, I will say—to pack the District of Columbia Court of Appeals by breaking the rules of the Senate in order to pack the District of Columbia Court of Appeals, which many have said is the second most important court in the Nation.

So I hope he will take into consideration his prior actions, which are far more disruptive and poisoned the well of this institution more than anything we are talking about doing now, especially when we are agreeing with him, at least on this point.

But most of all, I would hope that we can conduct our debates in a civil and a dignified fashion. People watch what we do and we say here. When people come out here and make hypocritical attacks, I don't think it reflects very well on the person making that attack, and I don't think it reflects well on the Senate as a body. It is certainly not a good example for our young people or other people who might be looking at how we conduct ourselves as they think: Well, that is the way we air our differences. Then certainly they can be forgiven for thinking: Well, maybe that is the way I ought to conduct myself. That is not the message we should be conveying.

Well, we can continue to do a lot of good work here on a bipartisan basis in the Senate this year. It is true that we do have a major difference of opinion when it comes to filling the vacancy left by the untimely death of Justice Scalia. But it is true that we are only applying the rules that were advocated for by the chairman of the Judiciary Committee, now Vice President BIDEN, in 1992, and by minority leader REID in 2005 and Senator SCHUMER in 2007.

Surely they cannot expect us to apply a different set of rules today than they themselves said they would apply if the shoe were on the other foot. But we can still work together on other legislation, such as the Comprehensive Addiction and Recovery Act, such as the energy legislation we are considering now, because we do have a lot of work left to do, and there is a lot we can accomplish together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## SAFE PIPES ACT

Mrs. FISCHER. Mr. President, I wish to take a moment to speak today on a bipartisan pipeline safety bill that will soon be considered by the full Senate.

Last December, the Senate Commerce Committee unanimously passed legislation to strengthen pipeline safety across our Nation. I have been working with my colleagues, Senator BOOKER, the Presiding Officer Senator DAINES, and Senator PETERS, on this bill for nearly 9 months, and we are proud of this bipartisan legislation.

Over the past several months, we have held several hearings, including one in the Presiding Officer's home State, in Billings, MO, last September. Not far from Billings, in January of 2015, the Poplar Pipeline spilled nearly 30,000 gallons of crude oil into the State's precious Yellowstone River. This incident reinforced the need for a robust update to our laws regarding both the pipeline system and the government agency charged with keeping it safe.

Pipeline infrastructure transports vital energy resources to homes, businesses, schools, and commercial centers across the United States. According to the Pipeline and Hazardous Materials Safety Administration, or PHMSA, more than 2.5 million miles of pipelines traverse this country. Our bill, the SAFE PIPES Act, would increase congressional oversight over pipeline safety programs at PHMSA. It would also provide greater flexibility and resources to State pipeline safety officials. Further, the bill would require PHMSA to reprioritize congressional directives and conduct an assessment of the pipeline integrity management program.

Pipeline safety affects citizens in each and every one of our States. In my home State of Nebraska, we experienced this just a couple months ago. In January, a ruptured natural gas pipeline exploded in the Old Market area of downtown Omaha. The disaster destroyed a historic building, and it did injure several people. The SAFE PIPES Act would encourage the use of advanced technology for pipeline mapping and help avoid accidents like this moving forward.

In California, the massive Aliso Canyon underground natural gas storage facility leak posed a serious public health threat and displaced hundreds of families from their homes. The SAFE PIPES Act would direct PHMSA to create crucial minimum standards for underground natural gas storage facilities. It would also establish an Aliso Canyon working group to ensure that similar incidents are avoided in the future. I appreciate the strong support provided by the California Senators, BARBARA BOXER and DIANNE FEINSTEIN, who helped draft the working group provisions there. They also serve as cosponsors of our SAFE PIPES Act.

The Senate must pass this robust, bipartisan legislation. We all have a responsibility to prioritize not only the efficient permitting and construction of energy infrastructure but also the safety and the security of our Nation's extensive pipeline network.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

## REMEMBERING JOHN ORIZOTTI

Mr. DAINES. Madam President, John Orizotti, most famously known as ''Pork Chop John,'' passed away on Monday in his Butte home at the age of 82. Montanans know John for his efforts to expand his restaurant's flourishing business. John bought Pork Chop John on 8 West Mercury Street in 1969, when sandwiches sold for 65 cents.

According to his oldest son Rick Orizotti, owning the shop was something he wanted to do his whole life, and he always kept his eye on it. Rick said: ''He was truly very proud to be Pork Chop John. He was a man that really loved going to work, really worked hard.''

John was born in Butte on September 25, 1933. He graduated from Butte High School in 1951 and married his high school sweetheart Mary Carol when he was 21 and she was 19.

He worked for his father-in-law Dan Piazzola at the Better Meat Market and then went on to open the Main Public Market in 1960 with Piazzola before buying Pork Chop John 9 years later. The restaurant has expanded to a second location on 2400 Harrison Avenue, which was formerly a Texaco gas station. After John retired 20 years ago, two of his sons, Ed and Tom Orizotti, took over the restaurant and currently run Pork Chop John.

I remember as a kid in Montana, it was the stop you made when you were on a trip. It didn't matter whether you were on a sports trip, band trip or a speech debate trip, you stopped at Pork Chop John's in Butte to grab something to eat.

In fact, the very first stop my wife and I made after we announced our campaign for the U.S. Congress in Bozeman was at Pork Chop John's in Butte to grab a sandwich.

All seven of Orizotti's children have worked at the restaurant at some point in their lives and the pork chop batter recipe remains a family secret to this day. The restaurant itself has been in the family for 47 years.

John was greatly beloved by many in his community. His past employees and friends have nothing but wonderful things to say about him, including how he would put his whole heart into all of his endeavors. Others called him gentle, caring, honest, and never having a bad word to say about anybody. He has probably been best described as one of the legends of Butte and a ''Butte icon.''

John Orizotti made a lasting impact on his family, community, and business. May his legacy of hard work and kind heart be forever honored and remembered.

Cindy and I offer our deepest condolences to the family.

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

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

Mr. BROWN. Madam President, I ask unanimous consent to speak in morning business for up to 10 minutes.

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

## FILLING THE SUPREME COURT VACANCY

Mr. BROWN. Madam President, the sudden passing and tragic death of U.S. Supreme Court Justice Scalia leaves us with a vacancy to fill on our country's highest Court, but it shouldn't lead us to a yearlong political standoff.

Article II, section 2, of the Constitution is clear: The President shall nominate a Supreme Court Justice with the advice and consent of the Senate. It doesn't say ''may.'' It doesn't say ''maybe.'' It isn't followed by a clause which says that Senators don't have to do their jobs in an election year. It doesn't say anything about that. And that is the tradition of our country, that Senators—we run for office willingly, enthusiastically. We work hard to get here. We take an oath of office. Every couple of weeks, we get a paycheck. And some are saying we simply shouldn't do our job and move forward with this nomination.

Complete refusal to consider any nominee from this President is outrageous. It is indefensible, and it is unprecedented in spite of what some of my colleagues would like to say. Don't take my word for it. Senator GRASSLEY, the Republican chairman of the Judiciary Committee, said as recently as 2008 that ''the reality is that the Senate has never stopped confirming judicial nominees during the last few months of a President's term.'' The country didn't elect Barack Obama—whether you voted for him or against him—for a 3-year term or three-fifths of a term; the country elected him for a 4-year term.

Since the Civil War, no Supreme Court vacancy has been left open for a year. For the past century, the Senate has taken action on every single pending Supreme Court nominee.

I talk to people in Ohio all the time, Republicans and Democrats alike. I talked to a Republican today who supports Senator RUBIO for President and probably votes for Republicans for President in every election. He said: I just can't believe what MITCH MCCONNELL did. I can't believe my party—the people I vote for in Senate races and House races—would possibly say that we are not going to have a hearing on this nominee.

We are not even going to meet with this nominee. I mean, a number of Senate Republicans said: We won't even shake hands. We aren't even willing to meet with a Supreme Court nominee whom the President of the United States, under the Constitution, shall appoint, whom the President of the United States submits to the U.S. Senate.

Let's look at what has happened in the past. In 1988, which was President Reagan's final year in office, a Democratic majority unanimously confirmed Justice Anthony Kennedy. That was in 1988. Again, President Reagan submitted his name in 1988. He was confirmed by a Democratic Senate. In fact, the Senate has been confirming Justices in Presidential elections since our Nation's founding. Two of President Washington's nominees were confirmed during his last years in office. Since 1916, every pending Supreme Court nominee has either received a hearing or been confirmed quickly before a hearing even took place. Think about that. A pending Supreme Court nominee has never been denied a hearing in the history of the United States. The only exception is the nominees who were confirmed without a hearing. Yet, within hours—I think only minutes, actually—within less than an hour, I believe, of the announcement of

Justice Scalia's passing, the Republican leader of the Senate, the majority leader of the Senate pretty much said: We are not going to do our job. We are not even going to have a hearing on whomever the President of the United States nominates. We are not only not going to have a hearing, he then said later, I am not even going to meet with that person. Imagine that.

So that nomination—whomever President Obama nominates—that vacancy will be more than a year for sure if the Senate does nothing on this confirmation. Again, the last time there was a vacancy for as long as 1 year was during the Civil War. It was 150 years ago. That is because there was a Civil War and the Congress wasn't very functional in those days. Members were leaving the Court, leaving the Senate and House after secession in 1861 and all the other things that happened.

We have nearly a year left in President Obama's term, about a quarter of the term the American people elected him to serve. That is plenty of time for the Senate to carefully consider and review a nominee.

President Obama—and just to make it clear, he was not just elected, he was elected decisively. I believe he is only the second Democrat in American history—surely the second Democrat since the Civil War—he is only the second Democrat since the Civil War to at least twice win a majority of the popular vote. Only President Obama, who got more than 50 percent of the vote twice, and President Roosevelt, who got more than 50 percent of the vote, I believe, four times—they were the only Democrats in 150 years who got a majority of the vote twice. President Clinton was elected twice with a plurality. President Wilson was elected twice with a plurality. President Obama and President Roosevelt were decisive wins. This wasn't an accidental win. This wasn't a candidate put into office by a decision of the U.S. Supreme Court. This was a legitimate election and a decisive win.

Let's look at some of those nominees. The longest nomination on record was Justice Brandeis, who I believe was the first Jewish American to be appointed to the Supreme Court. His took 125 days. President Obama has more than 300 days left in his term.

If we fail to confirm a nominee, if Senate Republicans fail to do their job—they were elected. They were sworn in. They get paid. All of us do. We are just asking them to do their job. But if Senate Republicans don't do their job, two Supreme Court terms will pass before a new Justice is appointed.

Yesterday I spoke with Professor Peter Shane, a constitutional law professor at Ohio State's Moritz College of Law in Columbus. Professor Shane said that a vacancy of this unprecedented length on the Supreme Court ''will compromise its ability to perform its proper constitutional function'' and it will create ''prolonged uncertainty.''

I have heard so many Republicans in the Senate say that we do all these things and create uncertainty—uncertainty in the economy, uncertainty in regulation, uncertainty in the consumer bureau, whatever. This is the worst kind of uncertainty. It is self-afflicted, and it affects entirely one-third of the government, one of the three branches of government. Without a full bench, justice could be further delayed for Americans who fought for years to have their cases heard. Split decisions—4 to 4 would leave legal questions unanswered and leave Americans in different parts of the country subject to different laws. How do we prevent that? Do your job, I say to my colleagues in the Senate.

In the past, Senator MCCONNELL himself has agreed with a normal, deliberative approach for Supreme Court nominees. He said in 2005: ''Our job is to react to that nomination in a respectful and dignified way, and at the end of the process, to give that person an up-or-down vote as all nominees who have majority support have gotten throughout the history of the country.''

That is what he said a decade ago.

Now he is saying the Senate will not even do our jobs. Again, we run for these offices, we get sworn in to these offices when we win elections, we get paid every two weeks; we should be doing our job. I am not saying every Republican has to vote for the President's nominee. What we are saying is meet with them. The President will do the nomination. We should begin hearings. We should meet with these nominees individually. For every Supreme Court nomination since I have been in the Senate, I have had an hour-long meeting with each nominee, and we then make our decisions based on that. We have not said we are not going to do our work, we are not going to do our jobs. How would that make sense?

The only difference now is that we have a different President. Time and again the Democrats in the Senate have given Republican Supreme Court nominees a fair hearing and the up-or-down vote they deserve. During the 7 years the Vice President chaired the Judiciary Committee, when he was a Senator here, he did his job. He oversaw the confirmation of three Justices who were nominated by Republican Presidents.

In the case of Clarence Thomas, he even allowed Justice Thomas to have an up-or-down vote on the Senate floor, even though the committee failed to report his nomination with a favorable recommendation. So what does that mean? That means that when Clarence Thomas was in front of the Judiciary Committee, a majority of members said no, they didn't want to confirm him, yet they still moved his nomination to the floor. They didn't filibuster. They didn't require 60 votes. They just said: A majority vote wins. Thomas won. Even though Democratic leadership voted against him, Thomas won 52–48. Nobody blocked him, which they could have easily done. And the Senate did its job, the same thing we are asking the Senate to do today.

Both Justice Thomas and Justice Alito were confirmed by the Senate with fewer than 60 votes. That means, again, they could have blocked them with a filibuster. They didn't. They allowed both of them to come forward. Even though they had lots of opposition, they still allowed an up-or-down vote. Yet this time Senate Republicans are refusing to hold hearings and are, in many cases, even refusing to meet with the nominee.

Do your job. You were sworn in. You ran for these offices and then you were sworn in. Do your job. You get paid to do these jobs. Show up for work and do your job.

Can we imagine how Republicans would have reacted if Democrats had shown Ronald Reagan this same disrespect when we considered Justice Kennedy's nomination? I wasn't here then, but we certainly understand the history of the story.

The consistent attempt to delegitimize a democratically elected President is politics at its worst. In 2013, the Republicans didn't like the results of the 2012 election, so they shut down the government. Three years later they still don't like the results of the 2012 election, so they are saying: Well, forget the 2012 election, this is all about the 2016 election.

What it is really about is that the President of the United States was elected in 2012 with the majority of the vote and in an electoral college landslide. He was elected for a 4-year term—not a 3-year and 1-month term, not three-fifths of a term—a 4-year term. American history, in spite of what my colleagues like to say with their revisionist history—in spite of what they like to say about revisionist history, the fact is we have done this in the fourth year or the eighth year of many Presidents. Now they are trying to—as they shut down the government in response to the 2012 election of which they didn't like the outcome, now they are trying to shut down the Supreme Court process with a year left in this President's term. You don't shut the whole system down when you don't get your way. It is a dangerous precedent that undermines our democracy.

Our friends on the other side of the aisle justified this saying: We need to let the people make the choice. Well, they did. They made their choice in 2012 by selecting a President for a 4-year term. This is the fourth year of his term. There is no reason this President shouldn't have the obligation and the right to nominate a candidate and send a name to the Senate, and there is no reason that Senators shouldn't do their jobs—have hearings, meet with the nominee, bring him to the floor for a vote with a 50-vote threshold—a majority vote—and see what happens. They may vote no. If they vote no, that is a legitimate exercise, but if they are

not willing to go through the process and see what might happen—see what the public judges as the right decision in whether to confirm or not—they are not doing their jobs.

It may be asking too much when I have seen the partisanship and the head-in-the-sand attitudes and the fight-this-president-at-all-costs views of so many on the other side, but I expect this Senate to put politics aside and give a fair hearing and an up-or-down vote to any qualified nominee because that is our job.

Simply put, we need to do our job.

Madam President, I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Nebraska.

## HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Madam President, I rise today to continue my tribute to this current generation of Nebraska heroes by remembering those who died defending our freedom in Iraq and Afghanistan. Each of our fallen Nebraskans has a special story to tell. Over the next year and beyond, I will continue to devote time here on the Senate floor to remember each of them in a special tribute to their life and to their service to our country.

Time after time, Nebraska's Gold Star families tell me the same thing. They hope and pray that the supreme sacrifices of their loved ones will always be remembered.

SERGEANT JEFFREY HANSEN

Today I want to celebrate the life of SGT Jeffrey Hansen of Cairo, NE.

Jeff grew up with the heart of a soldier. He enjoyed an all-American childhood, spending time outdoors, hunting, playing football, and staying in shape. Born in Minden, NE, and a 1993 graduate of Bertrand High School, Jeff attended college at the University of Nebraska at Kearney before graduating in 1997 with a bachelor's degree in athletic training.

Over the years, the urge to serve his country tugged at Jeff. He decided to enlist with the Nebraska Army National Guard in January of 2000. A natural leader, he quickly rose through the ranks, serving as an assistant squad leader, fire team leader, and squad leader before his last assignment as a fire support sergeant.

Jeff exhibited outstanding leadership as a member of Troop A in the 1–167th Cavalry of the Nebraska Army National Guard. Friends remember Jeff as an awesome teacher and an amazing mentor. SGT Brad Jessen recalls how Jeff was very soft spoken, but he always had something intelligent to say.

In civilian life, Jeff became a Kearney police officer in 2002, and he later joined the Department of Veterans Affairs Police force in Grand Island. James Arends, who worked with him as a sergeant in the VA Police Service, said, ''Jeff was the strong, silent type. He didn't talk a lot, but when he did, people listened.''

Jeff was also a loving husband. He met his wife Jenny at a football game at the University of Nebraska at Kearney. Fate brought them together, and they began a natural and a comfortable relationship that blossomed quickly. Jenny excelled at golf in college. Jeff would attend her tournaments, cheering her on as the team progressed to a winning season. Then, after the final round of the 2002 NCAA Division II Women's Golf Tournament, Jeff came up to Jenny on the 18th green where he knelt down and proposed.

That same year, Jeff was promoted to sergeant and recognized for outstanding gunnery marksmanship. Jeff and Jenny also began discussing their future plans. Their talks became more intense when Jeff's unit, the 1–167th Cavalry, was called to duty in Bosnia.

Jeff and Jenny wasted no time, and they were married on October 12, 2002. Two days later, Jeff left for Bosnia. After 11 months, Jeff returned home and the two settled down back in Cairo, NE.

A world away, the war in Iraq continued. By the fall of 2005, the American public was hopeful that major military operations in the region would be coming to an end. However, the bombing of the al-Askari mosque in February of 2006 ignited a Sunni-Shia civil war that plunged Iraq deeper into violence. At that time, the American military was operating as a peacekeeping force, but things quickly turned deadly, and the coalition found themselves engaged in dramatic wartime operations.

Jeff's unit arrived in Iraq just before the al-Askari mosque bombing. Operating out of Balad Air Base, his unit, ''the Cav,'' was known for their ability to complete security operations in one of the most violent areas of the country. The days were long, and with each mission they faced imminent danger. All the while, Jeff kept his head in the game and inspired his battle buddies to do the same.

While Jeff was gone, Jenny remained active, and she continued to excel on the golf course. She won the Nebraska Women's State Amateur Golf Championship and qualified for the 2006 U.S. Women's Amateur Open. As she continued to advance, Jenny began thinking about playing the sport professionally, so she wrote to Jeff, asking for his guidance and thoughts on this important new stage—one they would share and navigate on their journey together.

Back in Iraq, Jeff headed out on patrol where conditions worsened with limited visibility. Out of nowhere, Jeff's humvee hit a sinkhole and it flipped, landing upside down in a canal. As this was unfolding, Jeff pushed the other soldiers out of the vehicle, all of whom survived the crash. Meanwhile, Jeff was still in the humvee and critically injured. SGT Brad Jessen remained at the scene, keeping Jeff alive until the medical team arrived. Jeff was quickly flown to Germany for emergency care.

Jenny was at work when the phone rang. ''There's been an accident,'' she was told. ''We need you to come to Germany.''

It seemed like an eternity before Jenny was able to reach Jeff's side at the hospital in Germany. As soon as she arrived, it was clear Jeff was not going to make it home. He passed away a few days later, with Jenny at his side.

Jenny returned home to Nebraska, saying goodbye to Jeff one last time and bracing for a life without the man she loved.

Shortly after the funeral, a letter arrived. It was from Jeff, and there was a reply to her questions about golf and their future. He had written to tell his wife to pursue her dream. He told her to find the focus and dedication that she yearned for in her life. If there was something she wanted to pursue, he would support her every step of the way.

So Jenny pursued that dream. She competed for and she earned a spot on the Ladies Professional Golf Association tour, and she played in a number of professional tournaments.

But as any Nebraskan can understand, ''the good life'' pulled her back. Today, she is the mother of three beautiful children. She still reads the letters from Jeff every once in a while, and Jeff is with her every day in her heart.

For his service in Iraq, Jeff was awarded the Iraqi Campaign Medal, the Global War on Terrorism Service Medal, and the Armed Forces Reserve Medal. He was also posthumously awarded the Bronze Star, the Army Good Conduct Medal, and the Overseas Service Ribbon.

Jeff is survived by his widow Jenny, his father Robert, and his brother Jeremy. Our Nation and all Nebraskans are forever indebted to his service and sacrifice.

SGT Jeffrey Hansen is a hero, and I am honored to tell his story, lest we forget his life and the freedom he fought to defend.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

## GUN VIOLENCE

Mr. MURPHY. Madam President, I think we are all very touched and moved by Senator FISCHER's remarks and the thoughts of the entire body go out to Sergeant Hansen's family and those he left behind.

I am on the floor today with no better news. We all woke up just days ago to the news of another mass shooting, this time in Kalamazoo. Saturday, another community was changed forever by gun violence. We live it every day in Connecticut, still mourning 20 dead first-graders and 6 teachers who protected them.

In this case, the alleged killer used a semiautomatic handgun to kill six people and injure at least two others

across three incidents between about 6 p.m. and 10:30 p.m. That Saturday night the shooter first shot a woman several times, leaving her seriously wounded. Then, next to a car dealership, he gunned down a father and son. Later, he approached two cars that were parked outside a neighboring Cracker Barrel restaurant. He opened fire there and killed four.

I have been coming down to the floor now for almost 3 years telling the stories of victims of gun violence. I am going to talk about six today. Unfortunately, the statistics tell us there are 86 every single day killed by guns—2,600 a month and 31,000 a year. The vast minority of them are due to mass shootings. Most of the individuals on this list are killed by virtue of suicides or by individual acts of violence—domestic violence, for instance—the violence that happens in cities of America like Hartford, New Haven, New York, and Los Angeles.

What is astounding to many of us is that despite these numbers—and I have made this case before—which are unlike those of any other industrialized country, we do absolutely nothing about it. We do nothing about it. We don't pass stronger gun laws. We don't strengthen our mental health system. We don't give more law enforcement resources. All we do is just catalog the numbers of dead every single day and every single month. The statistics apparently are not moving this place.

Hopefully—my hope is the voices of these victims can give you a sense of who these people are. Just the trail of tragedy that is left behind—researchers will tell you there are often over a dozen people who experience serious levels of trauma in the wake of one person being killed by guns.

Maybe these stories will change people's minds. Stories such as that of Mary Jo Nye, who was 60 years old when she was killed. She was enjoying a night out on the town with her former college roommate, her sister-in-law, Mary Lou Nye, and her friends, Barbara Hawthorne and Judy Brown, when all of their lives were taken by this seemingly random shooting.

Mary Jo was a retired teacher from Calhoun Community High School, where she dedicated her time and talents to students who were at risk of dropping out. That is not an easy job, but she put her mind to it and put her heart to it. One colleague commented that ''she was an English teacher, but she was a lot more than that to the students who don't come from great home lives.''

A friend said she was ''always reaching out to others and helping families.'' This friend also said:

It just doesn't make sense. Mary Jo saw helping others as her calling in both her professional and her personal life. It's a tragedy.

Mary Lou Nye met her sister-in-law, Mary Jo, when they were in college where they were actually roommates. Mary Lou fell in love with one of her roommate's older brothers, eventually getting married, making the roommates not only friends but also family. Mary Lou dedicated her time as a manager of the Michigan Secretary of State branch in South Haven prior to its closing. She shared her love of children for the last 6 to 7 years working at a daycare center. A local pastor said she always had a smile on her face and was loved by the kids she worked with. ''It was never about her,'' he said, ''always about making sure things were right for the children.'' Her son said his mom ''loved reading books and doted on her grandson,'' his 5-year-old, Geoffrey. She, herself, was the youngest of five children. Her grandson Geoffrey will not be able to spend that time with his grandmother any longer.

Sixty-eight-year-old Barbara Hawthorne was in the backseat of Mary Jo Nye's car when she was killed.

Her family said:

Our 'Auntie Barb' was easy to laugh. A generous, giving person who loved her many friends and family. She was a true ''hippie'' who marched for civil rights in the Deep South, recycled everything that came through the house, and believed in marching to your own drummer. She loved the theater and live music and shared tickets to performances whenever possible.

Dorothy Brown, known as Judy among her friends and neighbors, was also with Mary Jo, Mary Lou, and Barbara. Neighbors remember Judy's generous and friendly spirit. She readily shared her homegrown herbs and always took time to share a friendly wave with her neighbors. One neighbor who did odd jobs for her occasionally, helping out around the house, always got a gift card from her at the end of the year. She was described by one neighbor as ''a sweet, sweet old lady. You couldn't ask for a better neighbor.''

Tyler Smith was 17 years old and he was with his father shopping for a car when the shooter drove by and opened fire, killing both the father and the son. Tyler had a very bright future ahead of him. He was enrolled in the marketing entrepreneurship program at the local tech center in addition to high school. He was, according to friends and family, studying marketing so he could help open a family business with his father, sister, and his cousin.

The superintendent, who knew Tyler well—it means something about a kid if the superintendent knew this particular student well. That tells you he was marked for something big. He said he ''was such a great kid. He always had a smile on his face, always happy and very well liked.''

His father, known as Rich, was killed alongside him while they were shopping for a car. A family friend remembers Rich, saying, ''When Rich was in your presence he automatically put you in a good mood—he had this contagious laugh and he always smiled.''

A friend said:

Rich was always there to lighten it up and laugh it off. . . . He was such a wonderful man.

Those are 6 people of the average of 86 killed every day, just in that one episode in Kalamazoo. What is so sad is that when the shootings in Kalamazoo began that Saturday evening, a dozen other people had already been killed in multiple victim incidents since the weekend started. Set aside all of those one-of instances of gun violence. Set aside all of the suicides. Just last weekend, before Kalamazoo happened, a dozen other people had been shot across this country in multiple victim incidents. There is no other country in the world that has that level of epidemic mass gun violence.

I will speak at another time about why that is, but what is unexceptional about the United States is that the American public wants to do something about it. They don't accept the status quo, just as other countries probably wouldn't accept it either. Ninety-two percent of Americans are in favor of universal background checks, and we can't even get a debate on this on the floor of the Senate, nor in the House of Representatives. Democracy normally doesn't allow for 90 percent of Americans to support something that their legislative body will not even consider.

Eighty-five percent of NRA Members are in favor of universal background checks. All that means is, all you have to prove is that you are not a criminal. You have to prove you haven't been deemed mentally incompetent before you can buy a gun.

Support for the laws that we want to debate on the floor of the Senate is absolutely bipartisan. Here is a chart showing background checks for gun shows and private sales. Those are not universal background checks. They are just for those two particular forums. For that specific proposal, Democrats support it by 88 percent, Republicans by nearly 80 percent; laws to prevent the mentally ill from buying guns, 81 percent Democrats and 79 percent of Republicans—no difference.

There is a little bit more of a difference when you come to a Federal database to track gun sales. You still have 55 percent of Republicans supporting that. That is probably the most controversial reform which, to me, for the life of me, I can't figure out why it is controversial. A ban on assault-style weapons, you have 70 percent of Democrats but a majority of Republicans as well, which tells you that the overall American population, despite their partisan registration, supports a ban on assault weapons, which of course wasn't that radical long ago, when it was passed in the law of this country. I will not go into this in detail, but, again, you look at specific provisions, and the overwhelming majority of the American public supports them—bans on semiautomatic weapons, bans on assault weapons, bans on high-capacity ammunition clips, bans on online sales of ammunition. Again, over and over again, you see an overwhelming majority of Americans supporting these laws.

It is simply time for us to respond to the voices of 31,000 victims every single

year and do something about it. I will continue to come down to the floor and share these stories, share some of these charts, share some of the data, in the hope that it will inspire this body to break out of its ice of indifference—as somebody coined the phrase before me—and do something.

I understand we are not likely to get a vote on background checks between now and the end of the year, but there is a big bipartisan mental health bill we can debate on the floor before we wrap up for the year. This Senator would submit to you that is not the answer for the epidemic of gun violence, but it would help. If you create more inpatient beds and more outpatient capacity, a lot of the very disturbed individuals who take these demons that exist inside them and turn them into an act of massive violence—that mental health reform bill could help them. It would just be the beginning of the work we have to do, but it would be a very important beginning.

At some point the U.S. Senate, the greatest deliberative body in the world, an organization that claims to represent the will of the people, will have to start paying attention to the voices of these victims and the overwhelming majority of the American public who want us to honor them.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## RELATING TO THE DEATH OF ANTONIN SCALIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 374, which the clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 374) relating to the death of Antonin Scalia, Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. MORAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted ''yea'' and the Senator from Florida (Mr. RUBIO) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 26 Leg.]

YEAS—93

| | | |
|---|---|---|
| Alexander | Flake | Murphy |
| Ayotte | Franken | Murray |
| Baldwin | Gardner | Nelson |
| Barrasso | Gillibrand | Paul |
| Bennet | Graham | Perdue |
| Blumenthal | Grassley | Peters |
| Blunt | Hatch | Portman |
| Boozman | Heinrich | Reed |
| Boxer | Heitkamp | Reid |
| Brown | Heller | Risch |
| Burr | Hirono | Roberts |
| Cantwell | Hoeven | Rounds |
| Capito | Inhofe | Sasse |
| Cardin | Isakson | Schatz |
| Carper | Johnson | Schumer |
| Casey | Kaine | Scott |
| Cassidy | King | Sessions |
| Coats | Kirk | Shaheen |
| Cochran | Klobuchar | Shelby |
| Collins | Lankford | Stabenow |
| Coons | Leahy | Sullivan |
| Corker | Lee | Tester |
| Cotton | Manchin | Thune |
| Crapo | Markey | Tillis |
| Daines | McCain | Toomey |
| Donnelly | McConnell | Udall |
| Durbin | Menendez | Vitter |
| Enzi | Merkley | Warner |
| Ernst | Mikulski | Warren |
| Feinstein | Moran | Whitehouse |
| Fischer | Murkowski | Wyden |

NOT VOTING—7

| | | |
|---|---|---|
| Booker | McCaskill | Wicker |
| Cornyn | Rubio | |
| Cruz | Sanders | |

The resolution (S. Res. 374) was agreed to.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 24, 2016, under ''Submitted Resolutions.'')

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table.

The Senator from Oklahoma.

## MORNING BUSINESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

## FILLING THE SUPREME COURT VACANCY

Ms. MIKULSKI. Mr. President, I rise to speak in morning business on an issue before the American people, and that is the Supreme Court vacancy.

I rise today to express my very deep, deep disappointment in my Republican colleagues for vowing to block President Obama's nomination—vowing to block President Obama's nominee for filling the vacancy on the Supreme Court.

Each and every Senator serving in this Chamber was elected by the American people, and we took an oath to uphold the Constitution. In this matter, the Constitution is very clear. Article II, section 2 says the President ''shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court.''

It doesn't say the President only has an hour and a half left. It doesn't give a time limit to the President. If you are a President and you have a 4-year term, you have the authority and duty to exercise your obligations under the Constitution for a full 4 years, and the Senate has a duty to provide advice and consent. There are no waivers for election years. I urge my colleagues: Do your job. Follow the Constitution and live up to the Constitution. The Constitution doesn't say: In an election year, delay, delay, delay. The word ''delay'' doesn't even appear in the Constitution, in the hope that one day you will get your way.

Republicans have said that the Senate must wait until the people have spoken by electing a new President in November. The American people have spoken. They elected President Obama in 2008, and they reelected him in 2012. Barack Obama is our President from now until noon on January 20, 2017. If the Founders wanted a 3-year term for the President, they would have written that in the Constitution, but they mandated 4 complete years.

Now the other party wants to deny the President the legitimacy and authority of his office. Even George Washington had his nominee considered during a Presidential election year and had three of his candidates confirmed. What was good enough for the first Congress under George Washington should be good enough for this Congress now under President Obama.

President Obama and I will both be closing our offices in January of 2017, but that doesn't mean we are done working for the American people today. There is a lot of work to be done. President Obama has the constitutional duty to submit a nomination in order to fill the vacancy left with Justice Scalia's passing. This duty is not suspended in an election year. The Constitution is clear about the President's authority. The President must fulfill his duty, and we must do our job. The issue is not about Executive orders or checking Executive powers or interpreting law books; it is about following the Constitution.

I say to the Republicans on the other side of the aisle: Please do your job. Your constituents elected you to this position to follow the Constitution. If you don't like the nominee the President has selected, vote no, but at least follow the process. After the President selects his nominee, we then go through a courtesy process where the nominee calls upon each Senator. Then there is a hearing—and maybe there are several days of hearings—and then there is a vote.

I am calling on the Senate to follow the process that was mandated by the Constitution and mandated by our traditions. After the President nominates someone, let's meet with the nominee. Let's hold the hearings and follow the process, and then let's bring it to a vote. Over the last 40 years, the average time it has taken for the Senate to act has been only 67 days from nomination to confirmation, so to say we don't have enough time just doesn't work. We have 10 months, or 330 days, left in this President's administration to do this job.

Some of my colleagues say there is precedent for this obstructionism. Chairman GRASSLEY, the chair of the Judiciary Committee, cited four times in our history where a President did not nominate someone to fill a vacancy during an election year. Well, those numbers are right, but guess what. The vacancy occurred after the Senate had adjourned for the year. None of those Presidents could have nominated a candidate because the Senate wasn't in session.

For the past 100 years, every Supreme Court nominee has been acted upon. Even if they got a disapproval vote in the committee, they still got a vote in the Senate.

In 1987, Robert Bork was voted down in the committee, but he still got a vote on the floor where he was voted down.

In 1991, Clarence Thomas, one of the most contentious and controversial Supreme Court nominations that I ever participated in, was voted on by the committee without a recommendation. He got a vote on the floor and was approved 52 to 48.

Each of these candidates had their day to be evaluated. Each Senator had the ability to apply their advice and consent or, in some cases, nonconsent. I didn't always vote yes on the nominee, but I certainly supported the process that we have here. We have never denied a sitting President his duty to provide a nominee. This is of utmost importance to our Nation. It really is.

The Supreme Court is unique. It is the highest Court of the land with real and lasting impacts on American lives. To obstruct a Supreme Court nominee for political reasons would be absolutely unprecedented. Until this vacancy is filled, the Supreme Court is left with eight members with the potential for tie votes. If there is a tie vote in a decision, the ruling of the lower court remains as if the Supreme Court never heard the case. In some cases, that leaves disagreement among courts, leaving our laws at odds with each other.

If this vacancy lasts until the next President, the Supreme Court could be left without eight members for two terms on the Court. Some of the cases with the most impact on our history have been decided in 5-to-4 votes. That brings up some cases that are of particular concern to me.

What if there were a tied decision in a case and we were left stuck in a gridlock? The Senate knows that I am very involved with equal pay for equal work. There was the famous Lilly Ledbetter case—Lilly Ledbetter v. Goodyear Tire and Rubber Company. It was decided by a 5-to-4 vote. She faced injustice not only at her job, but also in the courts. At the urging of Justice Ginsburg, the Senate provided a legislative remedy to correct that injustice. If we had a tie, we might not have ever been able to resolve that issue both through the Court and through the Senate. This is what democracy is supposed to be.

There was another amazing case, which was Bush v. Gore. Everyone remembers the election in 2000 when we had the hanging chads in Florida and we really weren't sure who won the election—Al Gore or George Bush. This is America, so banks stayed open, there were no tanks in the street, school children were able to go about learning what America was all about and get ready for the new century. We were moving ahead because the process moved through the courts.

The Bush v. Gore case was decided with a 5-to-4 vote. Can you imagine if we had a tied Court now? We would have a constitutional crisis, and we would have a crisis over who was the legitimate President of the United States. We can't have that happen again.

When the voters make their decisions in November on who they want to have as the next President, I hope it is clear and decisive and we don't end up before the Supreme Court, but surely we need to have a Court that is not going to end in a tie and that we have done our job to make sure that there are nine—N-I-N-E—on the Supreme Court.

First of all, follow the Constitution. It is in the best interest of our country. Do your job so we can say to the world: We are a Nation of laws. We encourage people all over the world that are emerging from authoritarian regimes or chaotic political situations to write a Constitution and live by it. Well, we wrote a Constitution, so let's live by it. We need to follow what we say we were elected to do and that we swore an oath to do.

President Obama must do his job. I urge the Republicans to do their job. Let's follow and live up to the Constitution. When the President makes his nomination, let's open our doors so we can meet with that nominee. Let's hold a hearing or multiple hearings, if necessary, and then let's hold a vote on the Senate floor. Let's be accountable by the deeds of our vote and not simply avoid our responsibility.

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

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

## ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for the information of all Senators, Senator MURKOWSKI and Senator CANTWELL and many others continue to work diligently on a way to wrap up the Energy bill and to deal with the Flint issue. In the meantime, I will be shortly filing cloture on a motion to proceed to the opioid bill, and I am hopeful we can reach an agreement to finish this bill with just a handful of amendments next week.

## COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2015—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 369, S. 524.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 369, S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 369, S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

Mitch McConnell, Daniel Coats, Dan Sullivan, Orrin G. Hatch, Shelley Moore Capito, John Cornyn, Lindsey Graham, Roy Blunt, Ron Johnson, Chuck Grassley, Rob Portman, Susan M. Collins, Jeff Flake, Cory Gardner, Lamar Alexander, John Barrasso, John McCain.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call under rule XXII be waived.

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

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to called the roll.

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

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

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am on the Senate floor for my 34th edition of ''Waste of the Week.'' As you know, I do these speeches each week to highlight waste, fraud, and abuse and simple ways that we can save the taxpayers' dollars from being misused.

Last year, in my 18th ''Waste of the Week'' speech, I detailed an investigation by the nonpartisan Government Accountability Office that discovered that fraudulent applications were being accepted by healthcare.gov, the government Web site for choosing ObamaCare plans. I discussed the waste, fraud, and abuse of ObamaCare subsidies that were being awarded to fraudulent applicants.

As part of that investigation, the Government Accountability Office investigators purposefully submitted 12 fraudulent applications. They wanted to test the system. They wanted to see how well the system worked. So they drew up 12 deliberately fraudulent applications just to see what the response would be. They submitted them to healthcare.gov. Eleven of them came back as approved. Only one application was called out, where someone said, ''Wait a minute, we don't have the appropriate information'' or ''we didn't do the fact-checking.'' But 11 apparently weren't even fact-checked.

The Government Accountability Office said, ''I think this might be the canary in the coal mine.'' This ought to be a signal that this program is being abused; when 11 out of 12 applications come back with a stamp for approval and the subsidies are given, you would think the government would take notice of that and simply say, ''We have to get ahold of this.''

After the investigation, after this was made public it ought to have been embarrassing to the agencies that are handling this, the Centers for Medicare & Medicaid disbursement. You would think they would jump on this. If I were heading up this agency, if I had anything to do with this at all, I would either fire someone or I would put reforms in place to make sure this never happened again. You would think this report would have spurred some kind of action.

But this week, the Government Accountability Office released a new report detailing how the Obama administration continues to take—and this is in their words—''take passive approach to dealing with the potential fraud'' in the ObamaCare program. The GAO report outlines how healthcare.gov is still plagued by serious operational problems that lead to fraud and abuse. They found that in 2014, over 4 million ObamaCare applicants received a total of $1.7 billion in taxpayer subsidies despite these unresolved documentation errors. What this means is that the healthcare.gov site is allowing people to sign up for and receive ObamaCare benefits without proper verification.

When you have had a previous investigation that said that 11 out of 12—more than 90 percent—of the applications were stamped ''approved'' and subsidies were paid without verification or with faulty verification, you would think by now they would have cleaned this up. Hundreds of thousands of people have been able to get their ObamaCare applications approved without having their eligibility verified. That has become clear. As GAO investigators bluntly stated in the report, healthcare.gov ''is at risk of granting eligibility to, and making subsidy payments on behalf of, individuals who are ineligible to enroll.''

The GAO said that one of the biggest problems with healthcare.gov is that the Centers for Medicare & Medicaid Services, CMS, which is responsible for the oversight and management of ObamaCare, did not resolve Social Security number inconsistencies for thousands of applications. When you submit your identity, you give your Social Security number. It goes to CMS. They are supposed to check it to see if it is a legitimate Social Security number, and if it isn't, they obviously cannot or should not issue the subsidy and approve the application. But, instead, CMS approved subsidized coverage without verifying those numbers from the applicants. It potentially allows access to subsidies by illegal immigrants or other ineligible individuals.

So word gets around: Hey, you don't even need to put your Social Security number on there or you can put a false Social Security number on there, and you are going to get the subsidy.

This is how your government is spending your tax dollars. It is an outrageous way, to pump up ObamaCare. And we keep hearing the White House touting the fact that millions are signing up for this. Of course they are. Millions are signing up for this because whether they are eligible or not, they are getting a subsidy. Who wouldn't want to get a check from the government every month? But it is done through fraud. It is done through waste, and it is done through something that hasn't been documented.

People have to realize that under ObamaCare, you have to be a citizen or a legal resident, fall within a certain income range. Healthcare.gov is supposed to verify all of this when you sign up. But the GAO found that the program does not check new applications against existing approved applications. The resulting failure is that millions of people have been approved for benefits while using the same Social Security number.

Here is another situation. Not only are people using false Social Security numbers on the application and they are still getting subsidies, but a lot of people are using the same Social Security number. This is not the era of having mountains of paperwork stored in warehouses around Washington, DC, because the agencies have been flooded with paper applications; this is an age of computerizing and digitizing all of this information. So all you have to do is push a button to find out whether that is a legitimate Social Security number. I mean, how hard is it?

To make matters worse, we have learned that in thousands of ObamaCare applications, it wasn't even clear if the beneficiary was serving a prison sentence. The law basically says you are not eligible for Obamacare subsidies if you are serving a prison sentence. The GAO found that the Centers for Medicare & Medicaid Services ignored many opportunities for reducing ObamaCare fraud. Basically, it appears that CMS is willing to look the other way. Maybe they were ordered to, maybe they are just doing it, or maybe they are just purely incompetent. But they are looking the other way as the President continues to tout the benefits of this law.

If that isn't bad enough, GAO also found that CMS actually knew that millions of applications were potentially fraudulent and still approved the applications. I am not making this up. We have information provided by the Government Accountability Office that the Centers for Medicare & Medicaid Services knew about these fraudulent practices, so they couldn't plead ''Well, we didn't know this was happening'' or ''This was a computer glitch'' or ''We are just so overwhelmed with paperwork or applications that we can't handle it.'' They knew about it. They knew it was happening, and yet they still haven't cleared the situation up.

It really drives you up the wall—and it is no wonder the American people are so unbelievably frustrated with this government and have deemed that this government is simply wasting their tax dollars. It is the biggest bureaucratic mess they have ever seen and they are paying for it. Doesn't it just practically make you want to scream?

CMS told GAO ''that they currently do not plan to take any actions on individuals with unresolved incarceration or Social Security number inconsistencies.'' Does anybody find that outrageous? We know there is a problem. We have documented there is a problem. But they currently are not willing to undertake any kind of reforms or action to deal with this problem.

To address this mess, I will introduce legislation that will mandate CMS to recoup all improperly paid subsidies. I am going to continue to press the agency to take action to enforce the existing requirements.

What does it take to get the Congress to take the steps to insist that these agencies—entrusted with taxpayer

money carry out their programs and then not act in such a cavalier, dismissive way—deal with this situation? What does it take?

I guess what it takes is what is happening in our election process right now, and that is the example of the reason American people saying: We have had enough and we are blazing mad, and we ought to tear the place down and start all over. And this is all because this behemoth of a dysfunctional government continues to rob the taxpayer of its hard-earned money. Yet it is not providing job opportunities for people, despite all the best efforts of this administration.

It kind of reminds me of back when Obamacare was being debated in the House of Representatives and the then-Speaker of the House, a Democrat, said: Well, we have to pass this bill so we can find out what is in it. Well, Madam Speaker of the House of Representatives, we are finding out not only what is in this bill, but we are also finding out we need an efficient, effective government enforcement of this to ensure that waste, fraud, and abuse is not occurring.

So once again, I am down here adding to the ever-growing amount of money is been documented as waste, fraud, and abuse of. Today we stand at $157 billion of documented waste, fraud, and abuse, and we are just scratching the surface. I probably could come down here every hour of every day the Senate is in session and point out another waste of taxpayer money.

When are we going to step up to the plate and stop this charade that is happening here? When are we going to deal with this problem? I am urging my colleagues to support my efforts and other efforts to at least address known documented problems of waste, fraud, and abuse.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

IRAN

Mr. COONS. Mr. President, tomorrow the people of Iran will go to the polls to elect 285 members of the Iranian Parliament, or the Majlis, and 88 members of the so-called Assembly of Experts, which is the body that will eventually choose the successor to the current Supreme Leader, Ayatollah Ali Khamenei.

Last December, Secretary of State John Kerry cautioned that having an election does not of itself make a democracy, and I think his words are equally fitting this week. Iran's elections, in truth, are neither free nor fair. Iran is not a democracy. Power brokers in Iran have already rigged these elections and even the results of a potential runoff in April will not tell us much we don't already know about the Iranian regime or its foreign policy objectives in the Middle East.

Some observers do hope that moderate voices will make some progress in Iran, and I agree that is good to hope for, but I remain deeply skeptical. In many ways tomorrow's elections are nothing more than a rubberstamp because an unelected Guardian Council, which vets all candidates for office, has already prevented most moderates from even running.

Let me explain. Aspiring candidates for Iran's national Parliament and the Assembly of Experts must be approved by the unelected Guardian Council before they appear on a ballot. Unless they make it through a multiweek vetting process and unless they are deemed sufficiently loyal and conservative, these aspiring candidates will not get a chance to be candidates at all. That is why the candidate list for tomorrow's election has already told us more about Iran's intentions than the election results will.

A willingness to allow reform-minded or moderate Iranians to stand for election would have suggested some real hope for genuine reform for real change in the Iranian regime. Sadly, the disqualification of both female and reformist candidates indicates that Iran is instead doubling down on its decision to avoid long-awaited and much needed democratic reforms and instead will continue to isolate itself from broader membership in the international community. Sixteen women applied to run to serve on the Assembly of Experts. They were all prohibited from running. Three thousand reform-minded candidates sought to run for the Iranian Parliament, but only 1 percent of those 3,000 were approved. Even Hassan Khomeini, the grandson of Ayatollah Khomeini, who founded the Islamic Republic of Iran, was rejected as a candidate for being too modern. These disqualifications reflect the regime's rejection of basic democratic norms and serve as reminder of the urgency with which we have to continue to scrutinize Iran's behavior.

Tomorrow's elections will not change Iran's aggressive behavior in the region or transform the political power structure within the Islamic Republic of Iran, which is still dominated by Supreme Leader Ayatollah Ali Khamenei. Despite what some may hope, the Supreme Leader seems unwilling to allow even a modicum of dissent inside Iran. These elections are likely nothing more than a guise to give the international community the impression that Iranians have a real voice in choosing their elected officials.

While we should hope for future moderation, we should expect the status quo because at its core Iran remains a revolutionary regime that supports terrorism as a central tool of its national foreign policy. U.S. policymakers have to remain clear-eyed about that reality as we seek to effectively and aggressively enforce the nuclear deal and push back against Iranian aggression in the region.

I urge my colleagues, the administration, and the American people to pay close attention not just to tomorrow's Iranian elections but to Iran's actions in the weeks, months, and years to come.

I commend the administration for one action it took this week. It indicted four individuals who violated previously existing U.S. sanctions against Iran. This decision sends another important signal that despite the nuclear deal, sanctions that remain on the books and companies that violate them remain a significant barrier and that companies should not rush to do business with Iran. Only by continuing to enforce existing sanctions, only by continuing to hold Iran to its commitments in the nuclear agreement, and only by pushing back against Iran's support for terrorist proxies, its human rights abuses, and its illegal ballistic missile tests will we demonstrate that we are serious about holding the regime accountable for its actions. Only by viewing Iran through the right lens—a lens of weariness and suspicion, not trust—can we continue to protect our national security and the safety of our regional allies, especially Israel.

A nuclear deal with a nation like Iran does not make that regime our ally or friend and having an election does not make a democracy, but it does make a statement.

FILLING THE SUPREME COURT VACANCY

Mr. President, on Monday I had the privilege of serving as the first Senator from the State of Delaware—the first State—to ever read George Washington's Farewell Address on the Senate floor on February 22, the appointed day every year when we recognize Washington's contributions to our country and its history by repeating his Farewell Address on this floor.

In the more than two centuries since President Washington wrote and delivered those words, I am struck by how relevant they still remain in warning Americans of the dangers of partisanship, factionalism, and division. Today the constitutional order for which President Washington and so many of our Founding Fathers and so many Americans risked and dedicated their lives, and which has sustained our experiment in democracy for generations, is now threatened not by one person or by one political party but rather by the relentless division and dysfunction that has come to define our current political discourse.

Just over 2 years ago, this discord led to an unprecedented shutdown of our whole Federal Government for 17 days. At stake today is nothing less than the capability of the Supreme Court of the United States to continue to function meaningfully. If we fail to reverse this increasingly divisive—and, I think, dangerous—trend, we won't just be facing a series of undecided legal policy

issues. We will also be looking at a direct threat to our constitutional quarter—a new normal in which Supreme Court vacancies remain just that for months upon months or even years.

Sadly, the rhetorical warfare on filling the vacancy on the Court began just an hour after the world first learned of Justice Scalia's passing, when the majority leader issued a statement in which he ruled out any hearing or vote or any consideration whatsoever of a Supreme Court nominee. The back and forth between our parties has grown even more heated in the days since. Much has been made of what Senators of both parties have said and done in response to past Supreme Court vacancies, but the precedent that I think matters most is what this Chamber actually did the last time there was a Supreme Court vacancy during an election year. As many of my colleagues have pointed out, the last time that happened was in 1988, and that year Justice Kennedy was confirmed unanimously and by a Democratic-controlled Senate.

Recently, some of my colleagues have also pointed to a speech that Vice President BIDEN—then chairman of the Senate Judiciary Committee—gave back in 1992, as evidence that there is some clear, strong precedent for the level of obstructionism that we are seeing today. But that reading of his remarks both misrepresent his remarks and obscures the real facts. It is easy to take much of what we say and do here on the floor of the Senate out of context. In fact, I am sure it has happened to each Member of this Chamber more than once, but a full reading of then-Chairman BIDEN's full remarks shows that at the end of his speech, Senator BIDEN promised to consider not just holding hearings, not just a vote but also supporting a consensus nominee. To quote directly:

> I believe that so long as the public continues to split its confidence between the branches, compromise is the responsible course for both the White House and for the Senate. Therefore, I stand by my position. Mr. President, if the President—

Then-President Bush—

> consults and cooperates with the Senate or moderates his selections absent consultation, then his nominees may enjoy my support as did Justices Kennedy and Souter.

So when it comes to setting Senate precedent, I think it is important to get the Vice President's words right, but I also think it is important to pay attention to his actions, which speak more loudly than his words. His record as chairman of the Senate Judiciary committee is unmistakable. In case after case, he convened and held appropriate and timely hearings for judges of all backgrounds and experiences when nominated by President Bush in an election year. Even in a deeply contentious election year, he considered dozens of district and circuit court nominees all the way up until September, just 2 months before the Presidential election.

So today I echo then-Chairman BIDEN's 1992 request. I urge President Obama to nominate a moderate and eminently qualified jurist by whose record should clearly, under normal circumstances, be confirmed and who can become a consensus nominee in this Chamber. You don't have to look very far to find a number of candidates who would easily fit this description.

I am not asking my Republican colleagues to commit to support such a nominee, but I am asking for us to be able to fulfill the constitutional obligations of advice and consent that we have sworn to uphold. Here is just another important piece of factual record. Since the formation of the Senate Judiciary Committee a century ago, every single Supreme Court nominee has received a vote, a hearing or both. The only exceptions were candidates whose nominations were withdrawn before they could be considered or that proceeded directly to the floor for a confirmation vote.

Even nominees whose confirmations were voted down by the Senate Judiciary Committee ultimately received a vote by the full Senate. That is the precedent that matters. The American people, I think, aren't deeply interested in what this Senator said 2 years ago or that Senator said two decades ago. This back-and-forth, he said/she said rhetoric is exactly what they have sadly come to expect from this Congress, but it is not why they sent us here.

It is not just our constituents who are watching. Around the world, believers in a democratic system of government, in a system of separation of powers in our constitutional framework, some of whom have risked life and limb to bring democracy to their countries, are watching. Those who believe democracy can't work and who advance that argument around the world are watching too.

At stake in this debate is not just a key vote on the Supreme Court but, more importantly, a key indicator of whether our American experiment can still function. Over the past two-plus centuries, our experiment in democracy has not just survived but even thrived. But in recent years, Members of Congress have been playing a risky game, employing increasingly obstructionist tactics that probe the very boundaries of our system of government. How the Senate conducts itself in the weeks and perhaps even months to come, I think, will set a strong precedent for how future Supreme Court vacancies will be filled and more importantly, about whether our constitutional order can still function. We have an opportunity to show the world that even in the midst of a strikingly divisive Presidential campaign, our democratic system can still work.

President Washington's Farewell Address of 220 years ago warned of the many threats to that full and fair experiment that is American democracy. One of the threats he highlighted most pointedly was that of partisanship and division. The issues facing our Senate today represent nothing less than a direct and serious challenge to the vibrancy of that very democratic experiment for which so many suffered, struggled, and died.

It is my prayer that we will find a way forward through this together.

Thank you.

The PRESIDING OFFICER. The Senator from Minnesota.

ANNA WESTIN ACT

Ms. KLOBUCHAR. Mr. President, I rise today in recognition of National Eating Disorders Awareness Week and bring attention to millions of Americans struggling with eating disorders. It is not something we often talk about on this floor, but eating disorders are more common in our country than breast cancer and Alzheimer's and do not discriminate by class, race, gender or ethnicity. The all-too-sad truth is that eating disorders take the lives of 23 Americans every day and nearly 1 life every hour.

Our understanding of how eating disorders develop and progress is constantly evolving. We know there are between—and, again, because we don't have statistics except for when people die—15 and 30 million people across the country struggling with an eating disorder. We know that anorexia has the highest morality rate of any mental health disorder. Listen to that. Of any mental health disorder that you can think of, anorexia has the highest morality rate. We know that eating disorders affect women 2½ times more than men, making this the important women's mental health issue.

Unfortunately, far too few of these people are getting the help they need. Only 1 in 10 people with an eating disorder will receive treatment for that disease, and for those who don't receive any treatment, the rate of recovery sharply declines, while the likelihood they will be hospitalized rises. The numbers illustrate a grim reality. Too many Americans are suffering in silence, unable to access a treatment they need to conquer their eating disorder and to go on to live healthy lives.

To help the millions of people suffering from eating disorders get the treatment they need, I have introduced the Anna Westin Act with Senator AYOTTE, Senator CAPITO, and Senator BALDWIN. We are very proud that this is a bipartisan bill that is supported by both Democrats and Republicans. As to the fact that it is led by all women Senators, it may be that our time has come, given that women are 2½ times more likely than men to suffer from this disorder.

We remember in the early days when it was the women Senators who united to do something about breast cancer research or when it was women Senators who said: Why are we just studying men when it comes to various drugs and various diseases and cancer? Women have different interactions. Women have different problems. In

fact, these eating disorders affect women 2½ times more than men, yet, literally, hardly anything is going on with this in terms of help and funding. The number one mental health disorder that leads to death and has the highest morality rate is anorexia.

The bill is named in honor of Anna Westin of Chaska, MN, who was diagnosed with anorexia when she was 16 years old. Her health started deteriorating quickly after she completed her sophomore year at the University of Oregon. She began suffering from liver malfunction and dangerously low body temperatures and blood pressure. Even though her condition was urgent, Anna was told she had to wait until the insurance company certified her treatment. This ultimately delayed and severely limited the treatment that she received. After struggling with the disease for 5 years, she committed suicide at the age of 21.

My colleagues, we have a moral obligation to help people like Anna and families like the Westins, and we cannot afford to wait any longer. Last week marked 16 years since Anna's death, yet people with eating disorders are still not guaranteed coverage for lifesaving residential treatment by insurance companies. The bipartisan Anna Westin Act fixes this problem by clarifying that the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act specifies that residential treatment for eating disorders must be covered. We are talking about when a doctor diagnoses an eating disorder and believes, after trying different treatments, that there is an immediate emergency situation, that there should be coverage for residential treatment, which has been found to be really helpful with eating disorders because it helps to change how someone is eating and what they are doing and how they are interacting and how they are going on with their day-to-day life.

My friend, the late Senator from Minnesota, Paul Wellstone, fought hard for that Wellstone and Domenici mental health parity law. As Paul always insisted, a mental health parity bill is about equality and fairness. It is time patients struggling with an eating disorder receive that equality and fairness. It is time that so many of these women who suffer from this disease, which is much more particular to women than to men, get to receive that treatment that you get for other kinds of mental health disorders. This bill would ensure that patients like Anna Westin aren't prevented from getting the treatment they need simply because their insurance doesn't cover it. Eating disorders become life-threatening when left untreated, making early detection absolutely critical. That is why this bill would also use existing funds to create grant programs to train school employees, primary health professionals, and mental health and public health professionals on how to identify eating disorders, as well as how to intervene when behaviors associated with an eating disorder have been identified.

I think most young people today know someone who has an eating disorder. I remember in college a number of young women who had eating disorders, but they were hiding it. Nobody did anything about it. I have no idea how they are doing now.

Making this investment is a no-brainer. By drawing on existing funds for the training programs, this bipartisan bill is designed to have no cost associated with it. These commonsense and long overdue actions will help give those suffering from eating disorders the tools they need to overcome these diseases and prevent more tragedies like Anna's. We wish that Anna was still with us. We wish that she could have graduated from college, started a career, and had children of her own. Well, it may be too late for Anna. We know she would want us to do everything we can to create a world where eating disorders are acknowledged, are recognized, are treated, and are prevented.

I am so proud this bill has been out there for a few years. This is the first time this last year where it has been a bipartisan bill led by four women Senators, two Democrats and two Republicans. The time has come. With affected families in every corner of our country, I invite all of my colleagues to join us in support of this bipartisan bill. We must act now to give the millions of Americans struggling with eating disorders the help they need. Doing so will not just prevent suffering; it will help save lives.

Thank you, Mr. President.

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.

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

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as in morning business for approximately 15 minutes—probably less.

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

FILLING THE SUPREME COURT VACANCY

Mrs. FEINSTEIN. Mr. President, at noon today a group of us on this side of the aisle went to the Supreme Court and stood in front of it and spoke about what was happening with the Republican decision to not proceed with the advice and consent provisions of the U.S. Constitution.

I have been a member of the Judiciary Committee for 23 years. I sat through six Supreme Court nominations. In those 23 years, as a nonlawyer, I really became infused with great respect for the American system of justice, for the trial courts, for the appeal courts, and for the supreme courts on the State level as well as on the national level. I don't think there is a system of justice that affords an individual, a company, or an organization a fairer way to proceed to litigate a case than the American justice system.

So as I stood there and heard some of my colleagues speaking, I began to think of the enormity of what is happening. We all know that the Constitution is clear that the President's role is to nominate and the Senate's role is to advise and consent on the nominee, nothing less, nothing more. I strongly believe that we should proceed to render the President's nominee to the highest Court of the land and proceed to consider that advice and consent process with a hearing in the Judiciary Committee. To do anything less, in my view, is to default on our responsibility as U.S. Senators.

That has been the process, no matter how controversial a nomination. That has been the process even when the President and the Senate are of different parties. And, yes, that has been the process during Presidential election years. That is what happened when Anthony Kennedy was confirmed in the last year of President Reagan's term when Democrats actually held the Senate majority. In fact, a total of 14 Justices have been confirmed in the final year of a President's term.

Now, why is this important? The Supreme Court is a coequal branch of our Federal Government. It is a vital part of the separation of powers. It is the final arbiter of the law of the land. And one of our important jobs as Senators is to ensure that the Court has the Justices it needs to decide cases.

It is impossible to overstate the importance of a functioning Supreme Court. Brown v. Board of Education desegregated our schools. Loving v. Virginia struck down laws that made interracial marriage illegal. Roe v. Wade ruled on the constitutionality of State limits on women's access to reproductive health care, which has been upheld as precedent for over 40 years. Bush v. Gore even decided who would move into the White House as President of the United States. More recently, the Supreme Court struck down limits on campaign money, nullified a key part of the Voting Rights Act of 1965, upheld ObamaCare, and legalized same-sex marriage.

Now, what does a 4-to-4 Court mean? The prospect of having more than a year—as a matter of fact, some are saying it is up to 2 years—of tie votes on the Court in major controversial issues would be terrible for our system of justice.

Justice Scalia wrote about the prospect of the split Court in 2004. In responding to a request to recuse himself, he declined. He said if he were to recuse himself, ''the Court proceeds with eight Justices, raising the possibility that, by reason of a tie vote, it will find itself unable to resolve the significant legal issue presented by the case.''

That is Justice Scalia.

He continued, quoting the Court's own recusal policy: ''Even one unnecessary recusal impairs the functioning of the court.''

So that is what we are doing. We are impairing the functioning of the Supreme Court of the United States.

What the Republicans are doing will affect cases for we think at least 2 years—cases left from this year and those to be heard next year. If Republicans are successful in blocking a hearing and a vote on the President's nominee, the Court will find itself unable to resolve important legal questions for a lengthy period of time.

Imagine that you are a plaintiff, someone who has been wrongly terminated from a business, or a business in a legal dispute, or imagine you are a person or a business held liable as a defendant for millions of dollars in a civil case or someone who has been charged with or convicted of a crime. You might spend years of your life in prison or even be subjected to the death penalty even though there may be a legal problem with your conviction or sentence. In all of these instances, as Justice Scalia pointed out, the Court ''will find itself unable to resolve the significant legal issue presented by the case.''

That will mean that individuals and businesses, as well as the American people, will be denied the full system of justice guaranteed by this Constitution. Our people should not stand for this.

There are major issues pending before the Supreme Court. There are important measures to help stop climate change, immigration issues, race in college admissions, the fundamental concept of ''one person, one vote,'' and the ability of unions representing public employees to function. The point is this: Important issues are before the Court, or will be, and there should be a full Court to hear them.

There is absolutely no reason—none—that the Senate should refuse to do its job and conduct full and fair hearings and hold a vote on the nominee.

Just a bit of history: The Senate has not left a Supreme Court seat vacant for a year or longer since the middle of the Civil War. That is a fact. It has not happened since the middle of the Civil War. That would be about 1862.

Even as the nominations process has become more contentious, the Senate has still considered Supreme Court nominees in a timely manner. This has happened regardless of who sat in the White House or which party controlled the Congress.

Here are a few historic facts to consider: Since the Judiciary Committee began holding hearings in 1916 for Supreme Court nominees, a pending nominee to the Supreme Court vacancy has never been denied a timely hearing—never denied a timely hearing—even in the final year of a President's term.

Since 1975, the average time between a Supreme Court nomination and a vote by the full Senate has been 67 days. That is about 2 months. I would remind my Republican colleagues that this includes Justice Anthony Kennedy's confirmation, which took place in February of 1988—a California judge—in the final year of President Reagan's Presidency and before a Democratic Senate. So in the final year, a Democratic Senate took a Republican President's nominee, who was a Republican, and made him a Justice of the United States Supreme Court.

This has held true even for controversial nominees. Robert Bork and Clarence Thomas both failed to win a majority vote by the Judiciary Committee, but their nominations still advanced to a full Senate vote. That was even the case for Justice Thomas, a very conservative jurist, who replaced Justice Thurgood Marshall, a very liberal jurist. And, again, this took place in a Democratic-controlled Senate.

Many of my Republican colleagues have voiced their own support for a President's right to have his nominee considered. Someone I consider a friend who was chairman of the Judiciary Committee during periods of my tenure, Senator ORRIN HATCH, who voted in favor of Justice Ginsburg, said at the time—and I know this because I was sitting right there and heard it—he believed a President deserves some deference on Supreme Court appointments. He said he would not vote against a nominee simply because he would have chosen someone else.

Senator GRASSLEY, now chairman of the Judiciary Committee, made similar comments, saying Congress must not forget its advice and consent responsibilities.

Well, those responsibilities don't cease with the death of a jurist. As a matter of fact, that is the clear intent of the Constitution, that the advice and consent responsibility is mandated, no matter what. So to refuse to hold hearings before a nominee is even announced, to me, is shocking, and it makes me think: To what extent is the partisanship in this body going when it is willing to deny the Supreme Court a vital member? It will be like denying a baseball team a pitcher. They couldn't conduct a game without a pitcher. And a case that has any controversy cannot be fairly held without nine Justices.

That is not what we were sent to Washington for. It is not how to do the people's business. To deny the American people full and fair Senate consideration for a Supreme Court nominee would be unprecedented in our history and further undermine faith in the Senate as an institution. I really deeply believe this, and I don't know why we would let this happen.

If Republicans follow through on this threat, the fairness of the process for the Supreme Court will forever be tarnished. The consequences could reverberate for generations, and it will be a serious gesture against the functioning of this great democracy. So all we ask is, do your job. It is why we were sent here after all.

Thank you very much.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Thank you, Mr. President, for the recognition, and I just want to say to Senator FEINSTEIN that this Senator has listened to many of her remarks and very much agrees with what she said, which is that we should be doing our job in terms of this Supreme Court nominee. It is our job to advise and consent. The Constitution says we shall advise and consent when we get nominations.

Ten years ago the Senate faced a critical task: to consider the nomination by President Bush of Samuel Alito to the Supreme Court. It was a fierce debate. Many opposed him, and some passionately so. I will not argue that it was an easy road, but it was a road that was traveled because that is our job and that is one of our most important duties.

At the time, the current majority leader was very clear on that duty the Senate has. He said:

> We stand today on the brink of a new and reckless effort by a few to deny the rights of many to exercise our constitutional duty to advise and consent, to give this man the simple up-or-down vote he deserves. The Senate should repudiate this tactic.

Justice Alito did get an up-or-down vote and was confirmed 58 to 42, including four Democrats who voted in favor.

The majority leader was right. We do have a duty to advise and consent, and the Constitution indeed uses the word ''shall'' advise and consent.

A President's nominee does deserve an up-or-down vote. That was true then, and it true now. I do not agree with many of Justice Alito's views, but I do believe that it was critical for the Senate to do its job.

Now, here we are with a new nomination to the Supreme Court by a different President, but the majority leader seems to have changed his mind. We are told that no nomination of anyone by this President will be considered. The current Senate majority is refusing its constitutional mandate that it ''shall'' advise and consent, refusing to do its job for blatantly partisan and political purposes. This is misguided, and it is without precedent.

The full Senate has always voted to fill a vacancy on every pending Supreme Court nominee in election years and nonelection years, every single one for the last 100 years. We can go back even further than that. The Senate Judiciary Committee was created 200 years ago. According to the Congressional Research Service, the committee's usual practice has been to report every nominee to the full Senate, even those nominees opposed by a majority of the committee. This is a bipartisan tradition that makes sense and that we should follow.

When Senator LEAHY was Judiciary Committee chairman, he and Ranking Member HATCH did just that. Nominations—even those opposed by a majority of the committee—went to the full Senate.

In 2001, the Republican leader, Senator Lott, said that ''no matter what the vote in committee on a Supreme Court nominee, it is the precedent of the Senate that the individual nominated is given a vote by the whole Senate.''

Were those Senators any less principled? I don't think so. Were those Senators any less passionate in their views? No, but they did their job. They knew how important this was to our country. They honored Senate tradition, and they made sure the highest Court in the land was not running on empty. How did we get from there to here? If the majority leader has his way, there will be no hearings, no debate, and no vote.

The confirmation of a Supreme Court Justice is critical to a functioning democracy. It has become contentious only in recent years. It wasn't always so polarizing. Take, for example, Justice Scalia, whom we just lost. Justice Scalia was confirmed 98 to 0. This Senator does not argue that either side of the aisle is 100 percent pure, but we know that a fully functioning Supreme Court is vital to ensure justice in our system of government, and that depends on a fully functioning Senate.

This obstruction is part of a bigger problem. We have seen before and we are seeing now that the Senate is broken. The American people are frustrated, fed up with political games, obstruction in the Senate, special deals for insiders, and campaigns that are being sold to the highest bidder. They see this obstruction as just another example of how our democracy is being taken away. In this case, the hammer doing the damage is the filibuster. Instead of debate, we have gridlock. Instead of working together, we have obstruction. That is why I pushed for rules reform in the 112th Congress and in the 113th Congress. That is why I continue to push no matter which party is in the majority.

We changed the Senate rules to allow majority votes for executive and judicial nominees to lower courts, but that does no good if they remain blocked, and that is what is happening in this Congress. The line gets longer and longer of perfectly qualified nominees who are denied a vote—denied even to be heard. Meanwhile, the backlog grows to 17 judges, 3 Ambassadors, and even the top official at the Treasury Department whose job is to go after the finances of terrorists. We are on track for the lowest number of confirmations in three decades.

We now have 31 judicial districts with emergency levels of backlogs. A year ago, we had 12. Thousands of people wait for their day in court because there is no judge to hear the case. That is justice delayed and justice denied.

Just when you think things can't get any worse—they do. A seat on the Supreme Court is empty, and the majority leader is actually arguing that it should stay empty for over a year.

I do not believe that the Constitution gives me the right to block a qualified nominee, no matter who is in the White House. This Senator says that today and has said it many times before. Amazingly, this obstruction may reach all the way to the Supreme Court—not just for a specific nominee, but for any nominee.

What we are seeing is bad going to worse, and what we are seeing is election-year politics. The majority leader said that the voters should have a say in who the next Supreme Court Justice is. They had their say. They overwhelmingly reelected President Obama to a 4-year term—not a 3-year term. There is no logical end point to the majority leader's position. They say no Supreme Court nominee should be considered in the President's last year. What if this were 2 months ago? Would their views be different if it was December 2015 or October?

Additionally, Presidents aren't the only ones with limited terms in office. A number of sitting Senators are retiring. Do their constitutional duties and rights as Senators expire now as well? Of course not, and neither should a President's.

Nominees should be judged on their merits. They are public servants in the executive branch, in our courts. They serve the people in this country. They should not be judged on feelings about a President you may not like. That is not governing; that is a temper tantrum.

Let's be very clear. A Presidential election year is no excuse. For example, Justice Kennedy was confirmed unanimously in the last year of President Reagan's administration by a Democratic-controlled Senate.

Our democracy works with three branches of government, not just two. This assault on the Supreme Court is without precedent, without cause, and should be without support.

The President will do his duty and will nominate a Supreme Court Justice. Any Senator has the right to say no, but the American people have the right to hear why.

I began my speech with comments by the majority leader. But this really isn't about what the majority leader said 10 years ago or what other majority leaders have said and what both sides say back and forth; it is about what the American people are saying now and what the Constitution has always said: Do your job. Uphold your oath. Move our country forward.

So I state to my colleagues: Let's get serious. Let's stop these dangerous games. The President's nominee, whoever that is, deserves consideration. The American people deserve a government that works.

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

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

Mr. TILLIS. Mr. President, our Nation is in the midst of a Presidential election in which the American people are currently deciding who will be our next Commander in Chief. In my home State of North Carolina, many voters have already submitted their absentee ballots and early voting will begin soon.

This election year is especially important. In addition to electing our next President, the American people will have an opportunity to have their say in who should be our next Supreme Court Justice. This is a rare opportunity to let people determine the composition of the highest Court in the land, an institution that dramatically affects the lives of all of us.

While the stakes weren't as high in 2014 as they are today, the voice of the American people was still heard loud and clear nonetheless. In 2014, the American people sent a message about their displeasure for the President's disregard for our Nation's system of checks and balances. The American people sent a message about their opposition to the President's misuse of Executive orders to bypass the will of the Congress, and the American people sent a message by electing a new Senate majority.

Perhaps the memo the Nation sent to the President in 2014 is the reason the minority leadership is now attempting to deny the American people's full voice from being heard in this election. The minority doesn't want the people to decide the composition of the Supreme Court, so they have claimed there is a constitutional requirement for the Senate to give the President's Supreme Court nominee a vote.

That couldn't be further from the truth. Article II, section 2 of the Constitution makes this clear. While the President may nominate individuals to the Supreme Court, the Senate holds the power to grant or withhold consent for those nominees. This is not difficult or unique in a constitutional sense. In fact, in 2005, the senior Senator from Nevada took to this very Senate floor and this is what he declared:

> The duties of the Senate are set forth in the U.S. Constitution. Nowhere in that document does it say the Senate has a duty to give the Presidential nominees a vote. It says appointments shall be made with the advice and consent of the Senate. That is very different than saying every nominee receives a vote.

The Senate is doing its job by withholding consent, and that is exactly why the rules of the Senate provide further guidance on what happens when the Senate exercises its authority not to advance a judicial nominee.

Senate rule XXXI states: ''Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President.''

The Constitution states and the Senate rules anticipate that the Senate

can exercise its clear authority to withhold consent on any nominee offered by the President. It is not a novel concept that the Supreme Court vacancy should not be filled during an election year.

We can look back to 1992, probably before these pages were even born, when Senate Judiciary Committee then-Chairman JOE BIDEN eloquently explained the need for the Supreme Court vacancy during a Presidential election cycle and that it should be addressed after the American people had their say in the election.

Chairman BIDEN, now Vice President BIDEN, said:

> The senate too, Mr. President, must consider how it would respond to a Supreme Court vacancy that would occur in the full throes of an election year. It is my view that if the president goes the way of Presidents Fillmore and Johnson and presses an election year nomination, the Senate Judiciary Committee should seriously consider not scheduling confirmation hearings on the nomination—until after the political campaign season is over.

He went on to say:

> And I sadly predict, Mr. President, that this is going to be one of the bitterest, dirtiest presidential campaigns we will have seen in modern times.

The Vice President concludes by saying:

> I'm sure, Mr. President, after having uttered these words, some will criticize such a decision and say that it was nothing more than an attempt to save a seat on the court in hopes that a Democrat will be permitted to fill it.
>
> But that would not be our intention, Mr. President, if that were the course we were to choose as a senate to not consider holding the hearings until after the election. Instead it would be our pragmatic conclusion that once the political season is underway, and it is, action on a Supreme Court nomination must be put off until after the election campaign is over. That is what is fair to the nominee and essential to the process. Otherwise, it seems to me, Mr. President, we will be in deep trouble as an institution.

Vice President BIDEN's remarks may have been voiced in 1992, but they are entirely applicable in 2016. The campaign is already underway.

It is essential to the institution of the Senate and to the very health of our Republic not to launch our Nation into a partisan, divisive confirmation battle during the very same time the American people are casting their ballots to elect our next President.

Vice President BIDEN—and this is not something I have said very often—was absolutely right. There should be no hearings. There should be no confirmation. The most pragmatic conclusion to draw in 2016 is to hold the Supreme Court vacancy until the American people's voices have been heard.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING OFFICER JASON DAVID MOSZER

Ms. HEITKAMP. Mr. President, I join with my colleague and senior Senator, Mr. HOEVEN, to honor and to bear witness to a great North Dakotan and a great officer of the Fargo Police Department, Jason Moszer, who lost his life in the line of duty.

I begin by yielding the floor to my senior Senator, Mr. HOEVEN.

Mr. HOEVEN. Mr. President, I join my colleague from North Dakota to honor a brave young man, Jason David Moszer, who made the ultimate sacrifice for his community.

Jason Moszer was an officer since 2009 with the Fargo Police Department. He died in the line of duty 2 weeks ago today while responding to a domestic violence report in Fargo, ND. It is a tragedy that he was torn from his family and friends and torn from his life while protecting the lives of others. He dedicated himself to serving our State, and we are all grateful for his commitment to devoting his energy and talents to serve as a member of the Fargo Police Department.

While at his funeral earlier this week, I appreciated the opportunity to learn more about the person Jason was and the life he lived. From his youth, he led a life of continuous service—service with the National Guard as a combat medic for 8 years, service in Bosnia, service in Iraq, and, until his passing, service to the people of Fargo as a policeman. In 2012 he and fellow officer Matthew Sliders were awarded the Department's Silver Star Medal for pulling two children from an apartment fire.

Even in death he served by donating his organs to others in need. In dying, his organs and tissue helped save the lives of at least five other people. Clearly, Officer Moszer was a man committed to doing things for others and, consequently, he was respected and admired by everyone who came into contact with him.

Hearing stories about the pranks he pulled, the friends he brought together, his love of camping and cooking all round out the picture of a man who touched the lives of so many, a man who was loved by so many. We owe him and those who love him a tremendous debt for their sacrifice because his family and friends paid a high price.

We in North Dakota pride ourselves on being a safe State, but incidents like this remind us we are not immune to violent crime. They also remind us of the enormous debt we owe to Officer Moszer and to all the men and women in law enforcement who leave home every day and go to work to protect us and help make ours the wonderful State North Dakotans are so proud of.

Mikey and I extend our heartfelt condolences to Officer Moszer's wife Rachel and their children, Dillan and Jolee. It is difficult to lose a loved one, and, more so, to lose one so young and under such circumstances. During this difficult time, we pray that the Moszers are able to find comfort in the love of their family and friends, the support of their community, and the warm memories they have of Jason, which they will carry for the rest of their lives. Please know that you will continue to be in our thoughts and prayers.

One final note. Senator HEITKAMP and I were at the funeral. I think there were about 6,000 people at the funeral, which is a testament to Officer Moszer and his life. He truly epitomizes sacrifice and service to others. May God bless him and his family.

Mr. President, I turn the floor back to my colleague, Senator HEITKAMP.

Ms. HEITKAMP. I thank my senior Senator from North Dakota, Mr. HOEVEN.

As we sat quietly in the hockey arena that Jason loved so much, we felt the pain of so many, including the literally hundreds of thousands of North Dakotans who watched the broadcast of the funeral but also listened on the radio.

On the evening of Wednesday, February 10, Officer Jason Moszer did what so many police officers do on a daily basis—he went toward the danger to answer the call to serve and protect the citizens of Fargo, ND. Jason and the other officers who responded to that initial call knew they were encountering a dangerous situation. The domestic violence call that brought them there that evening had mentioned there might be a firearm involved. Yet those officers did not hesitate that night.

A short time later, shots rang out, and then those words—those words that will never be forgotten by his fellow officers—were heard: ''Officer down.''

Yet, even in the darkest of hours, the men and women of the Fargo Police Department maintained their composure and continued the critical work of securing the surrounding neighborhood and trying to bring this dangerous situation to a resolution.

Later that night the city of Fargo, the State of North Dakota, our neighboring community of Moorhead, ND, and certainly his home community of Sabin, lost one of its finest when Officer Moszer succumbed to his injuries. The loss of an officer in the line of duty is something that devastates an entire community—and in a small State like North Dakota it has taken a toll on every law enforcement officer and every resident throughout our entire State.

I am here this evening to honor Officer Moszer, and I am here this evening to honor the brave men and women of the Fargo Police Department. These officers wake up every morning, and they put on a uniform that requires that they frequently place themselves in dangerous situations in order to protect and to serve the citizens of their State, their community or their tribe. Few among us know what it is like to make that choice.

We have a proud history in North Dakota of law enforcement officers serving their State and local community with distinction. I have had the privilege over the years to work with law enforcement officers in my State who span the spectrum—from highway patrol to State and local officers, to various Federal officers, and the tribal communities. Let me tell you, without any hesitation, these are some of the finest men and women I have ever met or worked with. The officers of the Fargo Police Department have proven beyond a doubt that they are some of the finest law enforcement officers in the Nation.

The men and women of the Fargo Police Department, led by Chief David Todd, performed admirably and heroically that night 2 weeks ago. The courage, strength, and leadership displayed by Chief Todd during this incredibly difficult period has been nothing short of remarkable, and those qualities have certainly spread throughout his department to each and every officer under his charge. Remember, these officers chose this path. They chose to selflessly put themselves in harm's way so they could make the city of Fargo a safer place for each and every person who lives there or who may by chance be passing through. They chose to put the needs of others before their own. They chose a more difficult path to tread than most of us would ever be willing to follow.

One of the stories we heard was from one of his best friends who said: Jason, quite honestly, would have been embarrassed by the outpouring. He suggested that maybe what Jason would have liked is just for people to have a few beers and remember him quietly. Well, Jason's loss was a loss not only for the people of our State, but it was a tremendously devastating loss for the Fargo Police Department and the community of Fargo. Those officers who put on that uniform each and every day are a unique and very special group, a tight-knit group. Very few people can understand what it takes to do the job they do.

Unfortunately, I have attended a number of funerals—two during my time as attorney general—of officers who were killed violently in the line of duty. One of the most moving tributes to a fallen officer is when the radio dispatcher goes through an End of Watch Roll Call. This moving and emotional moment shows that even in death, the men and women of the Fargo Police Department stand shoulder to shoulder with their colleagues, that they will support each other the way they support the city of Fargo each and every day, and that even when a colleague has fallen in the line of duty, they will always have his back.

Officer Moszer, Chief Todd, and the men and women of the Fargo Police Department, I thank you from the bottom of my heart for your service and for your sacrifice to the people of Fargo and to the State of North Dakota.

I wish to end with the End of Watch:

Edward 143 Status Check. . . . Edward 143 Status Check. . . . Last Call Edward 143 Status Check.

Adam One Central—Edward 143 is 1042. End of Watch, February 11th 2016 at 1245 hours.

Those were the final words that their comrades spoke to Officer Moszer and his family.

Without brave men and women willing to step up and willing to stand on the wall for every one of us, we would be a much lesser society.

My thanks to my colleague Senator HOEVEN for joining me. It is in a great North Dakota spirit that we join together as colleagues in a bipartisan way to say thank you and to say goodbye to a wonderful officer, Officer Moszer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## MORNING BUSINESS

### AMERICAN HEART MONTH

Mr. DURBIN. I come to the floor today in recognition of American Heart Month.

For more than 50 years, Congress has recognized February as American Heart Month. During this time, we have seen many advances in reducing congenital heart defects, heart disease, stroke, and other forms of cardiovascular disease through improvements in research, education, prevention, and treatment.

Over 1 million cardiovascular disease deaths are now averted each year thanks to advances in biomedical research, prevention programs, and the development of new drugs and therapies; yet every 15 minutes, a child is born with a heart defect, and nearly 86 million adults are living with some form of cardiovascular disease. Congenital heart defects are the most common type of birth defect, and heart disease alone remains our Nation's leading cause of death.

For millions of families across the country, including mine, the impact of heart defects and disease can be overwhelmingly painful.

Thanks to the Affordable Care Act, parents can now afford health insurance, and coverage can no longer be denied for a preexisting condition. Also, insurers cannot set arbitrary lifetime or annual limits on care. These protections can be lifesaving, literally, when dealing with congenital heart conditions.

And while I am so proud of what we did in health reform to improve access to care, we must do more to improve quality of care—and that means finding ways to better treat and even prevent these diseases.

Thankfully, there is hope for patients and families across the country. Breakthroughs in research are getting us closer to understanding the risk factors and causes of these diseases. We are developing new drugs and therapies to help those who are suffering, and we are improving standards of care for those living with and managing these diseases.

Increases in funding for the NIH and CDC in the fiscal year 2016 omnibus bill will support these critical efforts in prevention, research, and treatment. We provided a historic funding increase of $2 billion for the NIH, and the CDC's budget was increased by nearly 5 percent. These increases will support leading research efforts at the NIH on the causes of cardiovascular diseases and possible treatments; community prevention programs at the CDC; as well as initiatives to gather data and track the incidence of congenital heart disease. These cannot be onetime increases. We must commit to sustained long-term investments in our Federal health agencies—that means ensuring robust funding increases above inflation year after year. That is why I will again fight for funding equal to five percent real growth in the fiscal year 2017 appropriations bills for NIH, CDC, and seven other research agencies that contribute to medical and scientific advancements consistent with two bills I have introduced.

The American Cures Act would provide annual budget increases of five percent over inflation every year for 10 years at American's top four biomedical research agencies: the National Institutes of Health; the Centers for Disease Control and Prevention; the Department of Defense health programs; and the VA's Medical and Prosthetic Research Program, its biomedical research arm.

The American Innovations Act would invest an additional $110 billion over 10 years in the critically important basic science research at America's top research agencies: the National Science Foundation; the Department of Energy Office of Science; the Department of Defense Science and Technology Programs; the National Institute of Standards and Technology Scientific and Technical Research; and the NASA Science Directorate.

We can't afford not to invest in the work these critical agencies are doing. And let me tell you why.

A few weeks ago, I was in Peoria, IL, touring the OSF Hospital there. Researchers from the University of Illinois Medical School are teaming up with the engineering department in joint efforts to bring new technologies to medical breakthroughs. They showed me a model of an infant's heart. It was an exact 3–D printed replica of an actual infant heart with serious congenital defects that would be operated on. The model was produced

through MRIs and CAT scans. This allows surgeons to look at the heart, open it, and prepare for the procedures that they are about to conduct. It meant less time on the heart-lung machine, and it improves the odds of a positive recovery. These medical breakthroughs—made possible by Federal, State, and private contributions—are giving millions of Americans hope.

In early January, surgeons at Prairie Heart Institute in my hometown of Springfield, IL, operated on a local woman from Decatur. The doctors replaced two diseased heart valves with artificial valves that were threaded into position inside catheters, smaller than the width of a pencil. This procedure is known as a double trans-catheter valve replacement. This successful surgery was only the fourth of its kind in the United States, and the first in the world to use the latest generation of artificial valves. The lead surgeons were from Prairie and Southern Illinois University School of Medicine. Had the valve not been replaced, the patient would have faced a substantially higher risk for death from congestive heart failure.

As co-chair of the Senate NIH Caucus, and co-chair of the bipartisan, bicameral Congressional Heart and Stroke Coalition, I want to thank my colleagues for their commitment to lifesaving research for all Americans. I also want to thank the researchers, advocates, public health professionals, families, and patients for their leadership and tireless support for advancements in the science and treatment of heart diseases.

There is more work to be done, but I am optimistic for breakthroughs in the near future.

Thank you.

## PLAN TO CLOSE THE GUANTANAMO BAY DETENTION FACILITY

Mr. LEAHY. Mr. President, for years, I have consistently opposed efforts by Congress to restrict the Obama administration's ability to close the detention facility at Guantanamo Bay. The indefinite detention without trial of detainees at Guantanamo contradicts our most basic principles of justice, degrades our international standing, and harms our national security. The mere existence of this facility serves as a recruitment tool for terrorists, and the facility costs American taxpayers more than $4 million per detainee each year—an astonishing amount of money that could be repurposed to keep our men and women in uniform safe.

I recently received a letter from former Marine Corps Commandant Charles Krulak, co-signed by an additional 60 retired generals and admirals that noted ''closing Guantanamo is not just a national security imperative, it is about reestablishing the core values of who we are as a nation.'' I could not agree more. I ask unanimous consent that General Krulak's letter be printed in the RECORD at the conclusion of my remarks.

Last May, I wrote a letter to President Obama urging him to expedite the transfer of cleared detainees to foreign countries and accelerate the periodic review board process to determine if additional detainees could be transferred. Since that time, the President has made progress toward closing the Guantanamo detention facility. To date, only 91 detainees remain, and top national security officials have already cleared 35 of those detainees for transfer to foreign countries. I am encouraged that the plan unveiled by the administration yesterday morning calls for accelerating the review process to determine if additional detainees can be transferred, as I urged, and for completing that process by the fall.

Now that President Obama has delivered a plan, Congress must do its part and lift the unnecessary and counterproductive restrictions on transferring detainees to the United States, so that we can finally shutter Guantanamo once and for all. We should all want to see additional detainees finally brought to justice in our Federal court system, which has a long and proven track record in terrorism prosecutions—unlike the military commission system that has been bogged down in legal challenges and procedural hurdles.

The detention facility at Guantanamo Bay has been a stain on our national reputation for more than 14 years. Closing Guantanamo is the morally and fiscally responsible thing to do, and it is long past time to stop the fear-mongering so we can work together to close it down.

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

FEBRUARY 23, 2016.

DEAR SENATOR LEAHY: I represent a coalition of more than 60 retired generals and admirals of the United States Armed Forces who have for years advocated the responsible closure of the detention facility at Guantanamo Bay. I write to urge you to give serious consideration to the recently submitted Department of Defense plan to close the detention facility at Guantanamo Bay, Cuba. Closing Guantanamo is in our national security interest, and with the submission of the DOD plan, there is a unique opportunity for Congress to lift the remaining restrictions on transferring detainees so that Guantanamo can be closed.

Guantanamo continues to impose significant costs to our national security. As an offshore detention facility that—rightly or wrongly—represents to the world an image of detainee abuse and violations of the rule of law, Guantanamo undermines counterterrorism cooperation with allies and unnecessarily bolsters the propaganda and recruiting narratives that terrorists seek to advance. It is a travesty that the trial of the perpetrators of the 9/11 attacks remains bogged down at Guantanamo nearly 15 years after 9/11.

The issue of what to do with Guantanamo is not a political issue. There is near unanimous agreement from our nation's top military, intelligence, and law enforcement leaders that Guantanamo should be closed. Even President George W. Bush, who opened Guantanamo after the 9/11 attacks, tried to close it, noting that ''the detention facility had become a propaganda tool for our enemies and a distraction for our allies.''

We understand that some fear bringing even a small number of detainees to the United States as part of the plan to close Guantanamo. However, we are confident that those detainees can be held safely and securely stateside. Hundreds of terrorists are already being held in U.S. prisons—including one former Guantanamo detainee who is serving a life sentence. Rather than trying to invoke fear, we should applaud these communities that have successfully and safely detained society's worst without incident. In any event, the risks of keeping Guantanamo open far outweigh any risks associated with closing it.

In the coming days and weeks, we plan on more closely studying the Department of Defense's plan to close Guantanamo, and we hope you will do the same. Closing Guantanamo is not just a national security imperative, it is about reestablishing the core values of who we are as a nation, and we believe strongly that there must be a bi-partisan approach to achieving that objective.

Semper Fidelis,

CHARLES C. KRULAK,
*General, U.S. Marine Corps (Ret.).*

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mrs. MCCASKILL. Mr. President, I was necessarily absent for today's vote on S. Res. 374, a resolution relating to the death of Antonin Scalia, Associate Judge of the Supreme Court of the United States. I would have voted yea.●

## ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD at this point the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, February 23, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–12, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services estimated to cost $350 million. After this letter is delivered to your office, we plan

to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 16–12

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Iraq.

(ii) Total Estimated Value:

Major Defense Equipment* $0 million.

Other: $350 million.

Total: $350 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-Major Defense Equipment (MDE): The Iraq Air Force is requesting a five-year sustainment package for its KA–350 fleet that includes contract logistics, training, and contract engineering services. Also included in this possible sale are operational and intermediate depot level maintenance, spare parts, component repair, publication updates, maintenance training, and logistics.

(iv) Military Department: Air Force (X7–D–QBQ).

(v) Prior Related Cases, if any: FMS Case: IQ–D–QAX–$169M–13 September 2011, IQ–D–QBK–$750K–19 November 2009.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: February 23, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Iraq—KA–350 Sustainment, Logistics, and Spares Support

The Government of Iraq is requesting a five-year sustainment package for its KA–350 fleet that includes: operational and intermediate depot level maintenance, spare parts, component repair, publication updates, maintenance training, and logistics. There is no Major Defense Equipment associated with this case. The overall total estimated value is $350 million.

The Iraq Air Force (IqAF) operates five (5) King Air 350 ISR (intelligence, surveillance, and reconnaissance) and one (1) King Air 350 aircraft. The KA–350 aircraft are Iraq's only ISR-dedicated airborne platforms and are used to support Iraqi military operations against Al-Qaeda affiliates and Islamic State of Iraq and the Levant (ISIL) forces. The purchase of a sustainment package will allow the IqAF to continue to operate its fleet of six (6) KA–350 aircraft beyond September 2016 (end of the existing Contract Logistics Support (CLS) effort). Iraq will have no difficulty absorbing this support.

The proposed sale will contribute to the foreign policy and national security goals of the United States by helping to improve a critical capability of the Iraq Security Forces in defeating ISIL.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Beechcraft Defense Company, Wichita, KS. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Iraq.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Iraq.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, February 23, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16–04, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost $225 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 16–04

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: United Arab Emirates.

(ii) Total Estimated Value:

Major Defense Equipment* $82.664 million.

Other: $142.336 million.

Total: $225.000 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The UAE requested a possible sale of eight (8) AN/AAQ–24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) Systems to protect the UAE's C–17 aircraft. Each C–17 aircraft configuration for the LAIRCM system consists of three (3) Guardian Laser Transmitter Assemblies (GLTA), six (6) Ultra-Violet Missile Warning System (UVMWS) Sensors AN/AAR–54, one (1) Control Indicator Unit Replacement (CIUR) and one (1) LAIRCM System Processor Replacement LSPR.

Major Defense Equipment (MDE):

Twenty-four (24) AN/AAQ–24(V)N Guardian Laser Transmitter Assembles (GLTA) and thirteen (13) spares. Eight (8) AN/AAQ–24 (V)N LAIRCM System Processor Replacement (LSPR) and eleven (11) spares. Forty-eight (48) AN/AAR–54 Ultra-Violet Missile Warning System (UVMWS) Sensors and twenty-six (26) spares.

Non-MDE items include: Control Indicator Unit Replacement (CIUR), Smart Card Assemblies (SCA), High Capacity Cards (HCC), User Data Modules (UDM), Repeaters, COMSEC Key Loaders, initial spares, consumables, support equipment, technical data, repair and return support, engineering design, Group A and Group B installation, flight test and certification, warranties, contractor provided familiarization and training, U.S. Government (USG) manpower and services, and Field Service Representatives (FSR). The total estimated program cost is $225 million.

(iv) Military Department: Air Force (AE–D–QAI).

(v) Prior Related Cases, if any: FMS Case: AE–D–QAC–17 December 09–$501M, 26 May 10–$250M, 31 July 12–$35M, 28 July 15–$335M. AE–D–QAH 28 July 15–$335M.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 23, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

United Arab Emirates—AN/AAO–24(V)N Large Aircraft Infrared Countermeasures (LAIRCM)

The United Arab Emirates (UAE) requested a possible sale of eight (8) AN/AAQ–24(V)N LAIRCM for the UAE's C–17 aircraft. Each C–17 aircraft configuration for the LAIRCM system consists of the following major defense equipment (MDE): three (3) Guardian Laser Transmitter Assemblies (GLTA), six (6) Ultra-Violet Missile Warning System (UVMWS) Sensors AN/AAR–54, one (1) LAIRCM System Processor Replacement (LSPR). The sale includes spares bringing the MDE total to thirty-seven (37) GLTA AN/AAQ–24(V)Ns, nineteen (19) LSPR AN/AAQ–24(V)Ns, and seventy-four (74) UVMWS Sensors AN/AAR–54. The sale also includes the following non-MDE items: Control Indicator Unit Replacements (CIUR), Smart Card Assemblies (SCA), High Capacity Cards (HCC), User Data Modules (UDM), Repeaters, COMSEC Key Loaders, initial spares, consumables, support equipment, technical data, repair and return support, engineering design, Group A and Group B installation, flight test and certification, U.S. Government manpower and services, and Field Service Representatives (FSR). The total estimated value of MDE is $82.664 million. The total estimated program cost is $225 million.

This proposed sale enhances the foreign policy and national security of the United States by improving the security of a partner country, which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed purchase of LAIRCM to provide for the protection of UAE's C–17 fleet enhances the safety of UAE airlift aircraft engaging in humanitarian and resupply missions. LAIRCM facilitates a more robust capability into areas of increased missile threats. The UAE will have no problem absorbing and using the AN/AAQ–24(V)N LAIRCM system.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be The Boeing Company, Chicago, Illinois, The main subcontractor is Northrop Grumman Corporation of Rolling Meadows, Illinois. There are no known offset agreements proposed in connection with this potential sale.

This sale includes provisions for one (1) FSR to live in the UAE for up to two (2) years. Implementation of this proposed sale requires multiple temporary trips to the UAE involving U.S. Government or contractor representatives over a period of up to six (6) years for program execution, delivery, technical support, and training.

TRANSMITTAL NO. 16–04

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology

1. The AN/AAQ–24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared-guided surface-to-air missiles. The system features digital technology and micro-miniature solid-state electronics. The system operates in all conditions, detecting incoming missiles and jamming infrared-seeker equipped missiles with aimed bursts of laser energy. The LAIRCM system consists of multiple Ultra-Violet Missile Warning System (UVMWS) Sensor units, Guardian Laser Transmitter Assemblies (GLTA), LAIRCM System Processor Replacement

(LSPR), Control Indicator Unit Replacement (CIUR), and a classified High Capacity Card (HCC), and User Data Modules (UDM). The HCC card is loaded into the CIUR prior to flight. When the classified HCC card is not in use, it is removed from the CIUR and put in secure storage. LAIRCM Line Replaceable Units (LRU) hardware is classified SECRET when the classified HCC is inserted into the CIUR. LAIRCM system software, including Operational Flight Program, is classified SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

a. The set of UVMWS Sensor units (AN/AAR–54) are mounted on the aircraft exterior to provide omni-directional protection. The UVMWS Sensors detect the rocket plume of missiles and sends appropriate data signals to the LSPR for processing. The LSPR analyzes the data from each UVMWS Sensors and automatically deploys the appropriate countermeasures via the GLTA. The CIUR displays the incoming threat.

b. The AN/AAR–54 UVMWS Sensor warns of threat missile approach by detecting radiation associated with the rocket motor. The AN/AAR–54 is a small, lightweight, passive, electro-optic, threat warning devise used to detect surface-to-air missiles fired at helicopters and low-flying fixed-wing aircraft and automatically provide counlermeasures, as well as audio and visual warning messages to the aircrew. The basic system consists of multiple UVMWS Sensor units, three GLTAs, a LSPR and a CIUR. The set of UVMWS units (each C–17 has six (6)) are mounted on the aircraft exterior to provide omnidirectional protection. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation to be provided are UNCLASSIFIED.

2. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the United Arab Emirates.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, February 11, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15–80, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Pakistan for defense articles and services estimated to cost $699.04 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 15–80

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of Pakistan.

(ii) Total Estimated Value:

Major Defense Equipment* $564.68 million.

Other $134.36 million.

Total: $699.04 million.

(iii) Description and Quantity or Quantities of Articles or Services Under Consideration for Purchase:

Major Defense Equipment (MDE): Eight (8) F–16 Block 52 aircraft (two (2) C and six (6) D models), with the F100–PW–229 increased performance engine.

Fourteen (14) Joint Helmet Mounted Cueing Systems (JHMCS).

Non-MDE items included in this request are eight (8) AN/APG–68(V)9 radars, and eight (8) ALQ–211(V)9 Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS). Additionally, this possible sale includes spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The estimated cost of MDE is $564.68 million. The total estimated cost is $699.04 million.

(iv) Military Department: Air Force (X7–D–5A7).

(v) Prior Related Cases, if any: FMS Case SAF—$1.4B–24 Oct 06.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 11, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Government of Pakistan—F–16 Block 52 Aircraft

The Government of Pakistan has requested a possible sale of:

Major Defense Equipment (MDE):

Eight (8) F–16 Block 52 aircraft (two (2) C and six (6) D models), with the F100–PW–229 increased performance engine

Fourteen (14) Joint Helmet Mounted Cueing Systems (JHMCS)

Non-MDE items included in this request are eight (8) AN/APG–68(V)9 radars, and eight (8) ALQ–211(V)9 Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS). Additionally, this possible sale includes spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The estimated cost of MDE is $564.68 million. The total estimated cost is $699.04 million.

This proposed sale contributes to U.S. foreign policy objectives and national security goals by helping to improve the security of a strategic partner in South Asia.

The proposed sale improves Pakistan's capability to meet current and future security threats. These additional F–16 aircraft will facilitate operations in all-weather, non-daylight environments, provide a self-defense/area suppression capability, and enhance Pakistan's ability to conduct counter-insurgency and counterterrorism operations.

This sale will increase the number of aircraft available to the Pakistan Air Force to sustain operations, meet monthly training requirements, and support transition training for pilots new to the Block 52. Pakistan will have no difficulty absorbing these additional aircraft into its air force.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

Contractors have not been selected to support this proposed sale. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Pakistan.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15–80

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This sale involves the release of sensitive technology to Pakistan. The F–16C/D Block 50/52 weapon system is UNCLASSIFIED, except as noted below. The aircraft uses the F–16 airframe and features advanced avionics and systems. It contains the Pratt and Whitney F–100–PW 229 engine, AN/APG–68V(9) radar, digital flight control system, external electronic warfare equipment, Advanced Identification Friend or Foe (AIFF), LINK–16 datalink, and software computer programs.

2. Sensitive and/or classified (up to SECRET) elements of the proposed F–16C/D include hardware, accessories, components, and associated software: AN/APG–68V(9) Radar, Have Quick I/II Radios, AN/APX–113 AIFF with Mode IV capability, AN/ALE–47 Countermeasures (Chaff and Flare) set, LINK–16 Advanced Data Link Group A provisions only, Embedded Global Positioning System/Inertial Navigation System, Joint Helmet-Mounted Cueing System (JHMCS), ALQ–211(V)9 Advanced Integrated Defensive Electronic Warfare Suite (AIDEWS) without Digital Radio Frequency Memory, AN/ALQ–213 Countermeasures Set, Modular Mission Computer, Have Glass I/II without infrared top coat, Digital Flight Control System, F–100 engine infrared signature, and Advanced Interference Blanker Unit. Additional sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and other similar critical information.

3. The AN/APG–68(V)9 is the latest model of the APG–68 radar and was specifically designed for foreign military sales. This model contains the latest digital technology available for a mechanically scanned antenna, including higher processor power, higher transmission power, more sensitive receiver electronics, and an entirely new capability, Synthetic Aperture Radar (SAR), which creates higher resolution ground maps from a much greater distance than previous versions of the APG–68. Complete hardware is classified CONFIDENTIAL, major components and subsystems are classified CONFIDENTIAL, software is classified SECRET, and technical data and documentation are classified up to SECRET.

4. The AN/ARC–238 radio with HAVE QUICK II is a voice communications radio system. The AN/ARC–238 employs cryptographic technology that is classified SECRET. Classified elements include operating characteristics, parameters, technical data, and keying material.

5. The AN/APX–113 AIFF with Mode IV system is classified up to SECRET when operational evaluator parameters are loaded into the equipment. Classified elements of the AIFF system include software object code, operating characteristics, parameters, and technical data.

6. The Multifunctional Information Distribution System-Low Volume Terminal (MIDS–LVT) is an advanced Link–16 command, control, communications, and intelligence (C31) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. MIDS–LVT is intended to support key theater functions such as surveillance, identification, air control, weapons engagement coordination, and direction for all services and allied forces. The system will provide jamming-resistant, wide-area communications on a Link-16 network among MIDS and Joint Tactical Information Distribution System (JTIDS) equipped platforms. The MIDS/LVT and MIDS on Ship Terminal hardware, publications, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified CONFIDENTIAL. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through intermediate level) of the data link terminal, installed systems, and related software.

7. The Joint Helmet Mounted Cueing System (JHMCS) is a modified HGU–55/P helmet that incorporates a visor-projected Heads-Up Display (HUD) to cue weapons and aircraft sensors to air and ground targets. A Helmet Vehicle Interface (HVI) interacts with the aircraft system bus to provide signal generation for the helmet display. This provides significant improvement for close combat targeting and engagement. The hardware is UNCLASSIFIED; technical data and documents are classified up to SECRET.

8. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software source code in this proposed sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of systems with similar or advanced capabilities. The benefits to be derived from this sale in the furtherance of the U.S. foreign policy and national security objectives, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

9. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

10. A determination has been made that the recipient country can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

11. All defense articles and services are approved for release to the Government of Pakistan.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, February 10, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0C-16. This report relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 15-14 of 29 May 2015.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 0C–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: The United Arab Emirates (UAE).

(ii) Sec. 36(b)(1), AECA Transmittal No.: 15-14; Date: 29 May 2015; Military Department: Air Force.

(iii) Description: On 29 May 2015, Congress was notified by Congressional Notification Transmittal Number 15-14, of the possible sale under Section 36(b)(1) of the Arms Export Control Act for 500 GBU–31B/B(V)1 (MK–84/BLU–117) bombs, 500 GBU–31B/B(V)3 (BLU–109 bombs) bombs, and 600 GBU–12 (MK–82/BLU–111) bombs, containers, fuzes, spare and repair parts, support equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor logistics and technical support services, and other related elements of logistics support. The estimated total cost was $130 million. Major Defense Equipment (MDE) constituted $100 million of this total.

This transmittal reports a clarification that the MDE munitions notified on Congressional Notification transmittal number 15–14 include the following: 500 GBU–31B/B(V)1 (KMU–556 Joint Direct Attack Munition (JDAM) kits with 500 MK–84/BLU–117 general purpose bombs); 500 GBU–31B/B(V)3 (KMU–557 JDAM kits with 500 BLU–109 penetrating bombs); and 600 GBU–12 kits, with 600 MK–82/BLU–111 general purpose bombs. This transmittal also reports the inclusion as MDE of 1700 FMU–152A/B munitions fuzes. The value of the fuzes was included in the MDE cost but was not enumerated as MDE. The total estimated value of associated MDE remains at $100M. The total overall value of the program remains at $130 million.

(iv) Significance: The proposed sale provides munitions resupply. The UAE continues to be a steadfast partner within the region and continues to participate in Coalition Operations.

(v) Justification: This proposed sale contributes to the foreign policy and national security of the United States by meeting the security and defense needs of a partner nation that continues to be an important force for political stability and economic progress in the Middle East.

(vi) Date Report Delivered to Congress: February 10, 2016.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington VA, February 10, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0G–16. This report relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 16–10 of 18 December 2015.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO.: 0G–16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(a), AECA)

(i) Purchaser: Government of Australia.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 16–10; Date: 18 December 2015; Military Department: Army.

(iii) Description: On 18 December 2015, Congress was notified, by Congressional Notification Transmittal Number 16–10, of the possible sale under Section 36(b)(1) of the Arms Export Control Act for the following:

Major Defense, Equipment (MDE):

Three (3) CH–47F Chinook Helicopters.

Six (6) T55–GA–714A Aircraft Turbine Engines.

Three (3) Force XXI Battle Command, Brigade & Below (FBCB2)/Blue Force Tracker (BFT).

Three (3) Common Missile Warning Systems (CMWS).

Three (3) Honeywell H–764 Embedded Global Positioning/Inertial Navigation Systems.

Three (3) Infrared Signature Suppression Systems.

The previous request also included the following Non-Major Defense Equipment; AN/APX–123A Identification Friend or Foe (IFF) Transponders, Defense Advanced Global Positioning System (GPS) Receiver (DAGR), AN/ARC–201D SINCGARS Airborne Radio Systems, AN/ARC–220 High Frequency Airborne Communication Systems, AN/ARC–231(V)(C) Airborne VHF/UHF/LOS SATCOM Communications Systems, KY–100 Secure Communication Systems, KIV–77 Common IFF Cryptographic Computers, AN/AVS–6 Aviator's Night Vision Systems, AN/ARN–147 Very High Frequency (VHF) Omni Ranging/Instrument Landing System Receiver, AN/PYQ–10(C) Simple Key Loaders, AN/ARN–153 Tactical Airborne Navigation (TACAN) System, Spare Parts, Tools, Ground Support Equipment, Technical Publications, Contractor and U.S. Government Technical Services.

The total estimated cost of MDE was $105 million. The total overall estimated value was $180 million.

This report revises the quantity of the Honeywell H–764 Embedded Global Positioning/Inertial Navigation Systems (GPS/INS) to two (2) per aircraft and two (2) as spares, for a total quantity of eight (8). This report also revises the quantity of Common Missile Warning Systems (CMWS) to four (4), which includes one spare. Additionally, this report removes the three (3) Force XXI Battle Command, Brigade & Below (FBCB2), but retains the Blue Force Tracker (BFT), which are non-MDE. The Infrared Signature Suppression Systems are also revised to be properly enumerated here as non-MDE. The revised MDE total cost is $103 million. The total overall estimated value remains at $180 million.

(iv) Significance: The GPS/INS provides highly accurate all-altitude, all-weather navigation and timing information to the CH–47F Chinook helicopters, allowing more precise flight pattern and rendezvous. The helicopters have a redundant requirement to have two GPS/INS systems for flight operations. There is also a requirement for two additional GPS/INS as maintenance spares. The CMWS provides enhanced situational awareness and the capability to defeat ground to air missile threats. The CH–47F helicopters will increase Australia's ability to contribute to future coalition operations and help provide stability in the region.

(v) Justification: It is vital to U.S. national interests to assist Australia to develop and maintain a strong and ready self-defense capability. This update to a previously approved sale will further enhance

Australia's interoperability with the U.S. Army.

(vi) Date Report Delivered to Congress: February 10, 2016.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, February 10, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding a revised Transmittal No. 15–62, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost $1.20 billion. The original Transmittal was delivered on November 19, 2015, and it erroneously cited the potential for offsets. There are no known offsets associated with this sale. This submission corrects this discrepancy and makes no other changes. After this letter is delivered to your office, we plan to issue a corrected news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 15–62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Japan.

(ii) Total Estimated Value:

Major Defense Equipment:* $.689 billion.

Other: $.511 billion.

Total: $1.20 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Three (3) RQ–4 Block 30 (I) Global Hawk Remotely Piloted Aircraft with Enhanced Integrated Sensor Suite (EISS).

Eight (8) Kearfott Inertial Navigation System/Global Positioning System (INS/GPS) units (2 per aircraft with 2 spares).

Eight (8) LN–251 INS/GPS units (2 per aircraft with 2 spares).

Also included with this request are operational-level sensor and aircraft test equipment, ground support equipment, operational flight test support, communications equipment, spare and repair parts, personnel training, publications and technical data, U.S. Government and contractor technical and logistics support services, and other related elements of logistics support.

(iv) Military Department: Air Force (X7–D–SAI).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 10, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Japan—RQ–4 Block 30 (I) Global Hawk Remotely Piloted, Aircraft

The Government of Japan has requested a possible sale of:

Major Defense Equipment (MDE):

Three (3) RQ–4 Block 30 (I) Global Hawk Remotely Piloted Aircraft with Enhanced Integrated Sensor Suite (EISS).

Eight (8) Kearfott Inertial Navigation System/Global Positioning System (INS/GPS) units (2 per aircraft with 2 spares).

Eight (8) LN–251 INS/GPS units (2 per aircraft with 2 spares).

Also included with this request are operational-level sensor and aircraft test equipment, ground support equipment, operational flight test support, communications equipment, spare and repair parts, personnel training, publications and technical data, U.S. Government and contractor technical and logistics support services, and other related elements of logistics support. The estimated value of MDE is $.689 billion. The total estimated value is $1.2 billion.

This proposed sale will contribute to the foreign policy and national security of the United States. Japan is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring regional peace and stability. This transaction is consistent with U.S. foreign policy and national security objectives and the 1960 Treaty of Mutual Cooperation and Security.

The proposed sale of the RQ–4 will significantly enhance Japan's intelligence, surveillance, and reconnaissance (ISR) capabilities and help ensure that Japan is able to continue to monitor and deter regional threats. The Japan Air Self Defense Force (JASDF) will have no difficulty absorbing these systems into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Northrop Grumman Corporation in Rancho Bernardo, California. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will require the assignment of contractor representatives to Japan to perform contractor logistics support and to support establishment of required security infrastructure.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15–62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The RQ–4 Block 30 Global Hawk hardware and software are UNCLASSIFIED. The highest level of classified information required for operation may be SECRET depending on the classification of the imagery or Signals Intelligence (SIGINT) utilized on a specific operation. The RQ–4 is optimized for long range and prolonged flight endurance. It is used for military intelligence, surveillance, and reconnaissance. Aircraft system, sensor, and navigational status are provided continuously to the ground operators through a health and status downlink for mission monitoring. Navigation is via inertial navigation with integrated global positioning system (GPS) updates. The vehicle is capable of operating from a standard paved runway. Real time missions are flown under the control of a pilot in a Ground Control Element (GCE). It is designed to carry a non-weapons internal payload of 3,000 lbs consisting primarily of sensors and avionics. The following payloads are integrated into the RQ–4: Enhanced Imagery Sensor Suite that includes multi-use infrared, electro-optical, ground moving target indicator, and synthetic aperture radar and a space to accommodate other sensors such as SIGINT. The RQ–4 will include the GCE, which consists of the following components:

a. The Mission Control Element (MCE) is the RQ–4 Global Hawk ground control station for mission planning, communication management, aircraft and mission control, and image processing and dissemination. It can be either fixed or mobile. In addition to the shelter housing the operator workstations, the MCE includes an optional 6.25 meter Ku-Band antenna assembly, a Tactical Modular Interoperable Surface Terminal, a 12-ton Environmental Control Unit (heating and air conditioning), and two 100 kilowatt electrical generators. The MCE, technical data, and documentation are UNCLASSIFIED. The MCE may operate at the classified level depending on the classification of the data feeds.

b. The Launch and Recovery Element (LRE) is a subset of the MCE and can be either fixed or mobile. It provides identical functionality for mission planning and air vehicle command and control (C2). The launch element contains a mission planning workstation and a C2 workstation. The primary difference between the LRE and MCE is the lack of any wide-band data links or image processing capability within the LRE and navigation equipment at the LRE to provide the precision required for ground operations, take-off, and landing. The LRE, technical data, and documentation are UNCLASSIFIED. The EISS includes infrared/electro-optical, synthetic aperture radar imagery, ground moving target indicator and space to accommodate optional SIGINT, Maritime, datalink, and automatic identification system capabilities. The ground control element includes a mission control function and a launch and recovery capability.

c. The RQ–4 employs a quad-redundant Inertial Navigation System/Global Positioning System (INS/GPS) configuration. The system utilizes two different INS/GPS systems for greater redundancy. The system consists of two LN–251 units and two Kearfott KN–4074E INS/GPS Units. The LN–251 is a fully integrated, non-dithered navigation system with an embedded Selective Availability/Anti-Spoofing Module (SAASM), P(Y) code or Standard Positioning Service (SPS) GPS. It utilizes a Fiber-Optic Gyro (FOG) and includes three independent navigation solutions; blended INS/GPS, INS-only, and GPS-only. The Kearfott KN–4074E features a Monolithic Ring Laser Gyro (MRLG) and accelerometer. The inertial sensors are tightly coupled with an embedded SAASM P(Y) code GPS. Both systems employ cryptographic technology that can be classified up to SECRET.

2. If a technology advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Japan.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington VA, February 10, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15–82, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost $154.9 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 15–82

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective, Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:

Major Defense Equipment* $72.5 million.

Other $82.4 million.

Total $154.9 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for purchase:

Major Defense Equipment (MDE): Five (5) MK 15 Phalanx Close-in Weapons System (CIWS) Block 0 to Block 1B Baseline 2 upgrade kits.

Also included are the following non-MDE items: five (5) local control stations, spare and repair parts, upgrade and conversion of the kits, support and test equipment, personnel training and training equipment, publications, software and technical documentation, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of program and logistics support. The estimated cost is $154.9 million.

(iv) Military Department: Navy (SR–P–LCR).

(v) Prior Related Cases, if any: FMS Case: SR–P–SAT, 24 Mar 74, $147.8 million

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 10, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Kingdom of Saudi Arabia—MK 15 Phalanx Close-in Weapons System (CIWS) Block 1B Baseline 2 Kits

The Kingdom of Saudi Arabia has requested a sale for the upgrade and conversion of five (5) MK 15 Phalanx Close-In Weapons System (CIWS) Block 0 systems to the Block 1B Baseline 2 configuration. The Block 0 systems are currently installed on four (4) Royal Saudi Naval Forces (RSNF) Patrol Chaser Missile (PCG) Ships (U.S. origin) in their Eastern Fleet and one (1) system is located at its Naval Forces School. Also included are; five (5) local control stations, spare and repair parts, support and test equipment, personnel training and training equipment, publications, software, and technical documentation, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of program and logistics support. The total estimated value of MDE is $72.5 million. The overall total estimated value is $154.9 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic regional partner, which has been, and continues to be, an important force for political stability and economic progress in the Middle East. This acquisition will enhance regional stability and maritime security and support strategic objectives of the United States.

The proposed sale will provide Saudi Arabia with self-defense capabilities for surface combatants supporting both national and multi-national naval operations. The sale will extend the life of existing PCG Class ships. Saudi Arabia will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. Saudi Arabia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment, services, and support will not alter the basic military balance in the region.

The prime contractor will be Raytheon Missiles Systems of Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Saudi Arabia; however, contractor engineering and technical services may be required on an interim basis for installations and integration.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15–82

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology

1. The MK 15 CIWS Phalanx Block 1B is a fast reaction detect-through-engage combat system that provides terminal defense against low-flying, high speed, anti-ship missiles; slow speed general purpose aircraft, helicopters, and small surface craft; and rockets, artillery, and mortars. The system is an automatic, self-contained unit consisting of a search and track radar, digitalized fire control system, and electro-optical thermal imager, and a stabilization system, as well as a 20mm M61A1 gun subsystem. CIWS Block 0 provides terminal defense capability but is no longer in the U.S. Navy inventory decreasing its sustainability. By comparison, the CIWS Block 1B upgrade included in this sale would add surface mode and enhanced anti-air warfare capabilities.

a. There is no Critical Program Information associated with the MK 15 CIWS Phalanx hardware, technical documentation, or software. The highest classification of the hardware to be exported is UNCLASSIFIED. The highest classification of the technical documentation to be exported is CONFIDENTIAL. The highest classification of software to be exported is UNCLASSIFIED.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to Saudi Arabia.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington VA, January 15, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15–52, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Iraq for defense articles and services estimated to cost $1.95 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 15–52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Iraq (GoI)

(ii) Total Estimated Value:

Major Defense Equipment* $.550 billion.

Other: $1.400 billion.

Total: $1.950 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: provides additional weapons, munitions, equipment, and logistics support for F–16 aircraft.

Major Defense Equipment (MDE) includes:

Twenty (20) each Joint Helmet Mounted Cueing System (JHMCS).

Twenty-four (24) each AIM–9M Sidewinder missile.

One hundred and fifty (150) each AGM–65D/G/H/K Maverick missile.

Fourteen thousand one hundred and twenty (14,120) each 500-lb General Purpose (GP) bomb body/warhead for use either as unguided or guided bombs. Depending on asset availability during case execution, total quantity of 14,120 each 500-lb warheads will comprise a mix of MK–82 500-lb warheads and/or BLU–111 500-lb warheads from stock and/or new contract procurement.

Two thousand four hundred (2,400) each 2,000-lb GP bomb body/warheads for use either as unguided or guided bombs. Depending on asset availability during case execution, total quantity of 2,400 each 2,000-lb warheads will comprise a mix of MK–84 2,000-lb warheads and/or BLU–117 2,000-lb warheads from stock and/or new contract procurement.

Eight thousand (8,000) each Laser Guided Bomb (LGB) Paveway II tail kits. Will be combined with 500-lb warheads in the above entry for MK–82 and/or BLU–111 to build a GBU–12 guided bomb.

Two hundred and fifty (250) each LGB Paveway II tail kits. Will be combined with 2,000-lb warheads in the above entry for MK–82 and/or BLU–117 to build a GBU–10 guided bomb.

One hundred and fifty (150) each LGB Paveway III tail kits. Will be combined with 2,000-lb warheads in the above entry for MK–82 and/or BLU–117 to build a GBU–24 guided bomb.

Eight thousand, five hundred (8,500) each FMU–152 fuzes. Will be used in conjunction with the LGB tail kits and warheads in the above entries to build GBU All Up Rounds (AUR's). Includes provisioning for spare FMU–152 fuze units (MDE).

Four (4) each WGU 43CD2/B Guidance Control Units.

One (1) each M61 Vulcan Rotary 20mm cannon.

Six (6) each MK–82 inert bomb.

Four (4) each MK–84 inert bomb.

Also included are items of significant military equipment (SME), spare and repair parts, publications, technical documents, weapons components, support equipment, personnel training, training equipment, Aviation Training, Contract Engineering Services, U.S. Government and contractor logistics, engineering, and technical support services, as well as other related elements of logistics and program support. Additional services provided are Aviation Contract Logistics Services including maintenance, supply, component repair/return, tools and manpower. This notification also includes Base Operations Support Services including construction, outfitting, supply, security, weapons, ammunition, vehicles, utilities, power

generation, food, water, morale/recreation services, aircraft support and total manpower.

(iv) Military Department: U.S. Air Force (YAA).

(v) Prior Related Cases, if any: FMS case SAG–$4.2 billion—13 Dec 2010. FMS case SAH–$2.3 billion—12 Dec 2011.

(vi) Sales Commission. Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(viii) Date Report Delivered to Congress: January 15, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Iraq—F–16 Weapons, Munitions, Equipment, and Logistics Support

The Government of Iraq requested a possible sale of additional weapons, munitions, equipment, and logistics support for its F–16 aircraft.

Major Defense Equipment (MDE) includes:

Twenty (20) each Joint Helmet Mounted Cueing System (JHMCS).

Twenty-four (24) each AIM–9M Sidewinder missile.

One hundred and fifty (150) each AGM–65D/G/H/K Maverick missile.

Fourteen thousand one hundred and twenty (14,120) each 500-lb General Purpose (GP) bomb body/warhead for use either as unguided or guided bombs.

Depending on asset availability during case execution, total quantity of 14,120 each 500-lb warheads will comprise a mix of MK–82 500-lb warheads and/or BLU–111 500-lb warheads from stock and/or new contract procurement.

Two thousand four hundred (2,400) each 2,000-lb GP bomb body/warheads for use either as unguided or guided bombs. Depending on asset availability during case execution, total quantity of 2,400 each 2,000-lb warheads will comprise a mix of MK–84 2,000-lb warheads and/or BLU–117 2,000-lb warheads from stock and/or new contract procurement.

Eight thousand (8,000) each Laser Guided Bomb (LGB) Paveway II tail kits. Will be combined with 500-lb warheads in the above entry for MK–82 and/or BLU–111 to build GBU–12 guided bombs.

Two hundred and fifty (250) each LGB Paveway II tail kits. Will be combined with 2,000-lb warheads in the above entry for MK–82 and/or BLU–117 to build GBU–10 guided bombs.

One hundred and fifty (150) each LGB Paveway III tail kits. Will be combined with 2,000-lb warheads in the above entry for MK–82 and/or BLU–117 to build GBU–24 guided bombs.

Eight thousand, five hundred (8,500) each FMU–152 fuzes. Will be used in conjunction with the LGB tail kits and warheads in the above entries to build GBU All Up Rounds (AUR's). Includes provisioning for spare FMU–152 fuze units (MDE).

Four (4) each WGU–43CD2/B Guidance Control Units.

One (1) each M61 Vulcan Rotary 20mm cannon.

Six (6) each MK–82 inert bomb.

Four (4) each MK–84 inert bomb.

Also included are items of significant military equipment (SME), spare and repair parts, publications, technical documents, weapons components, support equipment, personnel training, training equipment. Aviation Training, Contract Engineering Services, U.S. Government and contractor logistics, engineering, and technical support services, as well as other related elements of logistics and program support. Additional services provided are Aviation Contract Logistics Services including maintenance, supply, component repair/return, tools and manpower. This notification also includes Base Operations Support Services including construction, outfitting, supply, security, weapons, ammunition, vehicles, utilities, power generation, food, water, morale/recreation services, aircraft support and total manpower. The total estimated value of MDE is $.550 billion. The total overall estimated value is $1,950 billion.

This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the security of a strategic partner. This proposed sale directly supports Iraq and serves the interests of the people of Iraq and the United States.

Iraq previously purchased thirty-six (36) F–16 aircraft. Iraq requires these additional weapons, munitions, and technical services to maintain the operational capabilities of its aircraft. This proposed sale enables Iraq to fully maintain and employ its aircraft and sustain pilot training to effectively protect Iraq from current and future threats.

The proposed sale of these additional weapons, munitions, equipment, and support does not alter the basic military balance in the region.

The principal vendors are:

Lockheed Martin Aeronautics Company, Fort Worth, Texas.

Lockheed Martin Simulation, Training and Support, Fort Worth, Texas.

Raytheon Company, Lexington, Massachusetts.

The Marvin Group, Inglewood, California.

United Technologies Aerospace Systems, Chelmsford, Massachusetts.

Lockheed Martin Mission Systems and Training, Fort Worth, Texas.

Royal Jordanian Air Academy, Amman, Jordan.

Pratt and Whitney, East Hartford, Connecticut.

Michael Baker International, Alexandria, VA.

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale requires approximately four hundred (400) U.S. Government and contractor personnel to reside in Iraq through calendar year 2020 as part of this sale to establish maintenance support, on-the-job maintenance training, and maintenance advice.

There is no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15–52

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. This sale sustains sensitive technology previously sold to Iraq. The F–16C/D Block 50/52 weapon system is UNCLASSIFIED, except as noted below. The aircraft uses the F–16 airframe and features advanced avionics and systems. It contains the Pratt and Whitney F–100–PW–229 or the General Electric F–110–GE–129 engine, AN/APG–68V(9) radar, digital flight control system, internal and external electronic warfare equipment, Advanced Identification Friend or Foe (IFF) (without Mode IV), operational flight program, and software computer programs.

2. The AIM–9M–8/9 Sidewinder is a supersonic, heat-seeking, air-to-air missile carried by fighter aircraft. The hardware, software, and maintenance are classified CONFIDENTIAL. Pilot training, technical data, and documentation necessary for performance and operating information are classified SECRET.

3. The Paveway II/III (GBU–10/12/24) weapon is classified CONFIDENTIAL. Information revealing target designation tactics and associated aircraft maneuvers, the probability of destroying specific/peculiar targets, vulnerabilities regarding countermeasures and the electromagnetic environment is classified SECRET.

4. The AGM–65D/G/H/K Maverick air-to-ground missile is SECRET. The SECRET aspects of the Maverick system are tactics, information revealing its vulnerability to countermeasures, and counter-countermeasures. Manuals and maintenance have portions that are classified CONFIDENTIAL. Performance and operating logic of the countermeasures circuits are SECRET.

5. The Joint Helmet Mounted Cueing System (JHMCS) is a modified HGU–55/P helmet that incorporates a visor-projected Heads-Up Display to cue weapons and aircraft sensors to air and ground targets. The hardware is UNCLASSIFIED. The technical data and documents are classified up to SECRET.

6. The PGU–28 20mm High Explosive Incendiary ammunition is a low-drag round designed to reduce in-flight drag and deceleration. It is a semi-armor piercing high explosive incendiary round. The PGU–27 A/B 20mm ammunition is the target practice version of the PGU–28. Both the PGU–27 and the PGU–28 are UNCLASSIFIED.

7. The M61 20mm Vulcan Rotary Cannon is a six-barreled automatic cannon chambered in 20x102mm. This weapon is fixed mounted on fighter aircraft and is used for damaging and destroying aerial and ground targets. The cannon and the associated ammunition are UNCLASSIFIED.

8. The MK–82 and MK84 are 500-lb and 2000-lb general purpose bombs respectively. These blast and fragmentation bombs are designed to attack soft and intermediately protected targets. The weapons are UNCLASSIFIED.

9. The BLU–111 is a 500-lb bomb and the BLU–117 is a 2,000-lb bomb. Both bombs are similar to the MK–84 and are filled with the Insensitive Munitions explosive to resist exploding in fuel related fires. They are used by the U.S. Navy. The weapons are UNCLASSIFIED.

10. MJU–7 Flares are a magnesium-based Infrared (IR) countermeasure used for decoying air-to-air and surface-to-air missiles. The MJU–7 hardware is UNCLASSIFIED. Countermeasure effectiveness information is classified up to SECRET.

11. RR–170 Chaff is a countermeasure used to decoy radars and radar-guided missiles. The hardware is UNCLASSIFIED. Countermeasure effectiveness information is classified up to SECRET.

12. Software, hardware, and other data/information, which is classified or sensitive, is reviewed prior to release to protect system vulnerabilities, design data, and performance parameters. Some end-item hardware, software, and other data identified above are classified at the CONFIDENTIAL and SECRET level. Potential compromise of these systems is controlled through management of the basic software programs of highly sensitive systems and software-controlled weapon systems on a case-by-case basis.

13. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

14. This sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

15. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Iraq.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, January 6, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15–65, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Oman for defense articles and services estimated to cost $51 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 15–65

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Oman.

(ii) Total Estimated Value:
Major Defense Equipment* $51 million.
Other: $0 million.
Total: $51 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
Major Defense Equipment (MDE):
Four hundred (400) Tube-launched Optically-tracked wire guided (TOW) 2B Aero, Radio Frequency (RF) Missiles (BGM–71F–3–RF).
Seven (7) TOW 2B Aero, RF Missile (BGM–71F–3–RF) Fly-to-Buy Missiles.

(iv) Military Department: U.S. Army (UKP).

(v) Prior Related Cases, if any: FMS Case UKC–$16.8B–05 Mar 15.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: January 6, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Government of Oman—TOW 2B Missiles

The Government of Oman has requested a possible sale of:
Major Defense Equipment (MDE):
Four hundred (400) Tube-launched Optically-tracked wire guided (TOW) 2B Aero, Radio Frequency (RF) Missiles (BGM–71F–3–RF).
Seven (7) TOW 2B Aero, RF Missile (BGM–71F–3–RF) Fly-to-Buy Missiles.

The estimated value of MDE is $51 million. The total estimated cost of this effort is $51 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale of the TOW 2B Missiles and technical support will advance Oman's efforts to develop an integrated ground defense capability. Oman will use this capability to strengthen its homeland defense and enhance interoperability with the U.S. and other allies. Oman will have no difficulty absorbing these missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missile Systems, Tucson, Arizona.

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the U.S. Government or contractor representatives to travel to Oman for multiple periods for equipment de-processing/fielding, system checkout and new equipment training. There will be no more than three (3) contractor personnel in Oman at any one time and all efforts will lake less than fourteen (14) weeks in total.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15–65

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Radio Frequency (RF) Tube-launched Optically-tracked Wire guided (TOW) 2B Aero Missile (BGM–7IF–3–RF) is a fly-over, shoot-down version with the actual missile flight path offset above the gunner's aim point. The TOW 2B flies over the target and uses a laser profilometer and magnetic sensor to detect and fire two downward-directed, explosively-formed penetrator warheads inio the target. The TOW 2B has a range of 200 to 3750m. A Radio Frequency (RF) Data link, replaced the traditional TOW wire guidance link in all new production variants of the TOW beginning in FY 07. No RF TOW AERO technical data will be released during program development without prior approval from the Office of the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation. The hardware for the TOW 2B is UNCLASSIFIED. Software for performance data, lethality penetration and sensors are classified SECRET.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of (he U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Oman.

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DEFENSE SECURITY COOPERATION AGENCY,
*Arlington, VA, January 6, 2016.*

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15–64, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Iraq for defense articles and services estimated to cost $800 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
*Vice Admiral, USN, Director.*

Enclosures.

TRANSMITTAL NO. 15–64

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Iraq.

(ii) Total Estimated Value:
Major Defense Equipment* $750 million.
Other: $50 million.
Total: $800 million.

(iii) Description and Quantity or Quantities of Articles and Services under Consideration for Purchase:
Major Defense Equipment (MDE):
Five thousand (5,000) AGM–114K/N/R Hellfire missiles.
Ten (10) 114K M36E9 Captive Air Training Missiles.
Non-MDE included with this request are Hellfire missile conversion; blast fragmentation sleeves and installation kits; containers; transportation; spare and repair parts; support equipment; personnel training and training equipment; publications and technical documentation; U.S. Government-provided and contractor-provided technical, engineering, and logistics support services; and other related elements of logistics and program support.

(iv) Military Department: U.S. Army (UBW).

(v) Prior Related Cases, if any:
IQ–B–UBF, Basic/LOA Value: $40.6M/LOA Implementation Date: 27 FEB 14.
IQ–B–UBF, A1/LOA Value: $57.8M/LOA Implementation Date: 16 JUN 14.
IQ–B–UBQ, Basic/LOA Value: $68.3M/LOA Implementation Date: 29 SEP 14.
IQ–B–UCI, Basic/LOA Value: $49.3M/LOA Implementation Date: 24 DEC 14.
IQ–B–UCX, Basic/LOA Value: $62.6M/LOA Implementation Date: 11 JUN 15.
IQ–B–UHC, Basic/LOA Value: $45.7M/LOA Implementation Date: 10 AUG 15.
IQ–B–UHK, Basic/LOA Value: $56.5M/LOA Implementation Date: 05 OCT 15.
IQ–B–UBL, A1/LOA Value: $53.4M/LOA Implementation Date: 26 JUN 14.

(vi) Sales Commission, Fee, etc. Paid. Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: January 6, 2016.

*As defined in Section 47(6) of the Arms Export Control Act (AECA).

POLICY JUSTIFICATION

The Government of Iraq—Hellfire Missiles and Captive Air Training Missiles

The Government of Iraq has requested a possible sale of five thousand (5,000) AGM–114K/N/R Hellfire missiles; Ten (10) 114K M36E9 Captive Air Training Missiles; associated equipment; and defense services. The estimated major defense equipment (MDE) value is $750 million. The total estimated value is $800 million.

The proposed sale will contribute to the foreign policy and national security goals of the United States by helping to improve a critical capability of the Iraq Security Forces in defeating the Islamic State of Iraq and the Levant (ISIL).

Iraq will use the Hellfire missiles to improve the Iraq Security Forces' capability to support ongoing combat operations. Iraq will also use this capability in future contingency operations. Iraq, which already has Hellfire missiles, will face no difficulty absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin Corporation in Bethesda, Maryland. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require any additional U.S. Government or contractor representatives in Iraq.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15–64

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology:

The Hellfire Missile is primarily an air-to-surface missile with a multi-mission, multi-target, precision-strike capability. The Hellfire can be launched from multiple air platforms and is the primary precision weapon for the United States.

The Captive Air Training Missile (CATM) is a training missile (Non-NATO) that consists of a functional guidance section coupled to an inert missile bus. The missile has an operational semi-active laser seeker that can search for and lock-on to laser-designated targets for pilot training, but it does not have a warhead or propulsion section and cannot be launched.

The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is SECRET. Information required for maintenance or training is CONFIDENTIAL. Vulnerability data, countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET or CONFIDENTIAL. Release of detailed information to include discussions, reports and studies of system capabilities, vulnerabilities and limitations that lead to conclusions on specific tactics or other counter countermeasures (CCM) is not authorized for disclosure.

If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

A determination has been made that the Government of Iraq can provide substantially the same degree of protection as the U.S. Government for the information proposed for release.

## REMEMBERING JUSTICE ANTONIN SCALIA

Mrs. BOXER. Mr. President, I want to express my deepest sympathies to the Scalia family.

Justice Scalia was first and foremost a family man, beloved by his wife, 9 children, and 36 grandchildren.

Since 1986 he had served on the highest court in our land. He inspired deep loyalty among his many friends and his current and former clerks, who remember him for his sharp wit and intellect.

He was clearly a man who rose above ideological differences with his colleagues to forge deep friendships on the Court. That is a credit to him.

While I may have disagreed with him on matters of law and policy, we are united as Americans in sharing our condolences.

## BLACK HISTORY MONTH

Ms. MIKULSKI. Mr. President, in honor of the rich cultural heritage of the African-American community in Maryland and in memory of all the freedom fighters across the Nation, past and present, I am celebrating Black History Month by reexamining what this country still needs to do to guarantee that African Americans are not left behind when it comes to the issues that matter.

We are living right now in a world that is fighting for change on many levels, from social unrest in our cities, to expansive international crises. While the news may seem grim, there is also inspiration every day around the world as people come together to bring about the peaceful change that they are fighting for. There are peaceful protests for great social change, the next generation is volunteering and giving hope to their communities, and educational opportunities continue to grow for our youth around the world.

Reflecting on where we have been and where we are going, I recognize the immeasurable impact that Maryland African Americans have made to our culture and to the fight for equal rights for all. Benjamin Banneker, born in Catonsville, made scientific strides to help us understand the mysteries of nature. Harriet Tubman and Reverend Josiah Henson each led slaves to freedom through the Underground Railroad running through Maryland, defying the law and fighting for what was right. Isaac Myers became a labor leader, the first president of the Colored National Labor Union, and a cofounder of a cooperative shipyard and railway to provide African Americans with employment opportunities in Baltimore. Frederick Douglass was a dedicated and prolific civil rights activist and author. Explorer Matthew Henson co-discovered the North Pole and traversed the ends of the earth.

We certainly will never forget the esteemed Supreme Court Justice Thurgood Marshall, the first African-American Justice on the Court, who protected and fought for our rights to life, liberty, and the pursuit of happiness. He fought for desegregation through the law throughout his long career, in particular arguing the Brown v. Board of Education case in front of the Supreme Court, on behalf of African-American schoolchildren across the U.S.

We honor those who came before us by continuing to fight for justice and equality today. That means the right laws, and it means the right education. That means fighting for economic justice, social justice, and criminal justice. We know that the best weapons against economic injustice is a good education. That is why I am fighting for public schools that families can count on because the quality of education your kids receive shouldn't depend on the zip code you live in. That is why I fought and continue to fight for early child care, which helps 1.5 million children, including 19,000 in Maryland, get ready for school. That is why I pushed to fund early education to help States implement high quality preschool programs and Head Start programs. That means college that is affordable and accessible. It is why I am fighting to simplify the application for student aid and expand Pell grants to make sure that students can pay for books next semester or rent next month. We fought for the American Opportunity Tax Credit so that parents could get a tax break for sending their kids to college—because a college education is part of the American dream, not part of a financial nightmare.

We look to our community and national leaders, like the NAACP, headquartered in Baltimore, to continue to lead the fight for equal rights. We look to our strong leaders in Maryland, like Freeman Hrabowski, the president of the University of Maryland, Baltimore County, and Representative ELIJAH CUMMINGS, fighting tooth and nail every day for the citizens of Maryland's Seventh Congressional District.

With people like this to look up to, we are reminded of the abiding truth that each of us has the power to create a better world for ourselves and our children. So the battle is enjoined. As the great Martin Luther King, Jr., said, ''Change does not roll in on the wheels of inevitability, but comes through continuous struggle. And so we must straighten our backs and work for our freedom.'' This is not about the past, and it is not only about the present, but it is also about the future.

I thank so many people and organizations around the Nation and in Maryland for all they do every day for our future. Remember, each of us can make a difference, but together we can make change.

Mr. SCOTT. Mr. President, as we celebrate Black History Month, we remember so many trailblazers. From William Flora's heroism during the American Revolution, to Frederick Douglass and Harriet Tubman, Rosa Parks and Dr. Martin Luther King, the contributions of Black Americans throughout our Nation's history are great. But they are not limited to the names and stories we all know—every family has their legend, their groundbreaker.

Growing up in North Charleston, SC, my granddaddy, Artis Ware, was my hero. He passed away last month at the age of 94, leaving our family saddened by his loss, but truly blessed by his life. I wanted to take this opportunity to share what my granddaddy meant to us, and how his legacy shows the true meaning of Proverbs 13:22—''A good man leaves an inheritance to his children's children.''

My granddaddy was born in 1921 in Salley, SC. He grew up picking cotton and left school after the third grade. He did not let the lack of a formal education hold him back though, and as he grew up, he moved to North Charleston

and eventually secured a job with the South Carolina Ports Authority.

As a young kid, this was the granddaddy I knew, not one that let his circumstances hold him back or let his frustrations overtake his love for his family. After my parents' divorce, my mom, my brother, and I all moved into my grandparents' house—about 800 or 900 square feet and one bathroom. The three of us shared a bedroom—and were happy to do so.

What I remember most about my granddaddy from this time was, on so many mornings, he would sit down at the kitchen table, have a cup of coffee, and leaf through the newspaper. He wanted us to see him reading, reinforcing the importance of doing well in school. It wasn't until years later that I learned he couldn't read.

My cousin also loves to tell the story of how granddaddy would wake up to do the laundry at 4 a.m. and make sure everyone else got up and started working as well. That work ethic and dedication started to funnel down through the rest of our family and showed us all the importance of hard work.

Granddaddy's messages worked—my brother recently retired as a command sergeant major after 30 years in the Army, my cousin is a preacher in North Charleston, and I eventually got my own act together as well. My nephew, grandaddy's great-grandson, has earned his undergrad from Georgia Tech, his master's at Duke, and is now headed to medical school at Emory.

That is the power of a strong role model, someone who knows there is a better future out there for his family. In my granddaddy's lifetime, our family went from cotton to Congress, and I could never even pretend to thank him enough. He was the rock for our family—our trailblazer.

## CONTRIBUTIONS OF AFRICAN-AMERICAN ARMY ENGINEERS TO THE STATE OF ALASKA

Mr. SULLIVAN. Mr. President, today I wish to recognize the immense contributions of the African-American community to my State of Alaska and to our great Nation.

I want to highlight in particular a contingent of troops, members of the African-American Army Engineers, who were stationed in Alaska during World War II, hundreds of men who served our Nation at a time when their basic human rights were being denied, some 6 years before the military was desegregated. In spite of that despicable injustice, they exhibited a great love for this country, even a willingness to die for this country.

These soldiers were stationed in Alaska among several regiments assigned to build the ALCAN—Alaska-Canada—Highway. For a State as big and diverse as Alaska, infrastructure is critically important to the well-being of our communities. And in the 1940s, infrastructure assets—roads, bridges, ports—were few and far between. In fact, there was no road linking the contiguous United States to Alaska through Canada. We were isolated.

We think of construction projects today, the many tools and machines our hard-working crews have at their disposal. But back then, many of those technologies and advancements didn't exist, making this enormous undertaking all the more daunting. Worse still, the machinery that was available was often given to the all-White units, leaving the African-American servicemembers ill-equipped. Nonetheless, the men of the African-American Army Engineers labored on under extreme weather conditions, creating a roughly 1,700 mile cross-continental corridor in a mere 8 months.

The project, too, came at a time when our Nation was under imminent threat in the Pacific, just 2 months after the attack on Pearl Harbor. Our country needed to get supplies and soldiers to the furthest stretches of U.S. territory. Without the ALCAN, Alaska would not be the cornerstone of our national defense in the Pacific and the Arctic, nor the prosperous land of opportunity we see today.

For these enormous contributions and for their selfless service to our country, we thank the thousands of African-American servicemembers who for too long were dismissed and overlooked.

# ADDITIONAL STATEMENTS

## TRIBUTE TO DONNA MILLER

● Mr. HELLER. Mr. President, today I wish to recognize an individual who has gone above and beyond to save lives in the State of Nevada, Donna Miller. Ms. Miller's drive to provide a dependable health care option to the people of Tonopah is commendable. Her actions warrant only the greatest gratitude and recognition, and I am proud to honor her for her invaluable work for people across the Silver State.

Ms. Miller was born in Romania and immigrated to the United States in 1991. In 1996, she graduated from nursing school and moved to Las Vegas 3 years later. She obtained her flight nurse wings in 2001, beginning her career caring for others. In 2002, she helped found Life Guard International Air Ambulance, and in 2007, she reorganized it into Life Guard International—Flying ICU, Flying ICU. This incredible organization serves as a flying intensive care unit, transporting critically ill and injured patients from one hospital to another that offers more resources in a different location.

Beginning in 2009, Flying ICU served as a necessary resource to the Tonopah community, transporting all ill and injured patients from the Nye Regional Medical Center to facilities in Las Vegas and Reno. Unfortunately, last fall, the Nye Regional Medical Center closed its doors, leaving this rural community with a devastating lack of access to health care. After the medical center's closing, Ms. Miller courageously decided to keep Flying ICU's Tonopah location, changing the organization to an emergency medical service, which treats and transports patients by plane while traveling to the closest hospital in Las Vegas or Reno. This service currently is the only resource in the region for the critically ill and injured to receive lifesaving care.

Ms. Miller also took the initiative to relocate a second plane to Tonopah and increase staff with additional critical care nurses, paramedics, and pilots to provide greater services to the local community. In order to minimize the amount of time that Tonopah's flight crews were away from the Tonopah station, Ms. Miller organized additional Flying ICU flight crews on standby at Nevada airports to allow patients to be further transported by the standby crew, allowing the flight crew to return to the station in a timely manner. Ms. Miller's work on this organization is one of a kind, and I am thankful for her work in saving the lives of Nevadans. Her decision to step up to the plate and provide the Tonopah community many medical resources it would otherwise be without remains invaluable for our State.

Today Flying ICU's services reach across the State, saving lives with four aircraft, a hangar at McCarran International Airport, and operation bases in Las Vegas and Tonopah. The organization employs over 50 medical and aviation professionals to help those in need. Flying ICU's reputation of safe and quality care is well deserved.

In 2014, Ms. Miller was elected as the president of the Nevada Nurses Association, district Three. She has received many awards for her actions, including being recognized as Ambassador for Peace by the International Women's Federation for World Peace in 2014, SBA's Nevada Woman-Owned Business of the Year Award in 2014, the 2014 Women of Distinction Awards—Entrepreneur of the Year, and as one of Las Vegas's 2015 Top 100 Women of Influence. These accolades are given only to those who have done extraordinary acts to earn them, and Ms. Miller without a doubt deserves each one. Nevada is fortunate to have someone like Ms. Miller representing our State. She is a shining example of selflessness for myself and others.

Ms. Miller has demonstrated an unwavering commitment to our State, saving lives and providing care to Nevadans in need. Her drive to help those around her is inspiring, and I thank her for all of her hard work. I ask my colleagues and all Nevadans to join me in thanking Ms. Miller for her many contributions to our State. I wish her well as she continues her efforts to help those in need and in servicing the city of Tonopah and those across central Nevada.●

TRIBUTE TO JENNIFER SPROUT

• Mr. HELLER. Mr. President, today I wish to congratulate Jennifer Sprout on her retirement after serving as CEO of the Elko Area Chamber of Commerce for 6 years. It gives me great pleasure to recognize her years of service to the city of Elko's business community.

Ms. Sprout grew up in California and moved to Elko when she was 19 years old. Prior to working for the chamber, she served as account manager and general manager for Holiday Broadcasting of Elko. In 2009, Ms. Sprout accepted the position of CEO at the Elko Area Chamber of Commerce. As CEO, she served as a powerful voice for Elko businesses, working to bring awareness to issues affecting this community.

She also spearheaded efforts to grow outside recognition of the resources the city has to offer and provided opportunities for business leaders to come together. The city of Elko is recognized as a tourist destination and economic hub for the northeastern part of Nevada, due in part to Ms. Sprout's hard work and unwavering dedication to growing the community. To say she has had a positive impact on the city of Elko would be an understatement. The strong foundation she has built throughout her tenure will be felt for years to come.

The Elko Area Chamber of Commerce was established on April 1, 1907, to support the local business community and promote the city of Elko. Today the chamber has over 700 businesses represented through various members. This incredible organization has helped businesses through times of economic downturn and recovery to stay on their feet and succeed. Through the incredible work of the Elko Area Chamber of Commerce, Elko's business community continues to thrive and maintain a high quality of life for residents. The city of Elko is fortunate to have had someone like Ms. Sprout leading the way at this important chamber.

Ms. Sprout has demonstrated professionalism, commitment to excellence, and dedication to the highest standards during her tenure at the Elko Area Chamber of Commerce. I am both humbled and honored by her service and am proud to call her a fellow Nevadan.

Today I ask all of my colleagues to join me in congratulating Ms. Sprout on her retirement from the chamber and in wishing her well at her new position with Design Concepts. I give my deepest appreciation for all that she has done for the city of Elko.•

REMEMBERING DR. ROBERT B. HAYLING

• Mr. NELSON. Mr. President, today I wish to honor the achievements of Dr. Robert B. Hayling, a civil rights leader in Florida who passed away on December 20, 2015, at the age of 86.

Dr. Hayling was born in Tallahassee and graduated from Florida Agricultural & Mechanical College. Upon graduation, Dr. Hayling served in the U.S. Air Force. Dr. Hayling went on to receive his degree in dentistry from Meharry Medical College and became the first African-American dentist in Florida to be elected to the local, regional, State, and national components of the American Dental Association.

Throughout his years as a community leader and civil rights activist in St. Augustine, Dr. Hayling faced numerous threats, hate speech, and brutal violence at the hands of the Ku Klux Klan. Nevertheless, Dr. Hayling persevered in his resolve for racial equality and is widely recognized as a father of the St. Augustine civil rights movement. During a time of widespread racial divide, Dr. Hayling served as an adviser to the youth council of the National Association for the Advancement of Colored People and as head of the St. Augustine chapter of the Southern Christian Leadership Conference, the national organization of which Dr. Martin Luther King, Jr., was president.

Dr. Hayling is the recipient of various honors and awards, including the Order of La Florida and the de Aviles award which honors citizens that have dedicated themselves to the community of St. Augustine. Scott Street in St. Augustine has been renamed Dr. Robert B. Hayling Place in his honor.

Dr. Hayling was inducted into the Florida Civil Rights Hall of Fame and received a certificate of recognition by St. Augustine's mayor. Even his old dental office became the first civil rights museum in Florida. Further, State Senator Tony Hill sponsored the Dr. Robert B. Hayling Award of Valor, which is presented to civil rights heroes, and a bronze plaque testifying to Dr. Hayling's contributions hangs in the lobby of the Florida State Capitol.

I would like to take this opportunity to recognize and thank Dr. Robert B. Hayling for his commitment, achievements, and dedication in advancing the cause of racial equality and civil rights on both a national and State level.

I offer my heartfelt condolences to the family, friends, and loved ones of Dr. Robert B. Hayling.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:47 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 238. An act to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 812. An act to provide for Indian trust asset management reform, and for other purposes.

H.R. 1475. An act to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance.

H.R. 2880. An act to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes.

H.R. 3004. An act to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission.

H.R. 3371. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes.

H.R. 3620. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, February 25, 2016, he has signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 487. An act to allow the Miami Tribe of Oklahoma to lease or transfer certain lands.

H.R. 890. An act to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in Florida.

H.R. 3262. An act to provide for the conveyance of land of the Illiana Health Care System of the Department of Veterans Affairs in Danville, Illinois.

H.R. 4056. An act to direct the Secretary of Veterans Affairs to convey to the Florida Department of Veterans Affairs all right, title, and interest of the United States to the property known as ''The Community Living Center'' at the Lake Baldwin Veterans Affairs Outpatient Clinic, Orlando, Florida.

H.R. 4437. An act to extend the deadline for the submittal of the final report required by the Commission on Care.

ENROLLED BILL SIGNED

At 12:09 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2109. An act to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

## MEASURES REFERRED

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

H.R. 2880. An act to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3004. An act to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission; to the Committee on Energy and Natural Resources.

H.R. 3371. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3620. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes; to the Committee on Energy and Natural Resources.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 25, 2016, she had presented to the President of the United States the following enrolled bill:

S. 2109. An act to direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BARRASSO:

S. 2580. A bill to establish the Indian Education Agency to streamline the administration of Indian education, and for other purposes; to the Committee on Indian Affairs.

By Mr. BURR:

S. 2581. A bill to ensure that enforcement of Federal tax law by the Internal Revenue Service is not influenced by political bias, inaccurate sources of information, or bias at the individual examiner of department level, and for other purposes; to the Committee on Finance.

By Mrs. ERNST (for herself and Mr. JOHNSON):

S. 2582. A bill to ensure economic stability, accountability, and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN:

S. 2583. A bill to authorize appropriations for the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund; to the Committee on Environment and Public Works.

By Mr. KIRK (for himself and Mrs. GILLIBRAND):

S. 2584. A bill to promote and protect from discrimination living organ donors; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 2585. A bill to establish an airspace management advisory committee; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN:

S. 2586. A bill to require States to report elevated blood lead levels to the Centers for Disease Control and Prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Mr. DURBIN):

S. 2587. A bill to amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to promulgate regulations to improve reporting, testing, and monitoring related to lead and copper levels in drinking water; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself and Mrs. BOXER):

S. 2588. A bill to provide grants to eligible entities to reduce lead in drinking water; to the Committee on Environment and Public Works.

By Mr. JOHNSON:

S. 2589. A bill to require the Secretary of State to submit to Congress an unclassified notice before the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity, and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself and Mr. PETERS):

S. 2590. A bill to amend title XXI of the Social Security Act to improve access to, and the delivery of, children's health services through school-based health centers, and for other purposes; to the Committee on Finance.

By Ms. BALDWIN:

S. 2591. A bill to strengthen incentives and protections for whistleblowers in the financial industry and related regulatory agencies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. MENENDEZ, and Mr. SCHUMER):

S. 2592. A bill to amend the Fair Credit Reporting Act by instituting a 180-day waiting period before medical debt will be reported on a consumer's credit report and removing paid-off and settled medical debts from credit reports that have been fully paid or settled, to amend the Fair Debt Collection Practices Act by providing for a timetable for verification of medical debt and to increase the efficiency of credit markets with more perfect information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY:

S. 2593. A bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL:

S. 2594. A bill to provide for the discoverability and admissibility of gun trace information in civil proceedings; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. MORAN, Mr. SCHUMER, Mr. ISAKSON, Mr. CASEY, Mr. BLUMENTHAL, and Mr. ROBERTS):

S. 2595. A bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. TESTER):

S. 2596. A bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel; to the Committee on Armed Services.

By Mr. BROWN (for himself and Ms. COLLINS):

S. 2597. A bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program; to the Committee on Finance.

By Ms. WARREN (for herself and Mr. MCCAIN):

S. 2598. A bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for Mrs. MCCASKILL):

S. 2599. A bill to prohibit unfair and deceptive advertising of hotel room rates, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself, Mr. CRUZ, Mr. RUBIO, Mr. SASSE, and Mr. CASSIDY):

S. 2600. A bill to amend the Military Selective Service Act to provide that any modification to the duty to register for purposes of the Military Selective Service Act may be made only through an Act of Congress, and for other purposes; to the Committee on Armed Services.

By Mr. KIRK:

S. 2601. A bill to direct the Secretary of Veterans Affairs to disclose certain information to State controlled substance monitoring programs; to the Committee on Veterans' Affairs.

By Mr. LEE (for himself, Mr. CORNYN, Mr. COTTON, Mr. CRUZ, Mr. PAUL, Mr. RUBIO, Mr. TILLIS, and Mr. SASSE):

S. 2602. A bill to prohibit the Federal Communications Commission from reclassifying broadband Internet access service as a telecommunications service and from imposing certain regulations on providers of such service; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 2603. A bill to deny corporate average fuel economy credits obtained through a violation of law, establish an Air Quality Restoration Trust Fund within the Department of the Treasury, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PAUL:

S.J. Res. 31. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of Pakistan of F–16 Block 52 aircraft; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORKER (for himself and Mr. CARDIN):

S. Res. 375. A resolution raising awareness of modern slavery; to the Committee on Foreign Relations.

By Mr. MARKEY (for himself, Mrs. BOXER, Mr. ISAKSON, Mr. DURBIN, Ms. WARREN, Mrs. FEINSTEIN, Mr. REID, Mr. MERKLEY, Mrs. MURRAY, Mr. TESTER, Mr. DAINES, Mr. SCHUMER, and Mr. LEAHY):

S. Res. 376. A resolution designating the first week of April 2016 as ''National Asbestos Awareness Week''; to the Committee on the Judiciary.

By Mr. TOOMEY (for himself and Mr. CASEY):

S. Con. Res. 32. A concurrent resolution recognizing the soldiers of the 14th Quartermaster Detachment of the United States Army Reserve, who were killed or wounded in their barracks by an Iraqi SCUD missile attack in Dhahran, Saudi Arabia, during Operation Desert Shield and Operation Desert Storm, on the occasion of the 25th anniversary of the attack; to the Committee on Armed Services.

## ADDITIONAL COSPONSORS

S. 239

At the request of Mr. ENZI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 239, a bill to amend title 49, United States Code, with respect to apportionments under the Airport Improvement Program, and for other purposes.

S. 386

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 391

At the request of Mr. PAUL, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 391, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 524

At the request of Mr. WHITEHOUSE, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 553

At the request of Mr. CORKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 607

At the request of Mr. GRASSLEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 607, a bill to provide for a five-year extension of the Medicare rural community hospital demonstration program.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1607

At the request of Mr. PORTMAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1607, a bill to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, and for other purposes.

S. 1697

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1697, a bill to provide an exception from certain group health plan requirements to allow small businesses to use pre-tax dollars to assist employees in the purchase of policies in the individual health insurance market, and for other purposes.

S. 1865

At the request of Ms. BALDWIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1865, a bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes.

S. 1890

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1890, a bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes.

S. 1944

At the request of Mr. SULLIVAN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1944, a bill to require each agency to repeal or amend 1 or more rules before issuing or amending a rule.

S. 2173

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2173, a bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program.

S. 2218

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2218, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2373, 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. 2437

At the request of Ms. MIKULSKI, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2437, a bill to amend title 38, United States Code, to provide for the burial of the cremated remains of persons who served as Women's Air Forces Service Pilots in Arlington National Cemetery, and for other purposes.

S. 2484

At the request of Mr. SCHATZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2484, a bill to amend titles XVIII and XI of the Social Security Act to promote cost savings and quality care under the Medicare program through the use of telehealth and remote patient monitoring services, and for other purposes.

S. 2539

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2539, a bill to amend the Social Security Act to provide for mandatory funding, to ensure that the families that have infants and toddlers, have a family income of not more than 200 percent of the applicable Federal poverty guideline, and need child care have access to high-quality infant and toddler child care by the end of fiscal year 2026, and for other purposes.

S. 2557

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2557, a bill to amend the Higher Education Act of 1965 to repeal the suspension of eligibility for grants, loans, and work assistance for drug-related offenses.

S. 2570

At the request of Mr. PORTMAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2570, a bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules and consideration of the least burdensome regulatory alternative, and for other purposes.

S. 2574

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2574, a bill to amend title IV of the Social Security Act to require States to adopt a centralized electronic system to help expedite the placement of children in foster care or guardianship, or for adoption, across State lines, and to provide grants to aid States in developing such a system, and for other purposes.

S. 2579

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2579, a bill to provide additional support to ensure safe drinking water.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 368

At the request of Mr. CARDIN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 368, a resolution supporting efforts by the Government of Colombia to pursue peace and the end of the country's enduring internal armed conflict and recognizing United States support for Colombia at the 15th anniversary of Plan Colombia.

S. RES. 372

At the request of Mrs. GILLIBRAND, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. Res. 372, a resolution celebrating Black History Month.

S. RES. 373

At the request of Ms. HIRONO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 373, a resolution recognizing the historical significance of Executive Order 9066 and expressing the sense of the Senate that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be a repetition of the mistakes of Executive Order 9066 and contrary to the values of the United States.

AMENDMENT NO. 3308

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 3308 intended to be proposed to S. 2012, an original bill to provide for the modernization of the energy policy of the United States, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO:

S. 2580. A bill to establish the Indian Education Agency to streamline the administration of Indian education, and for other purposes; to the Committee on Indian Affairs.

Mr. BARRASSO. Mr. President, I rise today to speak about legislation that will streamline and modernize the Bureau of Indian Education.

The Bureau of Indian Education school system includes 183 elementary and secondary schools, and it serves roughly 48,000 students. Part of the school system falls under a cumbersome bureaucracy burdened with needless red tape. This has led to staffing and administrative issues at these schools, as well as problems with neglect at the facilities themselves. A lack of defined leadership at the Bureau of Indian Education has led to schools falling through the cracks. In the past 36 years, there have been 33 Bureau of Indian Education directors. Stability and clear structure are needed.

Last May, the Senate Committee on Indian Affairs, which I chair, held an oversight hearing on this topic. We heard testimony from Government Accountability Office officials that more accountability is needed at the Bureau of Indian Education to help students succeed.

That is why I am introducing the Reforming American Indian Standards of Education—or RAISE—Act. The RAISE Act separates the functions of the Bureau of Indian Education from the Bureau of Indian Affairs into an independent agency under the Department of the Interior. This agency would be led by a president-appointed and Senate-confirmed director and two assistant directors. Together, this leadership team will oversee the administration of Indian Education, curriculum for the schools and school-facilities management.

The RAISE Act will create better accountability for all. By having a leadership team that tribes can directly address for their school's needs, Indian students attending these schools will have a greater voice. The current Indian school system is managed in such a fragmented and complicated manner that it has failed students for many years. These students are our future, and they deserve our best efforts to address their educational needs.

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. 2580

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Reforming American Indian Standards of Education Act of 2016'' or the ''RAISE Act of 2016''.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) AGENCY.—The term ''Agency'' means the Indian Education Agency established by section 3(a).

(2) ASSISTANT DIRECTOR.—The term ''Assistant Director'' means, as applicable—

(A) the Assistant Director of Education Curriculum described in section 3(c)(1); or

(B) the Assistant Director of Facilities Management described in section 3(c)(2).

(3) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(4) DIRECTOR.—The term ''Director'' means the Director of Indian Education described in section 3(b)(1).

(5) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

**SEC. 3. ESTABLISHMENT.**

(a) IN GENERAL.—There is established within the Department an independent agency to be known as the ''Indian Education Agency''.

(b) DIRECTOR.—

(1) IN GENERAL.—The head of the Agency shall be the Director of Indian Education.

(2) APPOINTMENT.—The Director shall be appointed by the President by and with the advice and consent of the Senate.

(3) PERIOD OF APPOINTMENT.—The Director shall be—

(A) appointed for a term of 6 years; and

(B) eligible for reappointment for an unlimited number of terms.

(4) REMOVAL.—The Director may be removed by the President before the expiration of the term of the Director only for cause.

(5) VACANCIES.—Any vacancy in the position of Director shall not affect the functions or authorities of the Agency, but shall be filled in the same manner as the original appointment.

(c) ASSISTANT DIRECTORS.—

(1) ASSISTANT DIRECTOR OF EDUCATION CURRICULUM.—

(A) IN GENERAL.—There shall be in the Agency an Assistant Director of Education Curriculum, who shall be appointed by the Director.

(B) DUTIES.—The Assistant Director shall be responsible for the functions of the Agency—

(i) relating to education curriculum; and

(ii) that the Director may delegate to the Assistant Director.

(2) ASSISTANT DIRECTOR OF FACILITIES MANAGEMENT.—

(A) IN GENERAL.—There shall be in the Agency an Assistant Director of Facilities Management, who shall be appointed by the Director.

(B) DUTIES.—The Assistant Director shall be responsible for the functions of the Agency—

(i) relating to facilities management; and

(ii) that the Director may delegate to the Assistant Director.

**SEC. 4. TERMINATION OF BUREAU OF INDIAN EDUCATION; TRANSFER OF FUNCTIONS.**

(a) TERMINATION OF BUREAU OF INDIAN EDUCATION.—Effective beginning on the date of enactment of this Act, the Bureau of Indian Education (including any predecessor office described in Federal law) is terminated.

(b) TRANSFER OF FUNCTIONS.—

(1) IN GENERAL.—Any function or authority relating to Indian education that, as of the day before the date of enactment of this Act, was performed or carried out by the Secretary or any bureau, office, or other unit of the Department is transferred to the Director.

(2) REFERENCES.—Any reference in any other Federal law to the Secretary, the Department, or any bureau, office, or other unit of the Department with respect to the functions or authorities transferred under paragraph (1) is deemed to refer to the Director or the Agency, as appropriate.

**SEC. 5. REPORTS.**

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Director, in consultation with affected Indian tribes, shall prepare a report describing the implementation of this Act, including—

(1) the activities of the Agency;

(2) an assessment of the effectiveness of this Act; and

(3) recommendations for legislation to improve the functioning of the Agency.

(b) SUBMISSION.—The Director shall submit each report described in subsection (a) to—

(1) the Committee on Indian Affairs of the Senate;

(2) the Committee on Natural Resources of the House of Representatives; and

(3) the Committee on Education and Workforce of the House of Representatives.

**SEC. 6. REGULATIONS.**

(a) IN GENERAL.—The Director shall promulgate such regulations as the Director determines are appropriate to perform the functions of the Director.

(b) AUTONOMY.—No regulation promulgated pursuant to subsection (a) shall be subject to approval or review by the Secretary.

**SEC. 7. PERSONNEL.**

(a) COMPENSATION OF DIRECTOR AND ASSISTANT DIRECTORS.—

(1) DIRECTOR.—The Director shall be compensated at a rate equal to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(2) ASSISTANT DIRECTORS.—Each Assistant Director shall be compensated at a rate equal to that of level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) TRAVEL EXPENSES.—The Director and each Assistant Director shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of their duties.

(b) STAFF.—

(1) TRANSFER OF PERSONNEL.—Effective beginning on the date of enactment of this Act, the personnel employed in connection with the functions or authorities transferred under section 4(b)(1) are transferred to the Director.

(2) ADDITIONAL PERSONNEL.—The Director may, without regard to the civil service laws, appoint and terminate such additional personnel as may be necessary to enable the Director to perform the functions of the Director.

(3) COMPENSATION.—The Director may fix the compensation of the personnel of the Agency other than the Director or the Assistant Directors without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Agency without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(e) PREFERENCE.—

(1) IN GENERAL.—In the selection of each individual to be employed by the Director pursuant to section 3(c) and subsections (b)(2), (c), and (d) of this section, the Director shall give preference to members of Indian tribes.

(2) APPLICABILITY.—The preference described in paragraph (1) shall apply only to initial hiring, and shall not apply to promotion, lateral transfer, reassignment, reductions in force, or any other employment practice.

(f) CIVIL SERVICE LAWS.—All personnel of the Agency other than the Director shall be covered by the civil service laws.

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Director such sums as are necessary to carry out this Act.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 375—RAISING AWARENESS OF MODERN SLAVERY

Mr. CORKER (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 375

Whereas it is estimated that tens of millions of children, women, and men around the world are subjected to conditions of modern slavery;

Whereas the International Labour Organization estimates that modern slavery generates more than $150,000,000,000 in criminal profits each year;

Whereas despite being outlawed in every nation, modern slavery exists around the world, including in the United States;

Whereas around the world, 55 percent of forced labor victims are women or girls, and nearly 1 in 5 victims of slavery is a child; and

Whereas each year, individuals around the world join together to call for an end to modern slavery by symbolically drawing a red ''X'' symbol on their hands to share the message of the END IT movement: Now, therefore, be it

*Resolved,* That the Senate—

(1) commends each individual that supports the END IT movement on February 25, 2016;

(2) notes the dedication of individuals, organizations, and governments to end modern slavery; and

(3) calls for concerted, international action to bring an end to modern slavery around the world.

### SENATE RESOLUTION 376—DESIGNATING THE FIRST WEEK OF APRIL 2016 AS ''NATIONAL ASBESTOS AWARENESS WEEK''

Mr. MARKEY (for himself, Mrs. BOXER, Mr. ISAKSON, Mr. DURBIN, Ms. WARREN, Mrs. FEINSTEIN, Mr. REID, Mr. MERKLEY, Mrs. MURRAY, Mr. TESTER, Mr. DAINES, Mr. SCHUMER, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 376

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer, such as mesothelioma and asbestosis, and other health problems;

Whereas symptoms of asbestos-related diseases can take between 10 and 50 years to present themselves;

Whereas the projected life expectancy for an individual diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally, little is known about late-stage treatment of asbestos-related diseases and there is no cure for asbestos-related diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve the prognoses of those patients;

Whereas the United States has substantially reduced the consumption of asbestos in the United States, yet the United States continues to consume about 400 metric tons of the fibrous mineral each year for use in certain products throughout the United States;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas while exposure to asbestos continues, safety and prevention of asbestos exposure—

(1) has significantly reduced the incidence of asbestos-related diseases; and

(2) can further reduce the incidence of asbestos-related diseases;

Whereas thousands of workers in the United States face significant asbestos exposure, which has been a cause of occupational cancer;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas before 1975, asbestos was used in the construction of a significant number of office buildings and public facilities, including schools;

Whereas people in the small community of Libby, Montana, suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the designation of a ''National Asbestos Awareness Week'' will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

*Resolved,* That the Senate—

(1) designates the first week of April 2016 as ''National Asbestos Awareness Week'';

(2) urges the Surgeon General of the United States to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

### SENATE CONCURRENT RESOLUTION 32—RECOGNIZING THE SOLDIERS OF THE 14TH QUARTERMASTER DETACHMENT OF THE UNITED STATES ARMY RESERVE, WHO WERE KILLED OR WOUNDED IN THEIR BARRACKS BY AN IRAQI SCUD MISSILE ATTACK IN DHAHRAN, SAUDI ARABIA, DURING OPERATION DESERT SHIELD AND OPERATION DESERT STORM, ON THE OCCASION OF THE 25TH ANNIVERSARY OF THE ATTACK

Mr. TOOMEY (for himself and Mr. CASEY) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 32

Whereas 217,000 members of the reserve components of the Armed Forces served alongside 470,000 members of the regular components of the Armed Forces during Operation Desert Shield and Operation Desert Storm;

Whereas the Army Reserve in Pennsylvania played crucial roles in Operation Desert Shield and Operation Desert Storm;

Whereas 69 soldiers of the 14th Quartermaster Detachment of the United States

Army Reserve, stationed in Greensburg, Pennsylvania, were deployed to Saudi Arabia during Operation Desert Storm, while supporting operations to liberate the people of Kuwait and defend the Kingdom of Saudi Arabia in 1991;

Whereas the unit was deployed to assist with water purification efforts in the final days of the Persian Gulf War;

Whereas the barracks of the unit in Dhahran, Saudi Arabia, were attacked by an Iraqi-launched SCUD missile;

Whereas 13 soldiers from the 14th Quartermaster Detachment were killed, and 43 wounded, in the attack;

Whereas the attack represented the deadliest attack on Americans during the Persian Gulf War, killing a total of 28 soldiers and wounding 99;

Whereas the unit suffered the greatest number of casualties of any allied unit during Operation Desert Storm;

Whereas Specialist Steven E. Atherton, 14th Quartermaster Detachment, of Nurmine, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist John A. Boliver, Jr., 14th Quartermaster Detachment, of Monongahela, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Sergeant Joseph P. Bongiorni III, 14th Quartermaster Detachment, of Hickory, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Sergeant John T. Boxler, 14th Quartermaster Detachment, of Johnstown, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist Beverly S. Clark, 14th Quartermaster Detachment, of Armagh, Pennsylvania, was killed on February 25, 1991, while loyally serving her country during Operation Desert Storm;

Whereas Sergeant Allen B. Craver, 14th Quartermaster Detachment, of Penn Hills, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist Frank S. Keough, 14th Quartermaster Detachment, of North Huntington, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist Anthony E. Madison, 14th Quartermaster Detachment, of Monessen, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist Christine L. Mayes, 14th Quartermaster Detachment, of Rochester Mills, Pennsylvania, was killed on February 25, 1991, while loyally serving her country during Operation Desert Storm;

Whereas Specialist Steven J. Siko, 14th Quartermaster Detachment, of Latrobe, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist Thomas G. Stone, 14th Quartermaster Detachment, of Falconer, New York, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Sergeant Frank J. Walls, 14th Quartermaster Detachment, of Hawthorne, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm;

Whereas Specialist Richard V. Wolverton, 14th Quartermaster Detachment, of Latrobe, Pennsylvania, was killed on February 25, 1991, while loyally serving his country during Operation Desert Storm; and

Whereas this year marks the twenty-fifth anniversary of the meritorious service of these Pennsylvanians, and others in Pennsylvania-based units, which contributed to the liberation of the people of Kuwait and the defense of the Kingdom of Saudi Arabia: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That Congress—

(1) recognizes the tremendous sacrifice and dedicated, selfless service of Pennsylvanians during Operation Desert Shield and Operation Desert Storm;

(2) honors the 13 soldiers of the 14th Quartermaster Detachment of the United States Army Reserve who were killed in action on February 25, 1991, in the attack on Dhahran, Saudi Arabia;

(3) honors the 43 soldiers of the 14th Quartermaster Detachment of the United States Army Reserve who were wounded during the attack;

(4) pledges its gratitude and support to the families of these soldiers; and

(5) encourages the people of the United States to commemorate and honor the role and contribution of Pennsylvanians and Pennsylvania-based units of the Army National Guard, the Army Reserve, the Marine Corps Reserve, the Navy Reserve, the Air National Guard, and the Air Force Reserve who supported Operation Desert Shield and Operation Desert Storm.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3324. Mr. CRAPO (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table.

SA 3325. Mr. KIRK (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3324.** Mr. CRAPO (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. USE OF AUTHORIZED PESTICIDES; DISCHARGES OF PESTICIDES; REPORT.**

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act (33 U.S.C. 1342), the Administrator or a State shall not require a permit under that Act for a discharge from a point source into navigable waters of—

''(A) a pesticide authorized for sale, distribution, or use under this Act; or

''(B) the residue of the pesticide, resulting from the application of the pesticide.''.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of—

''(A) a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); or

''(B) the residue of the pesticide, resulting from the application of the pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) relevant to protecting water quality if—

''(i) the discharge would not have occurred without the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Agriculture, shall submit a report to the Committee on Environment and Public Works and the Committee on Agriculture of the Senate and the Committee on Transportation and Infrastructure and the Committee on Agriculture of the House of Representatives that includes—

(1) the status of intra-agency coordination between the Office of Water and the Office of Pesticide Programs of the Environmental Protection Agency regarding streamlining information collection, standards of review, and data use relating to water quality impacts from the registration and use of pesticides;

(2) an analysis of the effectiveness of current regulatory actions relating to pesticide registration and use aimed at protecting water quality; and

(3) any recommendations on how the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) can be modified to better protect water quality and human health.

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**SA 3325.** Mr. KIRK (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2953 proposed by Ms. MURKOWSKI to the bill S. 2012, to provide for the modernization of the energy policy of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title IV, add the following:

**SEC. 44___. LINCOLN NATIONAL HERITAGE AREA BOUNDARY ADJUSTMENT.**

(a) BOUNDARY ADJUSTMENT.—Section 443(b)(1) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 819) is amended—

(1) by inserting ''Livingston,'' after ''LaSalle,''; and

(2) by striking '' and Woodford counties'' and inserting '', and Woodford counties and the city of Jonesboro in Union County and the city of Freeport in Stephenson County''.

(b) MAP.—The Secretary of the Interior shall update the map described in section 443(b)(2) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 819) to reflect the adjustment to the boundary of the Lincoln National Heritage Area under the amendments made by subsection (a).

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 25, 2016, at 9:30 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on February 25, 2016, at 2 p.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Nomination of Dr. John King to serve as Secretary of Education.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 25, 2016, at 10 a.m., to conduct a hearing entitled ''Connecting Patients to New and Potential Life Saving Treatments.''

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 25, 2016, at 10 a.m., in room 428A of the Russell Senate Office Building to conduct a hearing entitled, ''An Examination of Changes to the U.S. Patent System and Impacts on America's Small Businesses.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 25, 2016 at 2 p.m.

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

SUBCOMMITTEE ON IMMIGRATION AND THE NATIONAL INTEREST

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest be authorized to meet during the session of the Senate on February 25, 2016, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Impact of High-Skilled Immigration on U.S. Workers?''

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

## PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Olivia Cox, an intern in my office, be granted the privilege of the floor for the duration of today's session.

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

## ORDERS FOR MONDAY, FEBRUARY 29, 2016

Mr. HOEVEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, February 29; 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; further, that following leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, that at 5 p.m., the Senate resume consideration of the motion to proceed to S. 524, with the time until 5:30 p.m. equally divided between the two managers or their designees; finally, that notwithstanding the provisions of rule XXII, the Senate vote on the motion to invoke cloture on the motion to proceed to S. 524 at 5:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## ADJOURNMENT UNTIL MONDAY, FEBRUARY 29, 2016, AT 3 P.M.

Mr. HOEVEN. 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 5:49 p.m., adjourned until Monday, February 29, 2016, at 3 p.m.

## NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DONALD W. BEATTY, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE CAMERON M. CURRIE, RETIRED.

DONALD C. COGGINS, JR., OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE JOSEPH F. ANDERSON, JR., RETIRED.

LUCY HAERAN KOH, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE HARRY PREGERSON, RETIRED.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRADLEY S. JAMES
COL. KURT W. STEIN

# EXTENSIONS OF REMARKS

## GULLAH/GEECHEE CULTURAL HERITAGE ACT AMENDMENT

SPEECH OF

### HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2016*

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 3004, to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission.

In 2005, Congress passed legislation—H.R. 694, preserving the Gullah/Geechee Cultural Heritage.

This law also established a Commission, nominated and appointed by the Secretary of Interior.

At the passage of the original Gullah/Geechee Cultural Heritage Act, the membership of the commission was limited to a 3 year term.

The Commission is comprised of 15 members who are recognized experts in historic preservation, anthropology, and folklore.

The Commissioners assist in identifying and preserving sites, historical data, artifacts, and objects associated with the Gullah/Geechee for the benefit and education of the public.

The purpose of the Gullah/Geechee Cultural Heritage Corridor Commission is to assist Federal, State, and local authorities in the development and implementation of a management plan for those land and waters of the Gullah/Geechee Cultural Heritage Corridor.

H.R. 3004 would ensure the continued protection and preservation of the history and contributions of the Gullah/Geechee people of Georgia, North Carolina, South Carolina, and Florida.

Lastly, the law stated that the Commission should be terminated after 10 years.

H.R. 3004 will extend the authorization of the Gullah/Geechee Commission from ''10 years'' to ''15 years''.

This Black History, the work of the Commission is imperative in facilitating the enhancement and preservation of the Gulla/Geechee cultural heritage.

It also continues to facilitate highlighting the important history of African Americans with Gullah/Geechee heritage.

Indeed, the original Act, H.R. 694 as passed was intended to recognize the seminal contribution of African American Gullah/Geechee made to American culture and history.

These African Americans settled in the coastal states of South Carolina, Georgia, North Carolina, and Florida.

Since its passage, the Act has facilitated efforts in these identified coastal states in interpreting the story and role of the Gullah/Geechee.

Additionally, through the work of the Commission, efforts are now underway to preserve the Gullah/Geechee folklore, arts, crafts, and music.

Most critically, the Act and extension of the authorization of the tenure of the Commission will further support the work of continued identification and preservation of sites, gathering of historical data, protection of artifacts, and objects associated with the Gullah/Geechee.

The extension of the work of the Commission under the original Act and this current legislation will yield benefits of education of the general public on the important contribution of the Gullah/Geechee.

Through the educational outreach work alone, our nation will learn about the Heritage Corridor which comprises those lands and waters generally depicted on a map entitled ''Gullah/Geechee Cultural Heritage Corridor.''

This is just one prime example of the benefit of the original Act and this current extension of the tenure of the Commission, which I rise in support of.

## IN RECOGNITION OF PRIVATE FIRST CLASS JOE RIVERA MONTES

### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. GARAMENDI. Mr. Speaker, it is my highest honor to recognize Private First Class Joe R. Montes for his courageous service to our great country during World War II. On December 29, 1941, as a very young man, Private Montes answered our nation's call to defend our freedoms after the devastating attack on Pearl Harbor. He valiantly served in the United States Marine Corps enduring multiple battles in the South Pacific. During this time, Private Montes was awarded the Purple Heart for injuries sustained during the heroic American recapture of the Island of Guam in July 1944. In January 1946, after the formal end of World War II, Private First Class Montes separated from the Marine Corps after four triumphant years of service. His time in service was defined by extraordinary leadership and selfless acts of devotion to his company. On behalf of the men and women of California's 3rd Congressional District, please accept my sincerest gratitude for his dedicated service to our country.

## NATIONAL INVASIVE SPECIES AWARENESS WEEK, 2016

### HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. BENISHEK. Mr. Speaker, I rise today in honor of National Invasive Species Awareness Week, 2016, from February 21 to February 27.

Invasive species cause widespread damage across the United States. Billions of dollars of damage are caused by animals such as nutria in the South, sea lampreys in the Great Lakes, Asian carp in the Mississippi Basin, and quagga mussels in the west. We must work together to raise awareness of the economic and environmental damage that invasive species are wreaking on our lands and waters.

In Congress, I along with Congressman MIKE THOMPSON of California, are co-chairs of the Congressional Invasive Species Caucus. This large, bipartisan group of Members of Congress from across the country seeks to bring attention to the danger invasive species pose. We often work together on policies that will reduce the impact of these species.

This week, the Congressional Invasive Species Caucus hosted an informational session in honor of National Invasive Species Awareness Week that saw over one dozen groups, ranging from federal agencies to non-government organizations, presenting on the dangers of invasive species and ongoing efforts to control their populations.

On behalf of all residents of Northern Michigan and the United States, I wish to honor the many citizens and organizations who work each day to stop the threat of invasive species to our country. I, along with my colleagues in the House, will continue to work to stop invasive species and bring awareness of this important issue to the American public.

## HONORING 100 YEARS SINCE THE BIRTH OF ARCHIE MOORE

### HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. HUNTER. Mr. Speaker, I rise today to recognize the 100-year mark since Archie Moore's birth, one of America's greatest boxers, whose career took him from the ring, to the big screen in Hollywood and to San Diego, where his impact is still felt today as a crusader against the gang and drug culture.

Throughout Archie's life, he competed in 219 boxing matches, winning 185—131 coming by knockout; however, Archie's most important life work came outside the ring, when, in 1957, he founded the Any Body Can (ABC) Youth Foundation. In its 59th year, the ABC Youth Foundation continues to serve low-income students throughout Southeast San Diego, and aims to empower San Diego's inner-city youth with courage and dignity as they confront life's challenges.

Throughout the years, ABC has moved throughout the San Diego area, but its mission remains the same. They offer after school learning programs, where students can do homework and receive tutoring in a comfortable environment; they ensure that students are able to ''Bridge the Gap'' during school breaks, by providing hands-on educational learning experiences and a meal free of charge; and in honor of Archie, they offer year-round boxing classes, where students can learn self-defense and build self-esteem. As you can see, Mr. Speaker, Archie's legacy is alive and well in San Diego—it is seen in

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

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

the thousands of students who have traveled through ABC's door in the past 59 years.

When Archie passed away, he handed the torch on to his son, Billy Moore, who has served as President of the ABC Foundation since 1998. Billy's leadership as President of ABC would make his father proud, as he has presented the ABC Concept in eleven community schools throughout the San Diego region and ensured that students have the opportunity to rise up out of challenging circumstances.

On the occasion of this 100-year anniversary, we remember both the champion he was in the ring and the impact he made out of the ring, by inspiring students to realize that Any Body Can make a difference.

## HONORING THE LIFE OF RALPH NAPLES

### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Ralph Naples, the owner of the Golden Dawn Restaurant in Youngstown, Ohio which has served as a very special place to both locals and travelers.

Mr. Naples was born on June 16th, 1919, in Youngstown, the son of Andrew and Mary Carmen Agnone Naples. He attended The Rayen School and later Youngstown College where he graduated with a degree in Chemical and Metallurgical Engineering in 1941.

After university, Ralph enlisted in the U.S. Army. In World War II, he served in the U.S. Army Air Corps as a bombardier and navigator on both the B–17 and the B–29 aircraft, obtaining the rank of lieutenant.

The Golden Dawn Restaurant, established in 1934, was co-owned by Ralph and his brother Carmen after the death of their parents. The ''Dawn'' became and still is a gathering place for families, fans and students of Youngstown State University and Ursuline High School, but really all are welcome. Ralph was truly a known legend in Youngstown.

Ralph leaves behind his sons, Andrew, Phillip, Benedetto, Ralph, and Johnny; daughters Mary, Cathy, Christine, Casseday, and Annie; 14 grandchildren and three great-grandchildren. He is survived by a sister, Antoinette Hudson.

The Naples family will continue to operate the Golden Dawn. Mr. Naples was loved by all those in the community. He was a great man, a gentle man and a great family man. He will be missed by our entire community.

## HONORING LAURA ESSERMAN, MD, MBA

### HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. SPEIER. Mr. Speaker, I rise today to honor Laura Esserman, MD, MBA, of San Francisco, California, in recognition of her receiving the Stanford Graduate School of Business distinguished Earnest C. Arbuckle Award during its annual award ceremony in Stanford, California, on March 3, 2016. The Arbuckle Award recognizes excellence in the field of management leadership and a commitment to addressing the changing needs of society.

Dr. Esserman is a professor of surgery and radiology, and the director of the Carol Franc Buck Breast Care Center at the Helen Diller Family Comprehensive Cancer Center at the University of California, San Francisco (UCSF). She is the founder and innovator-in-chief of the I–SPY TRIALs and I–SPY 2 Programs: two remarkable collaborations between private biotech companies and federal institutes that combine personalized medicine and private trial design to create fast and cost efficient breast cancer treatments. Under Dr. Esserman's deft leadership, the I–SPY 2 program's efficient and groundbreaking success has made it an international model for translational cancer research.

In May 2015, Dr. Esserman was awarded a five-year $14.1 million grant from the Patient-Centered Outcomes Research Institute (PCORI). The award is being used to fund the 100,000 women clinical trial known as the WISDOM study to investigate whether a personalized approach to breast cancer screening is as effective as annual mammograms. Dr. Esserman has also served as a member of President Obama's Council of Advisors on Science and Technology Working Group on Advancing Innovation in Drug Development and Evaluation, and has published over 200 works in notable scientific magazines. She received her BA in the History of Science from Harvard University, her MD from Stanford University, and her MBA from Stanford University's School of Business.

Dr. Esserman is no ordinary physician. When she performs a surgery, it is a full-service operation. Dr. Esserman's preparation for surgery begins days before—with singing practice. She takes requests from patients, and holds their hands during anesthesia while singing them to sleep. Dr. Esserman is known for spending hours with her patients during office visits, and even sends personal text messages and returns late night phone calls to answer follow up questions whenever she can.

Mr. Speaker, I am honored to recognize the hard work and dedication of Dr. Laura Esserman to the City of San Francisco, to her husband, Michael Endicott, to her children, Mansa and Max, and to her patients. She is truly an inspiration to many, including myself, and a most deserving recipient of the Earnest C. Arbuckle Award.

## HONORING WAVERLY WOODSON DURING BLACK HISTORY MONTH

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. RANGEL. Mr. Speaker, as a young soldier in the Korean War, I was honored to follow in the footsteps of many Blacks in the military who exhibited extraordinary heroism and patriotism abroad despite facing discrimination and challenges at home. I would not be where I am today if it were not for my service in the Army. During our annual celebration of Black History Month, I would like to honor an unsung hero from West Philadelphia named Waverly ''Woody'' Woodson, Jr., who served as a young medic of World War II.

This summer will mark the 72nd anniversary of the historic D-Day invasion of World War II. Nearly three-quarters of a century later, the event is still revered by all Americans as an example of our military's strength and bravery. However, the life-risking efforts of thousands of Black veterans from the war have gone unnoticed.

The 320th Barrage Balloon Battalion, a unit of all-Black soldiers, landed in France ahead of the main invasion force. The battalion's job was to deploy and man an aerial barrage of massive helium-filled balloons to protect the American forces from enemy bomber airplanes. The balloons forced enemy pilots to fly their planes at higher altitudes to avoid becoming entangled and made it harder to effectively aim their bombs.

Among the 320th was Waverly Woodson, who enlisted in the Army on Dec. 15, 1942, during his second year of his pre-medical studies. He did not wait to be called by the draft; rather he decided to sacrifice his career, comfort and life for his country and the world. Woodson's enlistment placed him in the Anti-Artillery Officer Candidate School but he was told upon completion of his training that there was no spot open for him. Instead, he was sent for medic training with the 320th Barrage Balloon Battalion. He was one of five medics aboard a Landing Craft Tank that left England on June 5, 1944, for a ninety-mile journey towards Omaha Beach.

Woodson's voyage on June 6, 1944, was commenced by a violent charge towards the shore. Along with his unit, he valiantly stormed Omaha Beach in the midst of mines, mortar shells and heavy ammunition, with eyes fixes upon the mission of freedom that lay ahead. As a medic, Woodson risked his life to save the crippled and bleeding out American warriors clinging to their last thread of consciousness. He patched and resuscitated dozens if not hundreds of soldiers while he himself was wounded by the shrapnel ripping away at his legs. Woodson's determined efforts directly influenced the result of this battle.

Though he was segregated into a racially organized regiment, he saved the lives of numerous soldiers regardless of their skin color. Woodson would later say, on that day ''they didn't care what my skin color was'' and obviously he did not care either. He was bonded to his men by the camaraderie that only war can provoke and a steadfast allegiance to defending the greatest country in the world. His dedication broke down racial divides that day, and this is history that truly deserves recognition.

Waverly Woodson Jr. was previously nominated for the Medal of Honor, but he never received it. Instead, he was given the Bronze Star, the fourth-highest military honor. There exists no record of what happened to his nomination for the Medal of Honor. Not one of the thousands of Black soldiers who served in World War II received a Medal of Honor in the immediate wake of the war. Something is detrimentally wrong with that.

However, we can always remedy the mistakes of our past. In 1995, I was honored to bring Woodson and a group of African-American World War II veterans to the floor of the House Chamber and recognize these unsung heroes for their forgotten service. As a veteran myself, I was moved to see that their sacrifice was no longer overlooked but there is more work that we must do.

Black History Month must continue to play a pivotal role in helping all of us remember, preserve, and honor the accomplishments and contributions of the Black leaders of America. The annual celebration serves as a poignant reminder of how much Black history has been lost, forgotten, or in some cases, deliberately erased from the record. The nation's commemoration of Black history is not for the Black community alone, but for our collective and cohesive recognition of American history as a whole.

## RECOGNIZING MICHAEL SABLJAK

### HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. ADERHOLT. Mr. Speaker, I would like to recognize Mr. Michael Sabljak, who is interning in my office as part of the Uni-Capitol Washington Program. The Uni-Capitol Washington Program (UCWIP) has paired some of the brightest Australian students with various congressional offices for almost two decades, and I am happy to be a host again this year.

Michael comes from the University of Melbourne where he is studying for his Juris Doctor degree. Over the past couple of months, I have found him to be outstanding in his duties and continually going above and beyond the call of duty. He has attended committee hearings, assisted with constituent correspondence, and assisted me, as well as my staff, with research. He was asked to travel down to Alabama during the latter part of February, and Michael and I travelled over 700 miles across the Fourth Congressional District. His Australian accent has garnered the friendly attention of many of my constituents on tours and over the phone. Michael's commitment, hard work, and presence have been an asset to the office and he will be sorely missed by all.

The program has been in force for 17 years thanks to the vision of Eric Federing, its director and founder. The students who are selected come from a variety of academic disciplines, but all have a common interest: promoting the U.S.-Australia relationship. These student placements are enhanced by the formation of genuine friendships and the exchange of views and ideas between the Australian interns and their respective offices. We are grateful for these friendships, and it is our hope that they strengthen the diplomatic ties of our great countries.

I would like to also thank Eric Federing for the opportunity to host Michael over the past several weeks through the program. To date, over 180 interns have come through his program, representing 10 different universities over the program's lifetime. It enhances opportunities for the individuals who come, and enlightens those who they come to. After the internship, many receive jobs on Capitol Hill in Washington, D.C. or go to work with Federal or various State Parliaments in Australia. Other interns have gone on to work in the Australian Embassy or The World Bank. Simply put, this program selects incredibly talented individuals who are a pleasure to host and work with. It was an honor to have Michael in our office over the past couple of months, and I wish him the very best in the future. Michael, thank you again for your hard work and dedication.

## HONORING THE LIFE OF RUTH IRENE ANTHONY

### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Ruth Irene Anthony, who passed away peacefully at the age of ninety on Sunday, February 14th, 2016, at her residence surrounded by her loving family in Fort Myers, Florida.

Ruth was born in Warren, Ohio on Dec. 9th, 1925, to Daniel and Olive Webb McCormick.

Ruth married Lee Andrew Anthony on January 3rd, 1945. They resided most of their lives in Niles, in northeast Ohio where they raised their four children. Ruth and Lee became residents of Fort Myers in 1989.

Ruth is survived by her beloved husband of 71 years; their son George and three daughters, Sandra, Kathy, and Ruth along with 15 grandchildren; 18 great-grandchildren; and 14 great-great-grandchildren.

Ruth will be greatly missed by her loving family, friends, and neighbors, not only in Ohio but in her home of Florida as well.

## HONORING CLAUDETTE COLVIN

### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. SERRANO. Mr. Speaker, this month we take time to commemorate the innumerable contributions that African Americans have—and continue to make—to our Nation. Today, I would like to rise and honor a resident of my district who is a pioneer and trailblazer for the Civil Rights Movement—Ms. Claudette Colvin—for her many years of advocacy and impact that she's had throughout the United States.

Ms. Colvin was born on September 5, 1939 in Birmingham, Alabama to C.P. Austin and Mary Jane Austin (Gadson). She is the oldest of eight sisters. During her early childhood her adopted parents, Q.P. and Mary Ann Colvin lived in the rural community of Pine Level, Alabama. Ms. Colvin attended the Springhill Baptist Elementary School but later she moved to Montgomery and lived in an area called King Hill. She attended Booker T. Washington School from 1949 to 1956. While she didn't finish her senior year, she later received her G.E.D. and attended the Alabama State Teachers College in Montgomery for one year.

Ms. Colvin is one of the unsung heroes of the Civil Rights Movement. At the age of fifteen, she played a critical role in desegregating the buses in Montgomery, Alabama. Many people don't know that nine months before Rosa Parks was arrested for her act of courage in favor of equal treatment, Ms. Colvin was arrested on March 2, 1955 for a similar act of peaceful resistance. She subsequently became one of the four plaintiffs in Browder v. Gayle. The plaintiffs sought equal rights in Montgomery's busing system, and to have the racially segregated seating policies declared unconstitutional. Represented by famed attorney Fred D. Gray, the case went all the way to the Supreme Court, which declared in favor of Ms. Colvin and her co-plaintiffs. It was a jubilant day in the history of the city of Montgomery, and an important victory in the Civil Rights Movement.

Many people don't know that Ms. Colvin subsequently relocated to my district in the Bronx, and has been a New Yorker for more than 50 years. She worked for more than 30 years at a Catholic Nursing Home as a nursing assistant. She is the mother of two boys, and she has six adorable grandchildren. She has reaped the fruits of her labor through them.

Ms. Colvin's bravery that day in 1955, and in the subsequent months and years as the case moved through the federal court system, has not gone unnoticed. Ms. Colvin's name started surfacing during Black History Month as early as 1979. The Birmingham News did a feature story in 1980. New York Governor Mario M. Cuomo awarded her with the MLK, Jr. Medal of Freedom in 1990. The Selma Times Journal featured her in 1991, The National Voting Rights Museum and Institute added a picture display of Ms. Colvin in 1994. She was featured in the cover story of USA Today Newspaper on November 25, 1995, the Montgomery Advertiser in 1996 and the Washington Post on April 12, 1990. She has been mentioned in several books such as ''Freedom's Children'' by Ellen Levine, ''Parting the Waters'' by Taylor Bunch, ''Bus Ride to Justice'' by Fred D. Gray, ''The Montgomery Bus Boycott and the Women Who Started It'', and the memoirs of JoAnn Gibson Robinson, to name a few.

I am proud to add to that recognition today. Ms. Colvin has been a pillar of the Bronx for so long, and her story is one that all Bronxites, and Americans, should know.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Ms. Claudette Colvin, a civil rights pioneer, for her legacy and devotion to fighting against injustice.

## TRIBUTE TO DONALD AND MARILYN HILYARD

### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Donald and Marilyn Hilyard of Cumberland, Iowa, on the very special occasion of their 65th wedding anniversary. They were married in 1950.

Donald and Marilyn's lifelong commitment to each other and their children, Donald, Jr., Sheryl, Kathy, Duane, and Sara, their grandchildren and their great-grandchildren, truly embodies Iowa values. It is because of Iowans like them that I'm proud to represent our great state.

Mr. Speaker, I commend this great couple on their 65th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

## DIANE ENGLET—WOMAN OF THE YEAR

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Diane Englet of Sugar Land, TX for being recognized as one of Houston's 50 Most Influential Women of 2015 by Houston Woman Magazine.

Through her years of employment at CenterPoint Energy, Diane Englet has worked her way up to the title of senior director of Corporate Community Relations by graciously serving the community. In this position, she supervises the development of the company and institutes involvement in society by promoting the importance of education and by providing a healthy and stable environment for families experiencing crisis. Englet is a true representation of compassion through her dedication to creating a better community for Houston area residents.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Diane Englet for being named one of Houston's 50 Most Influential Women of 2015. We thank her for all of her hard work.

## HONORING THE LIFE OF RUSSELL J. BRODE

### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of Russell J. Brode, 80, who passed away on February 19, 2016. He was born on April 11, 1935 in Ravenna, Ohio, a son of Ralph and Beulah Brode.

Russell had a career with Ohio Bell and AT&T for forty years. He was also a member of the Ravenna Volunteer Fire Department. Russell was a great patriot and proudly served the Naval Reserve Seabee Construction Force from 1951–1959. Russell loved his family. He had a warm heart and was always willing to help others.

The Reverend Deacon Russell Brode was ordained as a Permanent Deacon for the Diocese of Youngstown in 1995. From that point on, he served as a Deacon for the Immaculate Conception Parish in Ravenna, Ohio. Deacon Brode also shared his faith through his active service in the prison ministry at the Trumbull Correctional Institute. In addition to faith and family, Russ was dedicated to supporting the youth of the Ravenna area. He was a founder of the Portage, Stark and Summit County youth wrestling program, as well as an OHSAA wrestling official, and coached many different youth basketball and baseball teams over the years.

Russell will be deeply missed by his family. He leaves behind his wife of sixty years, Sandra (Winkler) Brode. Together, Russell and Sandra raised seven children, Kathleen (John) McHugh, David, Dennis, Robert (Liz), Russell, Kim Paull, and Linda (Robert) Corcoran. Russell also leaves behind his sister, Dolores (David) Middleton; twenty-three grandchildren; twenty-three great-grandchildren, many nieces and nephews, and countless friends.

It can be difficult to cope with a loss of such a great person as Russell, but we can all take comfort in the fact that he led a long and fulfilling life.

## TRIBUTE TO THE COMMUNITY COLLEGES OF IOWA

### HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. LOEBSACK. Mr. Speaker, Mr. YOUNG and I rise today to recognize and congratulate the community colleges of Iowa for 50 years of outstanding service to the state. The community colleges of Iowa have expanded to become our largest provider of postsecondary education.

On June 7, 1965, Iowa Governor Harold Hughes signed the first bill into law allowing for the opening and operation of community colleges in the state of Iowa. The following institutions were officially designated the next year: Northeast Iowa, North Iowa Area, Iowa Lakes, Northwest Iowa, Iowa Central, Iowa Valley, Hawkeye, Eastern Iowa, Kirkwood, Des Moines Area, Western Iowa Tech, Iowa Western, Southwestern, Indian Hills, and Southeast Iowa.

These fine institutions now provide accessible and affordable education, not only to Iowans, but to students across the country and the world. Their offerings include a wide-ranging, diverse curriculum that serves Iowa's specific workforce needs, including Iowa businesses competing in a global market. Iowa businesses in need of highly trained, specialized workers turn to our community colleges to fill the new, high-paying, high-skilled positions of tomorrow.

Mr. Speaker, it is our honor to represent Iowa's community colleges in the United States Congress and it is with great pride that we recognize them today. We ask that our colleagues in the United States House of Representatives join us in congratulating Iowa's community colleges on celebrating their 50th year and for providing a high quality, affordable education for all Iowans. We wish them nothing but continued success in the years to come.

## RECOGNIZING THE 69TH COMMEMORATION OF TAIWAN'S ''2–28 MASSACRE''

### HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. GARRETT. Mr. Speaker, I rise today to observe the 69th commemoration of Taiwan's ''2–28 Massacre.''

On February 28, 1947, the brutal arrest of a female civilian in Taipei led to large-scale protests by the native Taiwanese against the Chinese Nationalist government.

During the following days, government troops arrived from mainland China. These soldiers began capturing and executing leading Taiwanese lawyers, doctors, students, and other citizens. It is estimated that between 10,000 and 30,000 people lost their lives during the turmoil. Throughout the following four decades, Taiwan remained under martial law that lasted until 1987.

The ''2–28'' Massacre had far-reaching implications. The Taiwanese democracy movement that grew out of the incident helped pave the way for Taiwan's momentous transformation from living under a dictatorship to a thriving democracy.

I urge other Members to join me in commemorating this important historical event.

## HONORING MRS. SADIE MAE LUSTER ROYALL

### HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. HENSARLING. Mr. Speaker, today I am humbled to honor Mrs. Sadie Mae Luster Royall—a remarkable lady who resided in Henderson County, Texas.

As we celebrate ''Black History Month,'' it is important that we take time to recognize African-Americans who made remarkable contributions to their family and community. ''Mama Sadie,'' as she was affectionately referred to by those who knew her, was truly one of those people.

Mrs. Royall always had high aspirations and dreams. It was her desire to help and care for people in their time of need that led her to put herself through, what was then, Henderson County Junior College. After becoming a Licensed Vocational Nurse, Mrs. Royall became the first African-American nurse to work for the Henderson County Memorial Hospital in Athens, Texas. For an extraordinary 42 years, ''Mama Sadie'' cared for and comforted countless patients and their families, and was known for her incredible work ethic. Though it was her desire to make an impression on her daughters that drove her, there is no doubt this remarkable woman made an indelible impact on her community as well.

Mrs. Royall—who sadly passed away on December 3, 2015 at the age of 90—was a life-long resident of Athens, Texas. She married her beloved husband, Robert Lee Royall, on September 4, 1941. They were blessed with four daughters—Mary Royall, Betty Allen, Bobbie Royall, and Alice Lynch—and six grandchildren—Terry Royall, Russell Allen, D'Undra Wasson, Marcus Royall, Chris Lynch, and Kevin Lynch.

It is truly an honor to represent remarkable individuals like Mrs. Sadie Royall. There is no doubt that her legacy lives on through her family and in the community she loved and served.

## ROCHESTER INSTITUTE OF TECHNOLOGY'S GRAVITATIONAL WAVE DISCOVERY

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. SLAUGHTER. Mr. Speaker, two weeks ago, our understanding of the universe leapt forward when gravitational waves were first detected. I rise today to recognize that

achievement and honor six researchers from the Rochester Institute of Technology (RIT) who were part of one of the most significant scientific discoveries in a century.

While hundreds of scientists worked together to make this discovery, I am especially proud of the researchers from RIT—James Healy, Jacob Lang, Carlos Lousto, Richard O'Shaughnessy, John Whelan, and Zhang Yuanhao. All of these researchers are members of RIT's Center for Computational Relativity and Gravitation, which is led by Manuela Campanelli. Her team was one of the first groups to initially solve Albert Einstein's strong field equations describing black hole mergers. Because of this legacy, it is fitting that the recent discovery helps further confirm Einstein's general theory of relativity.

As the only microbiologist in Congress, I know that every scientist hopes to have their predictions verified by direct observation. I also know that this is relatively rare, so I stand in awe of this RIT team that accurately modeled the merger of two black holes and predicted the gravitational waves that were detected. This monumental achievement marks yet another chapter in Rochester's rich history as a center of scientific innovation and discovery.

Rochester has helped pioneer important research and develop innovative products such as the Kodak Brownie camera, the Norden bombsight, and myriad high-powered lasers. Established in 1829, RIT has not only played a critical role in Rochester's past, it continues to ensure that Rochester remains a global center of excellence. RIT makes invaluable scientific contributions to the research community, but it is also a cornerstone of the Rochester community and helps provide local businesses with the talent they need to flourish.

Perhaps one of the most exciting aspects of this discovery is that it allows us to pose new questions and push the bounds of our collective knowledge. There's no doubt in my mind that RIT will play an essential role in these forthcoming discoveries, and I am proud that millions of people will continue learning about the world around us thanks to the contributions of researchers like Dr. Campanelli and the other members of her team.

Mr. Speaker, I ask my colleagues to join me in applauding all of the individuals who helped contribute to this monumental discovery and especially the six researchers from RIT. These Rochesterians have helped fundamentally change our understanding of the world, and I am proud to support their work in Congress.

## RECOGNIZING THE 70TH ANNIVERSARY OF VFW POST 5277

### HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. WEBSTER of Florida. Mr. Speaker, this year, the Veterans of Foreign Wars (VFW) Post 5277, William Alfred Suggs Memorial Post in Clermont, Florida, celebrates 70 years of service to veterans and their families.

The Veterans of Foreign Wars (VFW) is a strong advocate for veterans ensuring they receive their earned entitlements and the care they deserve. The history of the VFW dates back to 1899 when veterans of the Spanish-American War and the Philippine Insurrection founded organizations to assist wounded and sick veterans with securing benefits as there was no medical care or veterans' pension. Some of these veterans collaborated and started organizations which would be known as the VFW. The first chapters, founded in Ohio, Colorado, and Pennsylvania, quickly expanded reaching over 5,000 members by 1915; by 1936, membership had grown to nearly 200,000.

The VFW was an instrumental voice in the establishment of the Department of Veterans Affairs, GI Bill for the 20th century, national cemetery system, and compensation for Vietnam veterans exposed to Agent Orange and veterans diagnosed with Gulf War Syndrome. The VFW championed the 21st century GI Bill, passed in 2008, providing educational benefits to active-duty service members, and members of the Guard and Reserves.

It is my distinct pleasure to commend the VFW Post 5277 on their 70th anniversary, and I join the VFW in expressing appreciation for our veterans and those currently serving in the United States military.

## COL. WILLIAM BARRETT TRAVIS LETTER

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. POE of Texas. Mr. Speaker, I submit the following letter:

COL. WILLIAM BARRETT TRAVIS LETTER

FEBRUARY 24, 1836

There are those in history that paid for our freedoms with their lives. In 1836 Texas was fighting for its independence from the dictator of Mexico, Santa Anna. A small band of 180 patriots from numerous nations and states, of several races, stood defiant at the Alamo (in now San Antonio,) from Santa Anna's enormous invading army. The leader of the Texian patriots was a 27 year old lawyer from South Carolina by the name of William Barrett Travis. Surrounded by the enemy, Travis penned his famous letter seeking aid for the defense of liberty. It was 180 years ago:

BEJAR, FEBY. 24TH. 1836

COMMANDANCY OF THE ALAMO,

TO THE PEOPLE OF TEXAS & ALL AMERICANS IN THE WORLD—FELLOW CITIZENS & COMPATRIOTS—I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continual Bombardment & cannonade for 24 hours & have not lost a man—The enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, & our flag still waves proudly from the walls—I shall never surrender or retreat.

Then, I call on you in the name of Liberty, of patriotism & everything dear to the American character, to come to our aid, with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days.

If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier who never forgets what is due to his own honor & that of his country—Victory or Death.

WILLIAM BARRETT TRAVIS,

*Lt. Col. Comdt, The Alamo.*

Mr. Speaker, Col. Travis and his Texians all died defending our freedom at the Alamo. Sixty days later General Sam Houston and his Texians defeated Santa Anna in the marshy plains of San Jacinto, winning independence from Mexico, once and for all. Travis's letter is a remarkable and inspirational statement for freedom and the spirit of liberty. Col. Travis is one reason my oldest grandson is named "Barrett Houston."

And that is just the way it is.

## IN RECOGNITION OF DAVID BIEGLER

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. SESSIONS. Mr. Speaker, I rise today to recognize the work of an outstanding Texan, David Biegler, as he completes his distinguished work as the long-term Chairman of the Board for Children's Health System of Texas (CHST). While serving as Chairman for Children's Health System of Texas, Mr. Biegler served as Chairman of the Board of Directors of Southcross Energy since 2011 and has more than 47 years of experience within the energy industry.

Children's Health Systems of Texas' original location is in Dallas and has now grown to include the more than 30 other specialty and pediatric care centers located throughout North Texas. Children's Health Systems of Texas remains the seventh largest pediatric health care provider in the country—with more than 850,000 patient encounters annually and performing more than 28,600 surgeries at its two full-service campuses in Dallas and Plano. Children's Health is the only academic healthcare system in the Dallas-Fort Worth area dedicated solely to the comprehensive care of children from birth to age 18. Children's Health has also been recognized as (1) one of the most connected hospitals in the nation for its excellence in patient safety, patient engagement and clinical connectedness; (2) one of only six STS three-star designations for congenital heart surgery; (3) a Level IV Neonatal Intensive Care Unit—the highest qualification for such programs; and (4) a Level 1 Trauma Center for pediatric care.

I have seen the power of Children's Health System of Texas as both a Member of Congress and as the father of a patient. Our region is blessed to have the resources and expertise of CHST medical professionals and staff available to meet the needs of our children. So much of the CHST success story is due to the involved engagement of civil leaders like David Biegler. Together, those leaders have ensured the children of our region would never have to leave home to have the best possible medical care.

I have personally had the opportunity to work with Mr. Biegler over the years in Dallas on a number of issues important to our community, region and state. Besides serving as the Chairman of the Board at CHST, David has served as a director of Southwest Airlines Co. and Trinity Industries, Inc. David has also been recognized as an outstanding board member of CHST time and time again. In 2015 alone, he was recognized by the Texas Healthcare Trustees as an outstanding board member and by the Dallas-Fort Worth Hospital Council with the Kerney Laday, Sr. Trustee of

the Year Award for his dedication and commitment to CHST for over 20 years.

Mr. Speaker, I ask my esteemed colleagues to join me in wishing him all the best in his future endeavors.

## HONORING ZION BAPTIST CHURCH

### HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. ELLISON. Mr. Speaker, I rise today in honor of Zion Baptist Church, to recognize and commemorate 127 years of religious devotion through community building and advocacy in North Minneapolis.

Zion Baptist Church, founded in 1889, has sought to provide a strong, steadfast foundation for their congregants through biblical teaching, equipping families through faith, and fostering an uncompromising belief in God. The church has fought for important changes in policy, community support systems, and physical safety—all led by their deep devotion to their faith.

For four decades, until 2012, the Reverend Curtis Herron led his congregation on the belief that ''the church started in the building, but ended in the world.'' Through his advocacy for affordable housing, racial equity, and job creation, Reverend Curtis Herron championed substantial improvements for Zion Baptist Church, and the Minneapolis community as a whole. The people of Zion Baptist Church have guided families along the path of faith while engaging them in local issues; and they show no signs of slowing down.

Zion Baptist Church is one of the largest and most influential African American churches in Minneapolis, and for the last 127 years their advocacy has helped make our community the best it can be. Their legacy of lifting up the most vulnerable in our community should serve as a reminder that faith calls us to stand up against injustice, no matter the form.

## HONORING JOHN MEALEY ON THE OCCASION OF HIS RETIREMENT AS FOUNDING EXECUTIVE DIRECTOR OF COACHELLA VALLEY HOUSING COALITION

### HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. RUIZ. Mr. Speaker, today I am honored to congratulate John Mealey on his retirement after 34 years of leadership in helping build communities and changing lives for thousands of farmworkers, service workers, and chronically ill residents through the Coachella Valley Housing Coalition (CVHC).

In 1982, Mr. Mealey led the way with community leaders to address the housing needs of hundreds of low income families in the Coachella Valley by forming CVHC. That same year, CVHC received its first grant of $10,000 from Aetna Foundation and in 1986 they built the first low-income farmworkers complex in Coachella, Ca.

Fast-forwarding three decades—and thanks to Mr. Mealey's diligent work and vision—he has helped fundraise over $700 million toward building more than 4,500 homes and apartments for low and very low-income residents in the Coachella Valley. Furthermore, under Mr. Mealey's guidance, CVHC has created home ownership opportunities from Palm Springs to Blythe in the 36th Congressional district. This translates into a dream come true for families and a better and brighter future for generations to come.

In 2002, the Board of Directors and employees of the CVHC established the JFM College Scholarship Fund Program in honor of Mr. John F. Mealey. The Scholarship fund awards scholarships annually to students who reside in affordable housing communities developed by CVHC. The JFM has generated half a million in scholarship funds and benefitted more than 600 students.

Mr. Mealey's extraordinary career began in Philadelphia at a nonprofit housing organization. Before joining CVHC in 1982, he worked at the Riverside Department of Housing and Community Development. Mr. Mealey also served as a board member on the California Coalition for Rural Housing, the National Rural Housing Coalition and the National Equity Fund.

Amongst the numerous reputable recognitions that Mr. Mealey has obtained throughout his remarkable career, he recently was honored with the Rural Community Assistance Corporation (RCAC) award. This distinction is presented to those individuals who demonstrate the lifetime achievement of leadership in rural development, building and sustaining an organization that benefits rural communities and has a regional impact.

Mr. Speaker, I am proud to recognize Mr. Mealey who for nearly four decades dedicated his time to better the lives of underserved communities. For his work and on behalf of the thousands of families of the 36th district of California, I would like to offer my sincerest thanks and congratulate Mr. Mealey for his exceptional commitment. I wish him and his wife Patricia the best on his well-deserved retirement.

## PERSONAL EXPLANATION

### HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. LEE. Mr. Speaker, I was unavoidably delayed and not present for roll call votes 83 and 84.

Had I been present. I would have voted yes on both Number 83 and Number 84.

## HONORING WILLIE FRITZ FOR HIS DECADE OF LEADERSHIP AS FIRST SELECTMAN OF CLINTON, CT

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. COURTNEY. Mr. Speaker, today I rise to thank a public servant from Clinton, Connecticut who has served his community with distinction for more than ten years. Mr. William ''Willie'' Fritz, First Selectman since 2005, spent his decade of tenure leading the town into improved financial and physical shape, and constantly making himself accessible to town residents. Willie's public service started in Clinton local government in 2000, when he served on the Public Works and Planning and Zoning Commissions and immediately displayed a knack for putting the town's needs into action.

After his election as first selectman in 2005, Willie championed the needs of the people of Clinton. His legacy is visible in the beautiful buildings and public spaces around town. These efforts resulted in numerous state grants for the Main Street streetscape, the renovation of the Town Dock uplands, and a modern multi-use turf field at the Indian River Recreation Complex. Each of these spaces and the value they provide to the Clinton community is a testament to Willie's achievements as a local leader.

One of Willie's noteworthy achievements was in managing the renovation of the Andrews Memorial Town Hall. After two decades of inattention, the hall's magnificient architecture required urgent repairs and adjustments. Willie secured vital funds from the state Commission on Historic Preservation, and utlimately restored the hall to its former glory. The beloved building, which houses offices, meeting rooms, a kitchen and auditorium, is now fit for use by the community, and is a destination for architecture historians and students.

Willie has also had a hand in the construction of the new Morgan High School, and in bringing new senior housing to Clinton. As Willie has said ''Nobody is more hands-on than a first selectman in a smaller town.'' Willie has been an exemplary town leader; responsive to his neighbors, forward-thinking in his vision for the town, and full of energy. His extraordinary career for some of us is not too surprising. After all, his mother Mary Fritz is a legendary State Representative in the Connecticut General Assembly, representing the towns of Cheshire and Wallingford. I not only served with Mary during my time as a State Representative, but sat next to her on the House Floor. She has the same commitment to the public interest as her son, and the State of Connecticut has benefitted greatly from the Fritz legacy.

I truly believe that Willie's work for the people of our state is not done and hope he will find new ways to contribute to the public good. I ask my colleagues to please join me in thanking Willie for his many years of service as First Selectman in Clinton, and in wishing him well in the years to come.

## OUR UNCONSCIONABLE NATIONAL DEBT

### HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,064,879,099,682.52. We've added $8,438,002,050,769.44 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could

have avoided with a balanced budget amendment.

## SUCCESS STEMS FROM HARD WORK

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kalpana Vaidya of Sugar Land, Texas for being a Distinguished Finalist in the Texas' Top Youth Volunteers of 2016, given by The Prudential Spirit of Community Awards.

Kalpana is a senior at Stephen F. Austin High School and a scout in the Girl Scouts of San Jacinto Council troop. Her community service project, ''The World of Science'' is a hands-on Science, Technology, Engineering and Math education (STEM) activity for kindergartners up to eighth-graders. Now becoming an annual affair, her project was sponsored by the Austin High School Honor Society and helped them raise $2,000. Kalpana's activity has also attracted organizations such as the Houston Natural Science Museum and the Baytown Nature Center. Her efforts in creating this activity led her to become a distinguished finalist in The Prudential Spirit of Community Awards. These awards recognize talented young men and women across America that have graciously served their communities.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kalpana Vaidya for being a Distinguished Finalist. We are so proud of her and can't wait to see what she does next.

## HONORING REVEREND FREDERICK CRAWFORD

### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise during this month, dedicated to the celebration of African Americans who have made great contributions to the world, to pay tribute to Reverend Frederick Crawford for his many years of compassionate service and tireless work to improve the lives of our community residents.

Reverend Frederick Crawford is the Senior Pastor of Union Grove Missionary Baptist Church and the founder of Faithbook, which is a public group on Facebook designed to inspire and encourage via the internet. Established in 2014, Faithbook has more than 3,000 members and counting. This group was designed by Rev. Crawford to encourage, strengthen, and pray for believers in Christ. Members are welcomed to post prayers, words of encouragement, scriptures, testimonies, prayer requests, sermons, pictures, videos, and advertisements of church events.

Reverend Crawford is a native of the Bronx. He is the oldest of four children born to Reverend Dr. Fletcher and Mother Arnetta Crawford. He graduated from Eastern Mennonite College and Seminary where he earned a Bachelor's of Science in Business Administration and Minor in Religious Studies. He continued his studies at Alliance Theological Seminary, Unification Theological Seminary and later obtained a Bachelor's of Theology from American International Theological Seminary. He was ordained to be the Assistant Pastor of Union Grove Missionary Baptist Church by Dr. Fletcher Crawford in August 1988.

Reverend Crawford is the third generation of his family to serve as pastors of Union Grove Missionary Baptist Church. His father, Dr. Fletcher Crawford served for fifty years and his grandfather, Rev. Jeremiah Crawford, organized this community institution in 1946. Prior to his leadership at Union Grove Missionary Baptist Church, Reverend Crawford was the pastor at the First Calvary Baptist Church in Harlem, NY for twenty years before being called back to Union Grove Missionary Baptist Church in 2006. Upon Dr. Fletcher Crawford's retirement, Rev. Frederick Crawford was installed as Pastor at Union Grove Missionary Baptist Church on August 20, 2006. Pastor Crawford is happily married to Lady Antoinette Crawford, and they have four children; Lamont, Shapri, Hezekiah, and Chloe.

Under his leadership, Union Grove Missionary Baptist Church has created numerous programs to assist families in the Bronx. Many of those programs focus on addressing a serious issue in the Bronx—hunger and food insecurity. Through Reverend Crawford's leadership, Union Grove feeds more than 1,000 families every year during Thanksgiving Week, providing them with enough food for a family of four for a week. The church also runs an important food pantry that offers needy Bronxites produce, meats, breads, dairy, juice, water, dry and can goods at no charge. Additionally, Reverend Crawford leads a daily Summer Food Program at Union Grove Missionary Baptist Church, which provides more than 300 meals for breakfast and lunch for those in need. The church is also very involved in numerous other issues as well and has an annual Back To School Health and Community Awareness Fair that helps students prepare for school and includes free food, entertainment, clothes, books and book bags. Pastor Crawford has also created Union Grove Missionary Baptist Church's annual Dr. Martin Luther King, Jr. Day Celebration to engage the community in honoring Dr. King. I have had the honor of speaking at this important community event several times.

As Reverend Crawford has made Union Grove Missionary Baptist Church an integral member of the Bronx community, he has also been called to serve in leadership roles in numerous other organizations. He has served as the President of the Baptist Minister's Evening Conference of the Bronx, NY, and is also a member of the Baptist Ministers Conference of Greater New York and Vicinity, the United Missionary Baptist Association and The National Baptist Convention USA. Rev. Crawford has received numerous awards and accolades including the Religious Community Leader Award in 2007 from the NAACP.

Reverend Crawford is a pillar of our community, and it is only fitting that he is honored for his work on behalf of others. Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Rev. Frederick Crawford for his consistently remarkable dedication to service and longstanding commitment to improving our community.

## TRIBUTE TO BRENNA WESTERGAARD

### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brenna Westergaard for earning an American FFA Degree. Brenna was recently awarded at the National FFA Convention and Expo in Louisville, Kentucky on October 31, 2015. She was a member of the Adair-Casey FFA Organization and is the daughter of Lori Westergaard and Kevin Westergaard.

The American FFA Degree is awarded to members who have demonstrated the highest level of commitment to FFA and made significant accomplishments in their supervised agricultural experience. Brenna had to meet certain requirements, such as studying agriculture for three years in high school, earning money in an agriculture field and investing that money into her business, participation in community service and having a record of outstanding leadership ability and community involvement.

Mr. Speaker, it is an honor to represent leaders like Brenna in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to reach her goals. I ask that my colleagues in the United States House of Representatives join me in congratulating her on receiving this esteemed designation, and wishing her nothing but the best of luck in the future.

## IN RECOGNITION OF THE 40TH ANNIVERSARY OF EFFIE YEAW

### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. MATSUI. Mr. Speaker, I rise today to recognize the Effie Yeaw Nature Center as it celebrates its 40th anniversary. As its board of directors, staff, volunteers, and local nature enthusiasts gather to celebrate this wonderful occasion, I ask all of my colleagues to join men in recognizing and honoring the Effie Yeaw Nature Center for its contributions to the Sacramento Region.

The American River is an incredibly important part of our region and Effie Yeaw is the only environmental education center on the 23-mile American River Parkway. The 80-acre nature preserve with river access, oak woodlands, meadows, and ponds truly engages children and adults of all ages through their interactive exhibits and programs. These programs are essential to teaching our youth about the importance of protecting our local environment and the animals that inhabit it.

In 1955 Effie Yeaw, a teacher and environmental educator, began leading natural history walks in an area now known as the Effie Yeaw Nature Center and Nature Area, located along the American River in Carmichael. Effie Yeaw's efforts to raise awareness for preserving the lands along the river have been critical to the health of our local ecosystem. Her concept of a ''Parkway'' along the river has served as a guiding principal that has shaped the landscape of our region for the better.

Though Effie Yeaw died in 1970, her legacy lives on in the American River Parkway she helped to establish. Her legacy also lives on in the Nature Center which continues to be guided by Effie's genuine love for nature and children. In 1960, the Director of Parks received a Land and Water Conservation Fund grant to purchase land along the American River, including the Effie Yeaw Nature Area. Construction of the Nature Center was completed in June 1976 and was dedicated in memory of Effie.

Mr. Speaker, as the board of directors, staff, volunteers, and local nature enthusiasts gather for their 40th anniversary cleebration, I am pleased to honor and recognize Effie Yeaw Nature Center for its important role in enhancing Sacramento's community. I ask my colleagues to join me in wishing them continued success and thanking them for their service to the Sacramento region.

## IN RECOGNITION OF CHIEF LAWRENCE L. MIHLON

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Chief Lawrence L. Mihlon on his retirement from the West Long Branch Police Department this year. Chief Mihlon dedicated 34 years to the Borough of West Long Branch and his contributions are to be celebrated.

Throughout his decorated career, Chief Mihlon held many positions, serving as Lieutenant for 2 years and Captain for 7 years before being appointed Chief of Police in 2013. Chief Mihlon has an extensive police background, having served in many capacities within the department, including Patrol, Detectives, Traffic, Training, Records, Command and Administration. Prior to joining the West Long Branch Police Department in 1982, Chief Mihlon worked as a Special Officer for the Little Silver Police Department and a National Park Service Ranger at Sandy Hook and Shenandoah National Park.

Chief Mihlon has been committed to serving the West Long Branch community and was focused on public relations, serving as the Department spokesman and creating the Department's website and Facebook pages. Community involvement has been instilled in Chief Mihlon's family. His mother worked as a Little Silver Police Dispatcher, his sister is a special education principal, his brother serves on Little Silver Borough Council and his nephew is a Little Silver Patrolman and Fire Chief. Over the years, Chief Mihlon has been recognized for his dedicated service and accomplishments, having received the West Long Branch Police Department's Life Saving Medal, the Education Bar and the Exceptional Duty Bar.

Mr. Speaker, I sincerely hope that my colleagues will join me in congratulating Chief Lawrence Mihlon on his retirement and thanking him for his service to New Jersey. Chief Mihlon's commitment to the West Long Branch community is truly deserving of this body's recognition.

## KIDS WORKING TO KEEP TEXAS BULLY FREE

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sidharth Duttala, a Fort Bend County student, for winning the National Association for Pupil Transportation's (NAPT) National School Bus Safety Week Poster Contest.

Sidharth, a third-grader at Sugar Mill Elementary School, won first place in the Division I category, with his ''Super Important Bully Free Zone'' poster. Initially competing at the local level, Sidharth's poster was voted on by school district bus drivers to be entered at the state level competition on the contest theme ''Bully Free Zone.'' NAPT annually observes the importance of school bus safety. This year's poster contest included students in more than 40 states and countless school districts.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Sidharth Duttala. We are proud of him and encourage him to keep spreading kindness.

## HONORING THE LIFE OF JOHN PRICE

### HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. BARR. Mr. Speaker, I rise to honor a very special individual, John D. Price of Lexington, Kentucky. Mr. Price lived an exemplary life of service to others and passed away on February 23, 2016.

Mr. Price was a dedicated leader in education in Fayette County. He was appointed to the school board in 2003 and was elected four times. He served as board chairman since 2010. Mr. Price's involvement began over 30 years ago as a mentor with the Experience Based Career Education program. He went on to serve as a homeroom parent, a school volunteer, and a member of site based councils at Julia R. Ewan Elementary and Bryan Station High School. He was a PTA leader, serving as President of the 16th District PTA. He served on the Equity Council for Fayette County Public Schools. Mr. Price was a strong advocate for all students and was deeply concerned with every student having the opportunity for a great education. His commitment to students was unwavering.

Professionally, Mr. Price was a CPA and President of Price, Stagner, and Company. He was an active member of St. Peter Catholic Church. Mr. Price was a founding board member of Housing Equality for All Lexington (HEAL) and remained active with HEAL for thirty eight years.

John Price is survived by his daughter Allison Courtney Crosby and her husband Anthony Crosby, his mother Janella Wathen Price, and his sisters Jalenna Price and Margaret Griffin.

Mr. Price was a humble leader. Former superintendent Tom Shelton says of John Price, ''He had exemplary character, strong personal integrity, and was a strong man of faith, and it was exhibited in everything he did and every decision he was involved in.'' He made a significant impact on the lives of all people he touched. He was an outstanding public servant, and I am honored to memorialize him before the United States House of Representatives.

## RECOGNIZING THE ART OF LIVING FOUNDATION

### HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize the Art of Living Foundation, and founder Sri Sri Ravi Shankar, as the Foundation commemorates its 35th anniversary with the upcoming World Culture Festival in New Delhi on March 11–13, 2016.

The three day major cultural event will be held at a venue that covers over 1,000 acres and will feature the world's largest stage spread over an area of seven acres.

The festival emphasizes co-existence and celebrates diversity by bringing together an estimated 3.5 million people to a common platform.

We must all remember that while lifestyles vary from one culture to the next, we are all human beings who should learn from one another.

I believe celebrating cultural diversity around the globe, as the Art of Living Foundation is doing with this wonderful event, will open lines of communication and understanding between nations, and I certainly wish them well.

## HONORING ETTA F. RITTER

### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. SERRANO. Mr. Speaker, as we celebrate Black History Month this year, I am honored to reflect on the contributions African-Americans have made within my district in Bronx County. That is why I am proud to have this opportunity to recognize Ms. Etta F. Ritter for her many years of tireless work to improve the lives of our community residents.

Etta F. Ritter is a native of Bronx County, spending her early years as a resident of Butler Houses, where she attended PS 132, CES 55 and IS 148. She later attended secondary school at Murry Bergtraum High School for Business Careers in Manhattan and majored in Secretarial Studies, graduating in 1982. Ms. Ritter then attended Manhattan Community College for one year, received an offer to work that started her on her career path. She has continued her education throughout the years in different venues.

Ms. Ritter was hired at the New York City Office of Management and Budget as a backup secretary in 1984. She was later promoted as a statistical typist within the Community Development Unit and was subsequently promoted and transferred to the Computer Services Unit as a help desk coordinator. Ms. Ritter worked at the NYC Office of Management

and Budget up until October 1996, when she was hired as a Community Coordinator at Bronx Community Board Three, which covers parts of the Melrose, Claremont, Morrisania, and Crotona Park neighborhoods in my district.

She recognized that working at Bronx Community Board Three plays an important role in improving the quality of life for residents within Community District Three. As community coordinator at Bronx Community Board Three, Ms. Ritter ensures that agendas and minutes are distributed on a monthly basis to area residents, elected officials, community based organizations and media contacts. She plays a vital role in ensuring that complaints/concerns relating to the delivery of municipal city services are addressed in a timely fashion.

In June of 2013, Ms. Ritter was promoted to Administrative Manager based on her extensive relevant work experience. Under direction of the district manager and with wide latitude for independent initiative and judgment, she manages the daily operations of the office and performs difficult analytical work in the preparation and administration of the operating budget for Bronx Community Board Three. As the Fiscal Officer/Preparer for all budget documents, Ms. Ritter analyzes, prepares and modifies the Other than Personal Services Budget (OTPS) each year.

Ms. Ritter is pleased to work at a community board that has been ''first'' in the approval process involving the creation of numerous affordable housing and economic development projects, including a Sect. 197-A Neighborhood Development Plan, the Presbyterian Senior Services Grandparents Apartment building with support services for grandparents raising their grandchildren, the development of Boricua Village, which includes a major college campus in Boricua College that serves approximately 2,000 students and provides approximately 700 units of new housing and retail development, the Cross Bronx Plaza at East 174th Street, veterans housing and subsidized, affordable, green LEEDS rated homes.

Ms. Ritter's long-term devotion to the Bronx is truly noteworthy, and we can also see the progress our borough has made thanks as a result. I am so pleased to be able to recognize her efforts here in Congress. She will be celebrating 32 years of City service come April 2, 2016 and celebrates her life with her son Bashiek Dorsey, 31, who served in the Army protecting our country and now resides in Irving, Texas.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Ms. Etta F. Ritter for her consistently remarkable dedication to public service and longstanding commitment to improving our community.

## HONORING THE EXTRAORDINARY LIFE OF COACH JAMES ''JIM'' BELDEN

### HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor a beloved member of the Indiana community, Jim Belden. Jim was a councilman in Hamilton County and an Indiana Football Hall of Fame coach. Sadly, Jim died at the age of 77 on February 14, 2016 after a battle with cancer. He will be dearly missed by the Hoosier community, but we will remember him forever through the spectacular legacy he left behind.

Although he was born in Michigan, Jim spent most of his life in Indiana. He attended and played football at Shortridge High School in Indianapolis, where he was honored as an All-City and All-State Fullback. He graduated from Shortridge in 1957 and served in the United States Navy from 1958–1962. After serving our country in the Navy, he went on to play football for Butler University and was honored as an All-Conference Fullback. He graduated from Butler in 1963 and earned his master's degree in 1971 from Ball State University.

Beginning with his first call to public service in the United States Navy, he served as a stellar example of selfless public service. He left his mark as a teacher, a family man, and a member of the Hamilton County Council, but what Jim is most known for is coaching football. Jim's career as a high school teacher and football coach spanned over 30 years at three Hamilton County Schools—Westfield High School from 1964 to 1967, Noblesville High School from 1967 to 1980, and Carmel High School from 1980 to 1996. Jim is the 12th winningest coach in Indiana state history, with an impressive lifetime record of 283 wins, 80 losses, and 2 ties. His extraordinary record included 25 Conference titles, 16 Sectional, 10 Regional, five Semi-State, one State-Runner up, and most notably, he led Carmel High School to 4 State Championship titles in 1980, 1981, 1986, and 1991.

He retired from coaching football in 1996 and on April 24 of that year was inducted into the Indiana Football Hall of Fame. That honor followed many years of accolades. Beyond his long list of titles and State championships, he received ''Coach of the Year'' awards on many occasions, most notably from the Indiana Football Coaches Association, the Butler Alumni Association, and the Indiana Sportscasters and Sportswriters Association. He was also awarded a Key to the City of Carmel, Noblesville recognized him with ''Jim Belden Day,'' and he received the prestigious Governor's Sagamore of the Wabash award, to name a few. He also ran a highly successful football camp for aspiring high school players for many years. As the daughter of a 30-year high school coach, I know the unquestionable and lasting impact Jim had on the many young men he coached, the students he taught, assistant coaches and faculty he worked with, and the schools and communities he served.

In 1993, Jim began serving on the Hamilton County Council and won every election since. He was influential as a councilman and contributed significantly to the community. He helped ensure the expansion of Ivy Tech Community College in Noblesville with a vote to provide funding for the project and was a big proponent of planned upgrades to State Road 37.

Jim loved coaching football and serving as an elected official in Hamilton County, but his pride and joy was his family. Jim is survived by his wife, Bev, son, Bo, daughter, Bamby, and 5 grandchildren. He is also survived by his brother, Randy, sister, Candy, and several nieces, nephews, and friends. Jim is a tremendous example of an effective and dedicated public servant. After decades of serving as a mentor and leader in the community, his impact and presence will not soon be forgotten. Please join me in thanking Jim's family and friends for sharing this truly remarkable man with the Hoosier community.

## KIANNA HAWKINS—A GIRL WITH A VISION

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kianna Hawkins of Manvel, Texas for being named a distinguished finalist in the Texas' top youth volunteers of 2016, given by The Prudential Spirit of Community Awards.

Kianna is a senior at Lamar High School and a scout in the Girl Scouts of San Jacinto Council troop. Her community service project, ''EyeCare4TeenVision'' raises awareness about the importance of eye care and aims to provide critical services to children in need. Her efforts in partnering with the nonprofit Nehemiah Center and the Prevent Blindness organization led her to become a distinguished finalist in The Prudential Spirit of Community Awards. These awards recognize talented young men and women across America that have graciously served their communities.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kianna Hawkins for being a Distinguished Finalist. We are so proud of her and can't wait to see what she does next.

## HONORING JOHN SUDDUTH

### HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. ADERHOLT. Mr. Speaker, today I would like to honor Mr. John Sudduth of Double Springs, Alabama as the 2016 honoree of the Winston County Republican Party. I am honored to stand before this body of Congress and this Nation to recognize Mr. Sudduth for his unselfish dedication to the people of Winston County.

Mr. Sudduth grew up in Winston County before receiving his teaching degree. He first taught in Piedmont, Alabama before returning to his native Winston County where he taught agriculture science for more than 30 years at Winston County High School. Mr. Sudduth has taught thousands of students over the years the importance of agriculture to the local community, the state of Alabama and to America.

Mr. Sudduth has been very active in his community. He is a member of Double Springs First Baptist Church. He is also very active in ALFA and the Cattleman's Association. As part of his service in the Cattleman's Association, Mr. Sudduth and other members helped distribute supplies to farmers who were hard hit by the tornado outbreak of April 2011.

Last but not least, Mr. Sudduth has been a member of the Winston County Republican

Party for many years. He has also served as its vice-chairman for several terms.

Mr. Speaker, it is a great privilege to honor Mr. Sudduth for his long service to so many in Winston County. I join his family, friends and colleagues in congratulating him on being recognized by the Winston County GOP.

## HONORING CONGRESSMAN CHARLES B. RANGEL

### HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. SERRANO. Mr. Speaker, today I rise in honor of Black History Month and to recognize the important contributions made by African-Americans to our communities and to our nation. African-Americans have made countless contributions to and sacrifices for this great nation, and nowhere is this more visible than in New York City. That is why I want to stand before you today to honor my friend and colleague Congressman CHARLES B. RANGEL for his many years of public service and tireless work to improve the lives of residents of our community and our nation.

CHARLES RANGEL, or CHARLIE as many of us know him, is a legend in New York City and in Congress. His story is well chronicled, growing up on Lenox Avenue in Harlem and then volunteering to serve in the Army during the Korean War. CHARLIE became a war hero during his service when he was wounded by the enemy during the conflict, and then leading his surviving comrades back from behind enemy lines to safety. For his leadership and bravery, CHARLIE was awarded a Purple Heart and a Bronze Star.

CHARLIE returned from the war determined to make a difference. With the aid of the G.I. Bill, he graduated from New York University and St. John's University Law School, and became increasingly involved in his community. He also began a career of public service, serving for a time as an Assistant U.S. Attorney for the Southern District of New York, and involving himself in local politics and the civil rights movement. It was during this time that he met his mentor and friend, Percy Sutton, along with a number of other young leaders fighting to make a difference in Harlem. Four of those leaders, Percy Sutton, David Dinkins, Basil Paterson, and CHARLIE RANGEL, became the legendary Gang of Four, and each of them went on to incredible success in city, state, and national politics. CHARLIE's political journey formally began soon thereafter, with his election in 1966 to the New York State Assembly.

CHARLIE served in Albany for four years, and then in 1970, he took on the legendary Congressman Adam Clayton Powell, Jr. for the right to represent Harlem in Congress. He beat the incumbent in a tough battle, and began his service here in the House of Representatives.

In 1971, during his first term, CHARLIE became a founding member of the Congressional Black Caucus. He has broken barriers throughout his 23 terms in office, and has maintained a consistent set of political principles. He has sought to help the least among us, and has worked to ensure the American Dream for all Americans, regardless of income. And his record of accomplishment shows just how effective he has been.

Congressman RANGEL's accomplishments in Congress are truly too many to list, but let me name just a few. He has boosted the incomes of millions of working families through the Earned Income Tax Credit. He worked with my predecessor, Bob Garcia, to establish and pass the Empowerment Zone program, which has helped revitalize communities across the nation. He enabled the financing mechanisms to allow public school systems across the nation to construct new buildings and rehabilitate old ones. He helped isolate apartheid South Africa by passing the Rangel Amendment, which forced many investors in the 1980s to abandon the country. He has created trade and investment opportunities for countries across the Caribbean and Africa.

Lastly, he mentored a then junior Congressman from the Bronx, who arrived in Congress in 1990. It was with his friendship, advice, and support that I won my seat on the Appropriations Committee. He has always been a source of knowledge and know-how, and I am proud to count him as a colleague and a dear friend. He has extended his generosity and friendship to my son, State Senator José M. Serrano, and we know we can always count on his friendship, personally and politically.

CHARLIE still lives in the community where he was born with his wonderful wife Alma. They have two adult children and three grandchildren.

CHARLIE still has 11 months left in Congress, so this might seem a little bit early to some. But as we celebrate Black History Month and reflect on the contributions African-Americans have made to our nation, I thought it was important to acknowledge just how important and influential CHARLIE RANGEL, New York's own master legislator, has been to our nation.

Mr. Speaker, I respectfully ask that you and my other distinguished colleagues join me in honoring Congressman CHARLES B. RANGEL for his consistently remarkable dedication to public service and longstanding commitment to improving our nation.

## HONORING NAIOP-NEW MEXICO

### HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor the New Mexico chapter of NAIOP which received the prestigious Chapter of the Year award, for the medium chapter category, at NAIOP's annual retreat on February 10, 2016 in Washington, D.C.

NAIOP, the Commercial Real Estate Development Association, was founded in 1967 and is the leading organization for developers, owners, and related professionals in office, industrial, retail and mixed-use real estate. With 52 chapters throughout the United States and Canada, NAIOP comprises more than 15,000 members. It advances responsible commercial real estate development while simultaneously advocating for effective public policy.

The New Mexico chapter of NAIOP, founded in 1981, was originally comprised of less than 10 members. The chapter has grown with vigor and today proudly counts more than 260 members in its ranks. NAIOP-New Mexico has been successful in advocating for their members at the local, state, and federal level. In addition to Chapter of the Year, I am proud to report that they were honored for the excellence of their Legislative and Government Affairs at the annual retreat.

The work that NAIOP-New Mexico performs is important not only because it promotes job growth and excellence in the commercial real estate industry, but also because of its educational programs. For example, the Developing Leaders Program provides members under 35 with the tools necessary to excel and become future leaders in commercial real estate. In the past three years, they focused on reaching out to millennials who are interested in careers in commercial real estate and have grown the program by 126%. NAIOP-New Mexico has also partnered with the University of New Mexico and Central New Mexico Community College to educate students who are interested in commercial real estate, providing them with important skills for future careers. In fact, their members have donated more than $20,000 to these student projects and initiatives. For these accomplishments, NAIOP-New Mexico also received the award for the best medium-sized chapter in the Developing Leaders Program.

Mr. Speaker, it gives me great pleasure to congratulate NAIOP-New Mexico for winning three prestigious and competitive awards. In particular, I would like to call attention to NAIOP-New Mexico's CEO, Tom Bisaquino, and President, Lynne Anderson, for their outstanding leadership and to commend all the staff and members who made these awards possible. I look forward to hearing about the future successes of NAIOP-New Mexico as they continue to attract new members, train and educate future leaders, and improve commercial real estate in our state.

Congratulations, NAIOP-New Mexico; keep up the great work.

## RECOGNIZING ZELMA BROOKS WASHINGTON'S 50 YEAR MEMBERSHIP IN THE DELTA SIGMA SORORITY

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I would like to recognize an important milestone for a dedicated member of the African American and Dallas Communities. On January 31st, 2016, Sister Zelma Brooks Washington was honored for her fifty years of membership in the Delta Sigma Sorority, an organization comprised of college-educated black women that provides community support throughout the world. The sorority has over 200,000 members, and was originally founded here in Washington DC at Howard University.

Mrs. Washington is a graduate of Jarvis Christian College and the University of North Texas. She had a career dedicated to the greater public—she was a teacher and counselor here in the Dallas area for decades. In addition to her career as an educator, she has been active in her relationship with the Greater Golden Gate Church, working with the Deaconess, New Member Orientation, Mission,

Women's Chorus, Church Program Committee and the Faith Walkers. In the greater Dallas community, she is involved with the Dallas Retired Teachers Association, AARP Volunteer Tax Preparer, Dallas Lincoln-James Madison Alumni Association, and the Jarvis Christian College National and Local Alumni Association.

Mrs. Washington was honored at the Hyatt Regency in Dallas alongside the company of her husband and daughter. She and her sisters looked graceful and youthful as they received recognition to their commitment to this long-standing institution. Mrs. Washington joined the alumni chapter of the Delta Sigma Sorority in 1966, a time when education and opportunities were still denied to African Americans in Dallas.

Mr. Speaker, for her dedication to an organization that promotes equality internationally, for her deep and rich commitment to the community, and for her selfless career as an educator, past National President of the Delta Sigma Sorority, Congresswoman MARCIA FUDGE, and I would like to join together in formally recognizing this wonderful woman and her impressive milestone here in Congress.

## HONORING MRS. LILLIAN GERSTNER

### HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to honor and celebrate Mrs. Lillian Gerstner, who is being recognized by the Village of Skokie for her 25 years of hard work and dedication to make the Illinois Holocaust Museum and Education Center the wonderful place it is today.

An only child born to two Holocaust survivors, Rosalie and Moses Polus, Mrs. Gerstner came to Evanston in 1969 to pursue a degree in theater and a secondary school teaching certification at Northwestern University. Mrs. Gerstner married her husband, Mr. Alan Gerstner in 1976, and has two children, Michael and Lisa, born in 1980 and 1983, respectively.

Mrs. Gerstner began volunteering at the Holocaust Memorial Foundation of Illinois on Main Street In Skokie in 1985. With her young daughter Lisa in tow, she began her services by stuffing envelopes, typing, and filing. When Lisa began school, Mrs. Gerstner's duties increased to include production of the monthly newsletter. Mrs. Gerstner was a regular volunteer for years, feeling very much at home among the small staff and the survivors who visited. When staff began requesting that Mrs. Gerstner join their team after the executive director, Ms. Pearl Karp, retired, Mrs. Gertsner declined initially, unable to take on a full time job. In the meantime, Mrs. Gertsner and the rest of the Foundation's staff worked tirelessly to convince Illinois legislatures to mandate a school curriculum inclusive of the Holocaust. All of their efforts paid off when, on January 1, 1999, Illinois became the first state in the nation to pass a Holocaust Education Mandate.

On January 31, 1991, to the delight of the Foundation's officers, Mrs. Gertsner accepted her third offer to work as Executive Director. She was put in charge of a three-person staff and began working to make the Foundation's vision a reality. Her first year was focused on working with the Foundation's Education Director to provide professional development for teachers who were to begin implementing the newly enacted Illinois Holocaust Education Mandate.

Over the years, the Holocaust Memorial Foundation of Illinois accumulated many memorable achievements; they include, but are not limited to: Production of four documentaries, one of which—"Choosing One's Way—Resistance in Auschwitz-Birkenau"—received the Chicago International Film Festival Hugo Award in 1994; onsite training to over 2,000 educators to aid them in their teachings on the Holocaust; speaking to tens of thousands annually through the Speaker's Bureau; conducting annual creative expression competitions for children; taping survivor interviews, starting in 1991; conducting unique Yom HaShoah observances within the community; supervising Holocaust Expression Theater, a program to aid high school students in the development and performance of Holocaust dramatic material; and welcoming non-Jewish volunteers from the Action Reconciliation Service for Peace starting in 1997.

Mrs. Gerstner was an asset in the transition from the small Holocaust Memorial Foundation of Illinois on Main Street to the huge Illinois Holocaust Museum and Education Center that can be seen today, in Skokie, Illinois. From her work as site director for the Main Street facility until it closed in 2008, to Director of Special Projects and then Director of Public Programs in 2015, Mrs. Gerstner has truly been indispensable in both garnering cultural acknowledgment for the Holocaust, as well as educating and engaging youth and adults in its events and activities.

Mrs. Gerstner is a remarkable woman who has dedicated 25 years of her life to the success of the Illinois Holocaust Museum and Education Center. I want to congratulate her for being recognized by the Village of Skokie during their Board Meeting on March 7, 2016; she is an outstanding member of society who has brought much-needed attention to the Holocaust both within her town, and nationally. I am proud to honor her today for her achievements, and look forward to all she will continue to do in the future.

## ENDOCRINE SOCIETY CELEBRATES 100 YEARS OF PUBLIC HEALTH BREAKTHROUGHS

### HON. JOSEPH P. KENNEDY III

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. KENNEDY. Mr. Speaker, I rise today to recognize and congratulate the Endocrine Society, in honor of its Centennial anniversary.

A century ago, a small group of physicians joined together to unlock the secrets of the body's hormones—the chemical signals that govern breathing, metabolism, growth, reproduction and other critical biological functions. They were endocrinologists, and from this impassioned gathering, the Endocrine Society was born.

Over the next 100 years, endocrinologists would discover lifesaving treatments and provide quality care for hundreds of millions of people with diabetes, osteoporosis, thyroid conditions, infertility, sleep disorders, hormone-related cancers and many other conditions. Today, the Society has more than 18,000 members in 122 countries and is the world's oldest and largest organization devoted to hormone research and the clinical practice of endocrinology.

During its centennial year, the Endocrine Society will celebrate endocrinology's contributions to science and public health—while keeping an eye on today's promising research which will lead to tomorrow's discoveries. It will recognize Nobel Prize winners in the field (including four Society Past-Presidents) and historic breakthroughs such as the 1921 discovery of insulin, which transformed diabetes from a death sentence to a manageable chronic condition. In April, I am very pleased to recognize, the Endocrine Society will conduct its Annual Meeting and Expo, in Boston, Massachusetts. ENDO is the world's premier event for getting the latest updates in endocrine science and medicine, drawing thousands of endocrinologists from around the globe. ENDO 2016 will feature special programming celebrating the field's history and notable achievements.

Because hormones affect nearly every cell of the human body, the work of endocrinologists is essential to manage conditions that affect millions, including:

About 415 million adults worldwide who have diabetes, according to the International Diabetes Federation;

More than 36 percent of American adults who are obese, according to the U.S. Centers for Disease Control and Prevention;

An estimated 48.5 million couples worldwide who were infertile as of 2010, according to the World Health Organization; and

More than 10 million American adults who have osteoporosis, according to the Society's Endocrine Facts and Figures report.

Endocrine Society members have been at the forefront of historic accomplishments in medicine and research. I offer my warmest congratulations to the Endocrine Society on its celebration of 100 years of breakthroughs and I look forward to what the next century brings.

## PERSONAL EXPLANATION

### HON. MARLIN A. STUTZMAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. STUTZMAN. Mr. Speaker, on February 12, 2016, due to a funeral in my state, I was absent for four roll call votes. Had I been present, I would have voted in the following manner:

Roll Call Vote No. 79—McMorris-Rodgers of Washington Amendment No. 1—Yes.

Roll Call Vote No. 80—Schrader of Oregon Amendment No. 3—No.

Roll Call Vote No. 81—H.R. 2017, Common Sense Nutrition Disclosure Act of 2015—Yes.

Roll Call Vote No. 82—(Motion to Suspend the Rules and Concur in the Senate Amendment) H.R. 757, North Korea Sanctions and Policy Enforcement Act of 2016—Yes.

## INTRODUCTION OF THE PIPELINE INSPECTION ENFORCEMENT ACT OF 2016

### HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. HAHN. Mr. Speaker, today, I am reintroducing the Pipeline Inspection Enforcement Act to prevent oil pipeline leaks like the one that greatly damaged the community of Wilmington, California in my district.

Los Angeles is home to one of the most vast pipeline networks in the United States. Both oil and gas pipelines connect the Port of Los Angeles and the Port of Long Beach with the refineries in the area. Therefore, pipeline safety is a very important topic for me and the communities which make up the neighborhoods surrounding the Port of Los Angeles—including Wilmington, a primarily working class community. I have represented Wilmington for over 10 years—first on the Los Angeles City Council, and now as a Member of Congress.

Since Wilmington sits on top of one of the largest oil fields in the nation and a complex system of pipelines, this community lives with a heightened threat of a pipeline leaking or exploding. This became an unfortunate reality for many residents of Wilmington two years ago when a pipeline ruptured, causing thousands of gallons of crude oil to spill onto a residential street wreaking havoc on the lives of families who live in the community.

When Phillips purchased the pipeline, they were told that it was empty. In 15 years, the pipeline was not inspected to ensure that it was true.

As a result, the people in Wilmington paid the price.

I remember racing over there the morning it happened and discovering that yards were destroyed and homes were damaged. The smell of oil made people sick. The residents had to deal with the noise of jackhammers tearing up streets to locate the leak. Some people could not leave their houses and get to work.

The legislation I am reintroducing today would have prevented the damage these families experienced by forcing companies like Phillips 66 to simply have firsthand knowledge of what their pipelines contain. My legislation will ensure that a company purchasing a pipeline does its due diligence and inspects the status of the pipelines they purchase within 180 days of the sale. This inspection needs to have third party verification by either PHMSA or a state authority.

It is neglectful not to inspect the pipelines. The oil spill endangered the health and safety of many of my constituents as well as property damage and costs to the local economy.

These basic improvements to federal policy would protect countless communities like Wilmington. I look forward to working with my colleagues in Congress to make this legislation law.

## IN HONOR OF THE 100TH BIRTHDAY OF SALLIE PAULINE NAUGHER PUTNAM

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the birthday of Sallie Pauline Naugher Putnam of Piedmont, Alabama. She will turn 100 on March 28th.

Pauline was born to Jennie Elizabeth Warren Naugher and William Morris Naugher. She had two brothers, both World War II Veterans, and one sister who married a World War II Veteran. She married Volyer C. Putnam (deceased), also a World War II Veteran, on March 2, 1940. She is the proud aunt of her nephew Michael Naugher and niece Susan Ponder.

Pauline attended school in Oxford, Alabama until 7th grade and then finished 8th–12th grades at Piedmont High School. She was Salutatorian in 1934. She attended a year and a half at Jacksonville State University.

After her time at JSU, she worked at Standard Coosa Thatcher, a cotton mill in Piedmont. There she worked as a spinner, in the lab and in the payroll department before retiring.

She attends First Baptist Church of Piedmont where she has been a member since 1955.

In the fall, she cheers on the Piedmont Bulldogs and Alabama Crimson Tide. She still drives and goes to the beauty shop each week.

Mr. Speaker, please join me in recognizing the life and achievements of Sallie Pauline Naugher Putnam and wishing her a happy 100th birthday.

## HONORING THE 168 INVENTORS INDUCTED AS THE 2015 FELLOWS OF THE NATIONAL ACADEMY OF INVENTORS

### HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. JOLLY. Mr. Speaker, I rise today to honor the 168 inventors who will soon be recognized at the United States Patent and Trademark Office and inducted as the 2015 Fellows of the National Academy of Inventors (NAI) in an induction ceremony that will feature a keynote address by U.S. Commissioner for Patents Andrew Hirshfeld. In order to be named as a Fellow, these men and women were nominated by their peers and have undergone the scrutiny of the NAI Selection Committee, having had their innovations deemed as making significant impact on quality of life, economic development, and welfare of society. Collectively, this elite group holds nearly 5,400 patents.

The individuals making up this year's class of Fellows include individuals from 109 research universities and non-profit research institutes spanning the United States and the world. The now 582-member group of Fellows is composed of more than 80 presidents and senior leadership of research universities and non-profit research institutes, 310 members of the other National Academies, 27 inductees of the National Inventors Hall of Fame, 36 recipients of the U.S. National Medal of Technology and Innovation and the U.S. National Medal of Science, 27 Nobel Laureates, 14 Lemelson-MIT prize recipients, and 170 AAAS Fellows, among other awards and distinctions.

The NAI was founded in 2010 by Paul R. Sanberg at the University of South Florida. Its mission is to recognize and encourage inventors with patents issued from the United States Patent and Trademark Office, enhance the visibility of academic technology and innovation, encourage the disclosure of intellectual property, educate and mentor innovative students, and translate the inventions of its members to benefit society.

We are greatly indebted to innovators such as these for contributions to society through their inventions. I commend these individuals, and the organizations that support them, for the work they do to revolutionize the world we live in. As the following inventors are inducted, may it encourage future generations to strive to meet this high honor and continue the spirit of discovery and innovation.

The 2015 NAI Fellows include; C. Mauli Agrawal, The University of Texas at San Antonio; Dean P. Alderucci, The University of Chicago; Jayakrishna Ambati, University of Kentucky; Iver E. Anderson, Iowa State University; Kristi S. Anseth, University of Colorado Boulder; Allen W. Apblett, Oklahoma State University; Charles J. Arntzen, Arizona State University; Harry A. Atwater, Jr., California Institute of Technology; Lorne A. Babiuk, University of Alberta; John M. Ballato, Clemson University; John S. Baras, University of Maryland; Issa Batarseh, University of Central Florida; Ray H. Baughman, The University of Texas at Dallas; Angela M. Belcher, Massachusetts Institute of Technology; Stephen J. Benkovic, The Pennsylvania State University; Shekhar Bhansali, Florida International University; Sangeeta N. Bhatia, Massachusetts Institute of Technology; J. Douglas Birdwell, The University of Tennessee, Knoxville; Kenneth J. Blank, Rowan University; Dale L. Boger, The Scripps Research Institute.

Charles A. Bouman, Purdue University; John E. Bowers, University of California, Santa Barbara; Gary L. Bowlin, University of Memphis; C. Jeffrey Brinker, The University of New Mexico; Emery N. Brown, Massachusetts Institute of Technology; Milton L. Brown, Georgetown University; Richard B. Brown, The University of Utah; Steven R.J. Brueck, The University of New Mexico; Joe C. Campbell, University of Virginia; Selim A. Chacour, University of South Florida; Mau-Chung Frank Chang, National Chiao Tung University; Shu Chien, University of California, San Diego; Mary-Dell Chilton, Washington University in St. Louis; Diana S. Chow, University of Houston; Chung K. Chu, University of Georgia; Yoginder P. Chugh, Southern Illinois University; William J. Clancey, Institute for Human and Machine Cognition; Katrina Cornish, The Ohio State University; Delos M. Cosgrove III, Cleveland Clinic; Alan W. Cramb, Illinois Institute of Technology.

Benjamin F. Cravatt III, The Scripps Research Institute; Roy Curtiss III, University of Florida; P. Daniel Dapkus, University of Southern California; John G. Daugman, University of Cambridge; Mark E. Davis, California Institute of Technology; Robert C. Dean, Jr., Dartmouth

College; Atam P. Dhawan, New Jersey Institute of Technology; Duane B. Dimos, The University of Texas at Arlington; David M. Eddy, University of South Florida; Nader Engheta, University of Pennsylvania; Antonio Facchetti, Northwestern University; Rudolf Faust, University of Massachusetts Lowell; Robert E. Fischell, University of Maryland; Christodoulos A. Floudas, Texas A&M University; Gabor Forgacs, University of Missouri; Scott E. Fraser, University of Southern California; Jean M.J. Fréchet, King Abdullah University of Science and Technology; Richard H. Frenkiel, Rutgers, The State University of New Jersey; Sanjiv S. Gambhir, Stanford University; Shubhra Gangopadhyay, University of Missouri; Sir Andre K. Geim, The University of Manchester; George Georgiou, The University of Texas at Austin.

John C. Gore, Vanderbilt University; Venu Govindaraju, University at Buffalo, The State University of New York; Ali Hajimiri, California Institute of Technology; Naomi J. Halas, Rice University; Andrew D. Hamilton, New York University; Wayne W. Hanna, University of Georgia; Florence P. Haseltine, National Institutes of Health; Charlotte A.E. Hauser, King Abdullah University of Science and Technology; Craig J. Hawker, University of California, Santa Barbara; M. Frederick Hawthorne, University of Missouri; Barton F. Haynes, Duke University; Richard F. Heck, University of Delaware; Andrew B. Holmes, The University of Melbourne; Rush D. Holt, American Association for the Advancement of Science; H. Robert Horvitz, Massachusetts Institute of Technology; Chenming C. Hu, University of California, Berkeley; Leon D. Iasemidis, Louisiana Tech University; Mir Imran, University of Pittsburgh; Donald E. Ingber, Harvard University; Chennupati Jagadish, The Australian National University.

Anil K. Jain, Michigan State University; Kristina M. Johnson, University of Colorado Boulder; Joseph S. Kalinowski, East Carolina University; Aaron V. Kaplan, Dartmouth College; Usha N. Kasid, Georgetown University; Kenneth W. Kinzler, Johns Hopkins University; Brian K. Kobilka, Stanford University; Steven J. Kubisen, The George Washington University; Donald W. Landry, Columbia University; Se-Jin Lee, Johns Hopkins University; Sunggyu Lee, Ohio University; Robert J. Lefkowitz, Duke University; G. Douglas Letson, H. Lee Moffitt Cancer & Research Institute; Jennifer A. Lewis, Harvard University; Guifang Li, University of Central Florida; James C. Liao, University of California, Los Angeles; John S. Lollar III, Emory University; Anthony M. Lowman, Rowan University; Rodney S. Markin, University of Nebraska Medical Center; Tobin J. Marks, Northwestern University; Dean F. Martin, University of South Florida.

Helen S. Mayberg, Emory University; Edith G. McGeer, The University of British Columbia; Patrick L. McGeer, The University of British Columbia; Meyya Meyyappan, NASA Ames Research Center; Thomas E. Milner, The University of Texas at Austin; Umesh K. Mishra, University of California, Santa Barbara; Somenath Mitra, New Jersey Institute of Technology; Andreas F. Molisch, University of Southern California; Ramani Narayan, Michigan State University; Alan C. Nelson, Arizona State University; Kyriacos C. Nicolaou, Rice University; David R. Nygren, The University of Texas at Arlington; Richard M. Osgood, Jr., Columbia University; Alyssa Panitch, Purdue University; H. Anne Pereira, The University of Oklahoma Health Sciences Center; William M. Pierce, Jr., University of Louisville; John M. Poate, Colorado School of Mines; H. Vincent Poor, Princeton University; Ann Progulske-Fox, University of Florida; Suzie H. Pun, University of Washington; Kaushik Rajashekara, The University of Texas at Dallas; Jahangir S. Rastegar, Stony Brook University.

A. Hari Reddi, University of California, Davis; E. Albert Reece, University of Maryland; Kenneth L. Reifsnider, The University of Texas at Arlington; Jasper D. Rine, University of California, Berkeley; Ajeet Rohatgi, Georgia Institute of Technology; Stephen D. Russell, Space and Naval Warfare Systems Command; Michael J. Sailor, University of California, San Diego; Bahgat G. Sammakia, Binghamton University; Andrew V. Schally, University of Miami; Paul R. Schimmel, The Scripps Research Institute; Peter G. Schultz, The Scripps Research Institute; Marian O. Scully, Texas A&M University; Jonathan L. Sessler, The University of Texas at Austin; Mohsen Shahinpoor, University of Maine; Ben Shneiderman, University of Maryland; Marvin J. Slepian, The University of Arizona; Kwok-Fai So, The University of Hong Kong; Richard A. Soref, University of Massachusetts Boston; Pramod K. Srivastava, University of Connecticut; Andrew J. Steckl, University of Cincinnati.

Valentino J. Stella, The University of Kansas; Galen D. Stucky, University of California, Santa Barbara; Bala Subramaniam, The University of Kansas; R. Michael Tanner, Association of Public and Land-grant Universities; Guillermo J. Tearney, Harvard University; Stephen Tomlinson, Medical University of South Carolina; James M. Tour, Rice University; Kalliat T. Valsaraj, Louisiana State University; Bert Vogelstein, Johns Hopkins University; Sherry L. Harbin, Purdue University; Norman J. Wagner III, University of Delaware; Yong Wang, Washington State University; James A. Wells, University of California, San Francisco; Caroline C. Whitacre, The Ohio State University; Jay F. Whitacre, Carnegie Mellon University; Helena S. Wisniewski, University of Alaska Anchorage; Edward D. Wolf, Cornell University; Paul K. Wright, University of California, Berkeley; James C. Wyant, The University of Arizona; Pan-Chyr Yang, National Taiwan University; Yu-Dong Yao, Stevens Institute of Technology; Martin L. Yarmush, Rutgers, The State University of New Jersey; and Jianping Zheng, Florida State University.

## TRIBUTE TO THE COMMUNITY COLLEGES OF IOWA

### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. YOUNG of Iowa. Mr. Speaker, Mr. LOEBSACK and I rise today to recognize and congratulate the community colleges of Iowa for 50 years of outstanding service to the state. The community colleges of Iowa have expanded to become our largest provider of postsecondary education.

On June 7, 1965, Iowa Governor Harold Hughes signed the first bill into law allowing for the opening and operation of community colleges in the state of Iowa. The following institutions were officially designated the next year: Northeast Iowa, North Iowa Area, Iowa Lakes, Northwest Iowa, Iowa Central, Iowa Valley, Hawkeye, Eastern Iowa, Kirkwood, Des Moines Area, Western Iowa Tech, Iowa Western, Southwestern, Indian Hills, and Southeast Iowa.

These fine institutions now provide accessible and affordable education, not only to Iowans, but to students across the country and the world. Their offerings include a wide-ranging, diverse curriculum that serves Iowa's specific workforce needs, including Iowa businesses competing in a global market. Iowa businesses in need of highly trained, specialized workers turn to our community colleges to fill the new, high-paying, high-skilled positions of tomorrow.

Mr. Speaker, it is our honor to represent Iowa's community colleges in the United States Congress and it is with great pride that we recognize them today. We ask that our colleagues in the United States House of Representatives join us in congratulating Iowa's community colleges on celebrating their 50th year and for providing a high quality, affordable education for all Iowans. We wish them nothing but continued success in the years to come.

## IN RECOGNITION OF KRYSTA HARDEN

### HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my congratulations and best wishes to an outstanding leader, personal friend, and constituent, Ms. Krysta Harden, Deputy Secretary of Agriculture for the U.S. Department of Agriculture (USDA). Ms. Harden has excelled at this position since she took office in August of 2013. She will be leaving her post at the end of February 2016.

A Georgia native, Ms. Harden was born and raised in Camilla, Georgia and earned a Bachelor of Arts degree in Journalism from the University of Georgia in 1981. Her career began on Capitol Hill, where she worked for former Congressman Charles Hatcher as Legislative Director, Press Secretary, and Chief of Staff for more than ten years. Ms. Harden went on to serve as Staff Director for the Subcommittee on Peanuts and Tobacco of the House Committee on Agriculture.

In 1993, Ms. Harden left the public sector to work for Gordley Associates, a government relations firm focused on agricultural policy. Ms. Harden left the company in 2004 as Senior Vice President. From 2004 to 2009, she served as the Chief Executive Officer of the National Association of Conservation Districts.

In 2009, Ms. Harden began her influential career at the U.S. Department of Agriculture as the Assistant Secretary for Congressional Relations. In this role, Ms. Harden was instrumental in securing passage of and implementing the Healthy, Hunger-Free Kids Act of 2010, which increased the nutritional quality of school lunch programs and provides access for children of all economic backgrounds.

In 2011, she was promoted to Chief of Staff of the Department of Agriculture. And in 2013,

President Obama nominated Ms. Harden for the position of Deputy Secretary of Agriculture. Her nomination was unanimously approved by the Senate. Ms. Harden's steadfast leadership led to what Secretary Vilsack has called the ''best-implemented Farm Bill in history,'' referencing the 2014 Farm Bill in which Ms. Harden led the USDA's efforts to work with Congress to see the bill through to completion and implementation.

Ms. Harden has been praised by many for her bipartisan and commonsense approach to policies and programs that expand opportunities for rural communities. Krysta Harden, a ''Georgia farm girl'' herself, has dedicated her career to serving our nation's farmers and promoting a thriving bio-based economy.

As a friend of long standing and someone that I have had the honor to work with closely in developing legislative frameworks for farmer settlements, I can say with a full heart that I will miss working with Krysta in Washington. She has served admirably as Deputy Secretary of the USDA and has shown herself to represent the highest standards of public service. Ms. Harden has established a legacy of providing support for underrepresented groups—particularly women, young people, immigrants, disadvantaged producers, and veterans. I am very grateful for her tireless advocacy to diversify the nation's agriculture sector and her steadfast support for rural America. A woman of great integrity, her efforts, her dedication, and her expertise in her field are unparalleled and will be greatly missed.

Mr. Speaker, I ask my colleagues to join me in extending our sincerest appreciation and best wishes to Ms. Krysta Harden upon the occasion of her departure from an outstanding career at the U.S. Department of Agriculture.

## PERSONAL EXPLANATION

### HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. DUCKWORTH. Mr. Speaker, on February 23, 2016, on Roll Call No. 83 on the Motion to Suspend the Rules and Pass H.R. 4408, to require the development of a national strategy to combat terrorist travel, and for other purposes, as amended, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA on this bill to require the U.S. Department of Homeland Security, within 180 days of enactment, to transmit a national strategy to Congress to combat terrorist travel.

On February 23, 2016, on Roll Call No. 84 on the Motion to Suspend the Rules and Pass H.R. 4402, Foreign Fighter Review Act of 2016, as amended, I am not recorded because I was absent for medical reasons. Had I been present, I would have voted YEA on this bill to require the U.S. Department of Homeland Security, within 120 days of enactment, to provide a report to Congress on instances or attempted instances since 2011 of foreign fighter travel from the United States to Iraq or Syria.

## PEARLAND CHEERLEADERS PLACE AT STATE

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Pearland High School cheerleading team for placing third overall in the University Interscholastic League (UIL) State Competition.

Spirit, the UIL State Cheerleading Competition, is an extension of the typical high school cheerleading role, enhancing school spirit. This highly competitive UIL competition consists of three different categories: fight song, time out band dance, and time out cheer. Pearland High School competed in the UIL State Competition in the Class 6A division where the Pearland Oilers placed third overall, how impressive. We are so proud of our Pearland Cheerleaders and we can't wait to see what the future competitions bring.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Pearland High School Cheerleaders for placing third in the UIL State Competition. Keep up the hard work.

## THE RETIREMENT OF RICHARD ''RICK'' HEALY

### HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Ms. MCCOLLUM. Mr. Speaker, I rise today to offer my profound thanks for the service and best wishes on the retirement of Rick Healy. Rick has worked in the House of Representatives for over 35 years, which is multiple lifetimes here on the Hill.

Rick's career in the House encompassed more than three decades of dedicated service to the people of Minnesota's 4th Congressional District, to the House Natural Resources Committee, and to the Appropriations Committee.

I was fortunate enough to have Rick work with me as the Democratic Clerk for the Interior Appropriations Subcommittee during his last year, before departing this month to work with our former Chairman Jim Moran in the private sector.

Rick is a proud son of St. Paul. He graduated from St. Thomas, and his wife, Cecilia, is a St. Kate's grad. The first Congressional experience Rick gained was as an intern with his Member of Congress, Representative Bruce Vento. He then joined the Congressman's staff in DC working on environmental issues in 1980. When Bruce became the Chairman of the Subcommittee on National Parks, Forests and Public Lands, Rick left his personal office and joined the Subcommittee staff.

Congressman Vento is remembered both in Minnesota and nationally for his tremendous dedication and passion for the conservation of America's wilderness and natural treasures. Rick Healy played a pivotal role in advancing those efforts. He supported Chairman Vento and his successors in crafting much of the major public lands legislation passed through the Resources Committee over the next 25 years.

Rick's knowledge and experience was instrumental in issues of importance to Minnesota, like the management of the St. Croix National Scenic River and the establishment of the Mississippi National River and Recreation Area.

Rick was a tremendous help to me when I was first elected after Congressman Vento passed away in 2000, and provided valuable council on environmental issues as I followed in our friend and mentor Bruce's legacy by serving on the Resources Committee.

As a staffer who has been here longer than almost all of the Members serving in this body, Rick Healy assisted his Chairs and Ranking Members through the ups and downs of Majority and Minority.

And, five years ago, when he joined the Appropriations Committee, he brought that institutional knowledge to the work of funding and improving our nation's public lands, our environmental stewardship, our trust and treaty responsibilities with tribal nations, and our investment in the arts and humanities. Rick has been an invaluable resource on the Appropriations Committee.

I, along with many other Members and staff, will miss his depth of knowledge, his expertise and insight, his hard work, and his sense of humor.

Rick, we wish you the best of luck.

## HONORING THE 100TH ANNIVERSARY OF BOY SCOUT TROOP 151

### HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. MCNERNEY. Mr. Speaker, I ask my colleagues to join me in recognizing the 100th anniversary of Boy Scout Troop 151 in Antioch, California. Formed in 1916, it is one of the oldest troops in California.

Since 1910, the Boy Scouts of America have helped mold future leaders of our country by teaching lifelong values and skills through educational activities. The Boy Scouts believe that helping the youth of America today sets us on a path to become a more responsible, respectful and productive society tomorrow. From its inception, Troop 151 has built a program consisting of traditional outdoor scouting activities that include camping, backpacking, and hiking to promote physical fitness and good character.

Community involvement continues to be a guiding principle for the Boy Scouts of America. Troop 151 was instrumental in the resurrection of the Antioch's Veterans Day celebration and they annually provide traditional flag services to the Veterans' Day celebration among other important community events. The boys of Troop 151 are proof that scouting can help build a greater sense of personal responsibility and high self-esteem. As a result, scouts are better prepared to make good decisions and give back to our community.

I ask my colleagues to join me in commending the Boy Scouts of Troop 151 for one hundred years of service to the City of Antioch and its residents.

## A JOINT RESOLUTION DISAPPROVING THE SALE OF WEAPON SYSTEMS TO PAKISTAN

### HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. ROHRABACHER. Mr. Speaker, today I submit to the House of Representatives a Joint Resolution disapproving the sale of weapon systems to Pakistan. The Government of Pakistan has been using weapons from the United States to repress its own citizens and especially the people of Baluchistan. The deciding factor of whether to support this Joint Resolution is, for me, the arrogant and hostile actions taken by the Government of Pakistan against the man who helped bring Osama Bin Laden to justice.

Osama Bin Laden was a mass murderer of 3,000 Americans on September 11, 2001. Anyone who helped bring him to justice is an American hero. The Government of Pakistan arrested Dr. Shakil Afridi and continues to hold him in a cage. That arrest was a declaration of hostility toward the United States. Our government should not provide military equipment to Pakistan, let alone F–16s, as long as they are holding Dr. Afridi. His continued incarceration is an action which underscores that the Government of Pakistan considers itself our enemy, not our friend.

## HONORING SANDY BEST

### HON. JOHN KLINE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. KLINE. Mr. Speaker, I rise today to honor a historic promotion in the Minnesota National Guard. Today, the Minnesota Guard will conduct a promotion ceremony for Colonel Sandy Best, who will become the first female general in Minnesota National Guard history when she is promoted to Brigadier General.

General Best will be the Air Chief of Staff responsible for command supervision, oversight, and leadership of the 133rd Airlift Wing at the Minneapolis-St. Paul Joint Air Reserve Station, and the 148th Fighter Wing in Duluth.

Mr. Speaker, General Best began her career more than 30 years ago when she, a Minneapolis Edison High School graduate, enlisted in the Minnesota Air National Guard in 1984 as a Personnel Specialist. In 1991, she was commissioned through the Academy of Military Science at McGhee Tyson Air National Guard Base in Tennessee, contributing to the Minnesota Guard in a variety of positions ever since.

General Best's passion for our soldiers, their families, and our country as well as her advocacy for the National Guard has been exceptional. I have always appreciated our meetings in Minnesota and in Washington and I look forward to working with the new Brigadier General.

Mr. Speaker, this promotion is well deserved and I wish General Best my best, and congratulate her and the Minnesota National Guard on this historic achievement.

## RECOGNIZING THE 24TH ANNIVERSARY OF THE KHOJALY MASSACRE

### HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. COHEN. Mr. Speaker, this week marks the 24th anniversary of the massacre of hundreds of people in the town of Khojaly in what was the largest killing of ethnic Azerbaijani civilians in the course of the Armenia-Azerbaijan conflict. Khojaly, which is located in the Nagorno-Karabakh region of Azerbaijan, was once home to 7,000 people. However, on February 26, 1992, Armenian armed forces descended on the town in a final attempt to take over the city. In doing so, they massacred over 600 unarmed people—including 106 women and 83 children—and left less than 2,000 survivors. Hundreds more became disabled due to their horrific injuries. More than one hundred children lost a parent and 25 children lost both parents. At least 8 families were completely obliterated.

Even though a ceasefire went into effect over two decades ago, more than 20 percent of Azerbaijan's territory, including Nagorno-Karabakh and seven surrounding districts, remain occupied and more than 1 million Azerbaijanis remain refugees unable to return to their home villages. Ongoing violence along the line of contact surrounding occupied Azerbaijani territory reinforces the urgency of robust American participation in the Organization for Security and Co-operation in Europe's (OSCE) Minsk Group as it works toward a peaceful resolution of the Azerbaijan-Armenia conflict.

Azerbaijan is the only country that borders both Russia and Iran, and yet Azerbaijan has been a strong partner of the United States and its allies in security and energy matters. This cooperation has included: enforcing sanctions against Iran; providing troops to serve shoulder-to-shoulder with U.S. forces in Kosovo, Iraq, and Afghanistan; allowing transit for 40 percent of all non-lethal equipment used by NATO forces through Azerbaijan to Afghanistan; construction of the Southern Gas Corridor from the Caspian Sea to Italy, thereby providing Europe with an alternative to Russian energy sources; and supplying 40 percent of Israel's oil.

I invite my colleagues to join me and our Azerbaijani friends in recognizing and remembering the horrible events that occurred during the Khojaly Massacre twenty-four years ago. As Azerbaijanis in all parts of the world continue to grieve the loss of loved ones, let us commemorate their losses with support of non-violent efforts to resolve the Nagorno-Karabakh conflict and of reforms that promote peace and stability throughout the Southern Caucasus region.

## IN HONOR OF THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAM

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. FARR. Mr. Speaker, for the past 17 years, the Uni-Capitol Washington Internship Program (UCWIP) has granted the opportunity for a select group of Australian students from ten partner universities the opportunity to intern in a Congressional office from January to March each year. Since 1999, over 180 Australian students have had the benefit of partaking in these internships, and credit is due to Eric Federing, a former senior Senate and House Congressional staffer who founded and continues to coordinate the program. The students must undertake a rigorous application process to be successful and come from a range of backgrounds. The program is a mutual exchange—the students use their time in Washington, D.C. to develop their knowledge of American politics and have the opportunity to work on a range of issues that are of personal interest, while simultaneously sharing experiences from their home country with their office.

This year, our office is lucky to be hosting Emily Denbigh from the University of Adelaide. Emily is currently in her 4th year of a Bachelor's degree in Law and Arts, pursuing a major in Development Studies and a minor in French. She is passionate about social justice issues, and has previously undertaken an internship in Tanzania with a women's legal rights organization. She is interested in pursuing a career in international human rights law or environmental law. During her time in Washington, D.C., Emily has enjoyed learning about the dynamic American political system and California's beautiful 20th district. She has developed her knowledge of legal environmental issues, including what the American judicial system and legislators can do to combat climate change and promote conservation. She has also enjoyed talking to our constituents, who take a particular interest in her accent.

We have enjoyed hearing her accent and all of her wonderful ideas. Emily is a hardworking and highly intelligent woman. She is a strong writer and researcher and her passion for the environment and social justice shows in all the conversations I have had with her and through her writing. She has been a great asset to our team and we will be sorry to see her leave.

My staff and I have greatly enjoyed participating in the UCWIP program since its inception. I thank Mr. Federing for his hard work and dedication in bringing these Australian students to our nation's capital and for sending us Emily this session.

## PERSONAL EXPLANATION

### HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 25, 2016*

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding missed votes on February 9, 2016 through February 12, 2016, February 23, 2016, and February 24, 2016 due to the death of my father.

Had I been present for roll call vote number 64, passage of H.R. 3036—The National 9/11 Memorial at the World Trade Center Act, I would have voted ''yea.''

Had I been present for roll call vote number 65, ordering the previous question for H. Res. 609, I would have voted ''yea.''

Had I been present for roll call vote number 66, H. Res. 609, the combined rule providing

for consideration of H.R. 3293—The Scientific Research in the National Interest Act and H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''yea.''

Had I been present for roll call vote number 67, passage of H.R. 4470—The Safe Drinking Water Act Improved Compliance Awareness Act, I would have voted ''yea.''

Had I been present for roll call vote number 68, the E.B. Johnson Amendment to H.R. 3293—The Scientific Research in the National Interest Act, I would have voted ''nay.''

Had I been present for roll call vote number 69, the motion to recommit H.R. 3293—The Scientific Research in the National Interest Act, I would have voted ''nay.''

Had I been present for roll call vote number 70, passage of H.R. 3293—The Scientific Research in the National Interest Act, I would have voted ''yea.''

Had I been present for roll call vote number 71, the Kelly Amendment to H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''nay.''

Had I been present for roll call vote number 72, the Duffy Amendment to H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''yea.''

Had I been present for roll call vote number 73, the Grijalva Amendment to H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''nay.''

Had I been present for roll call vote number 74, the Takano Amendment to H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''nay.''

Had I been present for roll call vote number 75, the motion to recommit H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''nay.''

Had I been present for roll call vote number 76, passage of H.R. 3442—The Debt Management and Fiscal Responsibility Act, I would have voted ''yea.''

Had I been present for roll call vote number 77, ordering the previous question for H. Res. 611, I would have voted ''yea.''

Had I been present for roll call vote number 78, H. Res. 609, the rule providing for consideration of H.R. 2017—The Commonsense Nutrition Disclosure Act, I would have voted ''yea.''

Had I been present for roll call vote number 79, the McMorris Rodgers Amendment to H.R. 2017—The Commonsense Nutrition Disclosure Act, I would have voted ''yea.''

Had I been present for roll call vote number 80, the Schrader Amendment to H.R. 2017—The Commonsense Nutrition Disclosure Act, I would have voted ''nay.''

Had I been present for roll call vote number 81, passage of H.R. 2017—The Commonsense Nutrition Disclosure Act, I would have voted ''yea.''

Had I been present for roll call vote number 82, to concur in the Senate Amendment to H.R. 757—The North Korea Sanctions and Policy Enhancement Act, I would have voted ''yea.''

Had I been present for roll call vote number 83, passage of H.R. 4408—The National Strategy to Combat Terrorist Travel Act, I would have voted ''yea.''

Had I been present for roll call vote number 84, passage of H.R. 4402—The Foreign Fighter Review Act, I would have voted ''yea.''

Had I been present for roll call vote number 85, ordering the previous question for H. Res. 618, I would have voted ''yea.''

Had I been present for roll call vote number 86, H. Res. 618, the rule providing for consideration of H.R. 3624—The Fraudulent Joinder Prevention Act, I would have voted ''yea.''

# *Daily Digest*

# Senate

## *Chamber Action*

*Routine Proceedings, pages S1017–S1062*

**Measures Introduced:** Twenty-four bills and four resolutions were introduced, as follows: S. 2580–2603, S.J. Res. 31, S. Res. 375–376, and S. Con. Res. 32. **Pages S1057–58**

**Measures Passed:**

***Relative to the Death of Supreme Court Justice Antonin Scalia:*** By a unanimous vote of 93 yeas (Vote No. 26), Senate agreed to S. Res. 374, relating to the death of Antonin Scalia, Associate Justice of the Supreme Court of the United States. **Page S1036**

**Measures Considered:**

**Comprehensive Addiction And Recovery Act—Cloture:** Senate began consideration of the motion to proceed to consideration of S. 524, to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use. **Pages S1037–45**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, February 25, 2016, a vote on cloture will occur at 5:30 p.m., on Monday, February 29, 2016. **Page S1037**

A unanimous-consent agreement was reached providing that at 5 p.m., on Monday, February 29, 2016, Senate resume consideration of the motion to proceed to consideration of the bill, with the time until 5:30 p.m., equally divided between the two managers, or their designees. **Page S1062**

**Nominations Received:** Senate received the following nominations:

Donald W. Beatty, of South Carolina, to be United States District Judge for the District of South Carolina, Vice Cameron M. Currie, retired.

Donald C. Coggins, Jr., of South Carolina, to be United States District Judge for the District of South Carolina.

Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit.

2 Marine Corps nominations in the rank of general. **Page S1062**

**Messages from the House:** **Page S1056**

**Measures Referred:** **Page S1057**

**Enrolled Bills Presented:** **Page S1057**

**Additional Cosponsors:** **Pages S1058–59**

**Statements on Introduced Bills/Resolutions:** **Pages S1059–61**

**Additional Statements:** **Pages S1055–56**

**Amendments Submitted:** **Pages S1061–62**

**Authorities for Committees to Meet:** **Page S1062**

**Privileges of the Floor:** **Page S1062**

**Record Votes:** One record vote was taken today. (Total—26) **Page S1036**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 5:49 p.m., until 3 p.m. on Monday, February 29, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1062.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### APPROPRIATIONS: DEPARTMENT OF JUSTICE

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2017 for the Department of Justice, after receiving testimony from Loretta E. Lynch, Attorney General, Department of Justice.

### NOMINATIONS

*Committee on Armed Services:* Committee concluded a hearing to examine the nominations of Brad R. Carson, of Oklahoma, to be Under Secretary for Personnel and Readiness, Jennifer M. O'Connor, of Maryland, to be General Counsel, and Todd A. Weiler, of Virginia, to be an Assistant Secretary, all

of the Department of Defense, after the nominees testified and answered questions in their own behalf.

**LIFE SAVING TREATMENTS**

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine connecting patients to new and potential life saving treatments, after receiving testimony from Darcy Olsen, Goldwater Institute, Phoenix, Arizona; Joseph V. Gulfo, Farleigh Dickinson University Rothman Institute of Innovation and Entrepreneurship, New York, New York; Nancy Goodman, Kids v Cancer, Washington, D.C.; Laura McLinn, Indianapolis, Indiana; and Diego Morris, Phoenix, Arizona.

**NOMINATION**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine the nomination of John B. King, of New York, to be Secretary of Education, after the nominee, who was introduced by Representative Robert C. Scott, testified and answered questions in his own behalf.

**IMPACT OF HIGH-SKILLED IMMIGRATION**

*Committee on the Judiciary:* Subcommittee on Immigration and the National Interest concluded a hearing to examine the impact of high-skilled immigration on United States workers, after receiving testimony from John M. Miano, Washington Alliance of Technology Workers, Summit, New Jersey; Mark O'Neill, Jackthreads, New York, New York; Hal Salzman, Rutgers University E.J. Bloustein School of Planning and Public Policy J.J. Heldrich Center for Workforce Development, New Brunswick, New Jersey; Chad Sparber, Colgate University, Hamilton, New York; Ronil Hira, Howard University, Washington, D.C.; and Leo Perrero, Longwood, Florida.

**U.S. PATENT SYSTEM**

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine changes to the United States patent system and impacts on America's small businesses, including S. 632, to strengthen the position of the United States as the world's leading innovator by amending title 35, United States Code, to protect the property rights of the inventors that grow the country's economy, S. 926, to amend the patent law to promote basic research, to stimulate publication of scientific documents, to encourage collaboration in scientific endeavors, to improve the transfer of technology to the private sector, S. 1137, to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, H.R. 9, to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and H.R. 616, to amend the Immigration and Nationality Act to provide for reforms to the EB–5 immigrant investor program, after receiving testimony from Robert L. Stoll, Drinker Biddle and Reath LLP, and Brian P. O'Shaughnessy, Licensing Executives Society (USA and Canada), Inc., both of Washington, D.C.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 21 public bills, H.R. 4612–4632; and 5 resolutions, H.J. Res. 82; H. Con. Res. 118–119; and H. Res. 625–626, were introduced. **Pages H948–49**

**Additional Cosponsors:** **Pages H950–51**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Hardy to act as Speaker pro tempore for today. **Page H895**

**Recess:** The House recessed at 10:50 a.m. and reconvened at 12 noon. **Page H900**

**Recess:** The House recessed at 2:01 p.m. and reconvened at 3:15 p.m. **Page H915**

**Fraudulent Joinder Prevention Act of 2016:** The House passed H.R. 3624, to amend title 28, United States Code, to prevent fraudulent joinder, by a recorded vote of 229 ayes to 189 noes, Roll No. 89. **Pages H907–15, H915–18**

Rejected the Watson Coleman motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 180 ayes to 239 noes, Roll No. 88. **Pages H916–17**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be

considered as an original bill for the purpose of amendment under the five-minute rule. **Page H913**

Agreed to:

Buck amendment (No. 1 printed in H. Rept. 114–428) that makes technical changes to the bill; striking references to multiple defendants and replacing them with references to single defendants. **Page H913**

Rejected:

Cartwright amendment (No. 2 printed in H. Rept. 114–428) that sought to create a separate exception for plaintiffs seeking compensation resulting from the bad faith of an insurer (by a recorded vote of 178 ayes to 237 noes, Roll No. 87). **Pages H913–15, H915–16**

H. Res. 618, the rule providing for consideration of the bill (H.R. 3624) was agreed to yesterday, February 24th.

**SHARE Act:** The House began consideration of H.R. 2406, to protect and enhance opportunities for recreational hunting, fishing, and shooting. Consideration is expected to resume tomorrow, February 26th. **Pages H919–29**

H. Res. 619, the rule providing for consideration of the bill (H.R. 2406) was agreed to by a yea-and-nay vote of 241 yeas to 175 nays, Roll No. 91, after the previous question was ordered by a yea-and-nay vote of 240 yeas to 178 nays, Roll No. 90. **Pages H903–07, H918–19**

**Quorum Calls—Votes:** Two yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H915–16, H916–17, H917–18, H918–19, and H919. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:52 p.m.

# *Committee Meetings*

### REVIEW OF G–20 SWAP DATA REPORTING GOALS

*Committee on Agriculture:* Subcommittee on Commodity Exchanges, Energy, and Credit held a hearing to review the G–20 swap data reporting goals. Testimony was heard from John Rogers, Chief Information Officer, Commodity Futures Trading Commission; and public witnesses.

### APPROPRIATIONS—INDIAN HEALTH SERVICE

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a budget hearing on the Indian Health Service. Testimony was heard from Robert McSwain, Principal Deputy Director, Indian Health Service; and Mary Smith, Deputy Director, Indian Health Service.

### VETERANS AFFAIRS OFFICE OF THE INSPECTOR GENERAL

*Committee on Appropriations:* Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held an oversight hearing on Veterans Affairs Office of the Inspector General. Testimony was heard from Linda A. Halliday, Deputy Inspector General, Department of Veterans Affairs; and John David Daigh, Jr., M.D., Assistant Inspector General for Healthcare Inspections, Department of Veterans Affairs.

### APPROPRIATIONS—DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Defense held a budget hearing on the Department of Defense. Testimony was heard from Ashton B. Carter, Secretary, Department of Defense; General Joseph F. Dunford, Jr., United States Marine Corps, Chairman, Joint Chiefs of Staff; and Mike McCord, Under Secretary, Department of Defense.

### APPROPRIATIONS—DEPARTMENT OF HEALTH AND HUMAN SERVICES

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education held a budget hearing on Department of Health and Human Services. Testimony was heard from Sylvia Burwell, Secretary, Department of Health and Human Services.

### APPROPRIATIONS—FOOD AND DRUG ADMINISTRATION

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a budget hearing on the Food and Drug Administration. Testimony was heard from Stephen Ostroff, Acting Commissioner, Food and Drug Administration; and Jay Tyler, Chief Financial Officer, Food and Drug Administration.

### APPROPRIATIONS—OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a budget hearing on the Office of Navajo and Hopi Indian Relocation. Testimony was heard from Chris Bavasi, Executive Director, Office of Navajo and Hope Indian Relocation.

### APPROPRIATIONS—FEDERAL BUREAU OF INVESTIGATION

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies held a

budget hearing on the Federal Bureau of Investigation. Testimony was heard from James B. Comey, Director, Federal Bureau of Investigation.

**APPROPRIATIONS—CONSUMER PRODUCT SAFETY COMMISSION**

*Committee on Appropriations:* Subcommittee on Financial Services and General Government held a budget hearing on the Consumer Product Safety Commission. Testimony was heard from Elliot F. Kaye, Chairman, Consumer Product Safety Commission; and Ann Marie Buerkle, Commissioner, Consumer Product Safety Commission.

**FULL SPECTRUM SECURITY CHALLENGES IN EUROPE AND THEIR EFFECTS ON DETERRENCE AND DEFENSE**

*Committee on Armed Services:* Full Committee held a hearing entitled "Full Spectrum Security Challenges in Europe and Their Effects on Deterrence and Defense". Testimony was heard from General Philip M. Breedlove, USAF, Commander, United States European Command.

**DEPARTMENT OF THE NAVY 2017 BUDGET REQUEST AND SEAPOWER AND PROJECTION FORCES**

*Committee on Armed Services:* Subcommittee on Seapower and Projection Forces held a hearing entitled "Department of the Navy 2017 Budget Request and Seapower and Projection Forces". Testimony was heard from Sean J. Stackley, Assistant Secretary of the Navy, Research, Development, and Acquisition; Vice Admiral Joseph P. Mulloy, USN, Deputy Chief of Naval Operations, Integration of Capabilities and Resources (N8); and Lieutenant General Robert S. Walsh, USMC, Deputy Commandant, Capability Development and Integration.

**NEXT STEPS FOR K-12 EDUCATION: UPHOLDING THE LETTER AND INTENT OF THE EVERY STUDENT SUCCEEDS ACT**

*Committee on Education and the Workforce:* Full Committee held a hearing entitled "Next Steps for K–12 Education: Upholding the Letter and Intent of the Every Student Succeeds Act". Testimony was heard from John B. King, Acting Secretary, Department of Education.

**MISCELLANEOUS MEASURES**

*Committee on Energy and Commerce:* Full Committee concluded a markup on H.R. 4596, the "Small Business Broadband Deployment Act"; H.R. 4583, to promote a 21st century energy and manufacturing workforce; H.R. 1268, the "Energy Efficient Government Technology Act"; H.R. 2984, the "Fair RATES Act"; H.R. 3021, the "AIR Survey Act of 2015"; H.R. 3797, the "Satisfying Energy Needs and Saving the Environment (SENSE) Act"; H.R. 4238, to amend the Department of Energy Organization Act and the Local Public Works Capital Development and Investment Act of 1976 to modernize terms relating to minorities; H.R. 4427, to amend section 203 of the Federal Power Act; H.R. 4444, the "EPS Improvement Act"; H.R. 4557, the "Blocking Regulatory Interference from Closing Kilns (BRICK) Act"; H.R. 2080, to extend the deadline for commencement of construction of a hydroelectric project involving Clark Canyon Dam; H.R. 2081, to extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam; H.R. 3447, to extend the deadline for commencement of construction of a hydroelectric project involving the W. Kerr Scott Dam; H.R. 4411, to extend the deadline for commencement of construction of a hydroelectric project involving the Gathright Dam; H.R. 4416, to extend the deadline for commencement of construction of a hydroelectric project involving the Jennings Randolph Dam; H.R. 4412, to extend the deadline for commencement of construction of a hydroelectric project involving the Flannagan Dam; and H.R. 4434, to extend the deadline for commencement of construction of a hydroelectric project involving the Cannonsville Dam. The following bills were ordered reported, without amendment: H.R. 4583, H.R. 2984, H.R. 3797, H.R. 4557, H.R. 4238, H.R. 4427, H.R. 4444, H.R. 3021, H.R. 2080, H.R. 2081, H.R. 3447, H.R. 4411, H.R. 4416, H.R. 4412, and H.R. 4434. The following bills were ordered reported, as amended: H.R. 4596 and H.R. 1268.

**PUERTO RICO'S DEBT CRISIS AND ITS IMPACT ON THE BOND MARKETS**

*Committee on Financial Services:* Subcommittee on Oversight and Investigations held a hearing entitled "Puerto Rico's Debt Crisis and Its Impact on the Bond Markets". Testimony was heard from public witnesses.

**THE IMPACT OF INTERNATIONAL REGULATORY STANDARDS ON THE COMPETITIVENESS OF U.S. INSURERS: PART II**

*Committee on Financial Services:* Subcommittee on Housing and Insurance held a hearing entitled "The Impact of International Regulatory Standards on the Competitiveness of U.S. Insurers: Part II". Testimony was heard from public witnesses.

**STRENGTHENING U.S. LEADERSHIP IN A TURBULENT WORLD: THE FY 2017 FOREIGN AFFAIRS BUDGET**

*Committee on Foreign Affairs:* Full Committee held a hearing entitled "Strengthening U.S. Leadership in a Turbulent World: The FY 2017 Foreign Affairs Budget". Testimony was heard from John F. Kerry, Secretary of State, Department of State.

**PROBING DHS'S BOTCHED MANAGEMENT OF THE HUMAN RESOURCES INFORMATION TECHNOLOGY PROGRAM**

*Committee on Homeland Security:* Subcommittee on Oversight and Management Efficiency held a hearing entitled "Probing DHS's Botched Management of the Human Resources Information Technology Program". Testimony was heard from Carol R. Cha, Director, Information Technology Acquisition Management Issues, Government Accountability Office; Chip Fulghum, Deputy Under Secretary for Management, Department of Homeland Security; and Angela Bailey, Chief Human Capital Officer, Department of Homeland Security.

**EMERGING CYBER THREATS TO THE UNITED STATES**

*Committee on Homeland Security:* Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies held a hearing entitled "Emerging Cyber Threats to the United States". Testimony was heard from public witnesses.

**INTERNATIONAL CONFLICTS OF LAW CONCERNING CROSS BORDER DATA FLOW AND LAW ENFORCEMENT REQUESTS**

*Committee on the Judiciary:* Full Committee held a hearing entitled "International Conflicts of Law Concerning Cross Border Data Flow and Law Enforcement Requests". Testimony was heard from David Bitkower, Principal Deputy Assistant Attorney General, Department of Justice; and public witnesses.

**THE U.S. DEPARTMENT OF TREASURY'S ANALYSIS OF THE SITUATION IN PUERTO RICO**

*Committee on Natural Resources:* Full Committee held a hearing entitled "The U.S. Department of Treasury's Analysis of the Situation in Puerto Rico". Testimony was heard from Antonio Weiss, Counselor to the Secretary, Department of the Treasury.

**LEGISLATIVE MEASURES**

*Committee on Natural Resources:* Subcommittee on Federal Lands held a hearing on H.R. 2316, the "Self-Sufficient Community Lands Act"; H.R. 3650, the "State National Forest Management Act of 2015"; H.R. 3826, the "Mount Hood Cooper Spur Land Exchange Clarification Act"; H.R. 4510, the "Bolts Ditch Access and Use Act"; and H.R. 4579, the "Utah Test and Training Range Encroachment Prevention and Temporary Closure Act". Testimony was heard from Representatives Young of Alaska; Walden; Labrador; Polis; and Stewart; James Sample, Director, Range Planning, Office of the Deputy Assistant Secretary of the Air Force (Installations); Glen Casamassa, Acting Deputy Chief, National Forest System, U.S. Forest Service; Karen Mouritsen, Deputy Assistant Director, Energy, Minerals and Realty Management, Bureau of Land Management; Gordon Cruickshank, District 2 Commissioner, Chair, Valley County, Idaho; and a public witness.

**SECURITY CLEARANCE REFORM: THE PERFORMANCE ACCOUNTABILITY COUNCIL'S PATH FORWARD**

*Committee on Oversight and Government Reform:* Full Committee held a hearing entitled "Security Clearance Reform: The Performance Accountability Council's Path Forward". Testimony was heard from Beth Cobert, Acting Director, Office of Personnel Management; Terry Halvorsen, Chief Information Officer, Department of Defense; Tony Scott, Deputy Director for Management, Office of Management and Budget; and William Evanina, Director of National Counterintelligence and Security Center, Office of the Director of National Intelligence.

**REVIEW OF CONSUMER OPERATED AND ORIENTED PLANS**

*Committee on Oversight and Government Reform:* Subcommittee on Health Care, Benefits and Administrative Rules held a hearing entitled "Review of Consumer Operated and Oriented Plans (CO–OPs)". Testimony was heard from Mandy Cohen, M.D., Chief Operating Officer and Chief of Staff, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Al Redmer, Jr., Commissioner, Maryland Insurance Administration.

**THE SPACE LEADERSHIP PRESERVATION ACT AND THE NEED FOR STABILITY AT NASA**

*Committee on Science, Space, and Technology:* Full Committee held a hearing entitled "The Space Leadership Preservation Act and the Need for Stability at NASA". Testimony was heard from Representative Culberson; Cristina Chaplain, Director of Acquisition and Sourcing Management, Government Accountability Office; and public witnesses.

### HOTLINE TRUTHS: ISSUES RAISED BY RECENT AUDITS OF DEFENSE CONTRACTING

*Committee on Small Business:* Subcommittee on Contracting and the Workforce held a hearing entitled "Hotline Truths: Issues Raised by Recent Audits of Defense Contracting". Testimony was heard from Michael Roark, Assistant Inspector General for Contract Management and Payments, Office of the Inspector General, Department of Defense; and a public witness.

### REAUTHORIZATION OF DOT'S PIPELINE SAFETY PROGRAM

*Committee on Transportation and Infrastructure:* Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled "Reauthorization of DOT's Pipeline Safety Program". Testimony was heard from Representatives Knight; Sherman; and Speier; Marie Therese Dominguez, Administrator, Pipeline and Hazardous Materials Safety Administration; and public witnesses.

### BUSINESS MEETING; MISCELLANEOUS MEASURES

*Committee on Veterans' Affairs:* Full Committee held a business meeting for the official Committee photo of the 114th Congress; and a markup of H.R. 4336, the "Women Airforce Service Pilot Arlington Inurnment Restoration Act"; H.R. 4063, the "Jason Simcakoski PROMISE Act"; H.R. 4129, the "Jumpstart VA Construction Act"; H.R. 1769, the "Toxic Exposure Research Act of 2015"; H.R. 3484, the "Los Angeles Homeless Veterans Leasing Act of 2015"; H.R. 4591, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with certain health care providers to furnish hospital care, medical services, and extended care to veterans; and H.R. 4590, the "FY 2016 VA Seismic Safety, Construction, and Lease Authorization Act". The following bills were ordered reported, as amended: H.R. 4591, H.R. 4336, H.R. 4063, H.R. 1769, H.R. 3484, and H.R. 4590. The following bills were ordered reported, without amendment: H.R. 4129.

### WORLD WIDE THREATS

*Permanent Select Committee on Intelligence:* Full Committee held a hearing entitled "World Wide Threats". Testimony was heard from James Clapper, Director of National Intelligence; John Brennan, Director, Central Intelligence Agency; James Comey, Director, Federal Bureau of Investigation; Nicholas Rasmussen, Director, National Counterterrorism Center; Lieutenant General Vincent Stewart, Director, Defense Intelligence Agency; and Rick Ledgett, Deputy Director, National Security Agency.

### WORLD WIDE THREATS

*Permanent Select Committee on Intelligence:* Full Committee held a hearing entitled "World Wide Threats". This hearing was closed.

## *Joint Meetings*

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 26, 2016

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, budget hearing on USDA Natural Resources and Environment, 9:30 a.m., 2362–A Rayburn.

Subcommittee on Energy and Water Development, budget hearing on Army Corps of Engineers, 9:30 a.m., 2359 Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, oversight hearing on quality of life in the military, 9:30 a.m., 2362–B Rayburn.

*Committee on Armed Services,* Subcommittee on Readiness, hearing entitled "Department of the Army 2017 Operation and Maintenance Budget Request and Readiness Posture", 8 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing entitled "Ensuring Medical Readiness in the Future", 9:30 a.m., 2212 Rayburn.

*Committee on Energy and Commerce,* Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled "Disrupter Series: 3D Printing", 10 a.m., 2123 Rayburn.

*Committee on Homeland Security,* Subcommittee on Emergency Preparedness, Response, and Communications, hearing entitled "Food for Thought: Efforts to Defend the Nation's Agriculture and Food", 10 a.m., 311 Cannon.

*Committee on Oversight and Government Reform,* Subcommittee on Transportation and Public Assets, hearing entitled "Oversight of Federal Vehicles", 9 a.m., 2154 Rayburn.

*Next Meeting of the* **SENATE**

**3 p.m., Monday, February 29**

**Senate Chamber**

**Program for Monday:** After the transaction of any morning business (not to extend beyond 5 p.m.), Senate will resume consideration of the motion to proceed to consideration of S. 524, Comprehensive Addiction and Recovery Act, and vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 5:30 p.m.

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**9 a.m., Friday, February 26**

**House Chamber**

**Program for Friday:** Complete consideration of H.R. 2406—Sportsmen's Heritage and Recreational Enhancement (SHARE) Act.

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