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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. WOODALL).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 28, 2017.

I hereby appoint the Honorable ROB WOODALL 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 3, 2017, 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.

SUPPORTING RECLAIM ACT

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

Mr. JENKINS of West Virginia. Mr. Speaker, coal communities in my district and across America and across Appalachia are struggling. The war on coal has decimated many small towns and left thousands of hardworking coal miners without jobs.

Help is on the way—the RECLAIM Act, introduced by Congressman HAL ROGERS. I am proud to be a sponsor with him.

The RECLAIM Act will send $1 billion in Federal funds to Appalachia to revitalize and diversify coal communities and to create new jobs. For West Virginia, that means nearly $200 million over 5 years to invest in our coalfields. This money will allow us to redevelop abandoned mine lands, bring new companies and industries to West Virginia, and provide more jobs for our people.

Now, the RECLAIM Act doesn't mean we are giving up on coal. Far from it. Coal is our heritage and must play an important part in our State's future. But while we are bringing back our coal jobs, we must also look at how we can redevelop these former mine sites.

Many of these sites are currently sitting vacant, and our towns and counties just don't have the funds to redevelop these sites so that their job-creating potential can be unleashed. The RECLAIM Act will prioritize hard hit States like West Virginia and help employ hundreds of laid-off West Virginians to prepare these sites for new developments and new industries.

In addition, once these sites are open for business, new employers will create hundreds, if not thousands, of good-paying jobs. The RECLAIM Act can be and should be part of the solution to revitalize our coal fields.

I want to say thank you to Leader MCCONNELL and Senator CAPITO in the Senate for their leadership on this measure as well.

Mr. Speaker, I urge my colleagues in both the House and the Senate to join us in supporting this important legislation and helping Appalachia.

SNAP-ED HELPS LOW-INCOME FAMILIES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to highlight a program that helps low-income families lead healthier lives through education.

SNAP-Ed works to help individuals who benefit from the Supplemental Nutrition Assistance Program, SNAP. It aims to help people make healthy choices within a limited budget and choose active lifestyles consistent with the current dietary guidelines for Americans.

As chairman of the Agriculture Committee's Nutrition Subcommittee, we have been examining SNAP and how we can improve it in the next farm bill. SNAP-Ed is an important part of this, and the results show that it works.

In my home State of Pennsylvania, 17 percent of people are living below the poverty line; 1.8 million Pennsylvanians are eligible for SNAP; 85 percent of Pennsylvania adults do not eat the recommended daily amounts of fruits and vegetables; and 14 percent of Pennsylvanians are food insecure, meaning they lack reliable access to a sufficient quantity of affordable, nutritious food.

Mr. Speaker, SNAP-Ed helps low-income families stretch tight budgets and bring home healthy foods from the grocery store. It teaches low-income families how to prepare nutritious meals.

SNAP-Ed is a $400 million program awarded through Federal grants to State agencies. SNAP-Ed has the flexibility to work in schools, grocery stores, parks, even public gyms. SNAP-Ed offers many different forms of direct education and takes community input into consideration when developing education programs.

Another food education program authorized through the farm bill is the Expanded Food and Nutrition Education Program. This program is an approximately $68 million initiative operated through the Cooperative Extension Service of land grant universities. It delivers direct education via peer educators in a series of interactive hands-on lessons to improve four core

areas: diet quality and physical activity, food resource management, food safety, and food security.

The Expanded Food and Nutrition Education Program tends to be less flexible in how it delivers services than SNAP-Ed, but it has the capacity to reach more people than SNAP-Ed because it operates in more areas, both urban and rural, across this country.

Mr. Speaker, both of these educational programs are helping low-income families lead healthier lives and make better choices when it comes to nutritious food. Through education we can help ensure that American families—especially children—learn about the importance of a balanced diet as part of a healthy lifestyle and the joy of preparing their own meals.

Mr. Speaker, I look forward to strengthening these programs in the next farm bill so that we can continue to educate and serve American families.

CONCERNS BREWING ABOUT NUCLEAR POWER PLANT CONSTRUCTION

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

Mr. SHIMKUS. Mr. Speaker, I rise to address concerns brewing in Lithuania and other Baltic States about the construction of a nuclear power plant. This plant is 12½ miles from the Lithuanian border and in sight of Vilnius, Lithuania's capital and largest city.

I speak here not only as a friend of the Baltic people and as a descendant of Lithuanian immigrants, but also as co-chair of the Baltic Caucus and chairman of the Subcommittee on Environment.

Like all my colleagues here, I am concerned about ensuring the security, integrity, and safety of nuclear projects in Europe and around the world. Here is the capital of Lithuania, Vilnius, and that is where the power plant is being built.

This site was first chosen during the era of the Soviet Union but was halted after the Chernobyl disaster in 1986, which contaminated a quarter of Belarus. Now, in 2019, Belarus is supposed to house a different Moscow-run nuclear power plant, this one run by the Russian state-owned company Rosatom.

This project is very environmentally sensitive. Both Lithuania and Belarus are signatures to the Espoo Convention. The Espoo Convention calls for member states to consult with bordering countries about such projects, to allow experts to review information about the projects, and to share information with bordering countries about safety and security of these projects.

Building a nuclear power plant is hard, especially when it is a country's first. That is why the International Atomic Energy Agency has recommended a six-step review process meant to prevent disasters like Chernobyl's and the more recent one in Fukushima, Japan. But Belarus has chosen to skip four of the six steps, including crucial steps, and ignore the people in the land of Lithuania.

There is a real concern that the main purpose behind the project is to grow Russian influence and power, especially over energy, in the European Union. The President of Belarus said that the Astravets plant and another Russian plant are a fishbone in the throat of the European Union and the Baltic States.

Nuclear power plants in sensitive areas should be discussed within the Espoo Convention. Nearly all of Lithuania is within 186 miles of the plant, which means that, if a disaster were to strike, the land of Lithuania could be affected. The country's drinking water could also be affected since the plant is supposed to draw water from the Neris River that supplies drinking water to Lithuania.

But incidents are occurring that cast doubt on Belarus' commitment to working with neighbors and ensuring the plant is safe. In 2016, four accidents occurred, and Belarus has failed to be upfront with Lithuania about any of them.

A 330-ton nuclear reactor shell was allegedly dropped from about 13 feet last summer. Belarus did not reveal anything about the incident until independent media reported it, and then downplayed it.

Building a nuclear power plant requires care in construction according to the most stringent standards with the utmost transparency, and for the best reasons. This plant fails on all four counts. It is in the wrong location. It has been irresponsibly handled.

Instead of transparency, we have seen stonewalling and obfuscation. Instead of making the most economic sense, this plant seems to make good geopolitical sense—and for Russia, not for Belarus.

Mr. Speaker, let me be clear. No one here objects to the safe, secure design, construction, and running of a nuclear power plant. But the people of Lithuania are firmly opposed to irresponsible attitudes toward nuclear power, particularly so close to their most populous city.

This concern makes sense. As chairman of the House Subcommittee on Environment and long-time observer of Eastern Europe, Mr. Speaker, I can assure you that the people of the United States have no better friend than the people of Lithuania.

Lithuanians have the right and the responsibility to ensure their and their children's environmental security. They should not be expected to accept inadequate or misleading information about a serious, environmentally sensitive project right on their borders. The Government of Belarus should respect the commitments it has made, including with its neighbors.

Until these issues are resolved, Mr. Speaker, I cannot fault the Lithuanian people for their concerns about the Astravets nuclear power plant. I share their concerns. I hope Belarus will calm their fears by allowing in international experts and representatives.

Belarus should also comply with the International Atomic Energy Agency's recommendations for the design, construction, and running of safe nuclear power plants.

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 12 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. POE of Texas) at noon.

PRAYER

Rabbi Sanford D. Akselrad, Congregation Ner Tamid, Henderson, Nevada, offered the following prayer:

O source of wisdom, gathered before this august body, I ask Your blessings upon us.

Decisions impacting the fate of our country weigh heavily upon our leaders. They stand here with backs bowed, eyes turned downward, shoulders formed into an amorphous shrug.

I pray, therefore, that You will grant our leaders strength to stand tall.

With eyes raised skyward, seeing today, tomorrow, and the next, let them govern our country with compassion, courage, and insight.

Let them stand tall to give voice to those who feel unheard and presence to those too long ignored.

Let the pursuit of justice and mercy lift them with heavenly wings, closer still to Heaven than before.

Let them stand tall.

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 New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS of New York 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.

WELCOMING RABBI SANFORD AKSELRAD

The SPEAKER pro tempore. Without objection, the gentlewoman from Nevada (Ms. ROSEN) is recognized for 1 minute.

There was no objection.

Ms. ROSEN. Mr. Speaker, I am proud to stand here today and introduce my friend, Rabbi Sanford Akselrad. As leader of Congregation Ner Tamid, he has been a friend, a mentor, and my rabbi for 25 years.

His vision for a campus, a spiritual hub, has been realized in his nearly 30-year career at Congregation Ner Tamid. He has led us with strength, with poise, and with wisdom as he has shared in the sorrows and joys—from the simchas to the shivas—of our entire community.

His work in both the outreach and interfaith communities has left impact and meaning on so many lives across the Las Vegas Valley and beyond.

May he continue to serve us all with grace, compassion, and strength.

Mr. Speaker, as leader of Congregation Ner Tamid, he has been a friend, a mentor, and my rabbi for 25 years.

Since moving to Las Vegas in 1988, Rabbi Akselrad has served as the spiritual leader of Congregation Ner Tamid.

His vision for a campus, a spiritual hub has been realized in his nearly 30-year career at Congregation Ner Tamid.

He has led us with strength, with poise, and with wisdom and has shared in the sorrows and joys from the simchas to the shivas of our entire community.

His work in both the Interfaith and Outreach communities has left impact and meaning on so many families across the Las Vegas Valley.

His unwavering commitment to building a strong community as our Congregation's spiritual leader and in creating a vibrant Jewish community in Southern Nevada has not gone unnoticed.

During this time, the Synagogue grew from approximately 60 to over 600 families, becoming the largest Reform Synagogue in the State of Nevada. In his nearly 27 years of service to our Congregation, Rabbi Akselrad has served on a wide variety of community boards including the Humana Hospital Pastoral Advisory Board, the Jewish Federation of Las Vegas, Jewish Family Services and the National Conference of Community and Justice.

A firm believer in K'lal Israel and building a strong Jewish community, Rabbi Akselrad has spearheaded many community-wide boards, commissions, and organizations that have helped shape the Jewish community we live in today.

In the wake of the Great Recession of the late 2000's, Rabbi Akselrad envisioned Project Ezra, a partnership between the Jewish Federation of Las Vegas, the Board of Rabbis, and Jewish Family Service Agency. Project Ezra helps people of all faiths secure new employment in this changing economic climate.

Rabbi Akselrad is currently a board member of the Anti-Defamation League of Las Vegas and the Interfaith Council of Southern Nevada. Rabbi Akselrad has served on the National Commission on Jewish Living, Worship and Music for the Union of Reform Judaism (URJ) since 1999. He has also served on the Outreach Committee (to interfaith families) of the URJ.

Rabbi Akselrad's community contributions and leadership are the best example of Congregation Ner Tamid's commitment to Tikkun Olam and Social Justice.

May he continue to serve us all with grace, compassion, and strength.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

NATIONAL MEDAL OF HONOR DAY

(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, last Saturday, March 25, marked National Medal of Honor Day. Designated by Congress in 1990, the National Medal of Honor Day celebrates each of the men and women who have earned America's highest, most prestigious military decoration.

I am grateful that South Carolina has a long tradition of military service, with 34 Medal of Honor recipients, including the youngest living honoree, Corporal Kyle Carpenter of Gilbert.

To mark National Medal of Honor Day, I join Medal of Honor recipient Major General James Livingston and South Carolina Attorney General Alan Wilson with a wreath-laying ceremony at Mount Pleasant Memorial Garden. The inspiring program was organized by the Fort Sullivan Chapter, National Society Daughters of the American Revolution, led by Regent Nancy Herritage.

Additionally, congratulations to the University of South Carolina women's basketball team and head coach Dawn Staley on their victory in the Elite Eight last night. I am happy to cheer for the Gamecocks as they head to Dallas, Texas, for their second Final Four appearance in just 3 years.

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

USE LEVERAGE OF FEDERAL GOVERNMENT TO IMPROVE QUALITY AND COST OF HEALTH CARE

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, last week's healthcare disaster was instructive because, in the end, it was never really about health care at all.

Your plan was a thinly-veiled scheme to deliver a massive tax cut to health insurance executives and their cronies. UnitedHealthcare is one of America's largest, private healthcare insurance companies. UnitedHealthcare is under investigation for defrauding Medicare and the Federal Government out of billions of dollars. UnitedHealthcare's CEO made $66 million in 2014—one man, one salary, in 1 year—$66 million under investigation for defrauding the Medicare program; and your bill, on page 67, in seven simple words, would have rewarded this potentially criminal behavior with a massive tax cut.

Mr. Speaker, Americans, on average, will pay more than $10,000 per person for health care this year. Let's use the enormous leverage of the Federal Government to drive down those costs and to drive up quality for all Americans.

REMEMBERING JOHN CRUTCHER

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

Ms. FOXX. Mr. Speaker, today I rise to mourn the loss of John Crutcher, who passed away on March 12, 2017, at the age of 100.

A native of Kansas, John spent many years in public service, including teaching in a one-room school on the prairie. He was elected to a seat in the Kansas Senate and served two terms as Lieutenant Governor in his home State. In 1982, President Reagan appointed him to the Federal Postal Rate Commission, where he gained a reputation as an outspoken critic of the Postal Service.

In World War II he served as a Navy officer in the Pacific theater and Korea. He retired as a captain in the U.S. Naval Reserve and always remained active in Navy organizations.

A true, very modest gentleman, John was respected and beloved by all who knew him. He will be greatly missed in the mountains of North Carolina, which he came to call home after marrying his lovely wife, Edith.

KEEP THE CLEAN POWER PLAN INTACT

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

Mr. WELCH. Mr. Speaker, President Trump today plans to unravel the Clean Power Plan that, once implemented, would reduce carbon emissions by 870 million tons, the equivalent of 166 million cars.

Why? False science, false economics.

Some of the best minds of the 18th century apparently are advising President Trump on science matters. This planet is melting. We have had the worst wild weather in centuries; the three hottest years on record. Let's not deny what is before our very eyes, false economics.

President Trump apparently believes we have to make a choice: either jobs or a clean environment. The exact opposite is true; 8.1 million people worldwide work in clean energy. It will be 24 million in 2030. Solar jobs in Vermont grew at the fastest pace of any jobs.

President Trump believes we either have jobs or a clean environment. He has it exactly wrong. We have both or we have neither.

A confident nation faces its problems. It doesn't deny them. Keep the Clean Power Plan intact.

CELEBRATING THE LIFE OF ANAND NALLATHAMBI

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise in memory of Anand Nallathambi, who passed away on March 2. Mr. Nallathambi epitomized the American Dream, rising from humble beginnings to become the president and CEO of CoreLogic, a global company based in Irvine.

He led CoreLogic from its 2010 launch as a public company and transformed it into a high-performing leader in the housing market, employing over 5,000 Americans. Beyond his business leadership, Mr. Nallathambi volunteered his time generously with many organizations, including Operation HOPE and Cal State Fullerton.

He will long be remembered for his outstanding leadership, warm personality, integrity, devotion to his family and faith, and service to the community.

Please join me in celebrating the life of Mr. Nallathambi.

LEAVE REPEAL AND REPLACE EFFORTS BEHIND

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

Mr. KILDEE. Mr. Speaker, on Friday, when House Republicans withdrew TrumpCare, it was a victory for American families. It was a victory for 24 million people who would have lost coverage under that plan. It was also a victory for the millions of Americans who attended townhall meetings, who wrote letters and emails, who spoke up. Their voices were heard. But we have more work to do, Democrats and Republicans, in order to make sure that all Americans have access to affordable health care.

We need now to turn our attention to doing what we can to improve the Affordable Care Act in a bipartisan way. We have ways to make this work better. It is not a perfect bill; of course it isn't. Nothing we do here is perfect. It needs improvement, significant improvement. We have ways to make that happen that I think Democrats and Republicans can come together on.

For example, improving access to prescription drugs by reducing the cost of those drugs in the marketplace. There are so many things we can do, Republicans and Democrats. We have got to roll up our sleeves and get to work.

WAUSAU-AREA TRAGEDY

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

Mr. DUFFY. Mr. Speaker, it is with a heavy heart that I rise today to recognize the loss of four members of our greater-Wausau community. It was last week that four lives were taken from us all too early.

Karen Barclay was warm and caring to everyone around her. At Marathon Savings Bank, she made sure that no child left the bank without a lollipop.

Dianne Look, known as Dee-Dee, celebrated her 25th wedding anniversary last month. Dianne loved to make jewelry, raising money for the American Cancer Society.

Sara Quirt-Sann had an infectious laugh. She ran her own law practice, and she proudly served as a guardian ad litem for kids in our community.

We also lost Detective Jason Weiland of the Everest Metro Police Department, who was killed in the line of duty. Serving 18 years in what was described as his dream job, Detective Weiland wore the Everest Metro PD uniform because he wanted to protect people and keep his community safe.

On behalf of this institution, I rise to extend my deepest regrets to their families, their mothers and fathers, husbands and wives, and children, who no longer have a special member in their homes.

COMPLETE INVESTIGATION NEEDED INTO RUSSIAN CONNECTION

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

Mr. RASKIN. Mr. Speaker, every American who loves freedom, democracy, and public integrity this week is expressing solidarity with the hundreds of thousands of anticorruption protesters in Russia who took to the streets on Sunday. That huge throng of brave Russians, including hundreds arrested and jailed by agents of Vladimir Putin, were protesting the autocrats and kleptocrats running their country, a key target being Prime Minister Dmitry Medvedev, who has amassed vineyards, luxury yachts, and mansions worth more than $1 billion.

We should be standing with the protesters, but the corrupt autocrats of Russia have found good friends in the billionaire Cabinet of international businessman Donald Trump, whose administration is administering a spreading staph infection: disgraced former National Security Adviser Michael Flynn, who was paid by Russian companies to appear at Russian events; Secretary of State Rex Tillerson, former CEO of ExxonMobil and a close friend of Vladimir Putin who was awarded in 2013 a title of nobility called the Russian Order of Friendship; Paul Manafort, the former Trump campaign manager who collected $10 million a year to advance the agenda of Russia and Russian oligarchs.

We should be standing with the protesters. Two-thirds of Americans want to see a complete, independent 9/11-style investigation into the Russian connection, and we owe them no less.

□ 1215

HONORING THE LIFE OF NEYLE WILSON

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. RICE of South Carolina. Mr. Speaker, I rise today to recognize my friend and an outstanding man from my home in Horry County, South Carolina, who has dedicated his entire life to education and public service. Mr. Neyle Wilson retired last month after 14 years of serving as the president of Horry Georgetown Technical College and leaves behind a great legacy of selflessness and devotion to education in the community.

Under Mr. WILSON's direction, Horry County Technical College added nine new buildings, 40 new programs of study, and saw enrollment double. He never failed to go above and beyond to complete the task at hand. Often he was called on at the last minute to provide education or skilled workplace training to fill spots at existing local businesses or businesses looking to move to Horry County to employ South Carolinians, and he always came through.

Mr. WILSON was a credit to Horry County Technical College and the entire Grand Strand community. He led thousands of South Carolinians to meaningful jobs. Through these and his many other meaningful contributions, he will always be remembered.

CELEBRATING MONROE COUNTY DUCKS UNLIMITED

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

Mr. WALBERG. Mr. Speaker, this past weekend I had the privilege of attending the Monroe County Ducks Unlimited annual dinner. More than 1,000 people came out to the MB&T Expo Center to celebrate our hunting and fishing heritage.

As a lifelong outdoorsman, I have been a proud supporter of conservation policies that protect our wetlands and wildlife habitats. The Great Lakes Restoration Initiative is a model example of a public-private partnership that has been invaluable to the health of the Great Lakes ecosystem.

The GLRI has received widespread bipartisan support because of the economic and environmental benefits it brings to Lake Erie, the State of Michigan, and the entire Great Lakes region. Mr. Speaker, this critical initiative is getting results and needs to be preserved.

I want to thank Monroe County Ducks Unlimited for all of their conservation efforts, and I will continue

working to ensure that future generations can enjoy our precious natural resources just like we do today.

Mr. Speaker, in a point of personal privilege, I want to welcome my newest granddaughter, Hanna Belle, born less than 2 hours ago in Africa. I welcome her to this life, and God bless her.

ADDRESSING THE FAITH-BASED COMMUNITY CENTER PROTECTION ACT

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

Mr. MAST. Mr. Speaker, a few weeks ago, I spoke in this Chamber about the threats made against Jewish community centers across this country. I rise today because, this week, we have taken bipartisan action to address these threats.

As Members of Congress, we have a responsibility not only to speak out against hate, but to take real action to put an end to bigotry and violence. This week, I joined with a bipartisan group of my colleagues introducing the Faith-Based Community Center Protection Act.

I also want to thank Senator HEINRICH for his leadership on this issue in the Senate.

Our bill provides over $20 million in additional funding to the Department of Homeland Security specifically dedicated to safeguarding faith-based community centers, and it would double the Federal penalty against making bomb threats from 5 years to 10 years. Think about that, bomb threats from just 5 years to 10 years. These are commonsense changes, and this is a simple, affordable solution to a very serious problem.

Mr. Speaker, today I am calling on my colleagues to join us as defenders of human dignity because it is the decent, humane thing to do.

TIME FOR IMMIGRATION REFORM IS NOW

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

Mr. POLIS. Mr. Speaker, the time for immigration reform is now.

If we want to increase the growth rate of our economy, fixing our broken immigration system will do that.

If we want to restore the rule of law and improve our national security so we know who is here, immigration reform will do that.

If we want to prevent undocumented workers from undermining wages for American workers, immigration reform will do that by making sure that people who work here are registered and get right with the law and can move forward in a legal manner.

There are so many reasons to pass a bipartisan immigration reform bill similar to the one that passed the United States Senate with more than two-thirds support just a few years ago.

I hope that my Democratic and Republican colleagues hear the outcry from across this country that says enough is enough. Let's fix our broken immigration system.

We are, after all, a nation of immigrants and a nation of laws. It is the work of this body to reconcile those two to make sure that, moving forward, we can do immigration in a legal way rather than an illegal way, a way that benefits our economy, American workers, and American businesses.

Let's move forward on comprehensive immigration reform now.

CONGRATULATING ELLWOOD NATIONAL CRANKSHAFT

(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, I rise today to recognize Ellwood National Crankshaft on receiving STAR certification in the OSHA Voluntary Protection Program.

Ellwood National Crankshaft, located in Irvine, Pennsylvania, is a unique manufacturer of new and reconditioned crankshafts for medium-speed engines in the 800- to 6,000-horsepower range.

Mr. Speaker, in order to attain this distinguished certification, a facility has met or exceeded the performance-based criteria for a managed safety and health system. It also passed the rigorous onsite evaluation conducted by a team of OSHA safety and health experts.

This recognition is even more significant, knowing that Ellwood National Crankshaft is one of only a few forging and process safety management facilities to obtain the STAR status. Its motto, ''Injury free every day,'' echoes the importance of safety throughout the plant.

I commend Ellwood National Crankshaft for making safety a top priority. Everyone wins when there are fewer days missed due to injuries or illness.

Congratulations on earning this prestigious certification and for placing such a high standard on the welfare of all the people employed at Ellwood National Crankshaft.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 28, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 28, 2017, at 9:14 a.m.:

That the Senate agreed to S.J. Res. 30.

That the Senate agreed to S.J. Res. 35.

That the Senate agreed to S.J. Res. 36.

Appointments:

Congressional-Executive Commission on the People's Republic of China.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 229 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 229

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology; and (2) one motion to recommit.

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

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Colorado (Mr. POLIS), 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. WOODALL. 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 Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I hold in my hand House Resolution 229. You heard the Clerk read it moments ago. Page 1 and page 2. Folks can find it on rules.house.gov if they haven't had a chance to see it already. It provides a closed rule for consideration of H.R. 1430, Honest and Open New EPA Science Treatment Act of 2017.

If you work through that title, Mr. Speaker, the Honest and Open New EPA Science Treatment Act, you will find that ''honest'' is what those letters spell out. It is the HONEST Act.

In the past, the Rules Committee has reported structured rules for consideration of this very bill. In this case, Mr. Speaker, there were no amendments offered in committee. There were no amendments presented in the Rules Committee last night. We have reported a closed rule for consideration of this bill.

Science is, Mr. Speaker, in the EPA's own words, the backbone of EPA's decisionmaking. President Obama, in 2011, issued an executive order about how agencies should go about making the regulatory process more effective. He said, and I quote: ''Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions.''

We talk so much about what divides us in this institution, in this town, sometimes even in this country, Mr. Speaker, I think that point is worth dwelling on.

Again, quoting from former President Barack Obama: ''Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions.''

It is what the HONEST Act aims to do, Mr. Speaker. It aims to provide the American public with the data that the EPA uses in each of its regulatory actions.

It would come as a surprise to many Americans, Mr. Speaker, to learn that there are Agency actions that take place based entirely on undisclosed data sets, that the regulatory arm of government can be at work based on secret data that will never be released to the American public to verify, to confirm in this what is often, in scientific communities, referred to as peer-reviewed literature.

We believe that, if we are making the rules, we should be able to expose the data on which those rules are based to scrutiny and, in fact, to challenge, Mr. Speaker.

One thing I have learned in this job is sometimes I am not as smart as I think I am. I don't know if that has ever happened to you, Mr. Speaker. I am sure it has never happened to my friend from Colorado. But sometimes we are not as smart as we think we are. Sometimes being challenged makes us better.

The HONEST Act, Mr. Speaker, aims to provide the opportunity simply by looking at the data for any American citizen to understand the regulatory actions being taken at the EPA, and, yes, if necessary, to challenge those actions if they believe they are not based on sound science.

Mr. Speaker, I know what you are thinking. You are thinking: Is this bill necessary? The EPA's mission is to protect the environment and public health, so, of course, it is going to use the best science.

The answer should be yes. The answer should be yes that in every set of circumstances we are always using the very best data. But as you know, time and time again, you can bring an expert into your office. A scientist on one side of the issue will tell you one thing; a scientist on the other will bring an equally compelling compendium of information to tell you the next. It is left to us, to the American people, to decide who is right and who is wrong.

This is nothing to be feared. This is something to be embraced. It has certainly been a characteristic of our great country for over 200 years.

But in these days of information pouring out of the administration at the speed of the internet, it is more critical than ever that we make that information available to the public. With the ability today to understand that information, to process that information, to compile that information, to inspect that information in details never before imagined, it is incumbent upon us to make sure that America has that opportunity.

With that, Mr. Speaker, I would encourage my colleagues to support this rule to bring the bill to the floor and then to support the underlying legislation so that we can pass the HONEST Act, bringing clarity and transparency to the EPA rulemaking process.

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

□ 1230

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I rise in opposition to the rule and the underlying legislation. First, when the gentleman from Georgia said there were no amendments brought forward on this in the Rules Committee, that is partial truth but not the entire truth.

The entire truth is, when we have a process whereby Members believe that there might be an amendment process, there is something called a call for amendments which is issued. Often our chair, Mr. SESSIONS, and my friend from Georgia has heard Mr. SESSIONS come down to the floor and say: We are calling for amendments on this bill. Submit them. The Rules Committee will consider them and allow some of them to advance to the floor. At least you know you have a fair shot.

In this particular case, there was no call for amendments issued, which means, yes, Members could have spun their wheels, and sometimes you feel like a hamster doing that, just running around and not moving anywhere in one of those circles. And if we thought there was any realistic hope that amendments could be included, I, myself, would have been happy to submit one, as would many of my colleagues.

Chairman SMITH actually requested a closed rule on this. So, again, the chairman of the committee and the Rules Committee gave every indication that we are not allowing any amendments to this bill; and that is what discourages Members from going through the work of submitting an amendment if they have a good idea what the outcome is already going to be.

So this is a closed rule. This is an antiscience bill. It is another example of how we go around the ability of Members to improve bills and, instead, work in a partisan, smoky, backroom manner where this bill emerges fully formed. The chair of the committee of jurisdiction himself didn't want any amendments or any changes to this rule, and the Rules Committee never called for those amendments.

Now, if the goal of this bill is somehow to increase government transparency, why don't we start with the lawmaking process and have an open rule that allows Democrats and Republicans to improve a bill and offer their best ideas forward? And if they are good ideas, they will be incorporated into the bill. If they are bad ideas and can't command a majority of this body, they will be defeated.

But, unfortunately, these partisan tactics that were seen trying to ram through legislation last week that failed when the Speaker and the President refused to work across the aisle with us on healthcare reform and now on improving the process at the EPA, instead of working with us to improve science, they are seeking to undermine the integrity of the important scientific work done at the Environmental Protection Agency and bury the Environmental Protection Agency in red tape.

The underlying legislation that this rule talks about has a lot of problems, Mr. Speaker, and so many problems, in fact, I won't even be able to talk about them all during my limited time for debate here. Hopefully they will be able to cover some more during the debate on the bill.

The first issue I want to address that is highly problematic with this bill, and it is something that is so important to the American people—liberal, conservative, and moderate—and that is the issue of privacy.

This bill would undermine the privacy of American families in a number of ways. What it would do is prohibit the Environmental Protection Agency, an agency that exists to protect our health, from taking any action unless it is based on data that is fully available to the public. Now, that sounds good, ''fully available to the public.'' But what does that mean?

You see, normally the EPA has relied on peer-reviewed, scientifically valid research to inform its actions. Now that is something that the process of science across the world informs. It is a very important, well-founded process that respects the efforts of scientists everywhere and the diligence of a peer-reviewed process.

Much of these bodies of work utilize personal health information and confidential data which, currently, are legally protected from public disclosure. The EPA identifies the academic papers that it uses in the Federal Register so we have that transparency, but it doesn't release the legally protected private data—participants in studies, health of people—to the general public nor is there any scientific value to that personal information.

The value is in the studies, which are done scientifically and are already made public. This bill would force the EPA to either ignore these valuable studies because they utilize private

data or violate Federal law by sharing confidential patient information with the general public. We are talking about everything ranging from Social Security numbers, to whether you got cancer from something you were drinking as a child, to our most intimate health or lifestyle issues that are researched by the agency.

The majority here, the Republicans, are trying to include a provision in the bill that allows personally identifiable information to be redacted prior to the EPA making the information available. I am sure my colleague from Georgia will cite that, but that is woefully inefficient because it has a loophole in that very provision that basically negates that provision in another section by allowing the EPA administrator to allow any person who signs a confidentiality agreement to have access to all the redacted data.

So, again, basically, at the whim of the administrator, they can allow companies and people in there—the information can be put in front of people who have access to it, to use it in any way they want, and that is highly personal information.

Again, whether it is under the coverage of a confidentiality agreement or not, it is shown with unknown partners. This is not the Federal agency itself. This is perhaps even the company that caused the pollution that wants to come in and look at it or just various Americans with prurient interests who want to know intimate health details, and there is effectively no protection for that. It is entirely at the whim of the administrator of the Environmental Protection Agency.

So that is an enormous setback for the privacy of American families and a woefully insufficient privacy protection with a loophole that is big enough to drive a truck through. There is not even a numerical limit on the amount of people or corporations that would be allowed access of that data. There could be a blanket permission from the administrator allowing thousands, tens of thousands of people, again, to see the individually identifiable data, including your Social Security Number, including your health details or medical records, including things that affect property value and affect health.

Another major issue with this bill, major fault, is it actually undermines the goal of the Agency itself. The Environmental Protection Agency, which has the congressional mandate to keep our air and water clean, to protect our health, this bill actually does the opposite by burying the Agency under a mountain of red tape and bureaucracy.

This bill removes sound, scientific, objective decisionmaking and replaces it with ridiculous amounts of red tape, adding to the process of regulations, adding to the process of rules, requiring the Environmental Protection Agency to jump through additional bureaucratic hoops to use certain information, and making their entire goal of fulfilling their mission less efficient than if this bill were not the law.

The Environmental Protection Agency already uses a peer-reviewed scientific process. They publish in the Federal Register the reference of the works that they are basing their opinions on, just as the rest of America's scientific community does. This bill undermines the scientific process, is unscientific, and is opposed by so many scientific advocacy organizations, including opposed by the Union of Concerned Scientists who are strongly opposed to this legislation.

Now, on top of the red tape and antiscience aspects of the bill, this would also cost the government $1 billion of EPA funds; that is according to analysis of a very similar bill last Congress. These are funds that would be diverted away from protecting our health and safety, which is what they are doing now, toward creating more red tape and bureaucracy for the very agency that the American people entrust with the goal of keeping our air and water clean and the American people healthy.

Look, we all know what this bill is. It is a thinly veiled attack on science, part of the antiscience agenda that we are seeing from the Republican Party.

The budget that the President offered earlier this month cuts science funding to the bone. Enormous setbacks in the very research into lifesaving science in the future that would help improve our quality of life and duration of life and help our economy boom are being devastated under the President's budgets.

Scientific research creates billions of dollars of economic impact and innovation in States like mine, Colorado, and every other State. Science helps keep us healthy. It keeps crops alive and productive. It keeps our businesses open and keeps America as a global leader in innovation.

I also want to take a moment to highlight that, while this bill is being heard on the floor today, President Trump is signing an executive order that effectively repeals all of the work that the Environmental Protection Agency and other Federal agencies have done in the last 8 years to protect our planet from the impacts of climate change.

Unfortunately, while we focus on a bill that forces scientists to not use the best science available, the President has signed an executive order that will essentially begin the repeal process of the Clean Power Plan. The Clean Power Plan is a basic requirement for States to bring their emissions down to a sustainable level to protect Americans' health, to reduce the amount of pollution in our air and water, and to reduce the human impact on climate change.

The executive order also, unfortunately, undermines some of the commonsense protections we have with regard to fracking, something that is near and dear to my constituents and people in Colorado, as an area that is impacted by extraction activities.

This repeal, for example, would allow oil and gas companies to hide the chemicals that they use when producing oil and natural gas. Picture that: fracking wells near homes and schools who would no longer have to report what chemicals could potentially be leaking into drinking water or groundwater. How can that possibly further our goal to protect the health and welfare of the American people?

So, at the same time, we have this legislation undermining the scientific process of the Environmental Protection Agency and burying the Environmental Protection Agency under red tape, coordinated the same week with the President's disastrous executive order that will hurt the health of the American people and, ultimately, cost lives.

These are just another step in the undermining of science and the work to improve and protect the health of the people of our country. The Environmental Protection Agency relies on the best science available when developing new standards, and they are fully transparent about posting those scientific studies.

However, because many of the studies that this bill requires would impact legally protected private data, like personal medical records, to reach their findings, the Environmental Protection Agency could even be prohibited from considering that research.

This ridiculous restriction would force the EPA to ignore a lot of relevant information because of the desire of the researchers and the legal imperative of the researchers to protect the private data of the participants, ultimately leading to policies that are ineffective and are not based on sound facts or science.

Mr. Speaker, facts exist. Science and the pursuit of truth is an incredibly important human endeavor, and we can't afford to disregard that quest for truth in the name of a fiction-based reality that we increasingly seem to be headed toward as a nation.

Without sound and strong science, America will fall behind in the world. Americans will—our lifespans will be of lower quality and lower duration, and our economy will be hurt as we cede our leadership role to more forward-looking countries willing to invest in the future.

If this bill had been in place over the last few decades, I am pretty sure that the cloud of smog over Denver, Colorado, would probably still be there. Rivers and lakes across this country would suffer from pollution in a significantly worse way, and that is not the future that the American people want.

If the EPA is prevented from using the best available peer-reviewed research data on air quality, asthma will be causing more attacks and, yes, even deaths of children across our country.

Let's see this legislation for what it is—an attack on science, a giveaway to corporations who benefit from pollution, who don't like the fact that the EPA is using sound silence, who want to create and live in their own fictional

reality, where the externalities of their actions somehow don't matter.

We need the truth. The American people deserve the truth. We deserve the benefit of the outcome of the process of objective science, and this bill undermines that by burying the Environmental Protection Agency under immense red tape, while preventing them from using some of the very peer-reviewed studies that would lead to the very best decisionmaking possible to protect the health of the American people.

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

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

Mr. Speaker, you know that I consider the gentleman from Colorado to be a good friend of mine. I find myself, after that presentation, though, wondering if that was a cloud of smog over Denver or if it was another cloud of smoke over Denver in these days.

That is just not true. It is just not true. I will start with what I am proud about because I think we do focus too often on divisions.

Mr. Speaker, you know that we wanted to hold the Obama administration accountable for sound science. And now that there is a Republican in the White House, we want to hold a Republican administration accountable for sound science.

□ 1245

So often in this town, we see one set of rules when you agree with the person in office and another set of rules when you disagree with the person in office. I don't think that is the right way to govern a country. I am proud that we are not falling into that trap. If it is good for the Obama administration, it is good for the Trump administration.

Number two, there is no smoke-filled backroom deal here. Number one, there is no smoke-filled room anywhere on Capitol Hill. Speaker Boehner is gone, and smoking is banned from all of our spaces. This bill went through a full committee hearing, the full committee process. So often, Mr. Speaker, you know at the beginning of a year like this one, we are trying to move legislation to the floor quickly. Some things that we have already had hearings and debate on, like this bill, from last Congress, we bring to the floor outside of regular order, and we skip the committee hearing process. Not so with this bill. It went through the Science, Space, and Technology Committee for a full hearing.

Mr. Speaker, we talk about transparency as if it exists at the EPA. I will remind my friend from Colorado, Mr. Speaker, we have to issue subpoenas from the United States Congress to get the EPA to share its data with us, notwithstanding to get them to share it with the University of Georgia or Georgia Tech or Caltech, or wherever the best scientific minds of the day are. We have to issue subpoenas to get them to share that information. Clearly, transparency is not the norm, it is the exception.

We talk about costs. My friend references $1 billion in costs from some study, apparently, not a peer-review study. I have not seen the data backing up this study. But the good news is I don't actually need the study. I have the bill itself, Mr. Speaker, and I will turn to the relevant part here. Paragraph 5, clarify that the administrator shall implement this section in a matter that does not exceed $1 million per year from the amounts otherwise authorized to be appropriated. Now, you don't have to spend the entire million dollars, Mr. Speaker, but in the name of transparency, to make sure that folks have access to the data, we have said it is worth investing resources but not to exceed $1 million.

Finally, Mr. Speaker, we talk about the burden of red tape. I don't know if you have had to deal with the EPA or the DOT or the DOD or the DOE—insert DO acronym here—red tape is abundant in this Federal Government, and asking the Federal Government to be transparent is the antithesis of red tape. Since when did it become a burden on the institutions of government to be transparent with the American people? Since when, when you are making rules and regulations that affect the lives of every single American, did it become a burden to share the data on which those regulations are based?

I will say to you, Mr. Speaker, we get wrapped around the axle so often here that we end up getting further and further from our goals. Sharing data, getting peer-reviewed comments on that data, and having folks come out in support of the conclusions reached on that data are going to make us stronger as a nation not weaker. If you are proud of your underlying data, you should be proud to share that data. If you are embarrassed of your underlying data, I understand why you might want to keep it a secret.

We have an opportunity not to hide from science but to embrace science, we have an opportunity not to reach political conclusions but scientific conclusions, and we have an opportunity to restore the American people's trust in the institutions of government that are issuing these regulations. This is a small step in the right direction with the HONEST Act, Mr. Speaker, but it is an important step in the right direction. I hope my colleagues will support it.

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

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

Mr. Speaker, I have some scoring from the Congressional Budget Office, dated March 11, 2015, that I include into the RECORD.

H.R. 1030—SECRET SCIENCE REFORM ACT OF 2015

As ordered reported by the House Committee on Science, Space, and Technology on March 3, 2015

SUMMARY

H.R. 1030 would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to prohibit the Environmental Protection Agency (EPA) from proposing, finalizing, or disseminating a ''covered action'' unless all scientific and technical information used to support that action is publicly available in a manner that is sufficient for independent analysis and substantial reproduction of research results. Covered actions would include assessments of risks, exposure, or hazards; documents specifying criteria, guidance, standards, or limitations; and regulations and regulatory impact statements.

Although H.R. 1030 would not require EPA to disseminate any scientific or technical information that it relies on to support covered actions, the bill would not prohibit EPA from doing so. Based on information from EPA, CBO expects that EPA would spend $250 million annually over the next few years to ensure the transparency of information and data supporting some covered actions.

Enacting H.R. 1030 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. H.R. 1030 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

This legislation would direct EPA to implement H.R. 1030 using up to $1 million a year from amounts authorized to be appropriated for other activities under current law. Although H.R. 1030 would not authorize additional appropriations to implement the requirements of the bill, CBO estimates that implementing H.R. 1030 would cost about $250 million a year for the next few years, subject to appropriation of the necessary amounts. Costs in later years would probably decline gradually from that level. The additional discretionary spending would cover the costs of expanding the scope of EPA studies and related activities such as data collection and database construction for all of the information necessary to meet the legislation's requirements.

BASIS OF ESTIMATE

Under current law, EPA typically spends about $500 million each year to support research and development activities, including assessments to determine the potential risk to public health from environmental contaminants. The number of studies involved in supporting covered actions depends on the complexity of the issue being addressed. For example, when addressing a recent issue with flaring at petroleum refineries, EPA relied on a dozen scientific studies. In contrast, when reviewing the National Ambient Air Quality Standards, the agency relied on thousands of scientific studies. In total, the agency relies on about 50,000 scientific studies annually to perform its mission—although some of those studies are used more than once from year to year.

The costs of implementing H.R. 1030 are uncertain because it is not clear how EPA would meet the bill's requirements. Depending on their size and scope, the new activities called for by the bill would cost between $10,000 and $30,000 for each scientific study used by the agency. If EPA continued to rely on as many scientific studies as it has used in recent years, while increasing the collection and dissemination of all the technical

information used in such studies as directed by H.R. 1030, then implementing the bill would cost at least several hundred million dollars a year. However, EPA could instead rely on significantly fewer studies each year in support of its mission, and limit its spending on data collection and database construction activities to a relatively small expansion of existing study-related activity; in that scenario, implementing the bill would be much less costly.

Thus, the costs of implementing H.R. 1030 would ultimately depend on how EPA adapts to the bill's requirements. (It would also depend on the availability of appropriated funds to conduct the additional data collection and database construction activities and related coordination and reporting activities under the legislation.) CBO expects that EPA would modify its practices, at least to some extent, and would base its future work on fewer scientific studies, and especially those studies that have easily accessible or transparent data. Any such modification of EPA practices would also have to take into consideration the concern that the quality of the agency's work could be compromised if that work relies on a significantly smaller collection of scientific studies; we expect that the agency would seek to reduce its reliance on numerous studies without sacrificing the quality of the agency's covered actions related to research and development.

On balance—recognizing the significant uncertainty regarding EPA's potential actions under the bill—CBO expects that the agency would probably cut the number of studies it relies on by about one-half and that the agency would aim to limit the costs of new activities required by the bill, such as data collection, correspondence and coordination with study authors, construction of a database to house necessary information, and public dissemination of such information. As a result, CBO estimates the incremental costs to the agency would be around $250 million a year initially, subject to appropriation of the necessary amounts. In our assessment that figure lies near the middle of a broad range of possible outcomes under H.R. 1030. CEO expects that the additional costs to implement the legislation would decline over time as EPA became more adept and efficient at working with authors and researchers to ensure that the data used to support studies are provided in a standardized and replicable form.

PAY-AS-YOU-GO CONSIDERATIONS

None.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1030 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

ESTIMATE PREPARED BY:

Federal Costs: Susanne S. Mehlman; Impact on State, Local, and Tribal Governments: Jon Sperl; Impact on the Private Sector: Amy Petz.

ESTIMATE APPROVED BY:

Peter H. Fontaine, Assistant Director for Budget Analysis.

Mr. POLIS. This is based on H.R. 1030 from last session, the Secret Science Reform Act of 2015, effectively the same operating provisions as this new bill. If there are any cost-saving elements in this new bill that weren't in H.R. 1030, I would encourage my colleague from Georgia to let us know because we are voting without scoring or costs on the newest version of this legislation. The previous version of this legislation, as I mentioned earlier, would cost $250 million annually over the next several years, $1 billion to implement, and that is the scoring from the nonpartisan Congressional Budget Office whose director was appointed by the Republicans on a substantially similar bill.

Mr. Speaker, we are deeply concerned by reports from our intelligence community regarding Russian interference in last year's election. Even more troubling is FBI Director Comey's sworn testimony that the FBI is now investigating the possibility of collusion between members of President Trump's campaign team and Russia.

Mr. Speaker, the legitimacy of our electoral system is at stake; and, frankly, it is time that we rise above partisanship and that we get our job done and get to the bottom of this.

Unfortunately, recent actions by the House Intelligence Committee chairman have left many Members of both sides of the aisle convinced and the American public convinced that the committee is unable to conduct an impartial investigation of this critical matter of national security.

Mr. Speaker, if we defeat the previous question, I will offer up an amendment to the rule to bring up Representative SWALWELL's and Representative CUMMINGS' bill which would create a bipartisan commission to investigate Russian interference in the 2016 election.

Mr. Speaker, I ask unanimous consent to insert the text of my 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 gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SWALWELL), a member of the Intelligence Committee, to discuss our proposal.

Mr. SWALWELL of California. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time.

Mr. Speaker, Russia attacked our democracy this past election. I urge my colleagues to defeat the previous question and for all of us to get to the business of forming an independent commission to find out how we were attacked, who was responsible, whether any U.S. persons were involved, and, most importantly, promise the American people we will do everything we can to make sure we never find ourselves in a mess like this again.

Congressman CUMMINGS and I introduced H.R. 356, the Protecting Our Democracy Act, because we always believed that the only way to have a comprehensive understanding of what happened and who was responsible and to make recommendations was through an independent commission. However, it also now is an insurance policy against compromised investigations that we believe are coming from this House as well as the administration.

There is no question that, this last election, Russia meddled in our election. It is not disputed that that order came from Vladimir Putin. There is no dispute, among our intelligence agencies, that he had a strong preference for Donald Trump, and the most terrifying finding that our intelligence agencies made was that Russia is sharpening their knives and undertaking a lessons-learned campaign because they will go at us and our allies again.

Unfortunately, we have seen that those charged with getting to the bottom of what has happened have been compromised. The American people are counting on us to defend this great democracy, a democracy that so many men and women in our armed services have fought for and sacrificed for and who are fighting for and sacrificing for today.

Unfortunately, the Attorney General, twice when asked under oath as to whether he had any prior contacts with Russia, said that he had not. We later learned that, indeed, during the Republican Convention and afterwards, he had met with Russia's Ambassador. He is now recused from any investigation into Russia. That is the executive branch.

Unfortunately, our investigation in the House has also been compromised. I have long enjoyed working with Chairman NUNES. I think he is a good man who has led our committee over the last few years to bipartisan results that have made us safer. For the last few weeks, Republicans and Democrats on the House Intelligence Committee have gone down an investigative road together. We had a very productive open hearing last week where we were able to connect the dots of Donald Trump's, his family's, his campaign's, and his business' personal, political, and financial ties to Russia that were converging with a Russian interference campaign. Those dots were validated by the FBI Director confirming that, indeed, President Trump's campaign was under counterintelligence and criminal investigations.

Unfortunately, the chairman, in the last week, exited this bipartisan investigative road to work with the White House; going to the White House to receive classified information before sharing it with any members on the committee, Democratic and Republican; and going again to the White House the next day to share that information with the President.

The actions of the Attorney General and the actions of the leaders in this House who are supposed to be undertaking this campaign demand that we take this outside of politics and that we take this outside of Congress. The only way to do that is to have an independent commission that can depoliticize this, that can declassify the facts to the extent possible, and that can debunk the myths that our

President has put forward about what happened with Russia.

Mr. Speaker, I was a 20-year-old intern in Washington, D.C., when we were attacked on September 11. I will never forget watching Republicans and Democrats stand on the House steps, arm in arm, singing ''God Bless America.'' But what was more moving than that moment of symbolism was the unity that Republicans and Democrats showed when they came together to make important reforms to ensure that never again would we be attacked from the skies, when they made many reforms that were put in place by an independent commission that was parallel to investigations that were being done in Congress.

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

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentleman from California.

Mr. SWALWELL of California. Mr. Speaker, there is still time for Republicans and Democrats in this House to unite. There is still time for us to uphold that solemn duty to ensure that we always put our public safety and our sacred democracy first. The best way to do that is to bring before this House for consideration the Protect Our Democracy Act. This country is still worth defending.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I do thank my friend from Georgia (Mr. WOODALL) for his able presentation on this very good bill and our colleague, Mr. SMITH.

I am sorry to change the subject back to something that is relevant, material, and germane. By the way, I am also looking forward to the investigation into Russia and the sale of such a huge percentage of our uranium by Hillary Clinton's State Department. They approved it. But we will get into that later.

Right now we are talking about a fantastic bill because the EPA is very close to being omniscient, omnipotent, and ubiquitous—they are everywhere all the time. We have had a hard time in the last 20, 30 years as it got more and more heavenly in getting information on why they were making the decisions they were. As the EPA has continued to crush jobs, like in Texas if there were no EPA, we have agencies that have continued to make our water and air cleaner and cleaner every year, and, despite the EPA's constant interference, they are doing a great job.

But one of the things that we have wanted, as my friend, Mr. WOODALL, was pointing out for years, is whether it is a Democrat in the White House or a Republican, we just wanted some openness. We wanted to know what these seemingly arbitrary rules were based upon. So the purpose of this rule coming from Chairman SMITH is let's go ahead and require the EPA to do what anybody would have to do in one of our courtrooms, you got to show why there is a reason to take action.

But since the EPA has been at this level where they were basically unquestionable for so long and could make arbitrary and capricious decisions which could not be challenged effectively, this may be a very helpful start to stopping the EPA from being so heavenly they are not earthly good.

So I think it is a fantastic bill. It is something I hope will be a bipartisan vote as we require the EPA to just show the basis of what you are doing, and then we can know whether this American god, this EPA, actually has feet of clay or is back in the real world or is actually killing jobs unnecessarily.

□ 1300

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

Mr. Speaker, the EPA protecting our quality of life, our air, and our water has nothing to do with Heaven or God. It is based on science. Individual Americans like Mr. GOHMERT and myself have our own faith traditions. I don't think there is anybody in the country whose faith tradition is to worship the EPA.

We have created the EPA for a purpose: to protect the health of the American people and protect our air and water. There are people alive today and people who are healthier today because of the work of the EPA. The converse of that, without the Environmental Protection Agency, some of us wouldn't even be here and others of us would be sickly.

It really doesn't make any sense to talk about people worshipping the EPA. We respect the scientific work of the EPA, and maybe this confusion between faith and science is what is leading to the undermining of the scientific aspects that the EPA reaches their conclusions on.

Mr. Speaker, I include in the RECORD a letter that shows the strong opposition from those who advocate for our health against this bill. Alliance of Nurses, American Lung Association, American Public Health Association, National Medical Association, Asthma and Allergy Foundation of America, and others have all signed a letter in opposition to this bill because this bill threatens the health of the American people.

MARCH 27, 2017.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act of 2017. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA's decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

Restrict the ability of scientists to speak on issues that include their own expertise;

Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;

Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;

Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unnecessary requirement since their reviews of major issues already include public notice and comment; and

Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violation of patient confidentiality. If enacted, the legislation would:

Allow the EPA administrator to release confidential patient information to third parties, including industry;

Bolster industry's flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and

Impose new standards for the publication and distribution of scientific research that go beyond the robust, existing requirements of many scientific journals.

Science, developed by the respected men and women scientists at colleges and universities across the United States, has always been the foundation of the nation's environmental policy. EPA's science-based decision-making process has saved lives and led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientists, not bills that undermine the scientific integrity of EPA's decision-making or give polluters a disproportionate voice in EPA's policy-setting process.

We strongly urge you to oppose these bills.

Sincerely,

KATIE HUFFLING, RN, CNM,
Director, Alliance of Nurses for Healthy Environments.

HAROLD P. WIMMER,
National President and CEO, American Lung Association.

GEORGES C. BENJAMIN, MD,
Executive Director, American Public Health Association.

STEPHEN C. CRANE, Ph.D., MPH,
Executive Director, American Thoracic Society.

CARY SENNETT, MD, Ph.D.,

FACP,
President & CEO, Asthma and Allergy Foundation of America.
PAUL BOGART,
Executive Director, Health Care Without Harm.
RICHARD ALLEN WILLIAMS, MD,
117th President, National Medical Association.
JEFF CARTER, JD,
Executive Director, Physicians for Social Responsibility.

Mr. POLIS. Last Congress, we considered a bill called the Secret Science Act, which was nearly identical to this bill. That was a bill that I submitted was at a cost of billion dollars. If the gentleman from Georgia has any evidence that this bill will cost less, I encourage him to bring it forward.

This bill, frankly, would force the EPA to be dishonest, to not use the best available science, and threaten the privacy of the American people.

Our goal should be to help the agencies that we charge with protecting our health to use the best possible science to do the best possible job that they can. We should not be throwing up roadblocks and red tape and bureaucratic mazes that hurt the quality of work and the science that we base our protections on.

We need to protect American lives from things like dirty air, dirty water, and pollution. We should protect the privacy of all Americans, but this bill doesn't protect the privacy of Americans. It undermines the goal of the Environmental Protection Agency.

My colleague, Mr. SWALWELL, brought forward a very important motion. When we defeat the previous question, we have a motion to create a bipartisan commission to investigate Russian interference in the 2016 election.

That is what I hear about from my constituents. I haven't heard from any constituents that say: We want our personal data to be revealed by the Environmental Protection Agency or we want to stop them from citing scientific papers.

That is simply not on the minds of the American people.

What is on the minds of the American people is that we need a full accounting for the Russian interference in the 2016 election, which is why we have a bill to create a bipartisan commission to investigate that Russian interference in a manner that has credibility with the American people, that can end this increasingly bizarre spy novel that seems to be unfolding in this city that we are meeting in now, and replace it with investigations and facts and a full accounting for the American people as to what happened and who was involved.

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

Mr. WOODALL. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to inquire if the gentleman from Georgia has any information as to why the new bill would cost any different amount than the prior version of the bill from the last Congress that was scored?

Mr. WOODALL. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Georgia.

Mr. WOODALL. I would say to the gentleman, as he may know, the language is different in this section.

When the CBO scored the bill last year, they presumed that the EPA would have the obligation of compiling all the data and making it all public themselves. In this bill, it presumes the EPA will only make use of publicly available data. I would refer the gentleman to the committee report.

Mr. POLIS. Reclaiming my time, what the bill essentially does is two things in this regard. One, it will foist an unfunded mandate onto those who are conducting the research to go through the effort themselves of releasing the data. But more perniciously, it will prevent data and scientific studies that there are legal protections from even being looked at by the Environmental Protection Agency. They won't even be able to consider that data.

I think it is important that we get back to the topics that the American people care about. I hope that we can move forward with Representatives SWALWELL's and CUMMINGS' bill to create a bipartisan commission to investigate the Russian influence in the 2016 election rather than attack and undermine science, attack and undermine privacy, and attack and undermine the American people.

This bill undermines our privacy protections and opens the door for more Americans to get sick and hurt by pollution in our air and water. I hope that we can stand up against that.

Mr. Speaker, I ask Members to vote ''no'' on this bill and vote ''no'' on this rule.

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

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

Mr. Speaker, I often wonder what it is like to be in your position there, a distinguished career as a judge, and you come down here to talk about the EPA and whether or not the rules and regulations should be based on sound science or not, and you end up with a discussion over the Russians. There is no objection that can be lodged here for going outside of the scope of the bill.

I can always tell, when I come down for Rules Committee debate, whether or not we are really talking about something that divides us or whether we are just talking. If we are talking about something that divides us, we spend every moment of the hours that we have debating the nitty-gritty of the issue before us—talking about how quickly should that data be disclosed; how many folks should have access to it. Are there going to be episodes where the data needs to be kept super secret and folks can't be trusted with it? What should we do about new and emerging business practices, propriety technologies? How do we deal with those questions?

I enjoy those rules, Mr. Speaker, because we are doing exactly what we came here to do, and that is to delve into the details and get it right for the American people.

What I am led to believe on a day like today is that we are pretty close to getting it right for the American people because we are not talking about the nitty-gritty of the legislation. We are talking about the Clean Power Plan that the past administration put forward. We are not talking about the details of the legislation; we are talking about the Russians today. I think that is because there aren't many things much more common sense than sharing with the American people that data on which the laws of the land are made.

Mr. Speaker, there is no doubt that the EPA is involved in a complicated line of work, a critically important line of work.

I can't find a single constituent in the great State of Georgia that doesn't believe in clean water and clean air. I can find a whole lot of them who think that they believe more in clean water and clean air than does any institution in Washington, D.C. I promise you, no one cares more about the Chattahoochee River National Recreation Area than those of us who live along the Chattahoochee River National Recreation Area.

Nobody cares more about protecting the Earth in the great State of Georgia than those farmers who are creating the largest export we have in the great State of Georgia, which are our agriculture products.

We are in this together, which is why, when this bill came before the House last Congress, it passed with a bipartisan vote. These are commonsense ideas that bring us together more than they divide us.

Mr. Speaker, I think the real surprise is that folks believe the EPA to be transparent, and learn that it is not. Folks would not believe that this Congress has to subpoena information in order to get its hands on it.

What this bill would say is not only should Congress be able to access the information, but any reputable scientist should be able to access the information.

What my friend says about privacy concerns, they are a shared concern in this institution. There is absolutely nothing in this underlying legislation that threatens those privacy concerns. In fact, it requires that all private information be redacted before the information be utilized.

Concerns over cost, again, are absolutely important, but I will read from the committee report: ''This bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.''

That it is a pretty simple bill and a pretty simple rule. It asks that we lift the curtain of secrecy around the regulations that protect our health and safety. It asks that we make health and safety issues not things that divide us around process, but things that unite us around results.

Candidly, I came to this institution to achieve those results, Mr. Speaker, and I am proud to be carrying this rule to the floor today. I encourage all of my colleagues to please support this bill, and with its passage we can get to the underlying legislation, end the shroud of secrecy, and restore public confidence in the laws that protect all of our health and safety.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 229 OFFERED BY MR. POLIS

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 356) to establish the National Commission on Foreign Interference in the 2016 Election. 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 Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

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. WOODALL. 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.

Mr. POLIS. 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.

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 230 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 230

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services''. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

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

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), 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. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 230 provides for a rule to consider a Congressional Review Act resolution which will undo a duplicative regulation put into place by the previous administration in the final hours of that Presidency.

The rule brings before the House this resolution so that Congress may remove through the proper legislative process rules promulgated by bureaucrats who remain unaccountable to the American people. This process allows those who are accountable—the elected Representatives in Congress—to fight for our constituents' rights and liberties.

House Resolution 230 provides for a closed rule for the Congressional Review Act resolution, S.J. Res. 34, the standard procedure for such resolutions, since the sole purpose of the resolution is to remove a regulation from the Federal Register.

□ 1315

The rule allows for 1 hour of debate, equally divided between the chair and ranking member of the Committee on Energy and Commerce. Further, the minority is afforded the customary motion to commit.

The Federal Communications Commission issued its Open Internet Order, reclassifying broadband providers as common carriers, which brought them under the jurisdiction of the Federal Communications Commission. The Federal Trade Commission is the primary regulator of companies' privacy and data security practices; however, the Federal Trade Commission's regulatory authority under section 5 of the Federal Trade Commission Act does not extend to common carriers. Therefore, the reclassification of broadband internet service providers as common carriers created a legal enforcement gap.

The Federal Communications Commission determined that the privacy provisions of the Communications Act would now apply to broadband internet service providers and that new and expanded privacy rules were necessary. Therefore, the Federal Communications Commission promulgated new privacy rules for common carriers on October 27, 2016. These rules were adopted a mere 10 days before the 2016 Presidential election. They were adopted on a party-line vote and over serious objections by the minority Commission members and the internet service providers. The Federal Communications Commission's rules are a departure from the privacy protections that have been applied by the Federal Trade Commission for years.

The Federal Trade Commission employs an opt-out model that requires companies to provide consumers notice of the data that is collected and how it will be used. Consumers are then given the option to opt out of this data collection if they so choose. Instead of implementing well-established collection practices that are accepted industrywide, the Federal Communications Commission chose to promulgate an opt-in model for its new internet service providers. This model prohibits broadband internet service providers from using, disclosing, or providing access to customer proprietary information without the customer's affirmative opt-in consent. Such data includes browsing history, application usage, and location data, among other types of information.

While this may sound like a good thing to opt in to, in reality, it unfairly skews the market in favor of providers that already have access to consumer information. For example, search engines, social media sites, and internet content providers like Netflix, Google, Facebook, Amazon, and Apple, these providers, known as edge providers, are free to collect consumer data that broadband internet service providers, under the jurisdiction of the Federal Communications Commission, are not. The ability to provide consumer data drives the digital advertising market.

The Federal Communications Commission's privacy rules arbitrarily treat internet service providers differently from the rest of the internet, amounting to government intervention in the free market. The Federal Communications Commission stated that the rules would provide more transparency, the rules would provide more choice, the rules would provide more protection; however, these expanded provisions may also result in more frequent breach notifications, leading to a weaker focus on security by consumers who do suffer from notification fatigue.

While the Federal Communications Commission's privacy rules were meant to protect consumers, they actually can inhibit security and market competition while creating confusion by subjecting parts of the internet ecosystem to different rules and different jurisdictions. To correct this policy, on March 23, 2017, the Senate passed S.J. Res. 34, a Congressional Review Act resolution of disapproval to nullify the privacy rulemaking promulgated by the Federal Communications Commission.

Prior to the reclassification of broadband internet service providers as common carriers under the jurisdiction of the Federal Communications Commission, the Federal Trade Commission regulated companies' privacy practices while preserving the Federal Communications Commission's authority to enforce privacy obligations of broadband service providers on a case-by-case basis.

This Congressional Review Act will restore the status quo that existed prior to the Federal Communications Commission's Open Internet Order and bring the privacy practices of all parts of the internet back into balance. Not only will this level the playing field for an increasingly anticompetitive market, but it will ensure parity in the protection of consumer data.

The new Chairman of the Federal Communications Commission, Ajit Pai, has called to halt the Federal Communications Commission's privacy rules. He stated: ''All actors in the online space should be subject to the same rules. . . . The Federal Government shouldn't favor one set of companies over another.'' This is precisely the type of limited government that we should be striving for after years of overreaching by the previous administration and its regulations. The Congressional Review Act protects consumers, and it restores the free market competitiveness that actually allows our economy to thrive.

The Congressional Review Act is an important tool in maintaining accountability at the Federal level. Its necessity has never been more apparent than over the past 2 months, where this Congress has needed to step in and remove burdensome, unbalanced regulations put in place by the prior administration and their team just as they were walking out the door.

House Republicans today will stand up for the rights of our constituents against the out-of-control Federal bureaucracy. I urge my colleagues to support today's rule and the underlying Congressional Review Act resolution.

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

Mr. POLIS. Mr. Speaker, up until now, every President since Gerald Ford has disclosed their tax return information. These returns provide a basic level of transparency that helps ensure the public's interest is placed first. The American people deserve the same level of disclosure from this administration. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative ESHOO's bill that would require Presidents and major party nominees for the Presidency to release their tax returns.

Mr. Speaker, I ask unanimous consent to insert the text of my 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 gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 7 minutes to the gentlewoman from California (Ms. ESHOO) to discuss this proposal and also the important aspects of the underlying bill that need to be responded to.

Ms. ESHOO. Mr. Speaker, I thank my friend and colleague from Colorado for his leadership and for yielding time to me.

First of all, I would like to respond to the gentleman's presentation about the underlying bill.

Make no mistake about it, what the underlying bill does today is it wipes out—it totally wipes out—privacy protections for consumers on the internet. That is what it does. There are not duplicative regulations. I know that it was stated on the floor that there are duplicative regulations.

There are two agencies—the Federal Communications Commission and the Federal Trade Commission—however, it is only the FCC, the Federal Communications Commission, that can actually protect consumers by enforcing the protections. The FTC does not have that authority.

What happens today if these privacy protections are ripped away from the American people? Well, all the information that you give to your internet service provider, whether it is Comcast, whether it is cable providers, Charter, AT&T, the one that you pay a pretty big bill to, they can take all of the information that they have—my account, your account, your account, your account—and use that information to sell it to the highest bidder to make money off of it.

Now, there is an additional charge in this thing, alleged charge, and that is,

well, what about Google and Netflix and Facebook? What about them? Why aren't they subject to what the FCC did? Well, they are edge providers. They are edge providers.

You don't have to go to Google. You don't have to go to Facebook. You don't have to go to Netflix in order to get your internet service. That is why the FCC did not apply these rules to them. Maybe there should be a debate about them. But to equalize and say that Google and Facebook are equal to your internet service provider suggests to me that some people just don't know what they are talking about.

This is a subject that the American people feel very, very deeply about. In fact, I think it is in the DNA of every American: ''I want my privacy, and it should be protected.'' We all feel that way.

What is being done today is a ripping away. It is like taking a bandage, just stripping it away. Who do you go to? Who do you go to complain to? No one. No one. Because there isn't anything left to enforce.

I think it is a sad day if the underlying bill passes. I think it is shocking that my Republican colleagues, either out of a lack of understanding of how the internet works, how their constituents—all of our constituents benefit from these protections of our privacy, and our information is private. I don't want anyone to take my information and sell it to someone and make a ton of money off of it just because they can get their mitts on it. That is why the privacy protections were adopted.

May I ask how much time is remaining?

The SPEAKER pro tempore. The gentlewoman has 3 minutes remaining.

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

The SPEAKER pro tempore. The gentlewoman has 4 minutes remaining.

Ms. ESHOO. Mr. Speaker, I will close that one off and go to the other reason that I am on the floor today. I thank the gentleman again for yielding me the time.

I rise in opposition to the rule and, obviously, the underlying resolution; and I urge my colleagues to defeat the previous question so that my bipartisan bill, the Presidential Tax Transparency Act, can be made in order for immediate floor debate and a vote.

Mr. Speaker, my legislation would require the President and all future Presidents and Presidential nominees to publicly disclose their tax returns. It is a very simple bill.

This is the third time this year that I have offered this bill as the previous question motion, and for the last several weeks, Members—including Mr. POLIS, Mr. PASCRELL, Mr. CROWLEY, Ms. LOFGREN, and myself—have offered privileged resolutions directing the House to request the President's tax returns. Nearly every day we give the majority the opportunity to demonstrate leadership on this issue, and nearly every day they continue to help the President hide his tax returns from the public.

Now, every President of both parties, since Gerald Ford, has voluntarily made their tax returns public. The President has 564 financial positions in companies located in the United States and around the world, according to the Federal Election Commission, making him more susceptible to conflicts of interest than any President in our history. Without disclosure of his tax returns, the American people are prevented from knowing where his income comes from, whether he is dealing with foreign powers, what he owes and to whom, and how he may directly benefit from the policies he proposes.

There are daily revelations about previously undisclosed meetings between the President's staff and Russian officials, as well as a steady flow of troubling information about The Trump Organization's ties to state-connected businesses and individuals in Turkey, Azerbaijan, China, and other countries. Last week, The New York Times reported that The Trump Organization is finalizing an agreement to build a hotel in partnership with a firm that has ''deep Turkish roots'' and business ties in Russia, Kazakhstan, and two dozen other countries.

Without the disclosure of the President's tax returns, there is no way for the American people to know the full extent of his foreign entanglements and possible conflicts of interest on this or other deals that his family business is engaged in.

□ 1330

I think the House is failing, Mr. Speaker, to exercise our constitutional obligation to conduct effective oversight and operate as a check on the executive branch. We can change that today by taking up and passing this bipartisan bill, which will ensure that the President, and all future Presidents, will be held to a baseline level of disclosure. That is why I urge my colleagues to defeat the previous question, so we can hold an immediate vote on the Presidential Tax Transparency Act.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, to bring us back to the business at hand, which is the rule allowing the vote on the Congressional Review Act later today, I want to quote now from the web page of the Federal Trade Commission, under the title of Protecting Consumer Privacy. Reading from their website:

The Federal Trade Commission has been the chief Federal agency on privacy policy and enforcement since the 1970s when it began enforcing one of the first Federal privacy laws—the Fair Credit Reporting Act. Since then, rapid changes in technology have raised new privacy challenges, but the Federal Trade Commission's overall approach has been consistent. The agency uses law enforcement, policy initiatives, and consumer and business education to protect consumers' personal information and ensure that they have the confidence to take advantage of the many benefits of an ever-changing marketplace.

This is from the ftc.gov website.

Mr. Speaker, I include in the RECORD the web page of the Federal Trade Commission.

FEDERAL TRADE COMMISSION

PROTECTING CONSUMER PRIVACY

The FTC has been the chief federal agency on privacy policy and enforcement since the 1970s, when it began enforcing one of the first federal privacy laws—the Fair Credit Reporting Act. Since then, rapid changes in technology have raised new privacy challenges, but the FTC's overall approach has been consistent: The agency uses law enforcement, policy initiatives, and consumer and business education to protect consumers' personal information and ensure that they have the confidence to take advantage of the many benefits of the ever-changing marketplace.

FTC's Privacy Report: Balancing Privacy and Innovation;

The Do Not Track Option: Giving Consumers a Choice;

Making Sure Companies Keep Their Privacy Promises to Consumers;

Protecting Consumers' Financial Privacy;

The Children's Online Privacy Protection Act (COPPA): What Parents Should Know.

Mr. BURGESS. Mr. Speaker, I thank the men and women of the Federal Trade Commission for all the work they have done over the years in protecting our privacy.

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

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

Mr. Speaker, I rise in opposition to the rule and the resolution.

This resolution undermines fundamental privacy for every internet user. You hear my colleague on the other side trying to conflate different things. When your broadband provider can sell your information, and there is no rule prohibiting them from doing so—effectively that includes all of your browsing history, data entered in forms, everything that you have done on the internet that has absolutely nothing to do with a relationship with a particular content provider or e-commerce company; you can enter information, obviously, for the express purpose of them optimizing your experience or selling you a product—they are then the owners of that information, and you have choice in the marketplace. Whereas, with our broadband providers, most of us don't have a choice. You either sign up for the local cable company or you don't.

Before I discuss the many disastrous facets of this resolution, I also want to point out that this is yet another closed rule. There have been absolutely no open rules that allow Democrats and Republicans to bring forward amendments. No amendments are allowed under this rule here on the floor of the House of Representatives. Sadly, that has become the norm.

The FCC recently took steps to reevaluate their rule. Commissioner Pai even paused their implementation to examine the FCC doing their job.

Now, why would Congress step in and use the CRA authority, a very cumbersome authority, that also prohibits future implementation of similar rules?

In many ways, it hamstrings the agency.

What we are worried about is that, if this bill were to become law, it would essentially be impossible for the FCC to act to protect the privacy of Americans who use broadband ever again. So it is not a matter of a nuance under this rule. If we go through the process of passing a CRA, the FCC wouldn't be able to pass any rule—or if they did, it would be under a legal cloud—to protect the privacy of the American people. That is the danger: that CRAs are effectively permanent.

The second aspect is that the FCC has already established a notice and comment period that allows for comment on the new rules. By going around that, we would avoid government transparency.

So here is what is at stake. On October 27, 2016, after a 6-month rulemaking process that was open to public comment and received comments, the FCC developed a commonsense rule to protect our privacy. The rule that we are talking about undoing basically does three things, which are great.

It requires broadband internet access service providers to obtain opt-in consent before using or sharing sensitive information. Sounds obvious that we would want that. We wouldn't want information that doesn't have an opt-in consent to be sold or used. That includes things like web browsing history or data that is entered on forms.

It would also require broadband providers to use reasonable measures to protect the cybersecurity of our data. Again, of course.

Third, it requires that broadband providers notify consumers in the event of a breach of information. Again, just like we have with credit card companies, we want some kind of affirmative information that is given to consumers that your information may be breached if there is a cybersecurity threat that might do that.

This bill undoes all those things. It says that you don't have to notify people if there is a breach, you don't need to have reasonable measures to protect cybersecurity, and, most importantly, with regard to privacy, it will no longer require opt-in consent before using, sharing, or selling your most intimate personal data that you use on the internet.

Now, look at the implications of this rollback. It is not just a collection of internet data usage, but bulk collection of all of your network traffic. A broadband provider could collect every search, every website visited, every email written and received, every piece of data entered, every article read, see how often you log in and how you use various accounts for all members of your family, including minors, and even your location, sell that information, and use that information without restriction and without opt-in.

Think about what someone can conclude about this information—your political affiliation, preferences, your health.

What could they do with it?

They could charge pricing of goods and services discriminating against you based on your income or your past purchasing behavior. Your sensitive financial information could be used to steer you to higher costs and worse financial products. This rule would literally change how broadband providers have access to your entire personal life. It would make the broadband providers the most valuable part of the internet value chain.

Now, we all want broadband providers to have compensation for the infrastructure costs and a reasonable profit. There is no doubt about that. Those of us who advocate for net neutrality, as I do, or those who advocate for privacy, we want them to have a reasonable return on investment so that we can all have access to broadband. And we have that largely through user fees and subscription fees.

Have you seen your cable bill, Mr. Speaker?

I have seen my cable bill. It ain't cheap anymore. But many families pay for it because it is the best way to have fast access to the internet.

And guess what?

The cable companies are able to justify broadband in many areas.

Again, maybe there are some tweaks, and it would be great if there is a way we could have greater value for rural broadband and have them have an ROI. We would love that. But the answer is not to turn over the keys to the internet and all your personal data to cable companies and say: You own it all. You are more powerful than Amazon, more powerful than Google, more powerful than every consumer site because you own everything that is entered into every one of those and more, and you can sell it and use it as you see fit without restriction, without even requiring that users opt in.

The value conveyance from the content side to the infrastructure side of this bill would be game-changing and game-destroying for the free and open internet. It simply makes no sense.

Look, consumers should have the right to choose with who and how they share their personal information. When it comes to a broadband provider, we simply don't have that choice that you do with consumer websites like Facebook or Google, which are governed under a separate set of laws.

Proponents of this bill are arguing that, because there is not adequate protection somehow in social media and the edge providers here, somehow the standard should be lower for broadband internet services. It makes no sense. In today's day and age, not having internet access is simply not an option for many Americans. To say you can choose not to have broadband, maybe in some places you can pay more for satellite and you might have some reasonably fast download but not upload that may be spotty, maybe you want to use dial-in over your phone. But for most of us—I use broadband. Most of us use broadband through our cable because it is the most cost-effective way to have high-speed internet access, and that is the case for most American families.

So this is not the time to get rid of privacy rules and convey the vast ecosystem that is the internet away from the content and dynamism that exists there to the broadband side. That is absurd.

People can choose not to use social media accounts, can choose what they share, and can choose who to enter contracts with with regard to searches or purchases. Social media is an optional platform that you can choose between many providers, but the broadband access side frequently looks and acts more like a monopoly.

Supporters of this bill also mention how this somehow levels the playing field for broadband providers. What it does is it tilts the playing field entirely in their favor. Internet service providers are a gateway to the internet. They do not own the internet.

The second protection the rule offers is to require reasonable measures be taken to protect the data that they want to collect. Again, we all value cybersecurity and protection of this data. Given the countless incidents of cyber hacking incidents, how can we entertain the idea of rolling back a rule that requires reasonable measures to protect consumer data? What are proponents advocating for? No measures to protect consumer data?

The third important protection under this rule is the consumers whose data has been breached should be notified. Again, that is important. I had my credit card stolen a few years ago and got notified that it was. I used it at another location where it might have been compromised and I received notification. This eliminates that notification from users of broadband. It would do away with that.

I would like to know, as would consumers, if my credit card information was hacked. I want to know if my personal profile or medical records or emails were hacked. If someone is able to attain my children's names, our home address, information about the schools they attend, or the homework they do, I would want to know.

Now, look, this bill moves entirely the wrong direction. It basically seizes the value of the internet from content, from e-commerce, from all of the important dynamism that occurs there and tries to apply that to the broadband side rather than simply find a reasonable way for broadband providers to see a return on investment.

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

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, just to put some things in context, I wanted to share some information from a blog called redstate.com, posted by Seton Motley, on March 27, 2017, talking about the difference between the size and scope of edge providers versus the ISPs, the internet service providers. The parent company of one of the largest edge providers is valued at over $500 billion. He points out in his blog post, by way of comparison, the nation of Singapore's gross domestic product, the entire output for every man, woman, and child in a very productive country is $508 billion. Basically, the same. So the edge provider stands on equal financial footing of the world's 40th richest country.

By way of contrast, the Nation's largest internet service provider has a net worth of $148 billion. So the edge provider is more than three and a half times larger than the Nation's largest ISP.

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

Mr. BURGESS. Mr. Speaker, I yield myself an additional 30 seconds.

I think we can begin to see the scope of the problem and why unbalancing this playing field is inherently a bad idea.

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

Mr. POLIS. Mr. Speaker, the evaluation is as it should be. Again, when infrastructure is laid, we want a reasonable ROI. It is like utility infrastructure or water infrastructure. I would never expect that the world's most valuable companies would be the pipes in the people's homes. The magic of the internet is the content. That is what drives the desire for broadband access. And, of course, there are other ways that people can access the internet, but broadband and cable have a technical advantage on price and speed.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I thank the gentleman for yielding.

I have a simple question: What the heck are you thinking? What is in your mind? Why would you want to give out any of your personal information to a faceless corporation for the sole purchase of them selling it?

Give me one good reason why Comcast should know what my mother's medical problems are. Do you know how they would know? Because when I went to the doctor with her and they told me what it was, I had no clue what they were talking about, so I came home and I searched it on the net, and I searched the drugs that she was taking. The same with my children.

Just last week, I bought underwear on the internet. Why should you know what size I take, or the color, or any of that information?

□ 1345

These companies are not going broke. That is not the situation. The internet is not in jeopardy. This is plain and simple, and I don't get this.

When I was growing up, I thought one of the tenets of the Republican Party that I admired the most was privacy. It is mine, not yours, not the government's—mine. You can't have it unless I give it to you.

My phone number, my Social Security number, my credit card number, my passwords—everything is mine. Yet you just want to give it away. You make one good argument: let's level the playing field. You are right. I agree with you. But you don't level the playing field by getting rid of the playing field. You level it by raising it on those who are not subject to this rule.

Please give me one—not two—one good reason why all of these people here, why all of these people watching would want Comcast or Verizon to have information unless they give it to them. We are talking medical information. We are talking passwords. We are talking financial information. We are talking college applications. There is nothing in today's society that every one of us doesn't do every day on the internet, yet Comcast is going to get it—not because I said it is okay.

And what are you going to do with it? Kind of look at it and say: oh, yeah, hey, Mike takes a size 38 underwear. That is great. They are going to sell it to the underwear companies. Hey, he bought this kind of underwear. He likes this color. Let's give him ads. By the way, most of those ads are useless, because I already bought the underwear. I don't need any more.

But it is none of their information. It is none of their business. Go out in the street, please, leave Capitol Hill for 5 minutes. Go anywhere you want, find three people on the street who think it is okay, and you can explain to them ROIs, the company has to make progress, and we have to make money.

You will lose that argument every single time, as you should. And I guarantee you, you won't find anybody in your district who wants this bill passed.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do quite agree with what Mr. CAPUANO just shared, but I will say this: for anybody listening to this broadcast today, this is a classic fight of the big money against the many. The big money, they say that they want even more money, so they want to be able to dig into your private information so that they can figure out when you get up, when you go to bed, what you looked up, and then write ads just so they could try to sell you more stuff.

And as disgusting as that is, you can see easily how that is not the end of it. What if you have somebody who has something really sensitive that they just want a little bit more information about, that is not of a nature where it is saleable, but it is just their business? Well, somebody else is going to know now. And they may well be able to monetize it, gather it, and distribute it.

It is outrageous what the majority is doing today, and I can't possibly believe that it is conservative, that it is small government. I can't believe that they believe that this is what a government in restraint should do. The government should be protecting our rights, protecting our privacy. Small government means that the individual ought to be protected from the big powers out there, like the corporate interests, yet the majority is handing us over to them at this very hour.

Mr. Speaker, I urge Members of the majority to vote against this. I can't believe that a person who is a constitutional conservative would ever vote for a monstrosity like this. It is beyond my comprehension that a conservative libertarian would say: oh, yeah, give the individuals' information over to the big commercial interests. This is one of those moments.

The majority, you guys have the House, you have the Senate, and you have the White House. The only restraint you have is yourselves. And I know there has got to be somebody in that body who believes that Comcast, Sprint, and all of the rest should not have anybody's underwear size in this body.

It is an outrage. It is an abuse, and I urge a very emphatic ''no.''

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

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

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I thank Mr. POLIS for yielding and for your leadership on this issue.

This resolution would overturn rules that protect a consumer's privacy, and they would be a handout to internet service providers: Comcast, Verizon, AT&T. Now, as it is, the average American, 80 percent of Americans, don't have a choice about which internet service provider they can use, and they pay six to seven times more than people pay in France, than people pay in Britain. And people wonder: Why is this?

Obviously, the United States did all of the research that invented the internet. Why are Americans paying more? It is because they have monopolistic, anticompetitive practices. So what is the solution? Instead of making the industry more competitive so Americans have more choice and don't have to pay as much, what this bill wants to do is give these four or five internet service providers even more power, allowing them to take an individual's data and sell it to whoever they want.

The fear of Big Brother is so real out there, as it is, people fear that the bureaucracy and big companies are controlling their lives. This bill would allow that to continue and get worse.

What we need is more anticompetitive legislation. What we need is a stronger internet bill of rights that applies to ISPs and other internet service companies not a rollback of the regulations that currently exist.

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

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers.

Mr. BURGESS. Mr. Speaker, I apparently do not have any additional speakers.

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

It is no surprise that nobody wants to come to the floor and talk in favor of this bill because it is such an awful bill. This bill would allow your broadband provider of internet services to sell all of your personal information.

So, again, the other side is trying to conflate two entirely different things. When you do a transaction within an e-commerce site or search site, you are agreeing to their terms of service, and you are engaging in a discrete transaction, and the information that you enter is subject to their terms of use—completely appropriate. A competitor is only a click away.

Whether there are any monopolistic content providers is a different matter for a different day, and a different Federal agency—the FTC. What we are talking about here is the access piece, the broadband access piece. They actually, through the pipes, get to see all of the information that is entered that you see: every email; all of your credit card information; if you use the internet for any personal medical research, all of your personal medical research; your kids' information, everything your kids and minors in the family do. And what this bill says is: you don't have to require people to opt in to have their information used.

Consumers should be in control of their own information. They shouldn't be forced to sell and give that information to who knows who simply for the price of admission for access to the internet.

Again, we all want there to be a reasonable capital return on infrastructure and on broadband. That is something we can agree on. If there is a case to be made that we can do better in providing an economic return to encourage rural broadband, I am for it. I know many of my colleagues on the other side would be for it. Let's do it.

What we don't want to do in that process is turn over the entire value chain of the internet to the infrastructure and provider side, rather than the dynamic innovative content and e-commerce side.

I would like to read an excerpt from two letters from groups who are opposed to this bill. The first is a coalition of 19 media, justice, consumer protection, civil liberties, and privacy groups.

Their concern that: ''Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.''

They remind us that: ''The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it.''

Consumers should be in control of their own information.

The second letter is from Consumers Union, the policy arm of Consumer Reports. They say, in part, that this bill ''would strip consumers of their privacy rights and . . . leave them with no protections at all.''

I include in the RECORD those two letters, Mr. Speaker.

JANUARY 27, 2017.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Washington, DC.
Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, SENATOR MCCONNELL, REPRESENTATIVE PELOSI, AND SENATOR SCHUMER: The undersigned media justice, consumer protection, civil liberties, and privacy groups strongly urge you to oppose the use of the Congressional Review Act (CRA) to adopt a Resolution of Disapproval overturning the FCC's broadband privacy order. That order implements the mandates in Section 222 of the 1996 Telecommunications Act, which an overwhelming, bipartisan majority of Congress enacted to protect telecommunications users' privacy. The cable, telecom, wireless, and advertising lobbies request for CRA intervention is just another industry attempt to overturn rules that empower users and give them a say in how their private information may be used.

Not satisfied with trying to appeal the rules of the agency, industry lobbyists have asked Congress to punish internet users by way of restraining the FCC, when all the agency did was implement Congress' own directive in the 1996 Act. This irresponsible, scorched-earth tactic is as harmful as it is hypocritical. If Congress were to take the industry up on its request, a Resolution of Disapproval could exempt internet service providers (ISPs) from any and all privacy rules at the FCC. As you know, a successful CRA on the privacy rules could preclude the FCC from promulgating any ''substantially similar'' regulations in the future—in direct conflict with Congress' clear intention in Section 222 that telecommunications carriers protect their customers' privacy. It could also preclude the FCC from addressing any of the other issues in the privacy order like requiring data breach notification and from revisiting these issues as technology continues to evolve in the future. The true consequences of this revoked authority are apparent when considering the ISPs' other efforts to undermine the rules. Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.

Broadband ISPs, by virtue of their position as gatekeepers to everything on the internet, have a largely unencumbered view into their customers' online communications. That includes the websites they visit, the videos they watch, and the messages they send. Even when that traffic is encrypted, ISPs can gather vast troves of valuable information on their users' habits; but researchers have shown that much of the most sensitive information remains unencrypted.

The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it. Americans are increasingly concerned about their privacy, and in some cases have begun to censor their online activity for fear their personal information may be compromised. Consumers have repeatedly expressed their desire for more privacy protections and their belief that the government helps ensure those protections are met. The FCC's rules give broadband customers confidence that their privacy and choices will be honored, but it does not in any way ban ISPs' ability to market to users who opt-in to receive any such targeted offers.

The ISPs' overreaction to the FCC's broadband privacy rules has been remarkable. Their supposed concerns about the rule are significantly overblown. Some broadband providers and trade associations inaccurately suggest that this rule is a full ban on data use and disclosure by ISPs, and from there complain that it will hamstring ISPs' ability to compete with other large advertising companies and platforms like Google and Facebook. To the contrary, ISPs can and likely will continue to be able to benefit from use and sharing of their customers' data, so long as those customers consent to such uses. The rules merely require the ISPs to obtain that informed consent.

The ISPs and their trade associations already have several petitions for reconsideration of the privacy rules before the FCC. Their petitions argue that the FCC should either adopt a ''Federal Trade Commission style'' approach to broadband privacy, or that it should retreat from the field and its statutory duty in favor of the Federal Trade Commission itself. All of these suggestions are fatally flawed. Not only is the FCC well positioned to continue in its statutorily mandated role as the privacy watchdog for broadband telecom customers, it is the only agency able to do so. As the 9th Circuit recently decided in a case brought by AT&T, common carriers are entirely exempt from FTC jurisdiction, meaning that presently there is no privacy replacement for broadband customers waiting at the FTC if Congress disapproves the FCC's rules here.

This lays bare the true intent of these industry groups, who also went to the FCC asking for fine-tuning and reconsideration of the rules before they sent their CRA request. These groups now ask Congress to create a vacuum and to give ISPs carte blanche, with no privacy rules or enforcement in place. Without clear rules of the road under Section 222, broadband users will have no certainty about how their private information can be used and no protection against its abuse. ISPs could and would use and disclose consumer information at will, leading to extensive harm caused by breaches and by misuse of data properly belonging to consumers.

Congress told the FCC in 1996 to ensure that telecommunications carriers protect the information they collect about their customers. Industry groups now ask Congress to ignore the mandates in the Communications Act, enacted with strong bipartisan support, and overturn the FCC's attempts to implement Congress's word. The CRA is a blunt instrument and it is inappropriate in this instance, where rules clearly benefit internet users notwithstanding ISPs' disagreement with them.

We strongly urge you to oppose any resolution of disapproval that would overturn the FCC's broadband privacy rule.

Sincerely,

Access Now, American Civil Liberties Union, Broadband Alliance of Mendocino County, Center for Democracy and Technology, Center for Digital Democracy, Center for Media Justice, Color of Change, Consumer Action, Consumer Federation of America, Consumer Federation of California, Consumer Watchdog, Consumer's Union, Free Press Action Fund, May First/People Link, National Hispanic Media Coalition, New America's Open Technology Institute, Online Trust Alliance, Privacy Rights Clearing House, Public Knowledge.

CONSUMERS UNION,
March 27, 2017.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and mobilization arm of Consumer Reports, writes regarding House consideration of S.J. Res. 34, approved by a 50–48 party line vote in the Senate last week.

This resolution, if passed by the House and signed into law by President, would use the Congressional Review Act (CRA) to nullify the Federal Communication Commission's (FCC) newly-enacted broadband privacy rules that give consumers better control over their data. Many Senators cited ''consumer confusion'' as a reason to do away with the FCC's privacy rules, but we have seen no evidence proving this assertion and fail to understand how taking away increased privacy protections eliminates confusion. Therefore, we strongly oppose passage of this resolution—it would strip consumers of their privacy rights and, as we explain below, leave them with no protections at all. We urge you to vote no on S.J. Res. 34.

The FCC made history last October when it adopted consumer-friendly privacy rules that give consumers more control over how their information is collected by internet service providers (ISPs). Said another way, these rules permit consumers to decide when an ISP can collect a treasure trove of consumer information, whether it is a web browsing history or the apps a consumer may have on a smartphone. We believe the rules are simple, reasonable, and straightforward.

ISPs, by virtue of their position as gatekeepers to everything on the internet, enjoy a unique window into consumers' online activities. Data including websites consumers visit, videos viewed, and messages sent is very valuable. Small wonder, then, that ISPs are working so hard to have the FCC's new privacy rules thrown out through use of the Congressional Review Act. But we should make no mistake: abandoning the FCC's new privacy rules is about what benefits big cable companies and not about what is best for consumers.

Many argue the FCC should have the same privacy rules as those of the Federal Trade Commission (FTC). FCC Chairman Ajit Pai went so far as to say ''jurisdiction over broadband providers' privacy and data security practices should be returned to the FTC, the nation's expert agency with respect to these important subjects,'' even though the FTC currently possesses no jurisdiction over the vast majority of ISPs thanks to the common carrier exemption—an exemption made stricter by the Ninth Circuit Court of Appeals in last year's AT&T Mobility case. We have heard this flawed logic time and time again as one of the principal arguments for getting rid of the FCC's strong privacy rules. Unfortunately, this is such a poor solution that it amounts to no solution at all.

For the FTC to regain jurisdiction over the privacy practices of ISPs, the FCC would first have to scrap Title II reclassification—not an easy task which would be both time-consuming and subject to judicial review, and jeopardize the legal grounding of the 2015 Open Internet Order. Congress, in turn, would have to pass legislation to remove the common carrier exemption, thus granting the FTC jurisdiction over those ISPs who are common carriers. We are skeptical Congress would take such an action. Finally, the FTC does not enjoy the same robust rulemaking authority that the FCC does. As a result, consumers would have to wait for something bad to happen before the FTC would step in to remedy a violation of privacy rights. Any fondness for the FTC's approach to privacy is merely support for dramatically weaker privacy protections favored by most corporations.

There is no question that consumers favor the FCC's current broadband privacy rules. Consumers Union launched an online petition drive last month in support of the Commission's strong rules. To date, close to 50,000 consumers have signed the petition and the number is growing. Last week, more than 24,000 consumers contacted their Senators urging them to oppose the CRA resolution in the 24 hours leading up to the vote. Consumers care about privacy and want the strong privacy protections afforded to the them by the FCC. Any removal or watering down of those rules would represent the destruction of simple privacy protections for consumers.

Even worse, if this resolution is passed, using the Congressional Review Act here will prevent the FCC from adopting privacy rules—even weaker ones—to protect consumers in the future. Under the CRA, once a rule is erased, an agency cannot move forward with any ''substantially similar'' rule unless Congress enacts new legislation specifically authorizing it. Among other impacts, this means a bare majority in the Senate can void a rule, but then restoration of that rule is subject to full legislative process, including a filibuster. The CRA is a blunt instrument—and if used in this context, blatantly anti-consumer.

We are more than willing to work with you and your fellow Representatives to craft privacy legislation that affords consumer effective and easy-to-understand protections. The FCC made a step in that direction when it adopted the broadband privacy rules last year, and getting rid of them via the Congressional Review Act is a step back, not forward. Therefore, we encourage you to vote no on S.J. Res. 34.

Respectfully,

LAURA MACCLEERY,
Vice President, Consumer Policy & Mobilization, Consumer Reports.
JONATHAN SCHWANTES,
Senior Policy Counsel, Consumers Union.
KATIE MCINNIS,
Policy Counsel, Consumers Union.

Mr. POLIS. I also include in the RECORD an op-ed that I had the opportunity to publish last week on this topic. My piece is entitled ''Why Americans should be worried about their online broadband privacy,'' talking about this very bill that Congress has the tenacity to try to bring to the floor under this rule to force the most personal information pieces of information about every aspect of your internet behavior, and that of your family members, to be given to the broadband provider to do whatever they want with.

[From the Huffington Post, March 22, 2017]

WHY AMERICANS SHOULD BE WORRIED ABOUT THEIR ONLINE, BROADBAND PRIVACY

(By Jared Polis)

Over the last couple of months, the dialogue surrounding government surveillance and consumer privacy has shifted in a troubling direction. While news outlets are covering everything from false claims of wiretaps to outlandish claims of reconnaissance microwaves, Republicans are quietly taking real and dramatic steps to protect corporate profits at the cost of your privacy. A few weeks ago, Senator Jeff Flake (R–Ariz.) and Representative Marsha Blackburn (R–Tenn.) filed bills in both the House of Representatives and the Senate that, if passed, will permanently eliminate broadband users' privacy protections, affecting nearly everyone who uses the Internet.

The legislation allows broadband providers to access and sell consumers' information without their permission. As our gateway to the Internet, Broadband Internet Service Providers—commonly referred to as ISPs—have access to a wealth of personal information, from our physical location to our shopping habits and the medical issues we research—can reveal potentially sensitive details about our personal lives.

Every search, every website visited, every article read online, see how often you log into and use your various online accounts and even, in some cases, collect your location. Think about what someone could conclude from this information about you—your overall health, risk activity, political affiliation, preferences. What could they do with that information? Could they change pricing of goods and services depending on your income and past purchasing behaviors? Could you face challenges obtaining insurance due to perceptions on your health or risk behavior based on your search activity? This rule change will literally allow broadband providers to have access to your entire personal life on a network and sell it.

After years of advocating for further consumer protections, in October 2016, the Federal Communications Commission (FCC) took a responsible and commonsense step to establish broadband privacy protections—but only months later Republicans are trying to roll back the progress made and repeal the existing rules, fighting alongside corporate broadband providers.

The legislation is unnecessary, as the FCC has already taken steps to review the rules, pausing implementation to conduct a careful examination of the complexities of implementation. The Republican legislation, would stop this process, bypass public comment, and eliminate the privacy protections permanently and irrevocably.

That is why I am drawing attention to this critical issue, before it's too late.

Mr. POLIS. Like these groups, I also believe that privacy is worth defending. In the wrong hands, information can be damaging and used for the wrong reasons.

Simply put, this bill is about conveying the value of the internet to the infrastructure side rather than the content side. And rather than finding common ground to establish reasonable ROI for broadband and internet investments, this bill would hurt the entire internet ecosystem by breaking down the trust between consumers and service providers.

What they are really trying to do here is shift the reasonable burden for cybersecurity measures from the internet servers onto consumers. At the

same time, they want to eliminate the requirements of cybersecurity measures, even notify consumers of violations, and they want to collect more and more consumer data without any protections to do what they want with.

Supporting this bill would make each and every user of the internet vulnerable to violations of our privacy and vulnerable to cybersecurity threats without even receiving notifications of when our own intimate information, like credit card numbers, is compromised.

The FCC took a responsible, deliberate, and commonsense step to establish broadband privacy protections in October 2016. If they need to be tweaked or changed, let's have a process to do that. This bill is not that process. It not only undoes those privacy protections but prevents the FCC from ever issuing a rule that has those privacy protections in it.

Mr. Speaker, if passed, this bill would be an irrevocable step in the wrong direction. I urge my colleagues to vote ''no'' on this rule and the underlying bill, and I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the remainder of my time.

I include in the RECORD an op-ed from The Wall Street Journal from March 1, 2017, by JEFF FLAKE, a member of the other body. The title of the op-ed is ''Settling a Bureaucratic Turf War in Online Privacy Rules.''

[From The Wall Street Journal, Mar. 1, 2017]

SETTLING A BUREAUCRATIC TURF WAR IN ONLINE PRIVACY RULES

(By Jeff Flake)

When you shop online from your tablet or browse the internet on your smartphones, you expect your personal data to be secure. Technology companies invest billions of dollars on data security to protect consumer privacy.

Privacy is also a cornerstone of consumer protection, with federal enforcement agencies striking an appropriate balance between innovation and security in their regulations. But just as a flawed line of code can render a new firewall program useless, the new privacy rules that were rushed through in the waning days of the Obama administration risk crashing our longstanding privacy-protection regime.

For two decades, the Federal Trade Commission has been America's sole online privacy regulator. Under the FTC's watch, our internet and data economy has been the envy of the world. The agency's evidence-based approach calibrates privacy and data-security requirements to the sensitivity of information collected, used or shared online, and applies protections in a consistent and evenhanded way across business sectors. Consumer behavior demonstrates the success of the FTC's regulatory approach: Each day people spend more time engaging in online activities.

But in 2015, in a bid to expand its own power, the Federal Communications Commission short-circuited the effectiveness of the FTC's approach by reclassifying internet service providers as common carriers, subject to Title II of the Communications Act.

In taking that unprecedented action, the FCC unilaterally stripped the FTC of its traditional jurisdiction over ISPs. The FTC can no longer police the privacy practices of providers, leaving us with a two-track system under which the FCC applies its own set of rules for ISPs while the FTC monitors the rest of the internet ecosystem.

Even after the 2015 power grab, the FCC could have simply adopted as its own the FTC's successful sensitivity-based model of privacy regulation. Instead—after last year's election—the FCC finalized privacy regulations that deviate extensively from the FTC framework in several key respects.

The FCC rules subject all web browsing and app usage data to the same restrictive requirements as sensitive personal information. That means that information generated from looking up the latest Cardinals score or checking the weather in Scottsdale is treated the same as personal health and financial data.

The new rules also restrict an ISP's ability to inform customers about innovative and cost-saving product offerings. So much for consumer choice.

The FCC's overreach is a dangerous deviation from successful regulation and common-sense industry practices. But don't just take my word for it. The FTC concluded that the FCC's decision to treat ISPs differently from the rest of the internet ecosystem was ''not optimal—agency-speak for ''a really bad idea.''

Outside of the FTC's well-founded concerns, the new rules are also a departure from bipartisan agreement on the need for consistent online privacy rules. President Obama noted in 2012 that ''companies should present choices about data sharing, collection, use, and disclosure that are appropriate for the scale, scope, and sensitivity of personal data in question at the time of collection.'' In other words, privacy rules should be based on the data itself.

But that's not how the FCC sees it. The commission's rules suffocate industry and harm consumers by creating two completely different sets of requirements for different parts of the internet.

To protect consumers from these harmful new regulations, I will soon introduce a resolution under the Congressional Review Act to repeal the FCC's flawed privacy rules. While the resolution would eliminate those rules, it would not change the current statutory classification of broadband service or bring ISPs back under FTC jurisdiction. Instead, the resolution would scrap the FCC's newly imposed privacy rules in the hope that it would follow the FTC's successful sensitivity-based framework.

This CRA resolution does nothing to change the privacy protections consumers currently enjoy. I hope Congress and the FCC will continue working together to address issues of concern down the road. However, it is imperative for rule-making entities to stay in their jurisdictional lanes. We need to reject these harmful midnight privacy regulations that serve only to empower bureaucrats and hurt consumers.

Mr. BURGESS. I want to read from a couple of the lines from this op-ed. The Senator states here: ''Privacy is also a cornerstone of consumer protection, with Federal enforcement agencies striking an appropriate balance between innovation and security in their regulations. But just as a flawed line of code can render a new firewall program useless, the new privacy rules that were rushed through in the waning days of the Obama administration risk crashing our longstanding privacy-protection regime.''

Continuing to quote here: ''For two decades, the Federal Trade Commission has been America's sole online privacy regulator. Under the FTC's watch, our internet and data economy has been the envy of the world. The agency's evidence-based approach calibrates privacy and data-security requirements to the sensitivity of information collected, used or shared online, and applies protections in a consistent and evenhanded way across business sectors. Consumer behavior demonstrates the success of the FTC's regulatory approach: Each day people spend more time engaging in online activities.''

Now, continuing to quote here: ''The FCC's overreach is a dangerous deviation from successful regulation and commonsense industry practices. But don't take my word for it. The FTC concluded that the FCC's decision to treat ISPs differently from the rest of the internet ecosystem was 'not optimal'—agencyspeak for 'a really bad idea.' ''

One final quote from Senator FLAKE's op-ed: ''This CRA resolution does nothing to change the privacy protections consumers currently enjoy. I hope Congress and the FCC will continue working together to address issues of concern down the road. However, it is imperative for rulemaking entities to stay in their jurisdictional lanes. We need to reject these harmful midnight privacy regulations that serve only to empower bureaucrats and hurt consumers.''

Mr. Speaker, today's rule provides for the consideration of a critical Congressional Review Act resolution to repeal a duplicative Federal regulation dropped on the doorstep of the American people in the last hours of the previous administration. The rule the House will be voting on today to repeal would create uncertainty and chaos surrounding the protection of people's privacy online.

I want to thank Mrs. BLACKBURN of Tennessee, the chairwoman of the Energy and Commerce Subcommittee on Communication and Technology, for her work on this critical issue.

I urge my colleagues to vote ''yes'' on the rule and vote ''yes'' on the underlying resolution.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 230 OFFERED BY MR. POLIS

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, 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. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. 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 among and controlled by the respective chairs and ranking minority members of the Committees on Ways and Means and Oversight and Government Reform. After general debate the bill shall be

considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

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. BURGESS. 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.

Mr. POLIS. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

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

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 229;

Adoption of House Resolution 229, if ordered;

Ordering the previous question on House Resolution 230; and

Adoption of House Resolution 230, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, 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.

The vote was taken by electronic device, and there were—yeas 231, nays 189, not voting 19, as follows:

[Roll No. 197]

YEAS—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman

Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Marino
Pittenger
Price (NC)
Rooney, Thomas J.
Ros-Lehtinen
Rush
Scott, David
Simpson
Slaughter

□ 1525

Mr. BLUMENAUER and Ms. ROYBAL-ALLARD changed their vote from ''yea'' to ''nay.''

Mr. CULBERSON changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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.

RECORDED VOTE

Mr. POLIS. 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 231, noes 185, not voting 13, as follows:

[Roll No. 198]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—185

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Cleaver
Gallego
Himes
Marino
Pittenger
Price (NC)
Rogers (AL)
Rooney, Thomas J.
Ros-Lehtinen
Rush
Scott, David
Simpson
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1532

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.

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 230) providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications

Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'', 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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 184, not voting 13, as follows:

[Roll No. 199]

YEAS—232

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—184

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Carson (IN)
DeFazio
Gonzalez (TX)
Marino
Pittenger
Price (NC)
Rooney, Thomas J.
Ros-Lehtinen
Rush
Scott, David
Simpson
Slaughter
Suozzi

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1539

So the previous question was ordered.

The result of the vote was announced as above recorded.

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.

RECORDED VOTE

Mr. POLIS. 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 231, noes 189, not voting 9, as follows:

[Roll No. 200]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers

Cooper	Keating	Perlmutter
Correa	Kelly (IL)	Peters
Costa	Kennedy	Peterson
Courtney	Khanna	Pingree
Crist	Kihuen	Pocan
Crowley	Kildee	Polis
Cuellar	Kilmer	Quigley
Cummings	Kind	Raskin
Davis (CA)	Krishnamoorthi	Rice (NY)
Davis, Danny	Kuster (NH)	Richmond
DeFazio	Langevin	Rosen
DeGette	Larsen (WA)	Roybal-Allard
Delaney	Larson (CT)	Ruiz
DeLauro	Lawrence	Ruppersberger
DelBene	Lawson (FL)	Ryan (OH)
Demings	Lee	Sánchez
DeSaulnier	Levin	Sarbanes
Deutch	Lewis (GA)	Schakowsky
Dingell	Lieu, Ted	Schiff
Doggett	Lipinski	Schneider
Doyle, Michael F.	Loebsack	Schrader
	Lofgren	Scott (VA)
Ellison	Lowenthal	Serrano
Engel	Lowey	Sewell (AL)
Eshoo	Lujan Grisham, M.	Shea-Porter
Espaillat		Sherman
Esty	Luján, Ben Ray	Sinema
Evans	Lynch	Sires
Foster	Maloney, Carolyn B.	Smith (WA)
Frankel (FL)		Soto
Fudge	Maloney, Sean	Speier
Gabbard	Matsui	Suozzi
Gallego	McCollum	Swalwell (CA)
Garamendi	McEachin	Takano
Gonzalez (TX)	McGovern	Thompson (CA)
Gottheimer	McNerney	Thompson (MS)
Green, Al	Meeks	Titus
Green, Gene	Meng	Tonko
Grijalva	Moore	Torres
Gutiérrez	Moulton	Tsongas
Hanabusa	Murphy (FL)	Vargas
Hastings	Nadler	Veasey
Heck	Napolitano	Vela
Higgins (NY)	Neal	Velázquez
Himes	Nolan	Visclosky
Hoyer	Norcross	Walz
Huffman	O'Halleran	Wasserman Schultz
Jackson Lee	O'Rourke	
Jayapal	Pallone	Waters, Maxine
Jeffries	Panetta	Watson Coleman
Johnson (GA)	Pascrell	Welch
Johnson, E. B.	Payne	Wilson (FL)
Kaptur	Pelosi	Yarmuth

NOT VOTING—9

Marino	Rooney, Thomas J.	Scott, David
Pittenger		Simpson
Price (NC)	Ros-Lehtinen	Slaughter
	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1547

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.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Mrs. BLACKBURN. Mr. Speaker, pursuant to House Resolution 230, I call up the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'', and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 230, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 34

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'' (81 Fed. Reg. 87274 (December 2, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 30 minutes.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S.J. Res. 34.

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

There was no objection.

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

Mr. Speaker, I do rise today in support of S.J. Res. 34, which disapproves of the rule submitted by the Federal Communications Commission relating to protecting the privacy of customers of broadband and other telecommunication services.

I applaud Senator FLAKE's work on this issue, as S.J. Res. 34 was passed by the Senate last week. I also filed a companion resolution in the House.

The FCC finalized its broadband privacy rules on October 27, 2016. At that time, they assured us that the rules would provide broadband customers meaningful choice, greater transparency, and stronger security protections for their personal information collected by internet service providers, but the reality is much different.

There are three specific problems with which the FCC has gone about these rules. First, the FCC unilaterally swiped jurisdiction from the Federal Trade Commission. The FTC has served as our Nation's sole online privacy regulator for over 20 years.

Second, having two privacy cops on the beat will create confusion within the internet ecosystem and will end up harming consumers.

Third, the FCC already has authority to enforce privacy obligations of broadband service providers on a case-by-case basis. These broadband privacy rules are unnecessary and are just another example of Big Government overreach. The Competitive Enterprise Institute estimates that Federal regulations cost our economy $1.9 trillion in 2015.

Since President Trump took office, Republicans have been working diligently to loosen the regulatory environment that is suffocating hard-working taxpayers.

Here is what multiple House Democrats said in a letter to the FCC last May regarding the FCC's privacy rules:

> The rulemaking intends to go well beyond the traditional framework that has guarded consumers from data practices of internet service providers and ill-served consumers who seek and expect consistency in how their personal data is protected.

Further, FTC Commissioner Joshua Wright testified before Congress that the FTC has unique experience in enforcing broadband service providers' obligations to protect the privacy and security of consumer data. He added that the rules will actually do less to protect consumers by depriving the FTC of its longstanding jurisdiction in the area. Once again, these rules hurt consumers.

Incredibly, former FCC Chairman Tom Wheeler referred to the internet as the most powerful and pervasive network in the history of the planet before these rules were even created. I found this really odd because it implied that the FTC regulation had indeed been successful and ought to continue, ultimately undermining his own rationale for additional FCC privacy regulation.

Now, there are a couple of myths that are going around that I want to take the time to dispel. Our friends claim there will be a gap for ISPs in the FCC privacy rules when they are overturned. This simply is false, and let me tell you why. The FCC already has the authority to enforce the privacy obligations of broadband service providers on a case-by-case basis.

Pursuant to section 201 of the Communications Act, they can police practices of the ISPs that are unjust or unreasonable. Sections 202 and 222 also protect consumers. It is already in statute. So I encourage my friends to read title II of the Communications Act. Also, the State attorneys general have the ability to go after companies for unfair and deceptive practices.

Third, litigation is another avenue consumers can pursue against ISPs for mishandling personal data. Service providers have privacy policies. If they violate the policy, guess what? They can be sued. I know Democrats will certainly understand that, as they have many trial lawyer friends, and I urge them to speak to the trial bar.

Fourth, the free market is another great equalizer. Can you imagine the embarrassment for an ISP that is caught unlawfully selling data? We have all seen the economic fallout from something such as a data breach. Companies have a financial incentive to handle your personal data properly because to do otherwise would significantly impair their financial standing.

To my Democrat friends across the aisle, the bottom line is this: the only gap that exists is in these arguments that you have made.

Consumer privacy is something we all want to protect, and consumer privacy will continue to be protected and will actually be enhanced by removing the uncertainty and confusion these rules will create, as the Democrats Rush, Schrader, and Green indicated in a letter to the FCC last May.

I also want to speak, for just a moment, on the edge providers because there has been some question about who has visibility into your data. Clinton administration veteran privacy expert Peter Swire offered a report in February 2016 titled ''Online Privacy in ISPs.''

ISP's access to consumer data is limited and often less than access to others. Swire found that ISPs have less visibility into consumer behavior online than search, social media, advertising, and big tech companies.

Swire's study found that, as a result of advancing technologies, the rise of encryption, and the various ways and locations individuals access the internet, ISPs now have increasingly limited insight into our activities and information online.

By contrast, however, so-called edge providers, like search engines, social media, advertising, shopping, and other services online, often have greater visibility into personal consumer data.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to S.J. Res. 34.

Today, colleagues, we are waist deep in the swamp. The American people did not ask for this resolution.

In fact, no company will even put its name behind this effort. Instead, this resolution is the result of an explicit written request from Washington lobbyists. These lobbyists make the bogus claim that having actual protections will confuse consumers and the only way to help clear up this information is to have no rules at all.

No consumer has come forward to support this position. No consumer has said this argument even makes sense.

I challenge every Member of this body at your next townhall meeting to have a show of hands of how many people think it is a good idea to allow your internet service provider to sell their personal information without their permission.

□ 1600

Then after you get that show of hands, ask them how many of them would vote for you if you support allowing corporations to do that.

This resolution is of the swamp and for the swamp and no one else. The rules of this resolution would overturn rules that are simple and make common sense. They don't require much, only three things:

One, internet service providers should ask permission before selling your private internet browsing history, app usage, or other sensitive information;

Two, once they have your information, internet service providers should take reasonable measures to protect it; and

Finally, if the information gets stolen, the company should quickly let you know.

That is it. That is all that is being asked of them.

These modest rules don't stop internet service providers from using data for advertising and profiling or whatever else so long as they ask first.

ISPs have an obligation under these rules not to dive into the personal lives of Americans unless that is what those Americans want. They just need to ask first.

This is particularly true because broadband providers see literally everything you do online, every website you visit, every app, every device, every time. By analyzing your internet usage and browsing history, these companies will know more about you than members of your own family, more than you tell your doctor, more than you know about yourself. Without these rules, these companies don't have to ask before selling all of that information, and they don't have to take reasonable measures to protect that information when they collect it.

Make no mistake about this, colleagues: Anyone who votes for this bill is telling your constituents that they no longer have the freedom to decide how to control their own information. You have given that freedom away to big corporations. More importantly, there aren't rules to fall back on if Congress scraps these.

Critics of the rules argue that the Federal Trade Commission should oversee the privacy protection for broadband providers, but, under current law, they have no authority to do so, and the CRA won't do a thing to fix that. Under a Federal court of appeals case, the FTC has no authority over mobile broadband providers at all.

And to those that say the FCC can evaluate complaints on a case-by-case basis using its statutory authority, the current Chairman—your current Chairman—stated that section 222 cannot be used to protect personal information and that rules are necessary to enforce this statute.

Mr. Speaker, I include for the RECORD a statement by the FCC Commissioner.

DISSENTING STATEMENT OF COMMISSIONER AJIT PAI

Re TerraCom, Inc. and YourTel America, Inc., Apparent Liability for Forfeiture, File No. EB–TCD–13–00009175.

A core principle of the American legal system is due process. The government cannot sanction you for violating the law unless it has told you what the law is.

In the regulatory context, due process is protected, in part, through the fair warning rule. Specifically, the D.C. Circuit has stated that ''[i]n the absence of notice—for example, where the regulation is not sufficiently clear to warn a party about what is expected of it—an agency may not deprive a party of property.'' Thus, an agency cannot at once invent and enforce a legal obligation.

Yet this is precisely what has happened here. In this case, there is no pre-existing legal obligation to protect personally identifiable information (also known as PII) or notify customers of a PII data breach to enforce. The Commission has never interpreted the Communications Act to impose an enforceable duty on carriers to ''employ reasonable data security practices to protect'' PII. The Commission has never expounded a duty that carriers notify all consumers of a data breach of PII. The Commission has never adopted rules regarding the misappropriation, breach, or unlawful disclosure of PII. The Commission never identifies in the entire Notice of Apparent Liability a single rule that has been violated.

Nevertheless, the Commission asserts that these companies violated novel legal interpretations and never-adopted rules. And it seeks to impose a substantial financial penalty. In so doing, the Commission runs afoul of the fair warning rule. I cannot support such ''sentence first, verdict afterward'' decision-making.

To the extent that the circumstances giving rise to today's item merited the Commission's attention, there was a better (and lawful) path forward. We could have opened a notice-and-comment rulemaking. This process would have given the public an opportunity to speak. And in turn, the agency would have had a chance to formulate clear, well-considered rules—rules we then could have enforced against anyone who violated them. Instead, the Commission proposes a forfeiture today that, if actually imposed, has little chance of surviving judicial review.

One more thing. The Commission asserts that the base forfeiture for these violations is nine billion dollars—that's $9,000,000,000—which is by far the biggest in our history. It strains credulity to think that Congress intended such massive potential liability for ''telecommunications carriers'' but not retailers or banks or insurance companies or tech companies or cable operators or any of the myriad other businesses that possess consumers' PII. Nor can I understand how such liability can be squared with the Enforcement Bureau's recent consent decrees with these companies. Under those consent decrees, the companies paid the Treasury $440,000 and $160,000 for flouting our actual rules and draining the Universal Service Fund by seeking Lifeline support multiple times for the same customer.

Consumer protection is a critical component of the agency's charge to promote the public interest. But any enforcement action we take in that regard must comport with the law. For the reasons stated above, I dissent.

Mr. MICHAEL F. DOYLE of Pennsylvania. Without these protections, there will be no clear rules of the road. At a time when foreign actors like the Russians, the Chinese, and everyone else under the sun are constantly trying to steal our data and compromise our security, it would be irresponsible to roll back the only Federal safeguards we have. I want my colleagues to think long and hard before you give corporations the ability to sell your information without their permission.

Mr. Speaker, I include several articles in the RECORD by Free Press and the Open Technology Institute opposing the CRA, an op-ed from a current

FTC Commissioner opposing this CRA, and a memorandum from engineers at EFF opposing this CRA.

[From Free Press, May 10, 2016]

PAY-FOR-PRIVACY SCHEMES PUT THE MOST VULNERABLE AMERICANS AT RISK

(By Sandra Fulton)

The FCC has opened a proceeding on the rules and policies surrounding privacy rights for broadband service. One industry practice called into question in that proceeding could have a devastating impact on our most vulnerable populations.

Internet service providers charge broadband customers a ton for Internet access. ISPs are increasingly finding new revenue streams too, by taking part in the multibillion-dollar market that's evolved out of selling users' personal information to online marketers. As the debate around privacy has heated up, ISPs have tried to placate the public's growing interest in privacy protections while maintaining revenues they can get when they auction off their customers' valuable personal information.

One proposed solution that AT&T has largely ''pioneered''? Have customers pay to preserve their privacy.

The potential harms and discriminatory implications of this practice are obvious. It could mean that only people with the necessary financial means could protect their privacy and prevent their ISPs from sharing their personal information with predatory online marketers. The FCC rulemaking proceeding seeks comments on whether to allow such ''financial inducements'' for the surrender of private information. If the agency decides not to ban such practices outright, it wants to know how it should regulate them.

As our lives have moved online, ISPs have gained access to our most sensitive personal information. Advanced technologies allow companies to track us invisibly, collecting and selling data on nearly every detail of what we do online.

But ISPs don't just stop at knowing what we're doing. The location tracking that's needed to provide mobile service to our phones lets the ISPs know when and where we do it too. And they can figure out the people and organizations we associate with by looking at who we talk to and which websites we visit.

As ISPs track their customers, they create comprehensive dossiers containing sensitive information on each person's finances, health, age, race, religion and ethnicity. Their reach is so pervasive that information like a visit to a website discussing mental health, a search on how to collect unemployment benefits, or a visit to a church or Planned Parenthood office could be swept up into their databases.

How do you feel about your ISP selling such a personal glimpse into your life to online advertisers? Under a pay-for-privacy scheme, you wouldn't need to worry about it so long as you could afford to shell out the hush money. But those who aren't so fortunate would have to relinquish any control over how their personal data is spread across the Web.

The FCC raised concerns about this dynamic when it launched its rulemaking proceeding, noting that such pay-for-privacy practices might disadvantage low-income people and members of other vulnerable communities. But it didn't make any specific recommendations or issue any proposals on how to regulate in this space.

Long before the FCC launched this inquiry at the end of March 2016, and even before the agency had clarified its authority to protect broadband users in the February 2015 Open Internet Order, AT&T's GigaPower broadband service had become one of the first pay-for-privacy plans on the market. The AT&T deal allows customers to opt out of some information sharing if they pay an extra $29 a month or more.

For a struggling family, that could mean choosing between paying for privacy and paying for groceries or the public transportation needed to get to work. And while AT&T might be the first to launch this kind of service, an article in Fortune notes that other companies are eager to roll out similar plans.

Under pay-for-privacy models, consumers who are unable to pay the higher broadband cost will likely see their ISPs share their data with shadowy online data brokers who use this information to tailor marketing messages. While unregulated and unaccountable data brokers are a threat to everyone's privacy, they're notorious for targeting low-income communities, people of color and other vulnerable demographics.

One particularly damning report from the Senate Commerce Committee offered this glimpse into how these brokers categorize and label these target audiences:

The Senate committee's report notes, for example, that the ''Hard Times'' category includes people who are ''Older, down-scale and ethnically diverse singles typically concentrated in inner-city apartments.''

It continues: ''This is the bottom of the socioeconomic ladder, the poorest lifestyle segment in the nation. Hard Times are older singles in poor city neighborhoods. Nearly three-quarters of the adults are between the ages of 50 and 75; this is an underclass of the working poor and destitute seniors without family support . . .''

These classifications can influence not just what kinds of ads people see, but the interest rates they're offered or the insurance premiums they pay. These targeted communities are precisely the ones who can't pay extra to shield their personal information from these dangerous companies.

There may be some argument that if big companies are going to profit from our data anyway, it's actually good if their customers get a share of that. The FCC's rulemaking proposal notes that brickand-mortar stores and websites alike offer all sorts of ''free'' services, discounts and perks in exchange for the data they mine from their customers and users.

But the nature of the broadband market—where users have no real options when it comes to choosing their providers, and no way to opt out short of staying offline—makes the tradeoffs here especially worthy of attention. If users could get fair value for their data, and if they got a real discount on broadband and not just a privacy penalty, and if they were providing truly informed consent with full knowledge of all the pernicious uses data brokers have for their information, then maybe we could have a conversation about the fairness of such schemes. But those are some very big ifs.

We need better transparency rules for marketers and easy-to-use disclosures and opt-in mechanisms before we get there. We also need strong baseline privacy protections guaranteed for all, including rules that prohibit ISPs from using discriminatory schemes that jeopardize the rights of their most vulnerable customers.

We applaud the FCC for taking this crucial first step to protect privacy from broadband ISPs' overreach and abuse. As gatekeepers to the Internet, ISPs hold a wealth of information about their customers, and the Communications Act commands the FCC to establish strong safeguards for that private info. But the FCC also must also remember that our rights are not for sale—and that privacy is not a luxury for the wealthy.

ISPS KNOW ALL

YOU DESERVE MORE PRIVACY FROM YOUR BROADBAND PROVIDER

(By Eric Null)

As you read this post, your internet service provider is collecting information about you: what you're reading right now on Slate, what URL you go to next, what time of day it is, and whether you're on your home computer or your mobile device, among many other data points. Your ISP has similar data about apps you've used, how much data you consume at any given time of day, and your other daily internet habits and rhythms. Of course, your ISP has other up-to-date personal information as well—things like your name, address, telephone number, credit card number, and likely your Social Security number. In this way, ISPs have access to a uniquely detailed, comprehensive, and accurate view of you and every other subscriber. All of this at a time when consumer concern over privacy is increasing and has actually caused people to refrain from engaging in e-commerce and other activities online.

To make matters worse, you are essentially powerless to limit the data your ISP collects about you. While you may, in some instances, defend yourself against tracking by websites and apps by disallowing cookies or turning on ''Do Not Track'' in your browser settings, in many cases there is no way to protect against ISP tracking except by avoiding the internet altogether.

While there are some tools that can help consumers protect themselves, they are not prevalent. For example, ISPs cannot see full website addresses when that site uses encryption—denoted by a small lock icon in your browser bar. However, the website—not you—decides whether it will use encryption. And while Netflix traffic is encrypted (so your ISP only knows you're watching videos, not specifically which ones you're watching), WebMD traffic is not (so your ISP likely knows every page you've visited on WebMD), even though medical symptoms are clearly much more personal than your favorite TV program.

Another example of ways consumers can purportedly protect themselves is through virtual private networks, or VPNs, which route web traffic through another network and therefore effectively ''hide'' the traffic from the person's ISP. But VPNs are difficult to use and configure. They often cost extra money, slow down your browsing, and simply send your data through some other access provider that may be collecting data about you, too. These options are not practical defenses for most consumers.

Currently, there are no rules to prevent your ISP from using these data for almost any purpose, including categorizing you and serving you advertisements based on those categories. Targeted ads may even be based on whether you have (or the ISP has inferred you have) a certain disease or what your income level is. Recently, Cable One was found to be using predictive analytics to determine which of its customers were ''hollow'' (that is, had low credit scores) and then offering them low-quality customer service. Cable One technicians, the company's CEO stated, aren't going to ''spend 15 minutes setting up an iPhone app'' for someone with a low credit score. Of course, making decisions based on credit scores is going to disproportionately affect communities of color and other vulnerable populations. Additionally, the data ISPs collect, often compiled into a ''profile,'' might be sold to third parties (like advertisers or data brokers) and used and reused for purposes for which they were not initially collected—in ways that often annoy people, such as when personal information is used to send a ''barrage of unwanted

emails.'' And as the number of entities who hold your data increases, so too does the chance those data will be compromised by a leak or hack.

So you may find yourself between a rock and a hard place: Use the internet and give up your privacy, or forego internet access entirely—something that's not exactly reasonable. But there is good news. The Federal Communications Commission is trying to make sure that you and all other ISP customers don't have to confront this choice. In 2015, as part of decision to uphold net neutrality, the FCC ruled that ISPs are ''common carriers.'' (The U.S. Court of Appeals for the District of Columbia Circuit recently upheld that ruling.) Since then, the FCC has had a statutory obligation to protect the data ISPs collect about their customers. To accomplish that, the FCC recently proposed a new rule that would require ISPs, in most cases, to seek opt-in consent from customers before using data collected for purposes other than to provide service, such as to deliver certain kinds of ads or to sell to data brokers. That means that if the rule passes, your ISP would have to notify you of any new intended use of the data and give you the opportunity to say ''yes, that is OK with me'' or ''no, that is not OK with me.'' Of key importance in this rule is that if you said ''no,'' your ISP couldn't just refuse to serve you—it would have to respect your wishes and still provide you with service.

The FCC's proposal should be enacted, because you should not have to trade your privacy to access the internet. (New America's Open Technology Institute, where I work, has been actively engaged on this issue and has submitted comments in the record. New America is a partner with Slate and Arizona State University in Future Tense.) It should go without saying, but it's important enough that I will say it anyway: Internet access is imperative for personal and professional success in today's digital world. Yet to gain access to the most important tool of the 21st century, you have to allow your ISP access to incredibly rich and private information about what you do online. You should get to control what it does with that data. Consumers deserve real choice when it comes to protecting their data, and the opt-in regime proposed by the FCC is a huge step in the right direction.

Yet—perhaps unsurprisingly—ISPs and several House committees have responded to the FCC's proposal as if the sky is falling. They have mounted an all-out assault on the idea that you should have the right to choose how ISPs use your data. Their arguments range from the highly dubious (the proposal exceeds the FCC's authority) to the downright silly (consumers will be confused by having different privacy rules for ISPs as compared with other companies, like search engines and social networks). Chances are your ISP is telling the FCC that you don't need protections against exploitation of your data. (If you're interested, you can see exactly what your ISP is saying—here are the responses from AT&T, Comcast, CenturyLink, T-Mobile, Verizon, and Sprint; unnamed ISPs may be represented by various trade associations like the National Cable and Telecommunications Association and CTIA for wireless.) However, as with the net neutrality debate that led to this proposal, consumers may feel differently.

The FCC has proposed a very strong rule that will help protect ISP customers from exploitative uses of their data. This battle for consumer choice will be ongoing for many months, but soon, you may finally be able to choose both having internet access and protecting your privacy.

ELECTRONIC FRONTIER FOUNDATION,
San Francisco, CA.

FIVE WAYS AMERICANS' CYBERSECURITY WILL SUFFER IF CONGRESS REPEALS THE FCC PRIVACY RULES

If the House votes to repeal the FCC's recent privacy rules, Americans' cybersecurity will be put at risk. That's because privacy and security are two sides of the same coin: privacy is about controlling who has access to information about you, and security is how you maintain that control. You usually can't break one without breaking the other, and that's especially true in this context. To show how, here are five ways repealing the FCC's privacy rules will weaken Americans' cybersecurity.

1. Internet providers will record our browsing history, and the systems they use to record that information (not to mention the information itself) will become very tempting targets for hackers. (Just imagine what would happen if a foreign hacker thought she could blackmail a politician or a celebrity based on their browsing history.)

2. In order to record encrypted browsing history (i.e. https websites), Internet providers will start deploying systems that remove the encryption so they can inspect the data. Although US-CERT (part of DHS) just put out an alert saying that this is extremely dangerous for Americans' cybersecurity, FCC Chairman Pai just decided not to enforce rules that keep Internet providers from doing this.

3. Internet providers will insert ads into our browsing, but that could break the existing code on webpages. That means security features might be broken, which could expose Americans to a greater risk of attack.

4. Internet providers will insert tracking tags into our browsing—and that means every website will be able to track you, not just your Internet provider, and there's nothing you can do to stop them.

5. Internet providers will pre-install software to record information directly from our mobile phones (after all, it's just one more source of information they can monetize). But if the software that does that recording has bugs or vulnerabilities, hackers could break into that software, and then access everything the Internet provider could see. Do you trust your Internet provider, which can't even keep an appointment to fix your cable, to write completely bug-free software?

The net result is simple: repealing the FCC's privacy rules won't just be a disaster for Americans' privacy. It will be a disaster for America's cybersecurity, too.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The gentleman is reminded to address his remarks to the Chair.

Mrs. BLACKBURN. Mr. Speaker, I will remind my colleagues across the aisle that, again, section 222 of the Communications Act covers the authority that the FCC needs. Traditionally, online privacy has been handled by the FTC. That is an authority that we have designated to them.

Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN), chairman of the Energy and Commerce Committee.

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

As we increasingly rely on technology in nearly every area of our lives, one of Congress' most important responsibilities is to strike the right balance between protecting consumers' privacy while also allowing for private sector innovation and the new jobs and economic growth that accompany it.

The resolution before us today reverses overreaching, shortsighted, and misguided rules adopted by unelected bureaucrats at the Federal Communications Commission. These rules do little to enhance privacy, but clearly add a new layer of Federal red tape on innovators and job creators. This is exactly the type of government overreach that the Congressional Review Act was meant to stop.

The Federal Communications Commission, frankly, overstepped its bounds on many issues during the Obama administration, including privacy regulations. After stripping the Federal Trade Commission of its authority over the privacy practices of internet service providers, ISPs, the FCC adopted shortsighted rules that only apply to one part of the internet. Despite the FTC's proven case-by-case approach to privacy enforcement that, frankly, has protected consumers, while simultaneously allowing ISPs to innovate, the FCC opted to abandon this model in favor of an approach that assumes the Federal Government knows best what consumers want.

Simply put, the rules that the FCC applied to ISPs are illogical. The regulations would require companies to apply the same privacy protections to consumer data, regardless of its importance or sensitivity. It hardly makes sense to treat a local weather update and personal financial information the same way.

In addition, the FCC's approach only protects consumer data as far as the internet service provider is involved. An entirely separate set of rules applies to providers of edge services. That means the giant search corporations, one of which controls up to 65 percent of your searches on the internet, don't live by the same set of privacy rules as your small town ISP.

What America needs is one standard, across-the-internet ecosystem, and the Federal Trade Commission is the best place for that standard.

The impact of these rigid regulations has the potential to stifle one of the most innovative sectors of our Nation's economy, and it is consumers who will suffer. These rules, which Congress will repeal, only lead to higher costs, less competition, and fewer service offerings. This approach is particularly burdensome for small businesses, which do not have hallways full of lawyers to navigate these tedious and unnecessary rules.

The benefits of the FCC's privacy regulations are questionable, but the harms are certain, which is why I urge my colleagues to support this resolution. And once these rules are reversed, the FCC can turn back to working together with the FTC to ensure that our privacy framework allows the internet

to flourish while truly protecting consumers.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would remind my friends that, under current law, the FTC has no authority to regulate ISPs and that it was your Commissioner, your current FCC Commissioner, that said that they can't do it under section 222 also, which I have submitted for the record.

Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank my friend, Mr. DOYLE, for both his leadership and for yielding time to me.

America, listen up today. There may not be that many people on the floor of the House, but this is a big one. This is really a big one. Congress is poised today to betray the American people on one of the issues they care the most about: their privacy—their privacy. Every single one of us cares about it, and so do the American people. I often say that every American has it in their DNA: Keep your mitts off my privacy, what I consider to be private.

Now, the consequences of passing this resolution are clear. Broadband providers like AT&T, Comcast, and others will be able to sell your personal information to the highest bidder without your permission, and no one will be able to protect you, not even the Federal Trade Commission that our friends on the other side of the aisle keep talking about. It is like open the door and there is no one there. That is what this thing creates.

The Republicans are blowing a gaping hole in Federal privacy protections by barring the FCC from ever adopting similar protections in the future. So, if it is gone today, it is gone, period.

The FCC rules are simple. They require broadband providers to get the permission of their customers—including all of us—before they can sell their web browsing history, their location information, and other sensitive data to third parties.

The majority claims that we need to repeal these protections because they treat broadband providers differently than other online service providers, edge providers. Broadband providers are in the unique position of seeing everything we do on the internet. This is the reason, and it is reason enough, to put privacy protections in place; but it is also important to keep in mind that consumers, all of us, pay a high monthly fee to broadband providers, and they face serious barriers if they want to switch. If I want to switch, if you want to switch, you have to, many times, pay early termination fees.

This is completely different from other online services that collect consumer data. Consumers don't pay to use search engines or social media applications like Google and Facebook. If they don't like Google's privacy policy, they can switch over to Bing without paying any fees. But consumers can't do this with broadband providers, and therein lies the difference.

Last week, we heard the Republicans bemoan the lack of choice in the healthcare market. They should take a closer look at the state of the broadband market, particularly in rural America, where only 13 percent of consumers have access to more than one high-speed broadband provider.

So the majority is telling Americans today, particularly those in rural areas, that they need to choose between their privacy and their access to the internet. If this resolution passes, people across the country will certainly not have both.

This resolution is—excuse the phrase—repeal without replace. The Republicans have not put forward any privacy proposal at all to replace the FCC's rules, despite knowing that repealing these rules will leave a gap in the Federal protections.

So the message to the American people is clear: Your privacy doesn't matter, and your web browsing history should be available to anyone who will pay the highest price for it.

For all these reasons, I urge my colleagues to stand up for privacy rights and oppose this joint resolution.

Mrs. BLACKBURN. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. FLORES), and I ask unanimous consent that he may control that time.

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

There was no objection.

Mr. FLORES. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentlewoman for yielding the balance of her time to me.

Mr. Speaker, as an original cosponsor of the House companion to S.J. Res. 34, I rise to strongly urge my colleagues to support the resolution before us today. Like all of my colleagues in the House, I care deeply about protecting the privacy of our constituents, but I cannot support the Federal Communications Commission's counterproductive rules that will actually harm consumers and stifle innovation.

For 20 years, the Federal Trade Commission—or the FTC, as we call it, frequently—oversaw consumer privacy for the entire internet ecosystem: content providers, advertisers, and internet service providers, or ISPs. The FTC's privacy program focused on preserving sensitive consumer data and took the context of a consumer's relationship with businesses into consideration. The FTC's experience in implementing a wide range of rules and regulations has resulted in over 500 cases protecting consumer information, ensuring their privacy online.

In a flawed political move, absent any finding, complaints, or investigations to determine whether broadband providers have violated consumers' privacy or that the FTC had failed at doing its job, the FCC proceeded with a partisan vote to target ISPs and to expand its regulatory footprint.

After stripping the FTC of its authority over the privacy practices of internet service providers, the FCC subsequently adopted rules that would harm consumers and split the internet, creating an uneven playing field between service providers and content providers. Congress must fix this overreach so the new administration can create a comprehensive, consistent set of privacy protections.

□ 1615

Consumers expect their privacy to be protected the same way no matter what type of entity holds their data. Having two sets of requirements creates confusion for consumers and may jeopardize their confidence in the internet.

Our internet economy has thrived under the privacy regime created by the FTC. Yet the FCC, under its previous Chairman, Tom Wheeler, wanted to undermine that success by bifurcating privacy protections to serve outside political interests, not the American consumer.

By contrast, the FCC's approach did not base its requirements on consumers' preferences about sensitive information and to set opt-in and opt-out defaults. Accordingly, its overall approach was top-down, heavyhanded regulation in stark contrast to the FTC's greater reliance on markets and consumer preferences.

The FCC's rule has a number of problematic issues:

The first is that the opt-in/opt-out regime reduces consumer choice and would be detrimental to the survival of many businesses in this country.

The second is that the FCC would have prohibited unforeseeable future uses of collected data regardless of what consumers actually preferred and businesses may need.

Third, the FCC would also have unjustly applied its heavyhanded approach to broadband providers, treating them more harshly than other players in the internet ecosystem.

In sum, the FCC's broadband privacy protection approach would have rejected free markets and ignored sound economics.

Alternatively, the FTC private enforcement is market oriented and flexible and adaptable to changes in consumer preferences and markets. It also treats companies and players neutrally, fostering an environment of competition and innovation.

This resolution rescinds the FCC's rule, but it does provide the FCC the opportunity to provide oversight more in line with the FTC, which has been successfully regulating online privacy for nearly two decades.

This joint resolution does not lessen or impede privacy and data security standards that have already been established. We are simply restoring a more stable regulatory playing field to ensure that consistent, uniform privacy security standards are maintained to protect consumers and future innovation.

Once Congress rejects these rules, the FCC can turn back to cooperating with

the FTC to ensure that both consumer privacy across all aspects of the internet is provided through vigorous enforcement and also that innovation is allowed to flourish.

I urge my colleagues to support this resolution.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would just remind my colleague, once again, that the FTC has no authority to regulate ISPs once this bill is implemented; and consumers will not be protected, and their current FCC Commissioner has stated that.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I oppose this resolution because it would remove consumers' right to control their online privacy and put it in the hands of corporations.

Every time people go online, they create trails of data that have tremendous commercial value. This creates incentive for the ISPs to sell web history to a third party, be it an advocacy group, a for-profit company, or even a foreign government.

Late last year, the FCC put Americans in charge of how ISPs use and share their consumer data. The FCC's rule also required that the ISPs engage in reasonable data security practices.

Even if people believe that the FCC's rule went too far and should be modified, it is unclear how the FCC could move forward with such a plan given the constraints of the Congressional Review Act. Furthermore, as several people have mentioned, the FCC, which is charged with protecting consumers' privacy, does not even have the authority to oversee ISP practices.

Given the number of data breaches in recent years at companies such as Yahoo, we should, frankly, be strengthening data retention requirements, not weakening them. At its core, S.J. Res. 34 weakens consumer protections today and makes them harder to implement in the future, which is why I urge my colleagues to oppose it.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, when the FCC reclassified the internet as a common carrier, utility-style service and adopted their rules regulating the use of consumer data by internet service providers, it represented a monumental shift in the way we view privacy.

Instead of a uniform, technology-neutral standard that balanced data protection with consumer choice, internet users were stuck with a two-sided approach that causes confusion and dampens competition. There is one set of rules for service providers, and one set for the rest of the internet ecosystem. But how often do consumers really recognize the difference between where their data is accessed and where it is stored?

Ultimately, consumers are actually harmed by the artificial sense of protection created by these rules. It is essential that we take steps to restore the time-tested framework embraced by the Federal Trade Commission.

We have talked a lot about protecting consumer privacy and data, but I haven't heard a lot about allowing the consumer to decide how their information is used. Consumers deserve to have the autonomy to control their information and their internet experience.

As Acting Chairman of the FTC Maureen Ohlhausen pointed out:

> The FTC approach reflects the fact that consumer privacy preferences differ greatly depending on the type of data and its use.

There is widespread agreement that sensitive data, like financial or health information, should be strongly protected and opt-in appropriate. But what about other types of nonsensitive data? Let's not forget the ways that consumers benefit from allowing ISPs access to that kind of information.

Consumers should retain the ability to make the decisions that make sense for them when it comes to how their nonsensitive data is used and obtain the discounts or lower prices that can result. This vote isn't about reducing the level of privacy protection for consumers; it is about an FCC decision that ignored the preferences of consumers in favor of a regulatory power grab.

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

Mr. FLORES. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. JOHNSON of Ohio. The FCC's privacy rules are an overreaching regulatory mess that create confusion and inconsistency for consumers, harm competition, and upend internet privacy as we know it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, might I inquire as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 19 minutes remaining. The gentleman from Texas has 11¾ minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would remind my colleagues that, whether it is nonsensitive information or sensitive information, the ISP should ask for your permission to use it.

Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, nearly every day now, we hear about new ways our enemies are trying to steal Americans' information. Just a couple weeks ago, two Russian hackers were indicted for stealing personal information from millions of us.

American consumers visit billions of internet destinations through a multitude of devices. Broadband providers potentially have access to every bit of data that flows from a consumer. The American people are rightfully concerned about companies selling their personal information, including sensitive information like their location, financial and health information, Social Security numbers, and information about their children.

Late last year, the FCC took steps to protect every American citizen's data and privacy, and the rules were simple: first, broadband providers had to ask their customers before selling any data; second, the companies had to take reasonable measures to protect that data; and third, the companies had to let people know if their data was stolen.

That was a good first step, Mr. Speaker. But Congress also has a role in protecting our data, and we should be working in a bipartisan fashion to discuss ways we can better protect the American people's data. Instead, the Republicans have decided to spend this time wiping out the few privacy safeguards that we already have.

The FCC's cybersecurity rules are, in my opinion, not burdensome. They simply tell the network providers to be reasonable when protecting the data. That is all. The FCC left it to the companies, themselves, to use their best judgment about how to get the job done. They just needed to be reasonable.

It seems being reasonable is still too much for the Republicans—first in the Senate, and now here in the House. This resolution tells the companies charged with running the country's broadband networks that they no longer have to be reasonable when it comes to their customers' data.

So I say, Mr. Speaker, make no mistake: This resolution is a gift to countries like Russia who want to take our citizens' personal information. And if the House passes this resolution, it will go straight to the President's desk, a President who will be more than happy to sign his name to this gift to the Russians.

This resolution also gives large corporations free rein to take customers' data without anyone's permission. This debate is about whether Americans have the freedom to decide on our privacy.

We hear all kinds of complicated arguments about jurisdiction, implementation dates, and who knows what else, but these arguments just muddy the water.

Republicans will say that the FCC's rules are confusing to consumers, people won't know what to do if they are asked first before broadband companies sell their sensitive information. If that were the case, we would have heard from people who oppose the rules, but we simply have not heard any of those concerns. The facts speak for themselves. Consumers want more privacy protection, not less.

Seventy-four percent of Americans say it is very important that they be in control of information, and 91 percent of people feel they have lost control

over their own information. There are real consequences to these feelings. Nearly half of Americans say they limit their online activity because they are worried about their privacy and security. That is why they overwhelmingly support stronger protections.

The FCC listened to the American people and adopted reasonable rules. Despite Republican claims to the contrary, the rules were not hard to follow. The rules still allow broadband companies to offer services based on their customers' data, and they can still customize ads or send reminders.

The FCC's rules simply required companies to ask people first before selling their sensitive information. That is it. In fact, I had hoped the FCC would have gone even further, but the agency chose this more moderate approach.

So as this debate proceeds, we should be asking one simple question: Should the American people have the freedom to choose how their information is used or should the government give that freedom away?

I think the answer is clear. I stand with the American people, and, therefore, I strongly oppose this legislation.

Mr. FLORES. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

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

Mr. Speaker, I rise today in support of the resolution and want to address an issue created by the Federal Communication Commission's misguided privacy rule in a recent Ninth Circuit case.

For decades, the Federal Trade Commission has been the privacy cop on the beat for most industries, including the technology sector, protecting consumers from unfair or deceptive acts or practices. The Federal Trade Commission has brought over 500 privacy and data security cases to protect consumers. These include cases against internet service providers and some of the largest edge providers.

The Federal Communications Commission is a regulatory body focused on regulating interstate and international communications by radio, television, wire, satellite, and cable.

The Federal Trade Commission's work in privacy and data security has long been held up as a model by both parties, praising the agency for strong enforcement without overly burdensome regulations. During negotiations with the European Union to finalize the U.S.-European privacy shield, the Obama administration held up the Federal Trade Commission as the premier privacy enforcement agency.

Unfortunately, in a midnight action, the Federal Communications Commission jammed through its own privacy rule that is very different from the framework that the Federal Trade Commission has been enforcing for decades.

While we can reverse the poorly constructed FCC rule today, we must still address a recent court ruling. The Ninth Circuit recently ruled that the common carrier exemption in the Federal Trade Commission Act exempts an entity in its entirety from the Federal Trade Commission's jurisdiction if it engages in any common carrier activities, even if the company also engages in non-common carrier activity.

I have introduced legislation to address the court's ruling with the gentleman from Texas (Mr. OLSON). It is my hope that our colleagues will join us.

S.J. Res. 34 makes clear that the Federal Trade Commission has authority over common carriers when they are acting outside the scope of the common carrier.

The repeal of the Federal Communications Commission's misguided privacy rule in the Ninth Circuit's opinion creates a gap and an irrational approach to privacy for consumers and would leave portions of the internet ecosystem completely outside the Federal Trade Commission's jurisdiction. This bill makes clear that the common carrier exemption is important to ensure that no duplication regulation occurs. At the same time, there are no loopholes left for certain companies to be outside the jurisdiction of the Federal Trade Commission.

□ 1630

We need to be consistent in our approach to privacy and focus on consumer-oriented enforcement. This approach has been the foundation not just of Silicon Valley, but innovators across the country; and the S.J. Res. 34 sets right the decades of innovation that has spurred job growth in the United States and greater online services for consumers.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind my friend, since he acknowledges the court decision does not allow FTC jurisdiction and that he wants to introduce a bill, perhaps the Republicans should have done that first, before scrapping the rules that leave ISPs with no rules.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise in strong opposition to S.J. Res. 34. This is just the latest attempt from our Republican colleagues to use the Congressional Review Act to gut critical protections for American consumers.

The internet is increasingly intertwined with our daily lives, and nearly every American family uses the internet to access and share personal and sensitive information. The business we conduct online includes financial information, details about our medical history, and even information on our kids.

If this resolution of disapproval passes today, there will be no rules on the books to stop internet service providers from selling that browsing history without your permission. Because our Republican colleagues are using the Congressional Review Act to overturn these critical consumer protections, the FCC can't go back and write new rules in the future.

Despite what my colleagues on the other side of the aisle have said, the Federal Trade Commission cannot bring cases against broadband providers. That is why the FTC supported these rules when the FCC adopted them last year.

Even if you think the FCC did not get these rules right, this resolution effectively eliminates the FCC from ever acting to protect consumer privacy in the future. We should be working together to address any real shortcomings if these rules need to be fixed. That is not what the resolution before us will do.

Mr. Speaker, I urge my colleagues to vote against this damaging resolution.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I rise to support S.J. Res. 34, which seeks to halt agency overreach of the Federal Communications Commission concerning the way broadband internet service providers handle their customers' personal information.

The FCC's broadband privacy rule, a midnight regulation adopted by executive order in the waning days of the Obama administration, unnecessarily targets internet service providers and does very little to protect consumer privacy.

The rule adds costly and unnecessary innovation-stifling regulations to the internet and is another example of the Federal Government's picking winners and losers.

When passed, the FCC claimed that the rule would provide broadband customers meaningful choice, greater transparency, and strong security protections for their personal information collected by internet service providers.

In reality, the FCC's rules arbitrarily treat ISPs differently from the rest of the internet, creating a false sense of privacy.

Consumer data privacy is of significant concern to every American. The proper parties should address the issue. In this area, the Federal Trade Commission has historically held authority on the establishment and enforcement of general online privacy rules.

Repealing the FCC's privacy action is a critical step toward restoring a single, uniform set of privacy rules for the internet. This legislation puts all segments of the internet on equal footing and provides American consumers with a consistent set of privacy rules to permit the FCC and the FTC to continue to work to ensure consumer privacy through enforcement.

The FTC, the premier agency in this regard, has the experience to protect the privacy of the American people regarding the internet—at least 20 years of experience. Bifurcation between the FTC and the FCC is not productive. A good question to ask the FTC: Why did it wait until the last minute of the

Obama administration to promulgate its regulation?

Mr. Speaker, I believe it is important that we pass S.J. Res. 34, and I rise to ask all of my colleagues to support it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have heard about this last-minute dropping and late at night. Just for the other side's information, after a 7-month rulemaking process, this rule was adopted midday on October 26. So let's get the record straight.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, first, I thank Mr. DOYLE for his opposition to S.J. Res. 34. I rise in opposition as well.

The FCC's broadband privacy rules are commonsense rules. These rules give consumers the ability to choose how their information is used and shared by their internet service providers.

According to the Pew Research Center, a large majority of Americans say it is very important that they control who has access to their information. Despite a loud cry from the American people that they want to be able to choose how their information is used, S.J. Res. 34 strips consumers of the power to choose how their ISPs use and share their information.

This resolution also leaves consumers more vulnerable to attacks because their ISP will no longer be required to make reasonable steps to secure their personal information.

In recent years, we have seen numerous data breach incidents that have jeopardized consumers' personal information. Some examples are Yahoo, Target, Home Depot, LinkedIn, and Anthem. The list goes on.

Given the growing cyber threats that our Nation faces, it is critical that we do more, not less, to secure consumers' data. Strong data security practices are critical for protecting our consumers' confidentiality.

This resolution would make consumers' data more susceptible to being stolen and used for identity theft and other harmful unauthorized purposes.

Consumers want to be heard. They want more privacy. They want their information to be secure. We have an obligation to respond to their requests.

I am appalled that one of the Republicans' first acts in this Congress after trying to take health coverage away from 24 million people is to attack consumer protections and weaken data security. Americans are just now hearing about this legislation, and my phones are ringing off the hook in opposition.

I have to rhetorically ask the other side: Why are you pushing this?

Americans don't want it. Your voters are beginning to pay attention. This is just after your humiliating defeat with the ACA repeal. I ask that you withdraw this bill and start listening to your constituents.

Mr. Speaker, I urge my colleagues to reject S.J. Res. 34.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the GOP whip.

Mr. SCALISE. Mr. Speaker, I thank the gentleman from Texas for bringing forward this legislation.

The FTC's light touch in case-by-case enforcement had fostered an internet economy that has become the envy of the world, much to the benefit of all American families and consumers across this country.

But rather than following the FTC's proven framework of privacy protection, the FCC came in and overreached and missed the mark with these rules, injecting more regulation into the internet ecosystem. With all due respect, the internet was not broken and did not need the Federal Government to come in and try to fix it.

The bottom line is that families expect and deserve to be protected online with a set of robust and uniform privacy protections. These rules simply do not live up to that standard.

Rather than regulating based on the sensitivity of our data, these rules are applied unevenly, based on what type of company you are or what kind of technology you use.

Consumers should feel assured online that there is a cop on the beat with a track record of success, not an agency with a history of regulatory overreach. These midnight rules are harmful, inconsistent, and should be repealed.

Mr. Speaker, I urge my colleagues to adopt this important resolution.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 10¾ minutes remaining. The gentleman from Texas has 5 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind the gentleman that these heavy-handed regulations that he speaks of are simply: ask permission, protect people's data, and tell them if it gets stolen.

That doesn't sound too heavy-handed to me.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I rise today in opposition to S.J. Res. 34, a bill that would strike most of the internet privacy guarantees protecting the American people today.

I have grave concerns with this effort. Our agenda here should be working on behalf of our constituents to protect their privacy and give them, not their service providers, data security. Instead, this effort would eviscerate any real online privacy protections and would limit data security.

Some of my colleagues have claimed that this commonsense rule has created challenges for consumers. I have found just the opposite. My office has been inundated with calls demanding that Congress protect their privacy and data security by opposing S.J. Res. 34. To everyone who has called, I hear you and I stand with you in opposing this harmful and misguided effort.

Back at home in New York's capital region, I have been hearing from many people who are frightened by the thought that S.J. Res. 34 will become law and the last shred of their online privacy will be lost forever.

They know how much information their internet service provider has mined from their search and browsing history, including financial, medical, and other very personal and sensitive details. They rightly believe that they should have a say in when that information can be bought and when it can be sold.

They understand that gutting these privacy protections would mean that internet service providers could sell their private information without their permission. It means their private internet browsing and search history, the text of their emails, and their mobile app usage can all be sold without their permission.

They have a right to control what they search for, their financial information, their health insurance, and information about their children. They have a right to protect their Social Security numbers and the contents of their emails. These rights are enshrined in our Constitution.

Privacy rules also require providers to use reasonable measures to protect consumers' personal information, a clear and commonsense standard that all who do business online should be required to uphold.

Finally, internet service providers must notify customers if hackers breach the system and may have access to their private data. With hackers from Russia and elsewhere running rampant across the net, this is a critical provision for our American families.

This is not too much to ask. The American people deserve to know that their data will be protected and that they will be notified if their data is compromised.

Mr. FLORES. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, I rise today in support of S.J. Res. 34, which will protect consumers and the future of internet innovation.

The internet is changing the way we communicate, shop, learn, and entertain. It is changing how we control our homes, our cars, and many other parts of our lives, including my two teenage kids. These changes give us certain expectations of privacy on the internet.

Until last year, the Federal Trade Commission provided a robust, consistent privacy framework for all companies in the internet services market. Their holistic and consistent approach struck the right balance. Consumers' use of internet services continues to increase and their privacy has been protected.

The resolution we are voting on today puts all segments of the internet on equal footing. It provides consumers with a consistent set of privacy rules.

Mr. Speaker, I urge my colleagues to vote for S.J. Res. 34.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind my friends once again that this does not put us on equal footing. The FTC has no power to regulate ISPs under current law.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

□ 1645

Mr. CAPUANO. Mr. Speaker, we all know that our cell phones are tracking every move we make and keeping a record of it. Many people don't know, but your automobile is also doing the same thing. They keep a record of where you go. They keep a record of whether you wore your seatbelt. They keep a record of whether you applied the brakes or turned the turn signal on. Okay. That is your automobile. You don't have to drive.

Just recently, in the last couple months, we have learned that our televisions and children's dolls are doing the same thing. Last month, it was revealed that Vizio had spied on 11 million consumers by listening to them while their TV was off because they can do it.

Also, last month, a child's doll called My Friend Cayla for little girls or boys was banned in Germany—banned in Germany—because that doll listens and responds. It goes into the internet, and the doll's owner keeps and sells that information.

This month—this month—a teddy bear manufactured by a company called CloudPets was exposed for collecting more than 2 million voice recordings of children talking to their teddy bear.

Now, maybe we accept that. I know that those are not the items that this resolution would address, but the problem is you are taking an item for ISPs and reducing it down to this level. You say your privacy is protected. I just gave you three examples in the last 2 months where your privacy is not protected. Neither is your children's. Neither is your family's.

In 2012, a giant international company—international ISP company, by the way—filed for a U.S. patent for a cable box that would sit in your house. It would watch you. It would record you. It contained an infrared sensor and even take your body temperature with a thermographic—and that is a quote—thermographic camera. It would do all this without telling you and would work whether the cable box was on or not. If you don't believe me, if you still have the courage to go on the internet, go find patent application number—now, write this one down—2012/0304206. That is the patent application number. It is still online.

I want to read you one small segment from that 25-page patent application. This is a direct quote. I am not making up a single word. The device ''may detect . . . that two users are cuddling on a couch during the presentation of the television program and prior to an advertisement break. Based on the detected . . . action . . . the device would select a commercial associated with cuddling.''

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Massachusetts.

Mr. CAPUANO. For example: ''a commercial for a romantic getaway vacation, a commercial for a contraceptive, a commercial for flowers . . . et cetera.''

I didn't make up a single word of what I just read, and every one of you is sitting there with your mouth open that this might happen in your world. That is what this resolution will allow, and you can't turn it off. You can't say: Don't watch my children. Don't watch my wife.

This is a terrible resolution. As I asked earlier today, what are you thinking?

Mr. FLORES. Mr. Speaker, we are thinking that the gentleman's comments do not pertain to this resolution, that this resolution in no way is going to allow any of the activities that were described, whether it is cuddling or anything that is going to get in the way of any of that or allowed to be sold.

Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Speaker, I would like to thank the people who worked to make this legislation a reality. As we become increasingly concerned with cyber threats, online privacy is a critical concern for every American.

Unfortunately, in October of last year, the FCC issued regulations titled, ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services,'' also known as broadband privacy rules. These titles do not actually accurately reflect the impact these regulations are having on constituents' electronic privacy.

These broadband privacy rules took internet service providers, ISPs, which you subscribe to for TV and internet access, and edge providers that deliver online applications, services, and website content, and separated them into two different groups. This has caused confusion among businesses trying to adhere to this change.

While writing this regulation, the FCC had the opportunity to employ FTC precedent in drafting the broadband privacy rules, but instead chose to ignore existing precedent and create additional and onerous regulations. The FCC believed that these new rules would give consumers more choice and heightened transparency; however, this has not been the case.

This legislation does not remove privacy protections for consumers, and it does not expose consumer information. Both the FCC and the FTC will retain authority over consumer privacy on a case-by-case basis. ISPs will continue to be subject to the Communications Act of 1934, which protects all consumer proprietary network information. This is in addition to the many other existing Federal and State privacy rules that ISPs must continue to follow.

This proposed system, separating edge providers from ISPs, creates confusion for both consumers and business operations. This legislation works to reduce the confusion that has been created from this unnecessary regulation that has stifled competition and impeded innovation. I am happy to support this legislation which will provide much-needed clarity to the ongoing debate.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 5¼ minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I just remind my friend, you can say it as many times as you want, but the fact of the matter is that, under current law, the FTC has no authority to regulate the FCC, and the FCC Commissioner has said that you cannot do this without a rule in section 222.

I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our House Democratic leader, the magic minute.

Ms. PELOSI. Mr. Speaker, on behalf of my five children and my nine grandchildren and everyone I know, as a matter of fact, I thank the gentleman for being a champion for privacy for the American people. I thank the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) for his leadership. I thank the gentleman from New Jersey (Mr. PALLONE) for his leadership. The gentlewoman from California (Ms. ESHOO) has been a champion on this issue as well.

Mr. Speaker, Americans turn to the internet for so many things these days: buying books, filing taxes, learning about why they are feeling sick. The Republicans want this information to be sold without your permission: the websites you visit, the apps you use, your search history, the content of your emails, your health and financial data. Overwhelmingly, the American people do not agree with the Republicans that this information should be sold, and it certainly should not be sold without your permission.

Our broadband providers know deeply personal information about us and our families: where we are, what we want, what we are looking for, what information we want to know, every site we visit, and more. Our broadband providers can even track us when we are surfing in private, browsing in a private browsing mode.

Americans' private browser history should not be up for sale. Yet Republicans are bringing S.J. Res. 34 to the floor to allow internet service providers to profit—to profit; this is about profit—from America's most intimate personal information without our knowledge or our consent. Republicans' use of the Congressional Review Act will do permanent damage to the FCC's ability to keep Americans' personal information safe.

As FCC Commissioner Clyburn and FTC Commissioner McSweeny warned: ''This legislation will frustrate the FCC's''—the Federal Communications Commission's—''future efforts to protect the privacy of voice and broadband customers.''

It is important for our constituents to know that, if the Republicans had a problem with this particular policy, they might tweak it and say we don't like it this way or that in regular legislation so that we could have a debate on it. It could go back to the Federal Communications Commission. They could revise it and send it back if it were a legitimate presentation of concerns. But it is not about a legitimate presentation of concerns. It is about increasing profits at the expense of the privacy of the American people.

So, as I say, the Republicans' use of the Congressional Review Act does permanent damage and also damages the FCC's ability to keep America's personal information safe. With this measure, Republicans would destroy Americans' right to privacy on the internet—we made that clear—and forbid any effort to keep your personal information safe. Republicans are bending over backwards.

Think of it. Think of the context of all of this.

Since Gerald Ford was President, every candidate for President, every nominee of a major party, every candidate for President of the United States, Democrat and Republican, has released their income tax returns out of respect for the American people—out of respect for the American people. Week in and week out—in fact, sometimes day in and day out—in committee as well as on the floor, the Republicans have kept the President's income tax returns private when the public has a right to know that, that the public has always known that about every President since Gerald Ford—in fact, since Richard Nixon; although, in his case, it wasn't voluntary.

So while they are hiding President Trump's tax returns, some discrete piece of information that the public has a right to know, they are selling your most personal, selling your most personal and sensitive information—again, your browsing history, your children's location, everything—to anyone with the money to buy it.

Incognito tabs or private browsing modes will not protect you from the internet service providers watching and selling, as Mr. CAPUANO pointed out, watching and selling. Republicans have picked the week after Russian spies were caught hacking into half a billion American email accounts to open the floodgates, overturning the requirement that internet service providers keep their sensitive data secured from cybercriminals.

The American people deserve to be able to insist that intimate details and information about their browser history be kept private and secure.

So how is this?

We have this magnificent technology that science has made available to people to facilitate commerce, to learn about different subjects, to privately pursue, in a way that they may not even want their families to know, what symptoms they have and what illness that might tell them about.

Most Americans have no or limited choices for broadband providers and no recourse against these invasions of their privacy because, with this measure, Republicans turn their back on the overwhelming number of Americans who want more control over their internet privacy.

Americans can choose who represents them in Congress. Americans are paying close attention. They want to know who is taking a stand with them in opposing efforts to sell the private information of the American people.

This is staggering. This is almost a surrender. If the Republicans are allowed to do this, we have surrendered all thoughts of privacy for the American people.

Privacy is a value that the American people treasure. It is about their dignity. It is about their dignity. We cannot allow the Republicans to sell the dignity of the American people. I hope that everyone will vote ''no'' on this most unfortunate assault on the dignity of the American people.

□ 1700

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Last week, Republicans tried to take away your health care; and, today, they are trying to take away your privacy.

Republicans have said broadband providers and other internet companies should be under the same privacy rules. But oddly enough, when the committee considered an amendment to give the FTC, the Federal Trade Commission, rulemaking authority like the FCC, a change that would allow the agencies to adopt the same privacy protection, every single Republican voted no. In fact, Republicans proposed making it harder for the FTC to pursue privacy and data security cases.

The protections that the FCC adopted last year were very simple: consumers should know what data is being collected, opt in to sharing of sensitive data, have their data reasonably protected, and receive notice when their data is compromised. But this dangerous resolution puts America's privacy and data security at risk.

Mr. Speaker, I urge all of my colleagues to stand up for consumers and vote ''no.''

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to this resolution of disapproval, which would repeal broadband privacy rules being implemented by the FCC.

As co-chair of the Congressional Cybersecurity Caucus, I hope I can offer some additional perspective on this debate. Studying the many threats our country faces in cyberspace, I have become deeply aware of how ingrained the internet is in every aspect of our lives and our economy. And that has also helped me understand the unique role of broadband service providers to grant access to the great potential of the Information Age.

By necessity, ISPs see every bit of traffic that leaves your network for the broader internet. Even when you use encryption, ISPs can still capture data about whom you are talking to or what sites you are visiting. These data are sensitive, and consumers have a right to decide whether or not they can be shared or monetized. Unfortunately, the resolution of disapproval under consideration would strip consumers of that right and presumptively allow sharing and selling without your permission.

Mr. Speaker, the resolution before us today that the Republicans have proposed is downright creepy. It is going to allow potentially unprecedented abuse of personal or private information be shared without your permission. This cannot stand. I urge my colleagues to oppose it.

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 2 minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, please stop me if you have heard this one before and know how it ends. My colleagues on the other side are once again trying to sell the American people a broken alternative to something that is working pretty much as it was intended to.

The FCC privacy rule just says that customers must opt in before internet

companies can sell their web browsing history, and that those companies must make reasonable efforts to protect customers' sensitive information. These are not unreasonable requirements.

The internet is our gateway to the world. Whether we connect through our mobile phone or our home computer, we pay companies for access. If those companies want to sell information about what we do on the internet, they should have to get our permission first. It is the right thing to do.

Mr. Speaker, I urge my colleagues on the other side to simply do the right thing.

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I include in the RECORD letters from a coalition of small ISPs, a coalition of civil rights organizations, the Consumers Union, and an article by Terrell McSweeny all opposing this CRA.

ELECTRONIC FRONTIER FOUNDATION,
San Francisco, CA.

Re Oppose S.J. Res 34—Repeal of FCC Privacy Rules.

DEAR U.S. REPRESENTATIVES: We, the undersigned founders, executives, and employees of ISPs and networking companies, spend our working lives ensuring that Americans have high-quality, fast, reliable, and locally provided choices available when they need to connect to the Internet. One of the cornerstones of our businesses is respecting the privacy of our customers, and it is for that primary reason that we are writing to you today.

We urge Congress to preserve the FCC's Broadband Privacy Rules and vote down plans to abolish them. If the rules are repealed, large ISPs across America would resume spying on their customers, selling their data, and denying them a practical and informed choice in the matter.

Perhaps if there were a healthy, free, transparent, and competitive market for Internet services in this country, consumers could choose not to use those companies' products. But small ISPs like ours face many structural obstacles, and many Americans have very limited choices: a monopoly or duopoly on the wireline side, and a highly consolidated cellular market dominated by the same wireline firms.

Under those circumstances, the FCC's Broadband Privacy Rules are the only way that most Americans will retain the free market choice to browse the Web without being surveilled by the company they pay for an Internet connection.

Signed,

Sonic, MonkeyBrains, Cruzio Internet, Etheric Networks, Aeneas Communications, Digital Service Consultants Inc., Hoyos Consulting LLC, Om Networks, Motherlode Internet, Goldrush Internet, Credo Mobile, Andrew Buker (Director of Infrastructure Services & Research computing, University of Nebraska at Omaha), Tim Pozar (co-founder, TwoP LLC), Andrew Gallo (Senior Network Architect for a regional research and education network), Jim Deleskie (co-founder, Mimir networks), Randy Carpenter (VP, First Network Group), Kraig Beahn (CTO, Enguity Technology Corp).

JANUARY 27, 2017.

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.
Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, SENATOR MCCONNELL, REPRESENTATIVE PELOSI, AND SENATOR SCHUMER: The undersigned media justice, consumer protection, civil liberties, and privacy groups strongly urge you to oppose the use of the Congressional Review Act (CRA) to adopt a Resolution of Disapproval overturning the FCC's broadband privacy order. That order implements the mandates in Section 222 of the 1996 Telecommunications Act, which an overwhelming, bipartisan majority of Congress enacted to protect telecommunications users' privacy. The cable, telecom, wireless, and advertising lobbies request for CRA intervention is just another industry attempt to overturn rules that empower users and give them a say in how their private information may be used.

Not satisfied with trying to appeal the rules of the agency, industry lobbyists have asked Congress to punish internet users by way of restraining the FCC, when all the agency did was implement Congress' own directive in the 1996 Act. This irresponsible, scorched-earth tactic is as harmful as it is hypocritical. If Congress were to take the industry up on its request, a Resolution of Disapproval could exempt intemet service providers (ISPs) from any and all privacy rules at the FCC. As you know, a successful CRA on the privacy rules could preclude the FCC from promulgating any ''substantially similar'' regulations in the future—in direct conflict with Congress' clear intention in Section 222 that telecommunications carriers protect their customers' privacy. It could also preclude the FCC from addressing any of the other issues in the privacy order like requiring data breach notification and from revisiting these issues as technology continues to evolve in the future. The true consequences of this revoked authority are apparent when considering the ISPs' other efforts to undermine the rules. Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.

Broadband ISPs, by virtue of their position as gatekeepers to everything on the intemet, have a largely unencumbered view into their customers' online communications. That includes the websites they visit, the videos they watch, and the messages they send. Even when that traffic is encrypted, ISPs can gather vast troves of valuable information on their users' habits; but researchers have shown that much of the most sensitive information remains unencrypted.

The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it. Americans are increasingly concerned about their privacy, and in some cases have begun to censor their online activity for fear their personal information may be compromised. Consumers have repeatedly expressed their desire for more privacy protections and their belief that the government helps ensure those protections are met. The FCC's rules give broadband customers confidence that their privacy and choices will be honored, but it does not in any way ban ISPs' ability to market to users who opt-in to receive any such targeted offers.

The ISPs' overreaction to the FCC's broadband privacy rules has been remarkable. Their supposed concerns about the rule are significantly overblown. Some broadband providers and trade associations inaccurately suggest that this rule is a full ban on data use and disclosure by ISPs, and from there complain that it will hamstring ISPs' ability to compete with other large advertising companies and platforms like Google and Facebook. To the contrary, ISPs can and likely will continue to be able to benefit from use and sharing of their customers' data, so long as those customers consent to such uses. The rules merely require the ISPs to obtain that informed consent.

The ISPs and their trade associations already have several petitions for reconsideration of the privacy rules before the FCC. Their petitions argue that the FCC should either adopt a ''Federal Trade Commission style'' approach to broadband privacy, or that it should retreat from the field and its statutory duty in favor of the Federal Trade Commission itself All of these suggestions are fatally flawed. Not only is the FCC well positioned to continue in its statutorily mandated role as the privacy watchdog for broadband telecom customers, it is the only agency able to do so. As the 9th Circuit recently decided in a case brought by AT&T, common carriers are entirely exempt from FTC jurisdiction, meaning that presently there is no privacy replacement for broadband customers waiting at the FTC if Congress disapproves the FCC's rules here.

This lays bare the true intent of these industry groups, who also went to the FCC asking for fine-tuning and reconsideration of the rules before they sent their CRA request. These groups now ask Congress to create a vacuum and to give ISPs carte blanche, with no privacy rules or enforcement in place. Without clear rules of the road under Section 222, broadband users will have no certainty about how their private information can be used and no protection against its abuse. ISPs could and would use and disclose consumer information at will, leading to extensive harm caused by breaches and by misuse of data properly belonging to consumers.

Congress told the FCC in 1996 to ensure that telecommunications carriers protect the information they collect about their customers. Industry groups now ask Congress to ignore the mandates in the Communications Act, enacted with strong bipartisan support, and overturn the FCC's attempts to implement Congress's word. The CRA is a blunt instrument and it is inappropriate in this instance, where rules clearly benefit internet users notwithstanding ISPs' disagreement with them.

We strongly urge you to oppose any resolution of disapproval that would overturn the FCC's broadband privacy rule.

Sincerely,

Access Now, American Civil Liberties Union, Broadband Alliance of Mendocino County, Center for Democracy and Technology, Center for Digital Democracy, Center for Media Justice, Color of Change, Consumer Action, Consumer Federation of America, Consumer Federation of California, Consumer Watchdog, Consumer's Union, Free Press Action Fund, May First/People Link, National Hispanic Media Coalition, New America's Open Technology Institute, Online Trust Alliance, Privacy Rights Clearing House, Public Knowledge.

CONSUMERSUNION®, POLICY & ACTION FROM CONSUMER REPORTS,
March 27, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and mobilization arm of Consumer

Reports, writes regarding House consideration of S.J. Res. 34, approved by a 50–48 party line vote in the Senate last week.

This resolution, if passed by the House and signed into law by President, would use the Congressional Review Act (CRA) to nullify the Federal Communication Commission's (FCC) newly-enacted broadband privacy rules that give consumers better control over their data. Many Senators cited ''consumer confusion'' as a reason to do away with the FCC's privacy rules, but we have seen no evidence proving this assertion and fail to understand how taking away increased privacy protections eliminates confusion. Therefore, we strongly oppose passage of this resolution—it would strip consumers of their privacy rights and, as we explain below, leave them with no protections at all. We urge you to vote no on S.J. Res. 34.

The FCC made history last October when it adopted consumer-friendly privacy rules that give consumers more control over how their information is collected by internet service providers (ISPs). Said another way, these rules permit consumers to decide when an ISP can collect a treasure trove of consumer information, whether it is a web browsing history or the apps a consumer may have on a smartphone. We believe the rules are simple, reasonable, and straightforward.

ISPs, by virtue of their position as gatekeepers to everything on the internet, enjoy a unique window into consumers' online activities. Data including websites consumers visit, videos viewed, and messages sent is very valuable. Small wonder, then, that ISPs are working so hard to have the FCC's new privacy rules thrown out through use of the Congressional Review Act. But we should make no mistake: abandoning the FCC's new privacy rules is about what benefits big cable companies and not about what is best for consumers.

Many argue the FCC should have the same privacy rules as those of the Federal Trade Commission (FTC). FCC Chairman Ajit Pai went so far as to say ''jurisdiction over broadband providers' privacy and data security practices should be returned to the FTC, the nation's expert agency with respect to these important subjects,'' even though the FTC currently possesses no jurisdiction over the vast majority of ISPs thanks to the common carrier exemption—an exemption made stricter by the Ninth Circuit Court of Appeals in last year's AT&T Mobility case. We have heard this flawed logic time and time again as one of the principal arguments for getting rid of the FCC's strong privacy rules. Unfortunately, this is such a poor solution that it amounts to no solution at all.

For the FTC to regain jurisdiction over the privacy practices of ISPs, the FCC would first have to scrap Title II reclassification—not an easy task which would be both time-consuming and subject to judicial review, and jeopardize the legal grounding of the 2015 Open Internet Order. Congress, in turn, would have to pass legislation to remove the common carrier exemption, thus granting the FTC jurisdiction over those ISPs who are common carriers. We are skeptical Congress would take such an action. Finally, the FTC does not enjoy the same robust rulemaking authority that the FCC does. As a result, consumers would have to wait for something bad to happen before the FTC would step in to remedy a violation of privacy rights. Any fondness for the FTC's approach to privacy is merely support for dramatically weaker privacy protections favored by most corporations.

There is no question that consumers favor the FCC's current broadband privacy rules. Consumers Union launched an online petition drive last month in support of the Commission's strong rules. To date, close to 50,000 consumers have signed the petition and the number is growing. Last week, more than 24,000 consumers contacted their Senators urging them to oppose the CRA resolution in the 24 hours leading up to the vote. Consumers care about privacy and want the strong privacy protections afforded to the them by the FCC. Any removal or watering down of those rules would represent the destruction of simple privacy protections for consumers.

Even worse, if this resolution is passed, using the Congressional Review Act here will prevent the FCC from adopting privacy rules—even weaker ones—to protect consumers in the future. Under the CRA, once a ride is erased, an agency cannot move forward with any ''substantially similar'' rule unless Congress enacts new legislation specifically authorizing it. Among other impacts, this means a bare majority in the Senate can void a rule, but then restoration of that rule is subject to full legislative process, including a filibuster. The CRA is a blunt instrument—and if used in this context, blatantly anti-consumer.

We are more than willing to work with you and your fellow Representatives to craft privacy legislation that affords consumer effective and easy-to-understand protections. The FCC made a step in that direction when it adopted the broadband privacy rules last year, and getting rid of them via the Congressional Review Act is a step back, not forward. Therefore, we encourage you to vote no on S.J. Res. 34.

Respectfully,

LAURA MACCLEERY,
Vice President, Consumer Policy & Mobilization, Consumer Reports.
KATIE MCINNIS,
Policy Counsel, Consumers Union.
JONATHAN SCHWANTES,
Senior Policy Counsel, Consumers Union.

[From wired.com, Mar. 22, 2017]

CONGRESS IS ABOUT TO GIVE AWAY YOUR ONLINE PRIVACY

(By Terrell McSweeney and Chris Hoofnagle)

The resolution that could come to a Congressional vote this week aims to tackle differences in how the FCC rule treats ISPs compared with other internet companies. Your broadband provider has to offer you a choice about what information it shares about you, but ecommerce sites and search engines do not.

Advocates for repealing the current protections—the resolution is sponsored by Senator Jeff Flake (R–AZ)—argue that Congress should void the FCC's rule using the Congressional Review Act. They contend that in order to properly govern privacy and avoid confusing consumers, the FCC should maintain consistent rules across the internet ecosystem. But inconsistent standards pervade privacy and consumer law. Furthermore, consistent standards militate in favor of increasing protections for privacy, rather than unraveling them as the current proposal would do.

An alphabet soup of state and federal laws set the privacy requirements for everything from our financial information to data about our children. That's largely because privacy is both essential to and sometimes in conflict with our most deeply held value, liberty. So, legislators have never been able to craft omnibus privacy protections. Instead, they've developed frameworks informed by prevailing norms, incentives, political economy, and ways the information might be used.

As we connect more devices in our home and on our bodies, the array of technologies that raise data privacy and security concerns is expanding. The privacy landscape will likely continue to be shaped as technologies evolve.

Different consumer technologies may justify different approaches. For example, the safety issues inherent in cars and medical devices may warrant particularly strong privacy and security protections. In the future, privacy rules could come from the FCC as well as the Department of Commerce, National Highway Traffic Safety Administration, Food and Drug Administration, and other agencies.

Consider that your bank can—and probably does—sell your contact and financial information unless you opt out. Yet if you rent a movie, online or off, the rental service can't sell information about your media consumption without your consent, and it must delete your rental history after it's no longer needed. Congress enacted those protections to shield intellectual freedom, so that one can enjoy controversial movies without fear of one's curiosity resulting in extortion or embarrassment.

This brings us to our second point: If consistency and reducing consumer confusion is the goal, consumers should demand stronger internet privacy norms. Given the animating purpose of protecting movie rental information, why not require consumers to consent to the sharing any information about their online behavior? After all, our web activity is the ultimate manifestation of our intellectual curiosity, representing second-by-second decisions about consuming news and entertainment.

In addition to existing federal laws, legislators could, as professor Helen Nissenbaum has suggested, look to offline contexts, such as the strong privacy norms governing searching for a book in a library, to guide the privacy rules we ought to enjoy when using a search engine. The government also could take a page from the confidentiality standards patients enjoy when conversing with physicians and apply those same norms to medical information websites. Policymakers could look to the last two centuries of privacy in the postal mail to guide rules for commercial scanning of email. Yet in all these contexts, web business models drive design decisions that have turned social and personal behaviors into marketplace transactions.

Left standing, the FCC rule offers an opportunity for a meaningful debate about how to better translate our analog privacy norms into the digital world. Broadband ISPs are essentially utilities, like postal mail and the telephone. Subscribers have little or no competitive choice as to which provider to use. ISPs know our identities, and their position gives them the technical capacity to surveil users in ways that others cannot. It makes sense to ensure consumers can choose whether to share data related to their Internet usage.

The majority of consumers—91 percent in a recent survey—feel they've lost control of their personal information. Yet, paradoxically, the late, great privacy researcher and historian Alan Westin consistently found that Americans expect companies to handle personal data in a ''confidential'' way. In reality, the modern internet is like a one-way mirror, where users are often unaware that they are being silently watched by third parties. The FCC rule exposes this one-way mirror and allows people to decide whether to draw a curtain on it.

Maintaining the current rules would make ISP practices more consistent with consumers' expectations of confidentiality. Congress should spend time examining the

strengths and weaknesses of our current approach, instead of using consistency arguments to eviscerate the FCC's rule.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), my colleague from the class of '94.

Ms. LOFGREN. Mr. Speaker, a ''yes'' vote exempts all broadband service providers from all rules on user privacy and all limitations on how they use your data. They are in a unique position to see every place you go, every website you visit, they can do deep packet inspection and see what is in your emails.

What protects your privacy?

This rule that is about to be repealed.

If you have problems with the privacy policies of your email provider or social network, you have got competition to go to. But most Americans have just one or, at most, just two choices for their broadband provider. And, interestingly enough, all of those providers are supporting the repeal of this privacy rule.

Why?

They are going to make money selling your information.

The idea that we could have an FTC solution is an interesting one, but there is no way to do it. In the Ninth Circuit's 2016 ruling of AT&T v. FTC, they ruled that the FTC is barred from imposing data breach rules. So vote ''no'' and protect your constituents' privacy.

Mr. FLORES. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask my colleagues to vote against this horrible resolution, and I yield back the balance of my time.

Mr. FLORES. Mr. Speaker, I yield myself the balance of my time.

We have heard a lot of interesting claims today in the discussion about this fairly simple resolution to roll back overreaching regulation from the FCC that were passed late in the Obama administration's time.

I would remind everybody, Mr. Speaker, that this CRA has nothing to do with the President's tax return, it has nothing to do with Russian hacking, and there have been some gross mischaracterizations of what this resolution does.

Why do we need this resolution?

The three reasons are, as Chairwoman BLACKBURN opened up at the beginning:

First of all, the FCC swiped jurisdiction from the FTC.

Second, two cops on the beat create confusion among consumers and among the ISP providers.

Third, the FTC already has jurisdiction over this space.

Let me close with this: this resolution of disapproval only rescinds the FCC's rule, but it still provides the FCC the opportunity to provide more oversight more in line with the Federal Trade Commission, which has successfully been regulating online privacy for nearly 2 decades.

This resolution does not lessen or impede the privacy and data security standards that we already have established. We are simply restoring a more stable regulatory playing field to ensure that consistent uniform privacy standards are maintained to protect consumers and future innovation.

Once Congress rejects these rules, the FCC can turn back to cooperating with the FTC to ensure both the consumer privacy across all aspects of the internet is protected through vigorous enforcement and that innovation is allowed to flourish.

I urge all of my colleagues to support this commonsense resolution.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. 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.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. LOFGREN. Mr. Speaker, I rise to a question of the privileges of the House, and offer the resolution that was previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to Congress and the American people.

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any ''present, Emolument, Office, or Title . . . from any King, Prince, or foreign State'';

Whereas, in Federalist No. 22 (Alexander Hamilton) it is said, ''One of the weak sides of republics, among their numerous advantages, is that they afford too easy an inlet to foreign corruption,'' and;

Whereas, the delegates to the Constitutional Convention specifically designed the Emoluments Clause as an antidote to potentially corrupting foreign practices of a kind that the Framers had observed during the period of the Confederation, and;

Whereas, Article 1, section 9, clause 8 of the Constitution states: ''no person holding any office of profit or trust . . . shall, without the consent of the Congress, accept of any present, Emolument, Office, or Title of any kind whatever, from any King, Prince, or foreign State'', and;

Whereas, in 2009, the Office of Legal Counsel clarified that corporations owned or controlled by foreign governments presumptively qualify as foreign States under the foreign Emoluments Clause, and;

Whereas, the word ''emoluments'' means profit, salary, fees, or compensation which would include direct payment, as well as other benefits, including extension of credit, forgiveness of debt, or the granting of rights of pecuniary value, and;

Whereas, according to The New Yorker, in 2012, The Trump Organization entered into a deal with Ziya Mammadov to build the Trump Tower Baku in the notoriously corrupt country Azerbaijan in possible violation of the Foreign Corrupt Practices Act and, by profiting from business with the Mammadov family, due to their financial entanglements with the Iran Revolutionary Guard may have also violated the Emoluments Clause if income from this project continues to flow to The Trump Organization, and;

Whereas, The Trump Organization has deals in Turkey, admitted by the President himself during a 2015 Brietbart interview, and when the President announced his travel ban, Turkey's President called for President Trump's name to be removed from Trump Towers Istanbul, according to The Wall Street Journal, and President Trump's company is currently involved in major licensing deals for that property which may implicate the Emoluments Clause, and;

Whereas, shortly after election, the President met with the former U.K. Independence Party leader, Nigel Farage, to get help to stop obstructions of the view from one of his golf resorts in Scotland, and according to The New York Times, both of the resorts he owns there are promoted by Scotland's official tourism agency, a benefit that may violate the Emoluments Clause, and;

Whereas, at Trump Tower in New York, the Industrial and Commercial Bank of China is a large tenant, according to Bloomberg; the United Arab Emirates leases space, according to the Abu Dhabi Tourism & Culture Authority; and the Saudi Mission to the U.N. makes annual payments, according to the New York Daily News, and money from these foreign countries goes to the President, and;

Whereas, according to NPR, in February China gave provisional approval for 38 new trademarks for The Trump Organization, which have been sought for a decade to no avail, until President Trump won the election. This is a benefit the Chinese Government gave to the President's businesses in possible violation of the Emoluments Clause, and;

Whereas, the President is part owner of a New York building carrying a $950 million loan, partially held by the Bank of China, according to The New York Times, when owing the Government of China by the extension of loans and credits by a foreign State to an officer of the United States would violate the Emoluments Clause, and;

Whereas, NPR reported that the Embassy of Kuwait held its 600 guest National Day celebration at Trump Hotel in Washington, D.C., last month, proceeds to Trump, and;

Whereas, according to The Washington Post, the Trump International Hotel in Washington, D.C., has hired a ''director of diplomatic sales'' to generate high-priced business among foreign leaders and diplomatic delegations, and;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in

companies located in the United States and around the world, and;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, and;

Whereas, the Director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is ''meaningless'' and ''does not meet the standards that . . . every President in the past four decades has met'', and;

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first and the Constitution is adhered to, and;

Whereas, the House Judiciary Committee has the first responsibility among the committees of the House to see that elements of our Constitution are adhered to and, in furtherance of that responsibility, Judiciary Committee members have historically utilized fact-finding and research prior to formal hearings, and;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the filer paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes and that such information would be material to members of the Judiciary Committee as research is undertaken on whether President Trump is in violation of the Emoluments Clause of the Constitution, and;

Whereas, disclosure of the President's tax returns would be an effective means for the President to provide evidence either refuting or confirming claims of violations of the Emoluments Clause, and;

Whereas, the President's tax returns are likely to be essential as members of the Judiciary Committee work to research potential violations of the Emoluments Clause, and;

Whereas, the chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under section 6103 of the Tax Code, and this power is an essential tool in learning whether the President may be in violation of the Emoluments Clause, and;

Whereas, questions involving constitutional functions and the House's constitutionally granted powers have been recognized as valid questions of the privileges of the House.

Resolved, That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2000 through 2015 for review by Congress, as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the U.S. Constitution.

□ 1715

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question of whether the resolution presents a question of the privileges of the House?

Ms. LOFGREN. I do, Mr. Speaker.

The SPEAKER pro tempore. The remarks of the gentlewoman must be confined to the question of whether the resolution presents a question of the privileges of the House.

The gentlewoman from California is recognized.

Ms. LOFGREN. Mr. Speaker, under clause 1 of rule IX, questions of the privileges of the House are: ''those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.''

The dignity and integrity of the House's proceedings have been violated, and continue to be violated, because Congress has not had the constitutionally afforded opportunity to consent to emoluments being received by the President or to enforce, if consent is not given.

I would note that Congress has the authority to request the President's taxes under section 6103 of the Internal Revenue Code, and use of this authority would not be unprecedented, as it was used in 1974 to request President Nixon's tax returns that revealed that he owed nearly half a million dollars in back taxes.

I would note that issues of the Constitution and the House's prerogatives under the Constitution have a precedent in using rule IX as a privileged resolution.

For example, if a revenue measure is initiated in the Senate instead of in the House as required by the Constitution, that is a matter of a privilege of the House. I would argue that the Emoluments Clause is at least as important, possibly more important, than the origination of a revenue measure in either the House or Senate.

I have been a member of the Judiciary Committee for 22 years. I am well aware of how the Judiciary Committee operates and the need for individual Members to do research before any official action is taken in that committee. And since it is the Judiciary Committee, it has the first responsibility for adhering to the Constitution among the committees of the House. I think it is absolutely essential for the President's tax returns to be released so that the members of the Judiciary Committee can do their job to research whether the Emoluments Clause has been violated and whether permission should be given to the President to receive payments from foreign states.

I would note that there is no question that the Emoluments Clause of the Constitution was placed there to prevent corruption in the system. It was based on a sad experience during the Articles of Confederation. It is necessary to make sure that the President and all other officers of the United States have loyalty to only one thing, and that is to the United States of America, not to any foreign power.

In order to do that, we need to review the data. As I say, the dignity and integrity of the House requires that the Constitution be upheld, and in order to uphold the Constitution, we must have this information.

For these reasons, the resolution raises a question of the privileges of the House and should be permitted, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from California seeks to offer a resolution as a question of the privileges of the House under rule IX.

In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects ''the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.''

The resolution offered by the gentlewoman from California directs the House to request the President's tax return information as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the Constitution.

Section 702 of the House Rules and Manual states that ''rule IX is concerned not with the privileges of the Congress, as a legislative branch, but only with the privileges of the House, as a House.'' As such, reviews of extramural activities, even with regard to constitutional prerogatives, have not met the standards of rule IX.

The Chair would also cite the proceedings of May 21, 2009. On that date, a resolution proposing a review of the accuracy of certain public statements made by the Speaker regarding communications to Congress from the executive branch was held not to qualify as a question of privilege, because it necessarily would have required a review not only of the Speaker's statements but also of actions by extramural actors in the executive branch.

The resolution offered by the gentlewoman from California does not invoke a unique prerogative of the House, as a House. Instead, it seeks documents from the President, an actor entirely extramural to the House. Accordingly, the resolution does not qualify as a question of the privileges of the House.

Ms. LOFGREN. Mr. Speaker, I appeal that ruling.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. FLORES. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Flores moves to lay the appeal on the table.

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

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

Ms. LOFGREN. 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, this 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of S.J. Res. 34.

The vote was taken by electronic device, and there were—yeas 228, nays 190, answered ''present'' 2, not voting 9, as follows:

[Roll No. 201]

YEAS—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—190

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—2

DeFazio
Sanford

NOT VOTING—9

Duffy
Marino
Nolan
Pittenger
Posey
Ros-Lehtinen
Rush
Simpson
Slaughter

□ 1748

Mr. O'HALLERAN changed his vote from ''yea'' to ''nay.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'', on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 215, nays 205, not voting 9, as follows:

[Roll No. 202]

YEAS—215

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Dunn
Emmer
Farenthold
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (AK)
Young (IA)

NAYS—205

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davidson
Davis (CA)
Davis, Danny
DeFazio
DeGette

Delaney	Kind	Price (NC)
DeLauro	Krishnamoorthi	Quigley
DelBene	Kuster (NH)	Raskin
Demings	Langevin	Reichert
DeSaulnier	Larsen (WA)	Rice (NY)
Deutch	Larson (CT)	Richmond
Dingell	Lawrence	Rosen
Doggett	Lawson (FL)	Roybal-Allard
Doyle, Michael F.	Lee	Ruiz
	Levin	Ruppersberger
Duncan (TN)	Lewis (GA)	Ryan (OH)
Ellison	Lieu, Ted	Sánchez
Engel	Lipinski	Sanford
Eshoo	Loebsack	Sarbanes
Espaillat	Lofgren	Schakowsky
Esty	Lowenthal	Schiff
Evans	Lowey	Schneider
Faso	Lujan Grisham, M.	Schrader
Foster		Scott (VA)
Frankel (FL)	Luján, Ben Ray	Scott, David
Fudge	Lynch	Serrano
Gabbard	Maloney, Carolyn B.	Sewell (AL)
Gallego		Shea-Porter
Garamendi	Maloney, Sean	Sherman
Gonzalez (TX)	Matsui	Sinema
Gottheimer	McClintock	Sires
Graves (LA)	McCollum	Smith (WA)
Green, Al	McEachin	Soto
Green, Gene	McGovern	Speier
Grijalva	McNerney	Stefanik
Gutiérrez	Meeks	Suozzi
Hanabusa	Meng	Swalwell (CA)
Hastings	Moore	Takano
Heck	Moulton	Thompson (CA)
Herrera Beutler	Murphy (FL)	Thompson (MS)
Higgins (NY)	Nadler	Titus
Himes	Napolitano	Torres
Hoyer	Neal	Tsongas
Huffman	Nolan	Vargas
Jackson Lee	Norcross	Veasey
Jayapal	O'Halleran	Vela
Jeffries	O'Rourke	Velázquez
Johnson (GA)	Pallone	Visclosky
Johnson, E. B.	Panetta	Walz
Jones	Pascrell	Wasserman Schultz
Kaptur	Payne	
Keating	Pelosi	Waters, Maxine
Kelly (IL)	Perlmutter	Watson Coleman
Kennedy	Peters	Welch
Khanna	Peterson	Wilson (FL)
Kihuen	Pingree	Yarmuth
Kildee	Pocan	Yoder
Kilmer	Polis	Zeldin

NOT VOTING—9

Duffy	Pittenger	Simpson
Hill	Ros-Lehtinen	Slaughter
Marino	Rush	Tonko

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1756

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HILL. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 202.

PERSONAL EXPLANATION

Mr. SIMPSON. Mr. Speaker, on Monday, March 27 and Tuesday, March 28, I was absent from votes due to business in my Congressional District. Had I been present, I would have voted as follows:

Rollcall No. 195—"Yea."
Rollcall No. 196—"Yea."
Rollcall No. 197—"Yea."
Rollcall No. 198—"Yea."
Rollcall No. 199—"Yea."
Rollcall No. 200—"Yea."
Rollcall No. 201—"Yea."
Rollcall No. 202—"Yea."

PERSONAL EXPLANATION

Mr. DUFFY. Mr. Speaker, on rollcall No. 201 on motion to table the appeal of the ruling of the chair, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 202 on final passage of S.J. Res. 34, I am not recorded. Had I been present, I would have voted "aye" on final passage of S.J. Res. 34.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 27, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause (5)(a)(4)(A) of Rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve as Members of an Investigative Subcommittee established by the Committee on Ethics during the 115th Congress:

Suzanne Bonamici of Oregon
Brian Higgins of New York
Hakeem S. Jeffries of New York
William R. Keating of Massachusetts
Raja Krisbnamoorthi of Illlinois
Ed Perlmutter of Colorado
Jamie Raskin of Maryland
Terri A. Sewell of Alabama
Darren Soto of Florida
Dina Titus of Nevada

Best regards,

NANCY PELOSI,
Democratic Leader.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1431, EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115–64) on the resolution (H. Res. 233) providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1800

TAX REFORM

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

Mr. BIGGS. Mr. Speaker, we know the Tax Code is excessively complicated and takes too much money from Americans, thus we overhauled the United States Tax Code.

Over 30 years ago, President Ronald Reagan signed the last major tax reform package. To put this in perspective, this was before the world wide web went live to the public, more than 10 years ago before ''google'' was a verb, and visiting a Blockbuster was the best way to rent a movie. America is vastly different than it was then, yet our Tax Code has largely stayed the same.

As we bring our Tax Code into the 21st century, we must simplify the code. The U.S. Tax Code is over 3 million words long, and Americans spend billions of hours and hundreds of billions of dollars complying with Federal tax requirements each year. Imagine if that time and money were spent on innovation and job creation instead. As we work to shrink taxes and erase the excessive compliance rules, we must also make sure that the taxes we collect are spent according to constitutional constraints.

We must propose a plan that will better serve individuals, families, and businesses across the country. We must introduce legislation that lowers taxes, reduces the corporate tax rate, minimizes government interference in the free market, and eases the overall cost to taxpayers to fully comply with the system.

HONORING THE LIFE OF AHMED ''KATHY'' KATHRADA

(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, I was awakened today to the news of a gentleman from South Africa, who was one of the great historic men I have experienced in my life, an antiapartheid activist and a blessed man, Ahmed Kathrada, known as Kathy, passed away.

Kathy was an Indian gentleman who went to Johannesburg with his family as a young man and found that, at age 8, he had to move there because there were no Indian schools in South Africa. He became, at a very early age, an activist for social reform and against apartheid, first for Indian rights and then against apartheid and for South African rights.

He was arrested, along with Nelson Mandela, Walter Sisulu, Mbeki, Goldberg, and other leaders of the ANC, tried in the famous Rivonia trial in 1963, and convicted as they all were. He spent 18 years in prison on Robben Island, with Nelson Mandela and others, and 8 additional years in prison. But when released from prison, he didn't see bitterness, he saw only peace and a period of commitment to resolving race relations in South Africa.

He befriended the people who had been his guards and who had subjected him to minority rights. He was elected to the African National Congress party as a delegate to parliament and served as one of Nelson Mandela's aides. He received four honorary degrees in his life, one from the University of Kentucky, one from Michigan State, and one from the University of Missouri. He moved back to Robben Island, lived there, and gave tours of the museum.

On my second trip to South Africa, where I met him on a second occasion, he led our group on our tour. It was remarkable to see the prison guards hand

the key to the prison to the former prisoner.

Kathy was a great human being and a humanitarian individual who served the Indian people, the South African nation, and humanity in a superb fashion. His was a life well-lived. I was fortunate to have met him, and I am sorry for his loss.

THE MARCHANT FAMILY

(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, I must confess, as my wife and kids know, I am not the most romantic guy. I have never dreamed I would be a matchmaker. Believers say the Lord works in mysterious ways, and, Mr. Speaker, those words are, oh, so true.

In 2007, I came home and ran for Congress. It was brutal: a 10-person primary, a runoff against a former Member, and a general election against an incumbent. But I had a secret weapon on my campaign: this man, Luke Marchant. Luke is the son of our colleague, KENNY. Luke would show up in a campaign office with ratty flip flops, in wrinkled, baggy shorts, and an unwashed T-shirt. Luke was a beast. But a beauty showed up like out of Disney: Katie McDonald. The matchmaking began. Beauty and the beast fell in love.

I was there on June 12, 2016, when they were married. Last week, Walker Ross Marchant was born to these two amazing young friends.

Katie and Luke, congratulations. In the future, for number two, maybe Peter Graham Marchant should be a name you all should consider.

HIGHLIGHTING THE DIY GIRLS INVENTEAM

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

Mr. CÁRDENAS. Mr. Speaker, I rise today to highlight the work of the DIY Girls InvenTeam, a group of 12 incredible young women from the San Fernando Valley. These young scientists invented a tent with solar panels to aid refugees and the homeless. Earlier this month, I had the opportunity to meet these 12 young women at their high school, my alma mater, San Fernando High.

As an engineer myself, I recognize how impressive their work is. Not only did these women create something amazing, but it was rooted in a desire to help other people. The DIY Girls InvenTeam has received one of just fifteen $10,000 grants awarded by MIT. It is also noteworthy that these young scientists were able to come together through the help of DIY Girls, a grassroots program that empowers young women to become scientists.

As their Representative, I am proud to highlight their work. I know we will continue to see great accomplishments from these bright, young women as they master science, technology, engineering, art, and math.

DON'T CROSS THE NAPOLEON OF SIBERIA

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

Mr. POE of Texas. Mr. Speaker, for the last 8 years, the world turned its cheek while Vladimir Putin—the Napoleon of Siberia—stomped on human rights and broke international law.

I was there right after the Russians invaded Georgia and took one-third of the country. Then Putin went on to annex Crimea and invade Ukraine. Just this month, Denis Voronenkov, a Russian lawmaker who opposed Putin and defected to Ukraine, was gunned down in broad daylight. His assassination is the latest incident in an ongoing pattern of Putin critics who have been killed mysteriously. In the last 15 years, at least 11 other well-known critics of Putin have been killed mysteriously.

The message is clear: cross Putin, and you will face the lethal wrath of the Russian bear. Putin thinks he can continue killing those who oppose him and no one is watching. But I am here to tell him today that America is watching, and America will never stop defending the defenseless and protecting the human rights of people who speak against tyranny—even Russians who speak against tyranny.

And that is just the way it is.

THE CLEAN POWER PLAN

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

Mr. PANETTA. Mr. Speaker, today I rise in opposition of the executive order that was signed that attempts to destroy the Clean Power Plan.

Once again, we are seeing politics driving policy. We are seeing the fulfillment of a past campaign promise rather than a focus on our future. The administration claims that the Clean Power Plan limits jobs. The reality is that the jobs were not lost due to tougher carbon emission standards. Instead, jobs were found due to our innovation, more competition based on cheaper natural gas, more mechanization due to advances in technology, and more tax credits for renewable energy.

The reality is that more jobs and property will be lost without reducing our CO_2 output. More CO_2 will lead to more acidification which will lead to less fish and less fishermen. More CO_2 will lead to shrinking icecaps and expanding sea levels causing damage to property not only along the central coast of California, my district, but along all coastlines around the world. Homes, businesses, and even our Navy bases will be affected, threatening not just our personal but our national security.

The administration needs to stop taking steps backwards when it comes to our CO_2 output. But like many businesses, it needs to start pivoting and taking steps forward to protect our jobs, our coastlines, and our future.

STEMMING THE TIDE OF JOB LOSSES

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

Ms. KAPTUR. Mr. Speaker, recently while announcing his manufacturing jobs initiative, President Trump said: ''Everything is going to be based on bringing our jobs back. The good jobs, the real jobs. They have to come back.''

Well, this month, more than 700 idled U.S. Steel workers in Lorain, Ohio, were notified they will permanently lose their jobs come this June. Lorain has lost over 1,000 steel jobs since 2015. It is ground zero on the trade and jobs front. This stalwart town and its dear people have been battered by continuing job washout in steel due to unfair trade practices and closed markets abroad, particularly with China and Russia.

Through no fault of their own, workers in too many of America's steel towns are hurting because of foreign product dumped on U.S. soil undercutting our very way of life.

Last week, I invited Commerce Secretary Wilbur Ross to visit Lorain to witness firsthand the urgency of stabilizing our manufacturing sector and fulfilling President Trump's job promises of only a few months ago.

If our Nation is going to stem the tide of job losses caused by one-sided trade deals on an uneven global playing field, there is no better place to start than Lorain, Ohio. Please, President Trump and Commerce Secretary Ross, come to Lorain, Ohio.

ALZHEIMER'S IN AMERICA

The SPEAKER pro tempore (Mr. SMUCKER). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we are going to talk about our health, not about last week's legislation and the effort to change the Affordable Care Act but rather about another part of the health of the American public.

The most remarkable proposal came from the President recently in his budget proposals.

□ 1815

I know that when I saw what he was proposing, I am thinking: You have got to be kidding. He is proposing a $5.6 billion reduction in the National Institutes of Health's research programs.

I want to just take a second here and draw your attention to what research really means.

The National Institutes of Health is the principal research arm for healthcare issues throughout the United States. Over the years, we have spent very large amounts of taxpayer dollars dealing with health issues in the United States. The result of those research efforts, together with the implementation, has resulted in breast cancer deaths dropping, between 2000 and 2013, by 2 percent, prostate cancer deaths down 11 percent, heart disease down 14 percent, stroke down 23 percent, HIV/AIDS down 52 percent.

Research pays in better lives, in people living longer and the quality of their life. And yet this 18 percent reduction that has been proposed by the President in the basic funding for medical research here in the United States goes directly against these very important and very impressive changes in the statistics about mortality—HIV/AIDS, 52 percent.

Now, it is not all research, but it begins with research. It is unconscionable that such a proposal would be brought to the House of Representatives.

We are going to go beyond these success stories, and we are going to talk about this purple line here. The deaths from Alzheimer's have actually increased by 71 percent in the same 13-year period, in part due to the fact that the population, the baby boomers and those that preceded them, grow old; and that is where Alzheimer's occurs, in the older age groups.

So what is the research funding here on Alzheimer's? Well, not so good.

But before I go to that, I just want to take one moment and draw your attention to this little chart. This is the funding level for the National Institutes of Health's projected budget: $31.7 billion. The scientists, the researchers out there said that that is underfunding not from their wish list, but from viable, credible research programs that can't be paid for because they have run out of money. So they have suggested that the budget should be somewhere around $35 billion.

So what does the President propose? Well, he proposes, instead of going up, going down to $25 billion or just close to $26 billion, $5.6 billion less.

The result is that this is not going to come down. We are going to talk about this for the next hour, about research, about the National Institutes of Health, about what it means to your life, to my life, to my colleagues' lives, to be able to extend our lives, whether it might be prostate cancer, heart disease, stroke, HIV, or Alzheimer's. It is a fact that, if we are to increase the research in this area, which, until just last year, was just over $500 million, we can see this begin to change.

Joining me today are my colleagues from around the United States. I was looking for a more senior Member from California, MAXINE WATERS, who is the co-chair of the Alzheimer's Caucus. She is not here, so I am going to go to our next more senior Member, Mr. COHEN from the great State of Tennessee.

I yield to the gentleman from Tennessee.

Mr. COHEN. Mr. Speaker, I am pleased to join you today in this 1-hour session.

I am the co-chair of the Medical Research Caucus. As the co-chair, I am most aware of the need for research and how much it has helped our country and how much it has helped many cities and universities in their efforts to save us.

For a long time, I have realized that my enemy—and I am not suggesting to anybody, or I don't want anybody to get the wrong impression that I don't think that we need a military, and a strong military, but I have known that the odds of me dying from something that happens initiated by North Korea or Iran or ISIS is about nil. But I also know that the odds of my dying from heart disease, stroke, diabetes, Alzheimer's, cancer is likely. So my enemy is disease.

And who is working to protect me and be my defense department? The National Institutes of Health. That is my defense department. That is all of America's defense department, for we all have, as an enemy, disease. Cures and treatments will be found through grants and research coordinated through the National Institutes of Health.

Francis Collins, the genius who is the Director of the NIH, is really our secretary of defense because he is fighting to find cures and treatments not just for us, but more so for the next generation and the next generation.

So it is a perfect situation for us to act to protect our constituents against their most serious enemy, and that is disease, and to protect them no matter how we fund it. For the deficit hawks who might suggest that some of the expenses be paid for by future generations, that is who is going to get the treatments and the cures, and people not even born yet.

In 1954, my father was a pediatrician, and he gave the Salk vaccine to second grade children for polio. He didn't give it to me in the fall of 1954 or the spring of 1954 because that wasn't his charge; it was to give it to second graders in a test of the Salk vaccine.

I came down with polio in September of 1954. And but for medical research not being a year earlier when the Salk vaccine became available to everyone in the spring of 1955, I would not have had polio.

It affected me as a young person. I spent 3 months in a hospital, lots of time with physical therapists, had surgeries, and today wear a brace because, without it, I wouldn't be standing here.

My future, I am not sure what it will be, but it would have been a lot better if we had the Salk vaccine a year earlier. For every cure and treatment that comes a little later and a little later are that many more people that will suffer from it.

So this nearly $6 billion cut is going to affect people's lives in a meaningful way. For that reason, I am proud to join Mr. GARAMENDI and my other colleagues here to oppose this $6 billion cut and also to advocate for increases in funding to the National Institutes of Health, our real defense department fighting for all Americans against the number one enemy we all have, which is catastrophic illnesses and diseases.

Mr. GARAMENDI. Thank you so very much, Mr. COHEN, for your personal story and the effect of research not being available to you in your early childhood and the result of that. We know that all across the United States there are issues that are out there. Certainly Alzheimer's, which is our principal subject matter today, together with the cuts in the National Institutes of Health budget, but also there is this thing called Zika. That is out there, and the research for that, is that going to be forthcoming or is that also going to be cut?

I noticed that our co-chair of the Alzheimer's Caucus is here. Ms. WATERS, if you would like to join us, the gentlewoman from the State of California with whom I have been able to work now for, well, just a few years, dating back to our time in the California Legislature. I yield to the gentlewoman.

Ms. MAXINE WATERS of California. I would like very much to thank my friend and colleague from California, Congressman JOHN GARAMENDI, for the time, and I commend him for organizing this Special Order on Alzheimer's disease. It is fitting and appropriate that we would be holding this Special Order hour this evening prior to the National Alzheimer's Dinner, which will take place tonight.

The National Alzheimer's Dinner is an annual event, organized by the Alzheimer's Association, that brings together staff, policymakers, advocates, and families impacted by Alzheimer's disease from across the country.

As the co-chair of the bipartisan Congressional Task Force on Alzheimer's Disease, I know how devastating this disease can be for patients, families, and caregivers. I am proud to lead the task force along with my co-chair, Congressman CHRIS SMITH.

Alzheimer's is a tragic disease affecting millions of Americans and has reached crisis proportions. There is no effective treatment, no means of prevention, and no method for slowing the progression of the disease.

According to the Centers for Disease Control and Prevention, that is the CDC, 5 million Americans were living with Alzheimer's disease in the year 2013. This number is expected to almost triple to 14 million by the year 2050.

Alzheimer's is the sixth leading cause of death in the United States. In 2017, the direct cost of care for Alzheimer's disease and other dementias is expected to hit $259 billion, with 67 percent of those costs paid for by Medicare or Medicaid.

Alzheimer's disease and related dementias will increase exponentially as

the baby boom generation ages. At the current rate, the cost of Alzheimer's will reach $1.1 trillion in 2050. We must act now to change the trajectory of this disease.

The national plan to address Alzheimer's disease calls for a cure or an effective treatment for Alzheimer's by the year 2025. Reaching this goal will require a significant increase in Federal funding for Alzheimer's research.

Fortunately, Alzheimer's research did receive a substantial increase in Federal funding in fiscal year 2016. Congress allocated $936 million for Alzheimer's research at NIH in funding year 2016, an increase of $350 million over the 2015 level. But that is still far less than what is needed to confront the challenges we face.

In March of last year, I wrote a letter to the House Appropriations Committee requesting an additional $500 million increase in funding for Alzheimer's research, for a total appropriation of almost $1.5 billion in funding year 2017. The letter was signed by a bipartisan group of 74 Members of Congress, including myself, co-chair CHRIS SMITH, and one of the greatest advocates on behalf of Alzheimer's patients not only in the Congress of the United States, but even before he came here, Congressman GARAMENDI.

Last summer, the Senate Appropriations Committee passed its version of the funding year 2017 Labor, Health and Human Services, Education Appropriations bill and provided a $400 million increase in funding for Alzheimer's research at NIH, for a total appropriation of $1.39 billion in funding year 2017.

Meanwhile, the House Labor, HHS, Education Appropriations Subcommittee passed this bill for funding year 2017 on June 17. The House bill provided a $300 million increase in Alzheimer's research.

Unfortunately, Congress still has not finished its work on funding the year 2017 budget, so we don't know how much funding Alzheimer's research or any other program, for that matter, will receive this year.

At the same time, Congress has already begun consideration of year 2018 funding levels. I am once again circulating a letter to the House Appropriations Committee leaders requesting robust funding for Alzheimer's research.

This year my letter requests a $414 million increase in funding for Alzheimer's research in fiscal year 2018 above the level included in the funding year 2017 Senate bill. That would be a total appropriation of more than $1.8 billion for Alzheimer's research in funding year 2018.

Although this letter just started circulating, more than 25 Members of Congress have already signed this letter, of course led by Co-Chairs CHRIS SMITH and Congressman GARAMENDI and myself.

□ 1830

I am also circulating a letter to House Committee on Appropriations leaders in support of a program to address the problem of wandering among Alzheimer's patients. This program helps local communities and law enforcement officials quickly find persons with Alzheimer's disease who wander away from their homes and reunite them with their families.

The majority of American Alzheimer's patients live at home under the care of family and friends. According to the Alzheimer's Association, more than 60 percent of Alzheimer's patients are likely to wander away from home. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on seniors.

Let me just continue my remarks by thanking all of the Members of Congress who are signing letters, who are focused on this, who understand what is going on. I would like to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. GARAMENDI) for their leadership and all the work that they have done educating the Members and helping to give exposure to what we need to do.

Mr. GARAMENDI. Mr. Speaker, I appreciate the leadership of Ms. WATERS. It goes on for many years in this particular area and beyond.

Progress can be made. I am just going to take 2 seconds here to show the funding levels for cancer, almost $5½ billion; HIV/AIDS, almost $3 billion; cardiovascular, $2 billion. This is 1 year out of date.

Because of the work of Congress and the leadership of CHRIS SMITH from the Republican side and Ms. WATERS from the Democratic side, plus many Members, this number is not 560; it is just under a billion dollars now. We need more, and we need to get at it soon.

Mr. Speaker, I yield to the gentleman from the southern part of California (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I thank Mr. GARAMENDI so much for organizing this discussion of a really important topic.

In San Diego, we are a center of genomics, a center of life sciences, and a center of collaborative scientific research that makes groundbreaking discoveries and improves people's lives. In 2015, our research institutions received $768 million in NIH research funding, the most of any metro area in the United States. We are home to places like the Salk Institute for Biological Studies, Sanford Burnham Prebys Medical Discovery Institute, the J. Craig Venter Institute, and the Scripps Research Institute, where world-class scientists are making discoveries that save and improve millions of lives.

At the University of California San Diego, UCSD, the Shiley-Marcos Alzheimer's Disease Research Center is part of a collaborative national effort to better diagnose, prevent, treat, and ultimately to cure Alzheimer's. More than 5 million Americans are living with that disease. Alzheimer's kills more Americans every year than breast cancer and prostate cancer combined. It puts a tremendous burden on the family and the loved ones of those battling the disease because for every Alzheimer's patient, there are three people providing unpaid care.

Thanks to organizations like Alzheimer's San Diego, there are services to support families that are providing care for their loved ones. We are grateful for that, but we need to do more.

Alzheimer's also puts a tremendous burden on our healthcare system, as some of the speakers have mentioned. This year, Alzheimer's and other dementias will cost the Nation $259 billion. As our population ages, those numbers will only go up. It costs on average $1,150 more per month for a senior with Alzheimer's to reside in assisted living. That puts a financial strain on Medicaid, Medicare, and millions of families.

The research being done at UCSD and around the country is fueled by the National Institutes of Health and the National Institute on Aging. The investments we make in basic scientific research to better understand the disease are our best chance at developing new therapies and ultimately a cure.

One of the most bipartisan victories we have had in Congress since I have been here—this is my third term—was to increase NIH funding and to make a $6.3 billion investment in scientific research, which we did last year. Members of both parties came together with the understanding that NIH funding creates high-paying jobs, grows our economy, and unlocks discovery that changes lives. In his joint address to Congress this year, right here in this room, President Trump said he wanted to find cures to ''free the Earth from the miseries of disease.''

Unfortunately, then he turned around and sent a budget to Congress that slashed funding for NIH, clawing back the progress that we made last year. Our efforts to find cures to diseases like Alzheimer's would be completely undermined by the President's budget. We just can't allow that to happen.

I really, again, appreciate Mr. GARAMENDI for hosting this conversation. I want to let him know that I would be happy to sign on to Ms. WATERS and Mr. SMITH's letter, which he is also a leader of. I look forward to working with Mr. GARAMENDI and all of our other colleagues to defend the investment we have made in scientific research last year and to push for even more so that we can begin to win the battle against Alzheimer's and other diseases. That is what it is about, it is about winning. That is what I have been hearing. We want to win this battle.

I am very conscious that the United States has written the playbook for how to lead the world in science, and it is by funding basic scientific research, by letting the best scientists in the world compete for those grants that

are peer-reviewed—not decided by politicians, but by scientists. That system has worked marvelously well. Let's not kill it. Let's feed it.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. PETERS for his comments. His knowledge and expertise in this field is appreciated and, I am sure when shared with the other Members of this House, will have a positive result.

Mr. PETERS said something toward the end of his conversation that I think we need to drive home. I said earlier that the scientists suggested that instead of a $31.7 billion budget for the NIH, they needed an additional $3.3 billion. It is for those projects that Mr. PETERS described as peer-reviewed by peers in the area of science—whether it is heart disease, cancer, or HIV or Alzheimer's—that are worthy projects for which there is no money.

If we could fund those—not reduce the level of funding, as suggested by the President, but, rather, increase it—what would be the result?

I am going to toss this up one more time. This is what happens when research is applied to diseases. Breast cancer down, prostate cancer down, heart disease deaths, strokes, and HIV, all down as a result of research, and then the application of that research through the medical community. This is progress. This is what can happen. This is what we want to get to.

Mr. PETERS. Will the gentleman yield?

Mr. GARAMENDI. Mr. Speaker, I yield to the gentleman from California.

Mr. PETERS. I want to leave time for Mr. RASKIN, but we talk about this peer-review concept. Maybe people don't understand what that is. What happens is these top scientists from around the world file these grants. They are reviewed not by government employees, not by bureaucrats, not by politicians, but by real scientists, the best in their field, to determine which would win. In the good times, about 25 percent of those grants will be funded by NIH when there is robust funding. Seventy-five percent of them are turned down. That is how selective it is.

Unfortunately, now we are looking at 7 to 10 percent funding. That means we are not discovering a lot. We are also turning a lot of our young people off of science. We can't let that happen.

Again, we could talk about this all day, but I want to turn to my colleagues. Again, I thank Mr. GARAMENDI for setting up this discussion.

Mr. GARAMENDI. Mr. Speaker, let's move to the other side of the continent. Let's talk about the view from New Jersey. I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Speaker, I thank Mr. GARAMENDI for sponsoring this moment that we can speak about such important issues.

In a budget proposal purported to ''make America great again,'' President Trump has put forth a request to cut $5.8 billion from the National Institutes of Health for fiscal year 2018. Mr. Speaker, there is absolutely nothing great about that. These cuts would reverse growth for the agency that President Obama boosted its budget by $2 billion in 2016 and 2017. These cuts would forfeit American dominance in a sector where we are global leaders.

In New Jersey's 12th District, Princeton University received close to $46 million in NIH grants, and the College of New Jersey received around $400,000 to continue our Nation's stature at the forefront of medical breakthroughs. The cuts proposed would, in effect, stunt good and essential medical research, lifesaving research.

Unlike what we have seen from this administration, the NIH has produced results that improve the health and livelihood of the American people. For example, there is no widely available cure for sickle cell anemia. While some children have been successfully treated with blood stem cell and/or bone marrow transplants, this approach was thought to be too toxic for adults. However, NIH researchers successfully treated adults with severe sickle cell disease using a modified stem cell transplant approach that does not require extensive immune-suppressing drugs.

After receiving an experimental spinal stimulation therapy from a team of NIH-funded researchers, four young men paralyzed due to spinal cord injuries were able to regain control of some movement, promising results for treating these devastating injuries.

NIH-supported researchers designed a protocol to transform human stem cells into beta cells that produce insulin and respond to glucose. That finding could lead to new stem cell-based therapies to treat diabetes in patients of all ages, a disease that is so prevalent in our society.

The specific damage that occurs in affected brain tissue after a concussion has not been widely well understood. A study by NIH researchers provided insight into the damage caused by mild traumatic brain injuries and suggested approaches for reducing its harmful effects.

It has even been reported that these draconian cuts will slow research that could lead to new ways to prevent and treat cancer, the Nation's number two killer, which claimed the lives of almost 600,000 Americans just last year and which, incidentally, claimed the lives of both of my parents.

The evidence is overwhelming, and these are the facts. I just want to know when this President and his supporters here in Congress will set aside budget gimmicks and put Americans, our health and our well-being, first.

Mr. GARAMENDI. Mr. Speaker, the gentlewoman from New Jersey pointed out a very important thing here, and that is: When will we get real about this?

It is my understanding that many of these budget cuts, the National Institutes of Health and others, were made so that a wall on the Mexican border could be funded.

Ponder that for a few moments. Is that really a priority? Do we cut the funding for this basic research—whether it is for cancer, diabetes, even people that are suffering from post-traumatic stress disorder—so that we can fund a wall on the border?

That may be what this is all about, in which case it is a terrible, terrible choice. I don't think we are going to make that.

I thank the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for her views. I really appreciate her understanding of this and her participation today.

I see next to you our colleague from the great State of Maryland (Mr. RASKIN) listening very intently to you and now prepared to jump into the fray here.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, nobody takes the speech and debate clause more seriously in this body than Mr. GARAMENDI. He speaks in debate pretty much every day, and that is what the Founders wanted us to do, not to just come here in a kind of naked exercise of power politics and see who can get more votes, but really try to learn from each other and engage in a dialogue so we are advancing public policy.

It was a pleasure to receive the gentleman's invitation to join this Special Order on Alzheimer's disease. I am delighted to join him. I am also delighted to see at the dais this evening the Speaker pro tempore, my friend Congressman SMUCKER from Lancaster County, Pennsylvania. He is just a freshman, but he is already wielding the gavel. I would say that seat suits Congressman SMUCKER just fine. It is good to see him up there tonight.

Congressman GARAMENDI, I am the Congressperson from Montgomery County, Frederick County, and Carroll County, Maryland, the 8th Congressional District, which includes the NIH, the National Institutes of Health; so I have the great fortune and honor and responsibility of representing thousands of people who work at NIH and who live in Rockville and in the neighborhood. So I see this as not just a national treasure and resource, but also a vibrant and vital part of my community that I represent.

I speak tonight not just as a politician, but I speak also as someone who has—I guess what we call around here—a preexisting condition because when I was in the Maryland State senate and as a professor of constitutional law at American University, I was given a diagnosis in the year 2010 of colon cancer.

□ 1845

I learned something very interesting going through the experience about the difference between misfortune and injustice. Because if you have a job that

you love and a family that you love and constituents that you love and it is a beautiful day and you are told that you have got stage III colon cancer, that is a misfortune. It can happen to anybody—liberal, conservative, Democrat, Republican, Independent, old, young, every race, every ethnicity. It can happen to anybody. It is a misfortune.

At the time, I was the floor leader in Maryland on marriage equality legislation, and it struck me that the misfortune can happen to anybody. But if you can't get health insurance because you love the wrong person or because you are unemployed or because you are too poor, that is not just a misfortune. That is an injustice because we, as a society, can do something about that.

So when we think about Alzheimer's disease or cystic fibrosis or lung cancer or diabetes 1 or 2, in a democratic society, our obligation is not to compound the misfortunes of life with governmental injustice; our job is to try to reduce misfortune because we are all citizens together.

So that is why I am so proud to represent NIH because, as has been said very eloquently by a number of speakers tonight, the NIH is in the forefront of defending our population against disease and serious illness.

So let's talk about Alzheimer's for a little bit.

More than 5 million Americans are living today with Alzheimer's disease. That is about the population of my State—everybody in Maryland, from Baltimore to Rockville, to Silver Spring, to Bethesda, to Chevy Chase, to Middletown and Frederick County, to Sykesville, all over Carroll County, from the eastern shore to western Maryland, millions of people. That is how many people across the land are suffering from Alzheimer's disease. And it is a number that is rapidly increasing. It could be as high as 16 million people by 2050 is what the experts at NIH are telling us.

Since 2000, deaths from Alzheimer's have increased a startling 89 percent. You have shown us what the graphs are, Mr. GARAMENDI. One in three senior citizens today dies from Alzheimer's or another form of dementia. For victims of this disease, it is demoralizing, devastating, debilitating, and draining for the whole family.

In Maryland, Alzheimer's affects 100,000 people, and it costs us around $1 billion in Medicaid dollars every year.

In 2017, it is estimated that, across the country, we will spend $259 billion caring for people with Alzheimer's and other kinds of dementia, with $175 billion being borne by Medicare and Medicaid, alone. This means nearly one out of every five Medicare dollars is spent on Alzheimer's.

So we have got to move quickly and effectively to address the crisis and to solve the puzzle of Alzheimer's disease; otherwise, these costs are going to continue to grow even more sharply, and Alzheimer's could overwhelm our healthcare system.

We need a cure, which is why the good people at the Alzheimer's Association are asking Congress to support a $414 million increase in the research budget at NIH for Alzheimer's in FY 2018. But President Trump has proposed a $5.8 billion cut to the NIH, which is a 19 percent reduction in the NIH budget.

Why?

Well, it is very hard to know. It is part of a proposal to slash $60 billion in science research, environmental protection, housing, the human needs budget, and to shift it into the Pentagon. Now, that is at a time, Mr. GARAMENDI, when a committee I serve on, Oversight and Government Reform, just had hearings where Democrats and Republicans, alike, were outraged to learn that $125 billion in waste, fraud, abuse, and contractor overruns is happening right now in the Pentagon.

We could save $125 billion just by taking seriously the problems in contracting and fraud and abuse that is taking place with the beltway bandits. But instead of going after that corruption and waste, they want to take $60 billion out of the human needs budget and shift it over to the Pentagon.

Well, that is going to have a disastrous effect on our ability to make progress. That is the point I think you are making tonight, Congressman GARAMENDI. You are saying that, when we invest in basic research on the diseases, we make progress.

Look what we have done with AIDS. It is amazing. Look what is happening with cystic fibrosis. We are making real progress because we are investing. We have got to not cut back on any of the research that is taking place. We have got to double down and invest, and we really need to do that with Alzheimer's.

So this move to slash the human needs budget, the medical research budget, and put it in the Pentagon is an assault on science, on medicine, and on the health care of our people. These are our people whose lives are at stake that we are talking about. These are our families that are suffering the savage repercussions of Alzheimer's disease. It is a terrible infliction on the land.

So I think that the idea of slashing $6 billion from research for serious diseases like Alzheimer's, like the doomed repeal-and-replace legislation that crashed and burned on Friday of last week, is totally counterproductive and destructive of the true needs and priorities of our people.

We spend more money on the military than the next five or six countries combined, and the Pentagon is swimming in a deep pool of waste, fraud, abuse, and contractor overruns today.

Let's focus on helping our own people right now, the way mature democracies do, not enriching beltway bandits and plutocrats and insiders the way that authoritarian governments do. The question of Alzheimer's is an urgent question for our time, just like the research into all of the other killer diseases that are afflicting our people.

Mr. Speaker, I thank Mr. GARAMENDI for making me part of this Special Order hour.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. RASKIN so very much. And, indeed, the National Institutes of Health has a stellar representative, as do the American people, and certainly the people of Maryland.

As he told his own personal story of one of the dreaded diseases, I am delighted to see him stand here in such good health. Apparently, he has recovered completely from that.

I suspect that recovery was, at least in part, due to, first, his good health at the outset, but also to the research that was done in the preceding years through the National Institutes of Health on cancer research. We have seen the decline in cancer deaths as a result of that research. What we would like to do is to deal with this Alzheimer's.

I want to take a moment just to talk about where we are. We had a huge debate last week on repealing the Affordable Care Act and what it would mean to Americans, and a lot of that debate centered around the cost of medical services. Tragically, one of the ways that the proponents of repealing the Affordable Care Act would save money is to reduce the Medicaid program in different ways, but the end result was to reduce the Medicaid program.

Sixty percent of the Medicaid program is for people in long-term care facilities. A good percentage of those, probably the majority of those, with some sort of dementia or Alzheimer's. What we need to do is to address this issue straightforward.

I will tell my own story.

My mother-in-law lived the last 3 years of her life in our home. We were in a position where we were able to take care of her, so she didn't go to a long-term care facility. Nonetheless, it was one of the obligations that we felt we had, and many, many other Americans share that obligation.

This is 2015. The number $2.026 billion came up during the discussion that we had. That is what we spent in 2016. Some of that was spent by other payors. That would be insurance companies. Some was spent by family. Medicare and Medicaid spent the great majority.

As we go through the years, in 2020, we expect to spend $267 billion. And again, Medicare and Medicaid make up the great majority of it. As we move through time, we will see that there will be greater and greater expenses, rising year by year, so that in the year 2050, which is not that far away—that is one generation away—we will be spending over $1 trillion, and Medicare and Medicaid will, throughout this entire period, be the single largest source of money to pay for Alzheimer's.

So, if we want to reduce the cost of premiums, if we want to reduce the cost of government, if we want to deal

with the quality of life of Americans, then we have to get to this research because there is hope. Alzheimer's is not a hopeless disease. It is not a disease for which there is no cure. It is a disease for which we have not spent money on finding the cure.

If we can delay by a year, we will save tens of billions of dollars of taxpayer money in care that has been pushed off into the future. And the quality of life for the individual that has one more year of quality of life ahead of them is enormous and invaluable.

Here is just a way of depicting the backward nature of how we are dealing with the research for Alzheimer's. This was originally the 2015. We have been at this a couple of years, and we have seen progress.

In 2016, we spent $941 million, just under $1 billion, on Alzheimer's research. At the same time, we spent $153 billion in the care of Alzheimer's in Medicare and Medicaid. It is Federal taxpayer money.

Look, $1 billion, less than $1 billion in research, $153 billion in out-of-pocket expense caring for these individuals that have come down with Alzheimer's. A pretty neat equation here, isn't it?

If we were to ramp that up, as we would like to see, from $941 million to $1.4 billion, the researchers all across this country—some in San Diego, as we heard from Mr. SCOTT PETERS; others in New Jersey, as we heard from Mrs. WATSON COLEMAN; or in other parts of California, Boston, wherever. If we were to ramp that up by an additional $500 million, the researchers believe that they will untangle the tangles in the brain that lead to Alzheimer's and understand what is going on and, from that point, be able to find a path towards a solution.

It is not hopeless. We have seen progress. We have seen research that was done a decade ago. The analysis indicated that it really didn't work too well when they came up with a solution. Another researcher, 7 or 8 years later, went back to that very research, looked at the statistical analysis, and noticed that, for those who had early onset, that particular treatment modality had an enormous effect, not on those that were in later Alzheimer's but those who were in early onset.

Whoa. What does that mean?

That means that there is a path. That means that there is an avenue towards a solution. However, this Congress, the 435 of us who will be here voting on the appropriations to fund the Federal Government, to fund the military, to fund the highways, to fund the National Institutes of Health, will be given a choice. We will have a choice. Do we increase the funding for the National Institutes of Health and Alzheimer's research, or do we fund a wall on the Mexican border to the tune of $20 billion?

We just received that supplemental appropriation request from the administration today to spend $20 billion on a wall.

I can talk to you about a wall. I represent 180,000 people just downstream from the Oroville Dam, and I have got a 30-foot wall that needs to be repaired. We are talking about imminent danger, and the rainy season is not over in California.

Or, another $5.6 billion for the military for programs that nobody has told us yet should be funded.

□ 1900

We are going to make choices here. The President has made his choice. He has shown what is of value in his mind.

I challenge that value. I challenge that value statement. I will tell you what is important. What is important are those millions of Americans who face Alzheimer's in the days, the months, and the years ahead. I am looking to the generations that are 40 and 50 years of age today who know, like my wife and I, they will be caring for their parents who are suffering from dementia and Alzheimer's. That is a value that I think is important.

Mr. COHEN spoke to the real enemy. Is the real enemy somewhere out there around the world, or is the real enemy the disease that will take us down—in his case, childhood polio?

We are going to make choices here, very important choices to the everyday lives of Americans. My choice is to increase, to increase the budget, the appropriation for the National Institutes of Health so that the $35 billion that the scientists—who have already done the peer review on all types of diseases, ranging from Zika, to cancer, and HIV, and Alzheimer's—say are worthy research projects that should be funded.

I reject the value that the President has said to strip $5.6 billion out of the National Institutes of Health and transfer it for a wall on the Mexican border or for some spending in the military—some unspecified spending. These are choices.

I know where, in my mind, the choice should be, and I reject the choice that has been made by our President.

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

RESTRUCTURING HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, at this time, I yield to my friend, the gentleman from Florida (Mr. GAETZ).

HONORING THE DEDICATED SERVICE AND SELFLESS SACRIFICE OF SERGEANT FIRST CLASS ROBERT R. BONIFACE

Mr. GAETZ. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to pay tribute to a fallen decorated American hero. On March 19, 2017, Sergeant First Class Robert R. Boniface of the 7th Special Forces Group, located in my district, tragically lost his life in support of Operation Freedom's Sentinel.

Sergeant First Class Boniface was 34 years old—my age—but he lived a lifetime marked by full service. Sergeant First Class Boniface entered the Army in March 2006. After infantry basic training and advanced individual training at Fort Benning, Georgia, he attended airborne school before being assigned to the Special Warfare Center and School. Sergeant First Class Boniface completed the Special Forces Qualification Course earning his green beret in 2010. He was assigned then to the 7th Special Forces Group.

Sergeant First Class Boniface's awards and decorations include: two Bronze Star Medals, the Army Commendation Medal, two Army Good Conduct Medals, the National Defense Service Medal, the Afghanistan Campaign Medal with two Campaign Stars, the Global War on Terrorism Service Medal, three Noncommissioned Officer Professional Development Ribbons, the Army Service Ribbon, the NATO Medal, the Special Forces Tab, the Combat Infantryman Badge, the Special Forces Combat Diver Badge, and the Parachutist Badge.

Mr. Speaker, there are no words that I, this body of Congress, or the Nation can say that might ease the bereavement of the Boniface family. All I can say is that on behalf of a humble and grateful nation, we thank them for the love, counsel, and support given to Robert during his life, which helped make him a hero, both in uniform and as a father.

His life stands as a testament that freedom is not free. His legacy will echo in time as an example of the ultimate sacrifice for all free people. I pray that God will be with Robert's wife, Rebekah; his daughter, Mia; and all of their family and friends during this time of great mourning.

Mr. Speaker, may God continue to bless the United States of America.

Mr. GOHMERT. Mr. Speaker, I certainly thank my friend from Florida for such a compelling tribute to a great American hero.

Mr. Speaker, at this time, I yield to my friend, the gentleman from Ohio (Mr. DAVIDSON).

WELFARE BRAC ACT

Mr. DAVIDSON. Mr. Speaker, it is an honor to address this body, and I rise today to talk about H.R. 1469, the Welfare BRAC Act.

Before going into the specifics of the bill, I would like to talk for a little bit about how we have arrived at a point of needing such a fundamental restructuring of our Nation's antipoverty programs.

In 2015, the Federal Government spent $843 billion on welfare programs, means-tested welfare programs. By some estimates, we have spent more than $22 trillion on antipoverty programs over the past 50 years. Today, we have some 92 antipoverty programs run

by the Federal Government, all supposedly with the same goal: to alleviate poverty.

This chart to my left highlights those programs. If you look: 5, cash aid; 25, education and training; 2, for energy; 17, for food aid, and on goes the list.

So how did we come here? Well, as Ronald Reagan said: ''Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this Earth.''

Why is that true? Well, it is true because touching some of these programs is very polarizing. So when you touch them, they all have a constituency. And the reality is, if the 15th food aid program worked well, then the 16th wouldn't be launched. So if you want to address a new problem, well, then you launch the 17th food aid program.

What doesn't happen over the time is finding a way to get those programs to work together to be a coherent whole. So the solution, really in a lot of ways, is bipartisan. The Brookings Institution is rarely an ally to conservatives, and the Heritage Foundation is rarely an ally to the left. Yet they would both agree that employment, healthy marriages, and education alleviate poverty.

In fact, many of our programs, when we look at these listed, seek to address those needs. There are 92 programs. Maslow, in the hierarchy of needs, just addressed 5, and we have 92.

I think about the young social worker who wants to help someone who comes into the office and perhaps each of these programs has a 4-inch binder—a 4-inch thick binder, 92 of them. That is a pretty big bookshelf. What if she only had to know 20 programs? What if there were only 20 binders? What if there were only 5? What if there were 10?

I don't know whether the right number is a dozen or 20, but I don't think it is 92. So what is the solution? Well, I have a bipartisan solution that looks back to the history.

So in the Cold War, we had a very large Army, and, as we scaled down, it was very politically sensitive to try to deal with the problems of scaling down. Each base, each installation, had its own constituency, and so we created BRAC, the Base Closure and Realignment Commission. And the goal there was to have a quantitative set of objectives and to have a commission that was bipartisan that gave Congress a straight up-or-down vote. That worked, by and large, and we were able to scale down the military in a way that let the military focus on its mission.

So what I propose with H.R. 1469, the Welfare Benefit Realignment Commission, is a four-Republican, four-Democrat commission, totally neutral. It also does not seek to take away a dime of spending in it. It seeks to reduce the number of programs so that the result is more focused.

When Lyndon Johnson launched his war on poverty, he said that the goal was to not just treat the symptoms but to find a cure and, if possible, to prevent poverty all together.

So perhaps if we had a more focused effort, perhaps if we all focused on the cause, instead of the programs, we could see results. Some of these programs are clearly more effective than others at helping people get out of poverty, yet the reality is, Americans have seen roughly the same percentage of their fellow Americans in poverty for the entire war on poverty.

So if we look at these programs under the same three goals—employment, marriage, and education—perhaps we can find things that are effective that lift people out, really, at the end of the day, giving as many people as possible the dignity of work and a path to escape poverty into a better future.

In fact, this path is very compatible with the Better Way agenda that we have laid out for poverty for the years. It is not focused on dollars. It is focused on efficiency. Later in the year, we are seeking to provide off ramps so that you don't find a trap in the ''Better Way.'' You don't find a trap—if you get a raise, you lose your housing, or if you take that next job, or you get married, you lose your education benefits, things that would provide an on-ramp and an off-ramp for this system.

So that is part of the agenda for the year for the House. I think this is very compatible with it. I am seeking cosponsors. I am seeking support for this bill, and it truly is with a spirit of embracing the common American value of providing a safety net for their fellow Americans, but they want it to be effective.

So this is not about the cause. The cause is good, and fewer programs lets it be more focused and, hopefully, get a good result.

Mr. Speaker, I urge my colleagues to support this.

Mr. GOHMERT. Mr. Speaker, it has been an interesting few weeks here in Washington, and we are not done with healthcare legislation. There has been a lot of talk about that, but, Mr. Speaker, I would like to say, I have been encouraged as today has worn on. We had a tough family meeting this morning together as Republicans, but, to me, what I felt was coming out of it in the end—disagreement on some important issues but agreement among Republicans that people are hurting under ObamaCare.

People need relief from the high premiums, the high deductibles. So many people not only lost their doctor, lost their health insurance policy, but they can't afford—they tell us—to go to the doctors. We talked to constituents because they would have to get to several thousand dollars before the insurance portion would kick in.

People are hurting across the country, and, of course, we know that, without a single Republican vote, ObamaCare was passed, which cut Medicare by $716 billion dollars, with a ''B.'' And I know President Obama assured seniors: look, seniors, you know, you are not going to have to worry about this $716 billion in cuts to Medicare. You won't be able to tell the difference. This is only going to affect the doctors, the healthcare providers.

What seniors have noticed who I have talked to around Texas and in other places in the country, they have noticed that when Medicare doesn't pay their doctor, doesn't pay for tests that are needed, and doesn't pay for medication that they specifically need then it does affect them personally.

□ 1915

The bill that we took up, that didn't get passed on Friday, that we didn't vote on, there was nothing that was going to help those on Medicare. There is apparently some difference of opinion, but it appeared to many that some of us trusted that people between the ages of 50 to 64 were going to get hammered.

I am very encouraged to have seen Speaker RYAN, Majority Leader MCCARTHY, Whip STEVE SCALISE, and our Deputy Whip PATRICK MCHENRY incredibly busy today talking to Republican Members around the House about how we can get to a bill that will get 218—actually we need 216 right now—so that we can send it down the hall to the Senate.

Mr. Speaker, I am encouraged, and I hope others are, that we are not done. We had indications that the Senate was not going to take up the bill—even if we passed it on Friday, they were not going to take it up until sometime in May. So we have time to address this issue and come together on a bill that would pass.

Once again, a reference was made, Mr. Speaker—and it is so often that this event is referenced by Republicans when they get frustrated as to why we ended up with a bill that would require so many Republican arms to be twisted, that would endanger Republican seats to have to vote for it. People referenced back to this.

Remember some years back, some summers back—and I believe, actually, that was the last week of July of 2014, as I recall—in which Speaker Boehner had told us that he had cobbled together a bill that embraced 10 principles that every Republican in the House had agreed to. Some of them seemed a bit esoteric to me, but we agreed to them all. And we kept being told this is going to be a bill that embraces all the principles that all of us have agreed to.

So when the bill was finally filed on Tuesday evening, with Speaker Boehner having announced we were going to vote on it Thursday morning, for the first time, we got a look at the bill we were going to be voting on. By the time Thursday morning came rolling around, there had been so much information that came out—not opinion, but actually verbiage from the bill. It seems like it was around 60 pages, 70

pages, somewhere around there—but people were able to see for themselves what was there. There was so much commotion made about it that, by Thursday morning, much like Friday, Republicans made clear to our leadership—at that time Speaker Boehner—that they couldn't vote for it; that it didn't embody the 10 principles that we had all embraced.

I was so proud of my Republican Conference that Thursday because particularly a number of young Members, newer Members, got up in our emergency conference that they asked for. Speaker Boehner said: Well, I guess we just go on home and have the August recess.

Numerous Members said: No; let's have an emergency conference. Let's talk about this. We need to do something. We need to pass a good bill.

So people got up and they pointed out, like in a good family: Look, we have got differences, but we can reach agreement on this.

And there were probably 20 or so of us in a room for 2½ hours or so, and we compromised, and we got a bill that we could all vote on.

Unfortunately, at that time, there was a Democratic majority in the Senate, and we didn't get our bill passed through the Senate, but we showed that it could be done.

Once again, after Friday's problems, there are Members that are saying: Remember when we did that, where we just got people in a room and we agreed?

Mr. Speaker, I do believe, knowing so many of the Tuesday Group so well—they are good people—and the number one concern they have is their constituents and the things they are hearing from their constituents because they ran and they got elected to help people.

Everybody that I hear from on our side understands people have got to have help because ObamaCare is creating so many problems. I am hearing from many seniors, and it seems to be as a result of all of the $700-plus billion that Obama cut from Medicare.

Whereas, 7 or 8 years ago, even 6 years ago, before ObamaCare really started being implemented, if they needed surgery, if they needed something, under Medicare, the doctors immediately took care of it. If it was medication, if it was a treatment, if it was surgery, whatever, they took care of it.

I am hearing more and more east Texans who are on Medicare tell me: Now, doctors are telling me they can't schedule it this week or next week like they used to because of ObamaCare; that the only way they can make ends meet and still stay in business, they need to schedule it a couple of months down the road.

Many of us on the Republican side were pointing out, when ObamaCare passed, that what this leads to is a form of rationed care. Whereas, right now, if you have good insurance and you like your doctor and you need something done, it gets done immediately. That is what made America's medical care so attractive to other countries around the world.

I have visited in Middle Eastern and north African countries where the wealthy would say: If I needed surgery done, I'd fly to the United States. Unfortunately, I have heard more than once that: Yeah, and the great thing was that I flew back and never had to pay for it.

Well, somebody paid for that, that is for sure.

It is important that we fix our healthcare system as best we can. I have an article from Conservative Review that came out today from Daniel Horowitz. I don't agree with everything in the article; but Daniel Horowitz, as usual, is quite thought-provoking.

He says: ''Earlier today, a couple of Republican officials, in a refreshing display of honesty, admitted what we have known all along: They don't want to repeal ObamaCare. Even Senate Majority Leader MITCH MCCONNELL, Republican from Kentucky, admitted there won't be another attempt.

''He's certainly come a long way from his 2014 campaign promise to repeal ObamaCare 'root and branch' and his 2013 CPAC speech in which he said 'anybody who thinks we've moved beyond it is dead wrong.'

''As we explained yesterday, the compromise solution for repealing the core of ObamaCare, but not quite all of it, is already on the table, and PAUL RYAN, Republican from Wisconsin, has already agreed to and campaigned on it. Why aren't they doing it? Because they don't want to repeal ObamaCare and never intended to.''

That is the part I do disagree with.

I know we have all said this, but it was in Speaker Boehner's pledge that he and his leadership colleagues cobbled together back in 2010 and it was in the Better Way that Speaker RYAN and his leadership colleagues cobbled together last fall that we have got to repeal ObamaCare. We can't get down to this rationed care system where we are currently headed.

This says: ''As early as 2014, the Chamber of Commerce made it clear that their official position was to fix, not repeal ObamaCare. Money talks, everything else from there walks.

''The sentiment was evident today when Senator JOHN CORNYN, Republican from Texas, the Senate majority whip, said that they will no longer pursue repeal of ObamaCare through budget reconciliation and that 'it needs to be done on a bipartisan basis, and so we're happy to work on it with Democrats if we can find any who are willing to do so.'

''There you have it, folks. They know darn well there are no Democrats who will ever have incentive to work with them to repeal ObamaCare. They have always known that this had to be done unilaterally either through reconciliation or by blowing up the filibuster. But Republicans never intended to do so. That's why we heard all these phony excuses about process limitations. Now that they are proven false, Cornyn is at least being honest by saying they will repeal it when Democrats help them. When hell freezes over . . .''

And the article goes on.

Mr. Speaker, what Leader MCCONNELL and Senator CORNYN are talking about, I think they must have been discouraged when the House didn't pass a bill that would come their way. But good news for Leader MCCONNELL and Senator CORNYN, we are not done. People are hurting, and we are going to come together on a bill.

For those who attempted to say that those in the Freedom Caucus kept moving the goalposts, I know that was not said maliciously, but it was said. Anyone who said that was speaking just out of ignorance of what actually was the case.

Anybody that bothers to actually check and get the facts will find that, as many problems as people in the Freedom Caucus—and I am probably the newest member, I guess—had with this bill, we were doing what we could to reach a compromise that would give enough help, enough relief to Americans who are desperate for that help and that relief that we could hold our nose and vote for it.

There were all kinds of issues in that bill that create problems. For one thing, I would have thought a good amendment that would easily be accepted would be that, since this creates a new entitlement program, a tax credit program where you actually can get more money back—like a child tax credit, where we have so many people who are actually illegally in the country, claiming children, as there have been reports—and, of course, not everybody cheats on this. But there are numerous examples of stories around the country of people claiming to have children—mass numbers, dozens of them in the same house, and we don't know if they are in the country, we don't know if they are in another country, we don't know if they exist—and people getting more and more money back.

I had a senior citizen from Tyler telling me she is no longer working for H&R Block, that she used to during tax season. But it just grated on her so much that it created tension headaches and she couldn't sleep during tax season because she had so many people who did not have a Social Security number. But they got a tax number, and she would fill out the returns for them. Invariably, each would pull out a sheet of paper and would say: Don't I get this?

And it was the income tax credit—child earned credit.

She would fill it out, as they requested. And, invariably, they would get much more money back than they paid in. So it was a way of redistributing—it is not wealth, because the people that are in east Texas paying

those taxes, they are not wealthy. They are struggling to get by. That is why they can't afford the high deductibles that ObamaCare has driven them to.

Here it looks like we are going to have another program unless we get this amendment in there when we bring the bill back up.

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So I am hoping that that will be one of the adjustments because we were seeking to have something in there to require you to be legally in this country before you could get more money back from your income tax than you paid in. It is a new form of welfare, just like some have found the tax credit to be, where they get more back than they paid in.

So that is a concern, creating a new entitlement as we are about to go over the $20 trillion mark in debt, that we are coming up with a new way to go even deeper and quicker into further debt. But there were a number of issues here with the bill.

The thing that I kept hearing—and I had telephone townhalls, Mr. Speaker, with, really, tens of thousands of people that we reached out to in east Texas. The technology is so great, I can ask questions and have them punch a number for yes, no, and get results on what people are thinking. It was feelings about ObamaCare and the need to do something about it and the help that is needed and the losses of insurance they had before ObamaCare, problems they have had since ObamaCare.

East Texans, my constituents, need help. They want help. They want ObamaCare repealed, and they want a system back where they can choose their doctor, they have a relationship with their doctor, and they don't have an insurance company between them and their doctor or their hospital telling them what they can or can't have. And they don't want the government in between them and their healthcare provider telling them what they can or cannot have.

The health savings accounts that Republicans believe strongly could get us off this final road to complete rationed care, socialized medicine, like they have in England—it was a pleasure to talk to the sister of a member of Parliament from England. I have been in his home in England; he has been in my home in Tyler, Texas, just a great MP.

But talking about our systems, and I pointed out, I have a wife, I have got three adult daughters, and so I am kind of sensitive to being pushed into a system like England has, no offense to those in England. But when we saw the numbers back during the ObamaCare debate that indicated a 19 percent higher survivability rate from the same point of breast cancer being discovered, well, that is one out of five are dying in England unnecessarily, or at least back there when we got those numbers. I am not sure what the numbers are now.

It may be that ObamaCare has created more problems and now we are moving, already, toward the percentages of recovery that England had that were not as good as ours. But I would just as soon not lose one out of five women who have breast cancer, which we were not losing in the U.S. and they were losing in England.

It was interesting. I didn't realize, and I learned yesterday that, actually, that is why, in England, yes, they have socialized medicine, but you can also pay for private care on top of the socialized medicine because it just takes forever to get the kind of treatment that you need when you need it. So people with any means in England, they have the socialized medicine that is so inefficient, that tax funds pay for so inefficiently, and you get as much government as you do health care. But, if you have money, then, on top of the massive taxes you pay, you can also, then, pay for your own health care on top of that. That is different from Canada.

But, look, the bottom line is we don't need to continue down this route. So, again, I am encouraged we are going to come together and we are going to work toward a remedy.

It disturbed me that we heard from people who sounded like they knew what they were talking about, that rates are going to go up for a couple of years, and we are hoping that maybe 3 years after the Republicans would lose the majority in the next election because people are so upset about their higher premiums that then it might come down, premiums might come down 10 percent.

But the concern to me is not about losing the majority. It is about losing Americans unnecessarily if we don't fix this disastrous ObamaCare that is costing seniors. It is costing 50- to 64-year-olds. It is costing young people money that they shouldn't have to spend in the way that they are being required.

So some say we were moving the goalposts as the House Freedom Caucus, but, actually, from the beginning, we did indicate we would like to remove what experts are telling us in title I would dramatically bring down the cost of premiums very quickly—very quickly.

But we had agreed. Heck, we agreed with the Democrats, before they pushed through ObamaCare, let's work on a law together, bipartisan, that will make sure that insurance companies can't play games over preexisting conditions because it has resulted in unfairness and, at times, I can say as a former judge, actually, fraud. Let's work on that one.

Then I think there was fairly universal agreement on both sides of the aisle here that, if you are 26, you are still living with your parents, then you ought to be able to be on their health insurance. From my standpoint, I didn't even care. I didn't think we actually even needed an age, a cutoff age.

If you are 50 and you are still living with your parents, which we hope will soon be remedied by an economy turning around with a new President who knows how to get things going, but if you are still at home when you are 50, I don't have a problem. If you are still living with your parents, then you ought to be able to have a family insurance policy and be on it. So those were not problems.

I had a doctor friend back in east Texas who said I was a purist. I like him. He is a great guy. He apparently was a great surgeon. But I realized that, in his letter, he was speaking from a great deal of ignorance as he continued to point out things that simply weren't true, unless a purist is someone who says: Okay. Okay. I will vote for the bill, but you have got to give us something in the way of amendments to this bill that will help my constituents bring down the price.

Now, see, to me, that is not a purist because we were all willing to compromise in the Freedom Caucus. Actually, in communicating with President Trump two different times, we thought we had an agreement. Then we would hear back from our leadership: No. No. You can't do that. Either there is a problem with the Parliamentarian and it puts the whole bill at risk, or, gee, you are going to lose votes from some other group.

But I still believe, as I did then, if we would get the intermediaries out of the way, that Republicans can come together, Tuesday, more moderate group, Freedom Caucus. We can get people together like we did 3 years ago in July. We can get together and work out a compromise.

Now, to me, someone who agrees twice to a compromise that really bothers them is not the purist that I would expect, but then again, I guess it depends on your own personhood as to what you think is pure and what you think is not.

So, anyway, I appreciate very much, Mr. Speaker, the former Speaker, Newt Gingrich, pointing out yesterday that it is a good thing that this bill did not pass on Friday because we know, as Speaker Gingrich pointed out, in 1994, Democrats lost the majority in this room because they tried to push through HillaryCare. We know that in 2010, Democrats lost the majority in this room because they had pushed through ObamaCare against the majority will of the American people.

As former Speaker Gingrich pointed out, if we had rammed through this bill and, for example, people didn't see premiums come down before the next election, we would justifiably lose the majority in this House, and there are some good people that are serving here that should not be defeated. They are doing the best they can.

But we can do better than where the bill stood on Friday, and I am very grateful to Speaker RYAN, to leader MCCARTHY, our whip, for working so hard today, reaching out, seeing them all over the place trying to work, talking with different ones of us. It is really encouraging, and I would hope, in

the future, that we will start those things, we will—yes, we appreciate all the listening sessions, but then, as happened too often under Speaker Boehner, somebody, we don't even know who—there were a couple of things that made me wonder: Who wrote this? Is this the insurance lobby? Where did this come from?

But bring the bill out and let us see it instead of telling every Republican: It is going to go through committee; and Democrats are going to have a million amendments and we have got to vote down every one of them; we don't want any Republican amendments; we are going to take it like it is.

Well, see, to some of us, that is not really regular order. Regular order is a chance to have amendments, and especially from people in the majority who see real problems with the bill.

So we can do that, and I look forward to doing that. And since we knew the Senate wasn't going to take it up until May sometime anyway, we have got time to do that.

Mr. Speaker, I hope you felt the same as I did hearing all across our Conference, people saying, look, this is important enough. We are going to have time where we go back to our districts between now and the middle of May when the Senate might take this bill up.

Let's make sure we don't go on recess, go back to our districts to have people scream at us because we hadn't passed something. Let's stay here, and let's get it done like we did 3 years ago on the border security bill.

But we have got a lot of work to do. There are serious problems with the bill. But we also now know, despite what some have represented, that, gee, we can't know what the Parliamentarians would say or recommend. It is great to know that the Parliamentarian in the Senate, actually, Assistant Parliamentarians work a great deal like our splendid Parliamentarian here.

If you are getting ready to file a bill or if you are thinking about an amendment, you can actually go to any one of our Parliamentarian or assistants, show them the language. They can't give an obligatory ruling, and they generally tell us when they advise us: This is what I think, how the rule would apply there, and you may want to tweak this or that.

They always have the caveat: But remember, I am the Parliamentarian. I don't rule on anything. All I would do, if I am allowed, or it is requested, I will whisper in the ear of the presiding—which, in the Senate, hopefully, would be Vice President PENCE.

And, gee, the Byrd Rule is not that complicated. When you are under reconciliation, it needs to be about the budget. So, if anything that is amended or added to or part of the bill will materially affect the budget, it survives the Byrd Rule and it stays in. That is it.

The word in the Byrd Rule is ''incidental.'' It can't be just incidental or have an incidental effect on the budget. It has got to have a material effect; otherwise, it is considered extraneous.

Well, I would hope, knowing my friend, a former Member of the House here, former Conference chair, now Vice President, I would hope and certainly imagine if our friend, the Vice President, is in the presiding officer's chair in the Senate and a Democratic Senator stands up and says, ''I make a point of order because I believe this violates the Byrd Rule, where the House inserted a provision, you have to show that you are you lawfully in the U.S. in order to get the tax credit,'' well, there may be people that are so used to massive numbers here in Washington that they would say, well, those millions or tens or hundreds of millions, that may not be material, that may be only incidental.

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I hope my friend, my Vice President, would understand that, to Americans, the kind of money we would be talking about is hard-earned and it is material to the budget. So what happens if the Vice President then rules—who is the President of the Senate—well, your point of order is overruled, it is not appropriate, it doesn't violate the Byrd rule. Well, then that same Democrat or another could jump up and say: I appeal the ruling of the char.

Then what happens?

Normally, a Republican would stand and move to table the appeal of the ruling of the Chair. And then there are far more than enough Republicans to vote to table the appeal of the ruling of the Chair, which means the ruling stands, nothing is fatal, and we get closer to a repeal of ObamaCare. Even more important than that, we get closer to giving our constituents the help they really need.

So it has been a long few weeks. It was a very long conference, but I am encouraged, Mr. Speaker. I hope that Americans end up encouraged. I am glad the bill didn't pass on Friday just as I was 3 years ago when the original de facto amnesty bill that Speaker Boehner tried to shove through. I think we can get to a good bill. I am looking forward to seeing that happen and working with my friends here to get it done.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today and the balance of the week on account of a death in the family.

Mr. RUSH (at the request of Ms. PELOSI) for March 27 through March 30 on account of a death in the family.

SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 30. Joint Resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 35. Joint Resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 36. Joint Resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 29, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

918. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Missouri's Air Quality Implementation Plans; Open Burning Requirements [EPA-R07-OAR-2016-0470; FRL-9958-72-Region 7] received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

919. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan [EPA-R07-OAR-2016-0453; FRL 9957-84-Region 7] received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

920. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, 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); to the Committee on Foreign Affairs.

921. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report pursuant to Sec. 2(9) of the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

922. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report pursuant to Sec. 2(8) of the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-10); to the Committee on Foreign Affairs.

923. A letter from the General Counsel, Government Accountability Office, transmitting the Office's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public

Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

924. A letter from the Secretary and Chief Administrative Officer, Postal Regulatory Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

925. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cooper River Bridge Run, Cooper River and Town Creek Reaches, Charleston, SC [Docket No.: USCG-2017-0021] (RIN: 1625-AA-08) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

926. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: Eastport Breakwater Terminal, Eastport, Maine [USCG-2014-1037] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

927. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations: Special Anchorage Areas; Marina del Rey Harbor, Marina del Rey, CA [Docket No.: USCG-2014-0142] (RIN: 1625-AA01) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

928. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; James River, Newport News, VA [Docket No.: USCG-2017-0051] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

929. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, TICO Warbird Air Show; Indian River, Titusville, FL [Docket No.: USCG-2017-0130] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

930. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Areas; Escorted Submarines Sector Jacksonville Captain of the Port Zone [Docket No.: USCG-2016-0032] (RIN: 1625-AA11) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

931. A letter from the Office Program Manager, Office of Regulations Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Release of VA Records Relating to HIV (RIN: 2900-AP73) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE. Committee on Rules. House Resolution 233. Resolution providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; (Rept. 115–64). Referred to the House Calendar.

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. JOHNSON of Georgia (for himself, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Ms. KELLY of Illinois, Mr. BEYER, Mr. RASKIN, Ms. NORTON, Mr. HASTINGS, Mr. CONNOLLY, and Mr. LEWIS of Georgia):

H.R. 1746. A bill to prohibit certain individuals from possessing a firearm in an airport, and for other purposes; to the Committee on Homeland Security, 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. PALLONE (for himself and Mr. TONKO):

H.R. 1747. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to reauthorize and improve the Brownfields revitalization program, 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. SCOTT of Virginia (for himself, Ms. ADAMS, Ms. BASS, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CORREA, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JAYAPAL, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. KIHUEN, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. TAKANO, Mrs. TORRES, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. MEEKS, Mr. SWALWELL of California, and Ms. BLUNT ROCHESTER):

H.R. 1748. A bill to provide at-risk and disconnected youth with subsidized summer and year-round employment and to assist local community partnerships in improving high school graduation and youth employment rates, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BILIRAKIS:

H.R. 1749. A bill to direct the Secretary of Veterans Affairs to establish a pilot program for the provision of dental care to certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Iowa (for himself, Mr. LOEBSACK, Mr. KING of Iowa, Mr. PETERSON, Mr. BLUM, and Mr. LAHOOD):

H.R. 1750. A bill to amend the Internal Revenue Code of 1986 to expand certain exceptions to the private activity bond rules for first-time farmers, and for other purposes; to the Committee on Ways and Means.

By Mr. MOONEY of West Virginia:

H.R. 1751. A bill to impose sanctions in response to cyber intrusions by the Government of the Russian Federation and other aggressive activities of the Russian Federation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Oversight and Government Reform, Armed Services, and 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. BRAT (for himself and Mr. GAETZ):

H.R. 1752. A bill to prohibit mandatory or compulsory checkoff programs; to the Committee on Agriculture.

By Mr. BRAT (for himself and Ms. TITUS):

H.R. 1753. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture.

By Mr. LATTA (for himself and Mr. OLSON):

H.R. 1754. A bill to amend the Federal Trade Commission Act to clarify the scope of the exception for common carriers; to the Committee on Energy and Commerce, 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. BLUMENAUER:

H.R. 1755. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Ways and Means.

By Mrs. COMSTOCK (for herself, Mr. WITTMAN, and Mr. GRIFFITH):

H.R. 1756. A bill to require the Secretary of the Interior to conduct offshore oil and gas Lease Sale 220 as soon as practicable, and for other purposes; to the Committee on Natural Resources.

By Mr. DANNY K. DAVIS of Illinois (for himself, Ms. KELLY of Illinois, and Mrs. BUSTOS):

H.R. 1757. A bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, Ways and Means, 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 Ms. ESTY (for herself, Mr. KATKO, Mr. DEFAZIO, and Mrs. NAPOLITANO):

H.R. 1758. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to brownfield remediation grants, 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. GRIJALVA (for himself, Ms. LEE, Mr. CONNOLLY, Mr. LANGEVIN, Mr. JOHNSON of Georgia, Mr. TED LIEU of California, Mr. QUIGLEY, Mr. MEEKS, Ms. SCHAKOWSKY, Ms. MCSALLY, Mr. MCGOVERN, Ms. CASTOR of Florida, Mr. COSTELLO of Pennsylvania, Mr. COHEN, and Mr. BLUMENAUER):

H.R. 1759. A bill to amend the Animal Welfare Act to restrict the use of exotic and wild animals in traveling performances; to the Committee on Agriculture.

By Mr. GROTHMAN:

H.R. 1760. A bill to amend the Food and Nutrition Act of 2008 to eliminate the authority of the Secretary of Agriculture to grant a waiver from the work requirements for participation in the supplemental nutrition assistance program on account of an area's high unemployment rate or limited employment availability for individuals who reside in the area; to the Committee on Agriculture.

By Mr. JOHNSON of Louisiana:

H.R. 1761. A bill to amend title 18, United States Code, to criminalize the knowing consent of the visual depiction, or live transmission, of a minor engaged in sexually explicit conduct, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Ms. GABBARD, Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, Mrs. BROOKS of Indiana, Ms. KUSTER of New Hampshire, Mr. MEEHAN, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. SWALWELL of California, Ms. TSONGAS, Mr. JOYCE of Ohio, and Ms. SPEIER):

H.R. 1762. A bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1763. A bill to direct the Attorney General to carry out a pilot program to provide grants to eligible entities to divert individuals with low-level drug offenses to prebooking diversion programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MESSER:

H.R. 1764. A bill to amend the Internal Revenue Code of 1986 to exclude room and board costs and certain research expenses from gross income of certain students; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 1765. A bill to provide that the authority to grant clemency for offenses against the District of Columbia shall be exercised in accordance with law enacted by the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. ROE of Tennessee (for himself and Mrs. BLACKBURN):

H.R. 1766. A bill to prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records; to the Committee on Energy and Commerce.

By Mr. RUSSELL:

H.R. 1767. A bill to amend the Higher Education Act of 1965 to discontinue certain administrative cost allowances, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RUSSELL:

H.R. 1768. A bill to provide that no additional Federal funds may be made available for National Heritage Areas, and for other purposes; to the Committee on Natural Resources.

By Mr. VALADAO:

H.R. 1769. A bill to affirm an agreement between the United States and Westlands Water District dated September 15, 2015, and for other purposes; to the Committee on Natural Resources.

By Mrs. COMSTOCK (for herself, Mr. BEYER, Mr. CONNOLLY, Mr. BROWN of Maryland, Mr. DELANEY, Ms. NORTON, Mr. RASKIN, and Mr. HOYER):

H.J. Res. 92. A joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact; to the Committee on the Judiciary.

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. JOHNSON of Georgia:

H.R. 1746.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1, 3, and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. PALLONE:

H.R. 1747.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. SCOTT of Virginia:

H.R. 1748.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 1749.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. YOUNG of Iowa:

H.R. 1750.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. MOONEY of West Virginia:

H.R. 1751.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying the execution of the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. BRAT:

H.R. 1752.

Congress has the power to enact this legislation pursuant to thefollowing:

''This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.''

By Mr. BRAT:

H.R. 1753.

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 1, Section 8, Clause 18 of the United States Constitution.''

By Mr. LATTA:

H.R. 1754.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BLUMENAUER:

H.R. 1755.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass tax legislation. Article I of the Constitution, in detailing Congressional authority, provides that ''Congress shall have Power to lay and collect Taxes . . .'' (Section 8, Clause 1). This legislation is introduced pursuant to that grant of authority.

By Mrs. COMSTOCK:

H.R. 1756.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the U.S. Constitution: ''The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. DANNY K. DAVIS of Illinois:

H.R. 1757.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. ESTY:

H.R. 1758.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Mr. GRIJALVA:

H.R. 1759.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GROTHMAN:

H.R. 1760.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. [Page H5913]

By Mr. JOHNSON of Louisiana:
H.R. 1761.
Congress has the power to enact this legislation pursuant to the following:
Aticle I, Section 8.
By Mr. KENNEDY:
H.R. 1762.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. SEAN PATRICK MALONEY of New York:
H.R. 1763.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8
By Mr. MESSER:
H.R. 1764.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution
By Ms. NORTON:
H.R. 1765.
Congress has the power to enact this legislation pursuant to the following:
clause 17 of section 8 of article I of the Constitution.
By Mr. ROE of Tennessee:
H.R. 1766.
Congress has the power to enact this legislation pursuant to the following:
Consistent with the original understanding of the Commerce Clause, the authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution. Furthermore, the treatment of Medicaid among other provisions provide for the general welfare of the Unites States and thereby retain authority within Clause 1 of Section 8, Article of the U.S. Constitution.
By Mr. RUSSELL:
H.R. 1767.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. RUSSELL:
H.R. 1768.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. VALADAO:
H.R. 1769.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution of the United States.
By Mrs. COMSTOCK:
H.J. Res. 92.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 10, Clause 3: ''No State shall, without the Consent of Congress . . . enter into any Agreement or Compact with another State . . .''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. GROTHMAN, Mr. FITZPATRICK, Mr. SCHRADER, Mr. BACON, and Mr. MEADOWS.
H.R. 38: Mrs. ROBY, Mr. NUNES, and Mr. BARTON.
H.R. 250: Mr. BABIN, Mr. GARRETT, and Mr. SMITH of Texas.
H.R. 282: Mr. FRANKS of Arizona, Mr. JONES, Mr. CALVERT, Mr. WEBSTER of Florida, and Mr. FASO.
H.R. 352: Mr. POE of Texas.
H.R. 367: Mr. PEARCE and Mrs. ROBY.
H.R. 371: Mr. LARSON of Connecticut.
H.R. 390: Mr. GOHMERT.
H.R. 392: Mr. JOHNSON of Ohio, Ms. BLUNT ROCHESTER, and Ms. DELBENE.
H.R. 477: Mr. LUCAS.
H.R. 479: Mr. WILSON of South Carolina.
H.R. 490: Mr. WILSON of South Carolina.
H.R. 510: Mr. FITZPATRICK.
H.R. 530: Mr. LANGEVIN.
H.R. 548: Mr. TIPTON.
H.R. 564: Mr. MOOLENAAR.
H.R. 565: Mr. GOHMERT.
H.R. 579: Mr. EVANS.
H.R. 620: Mr. FOSTER and Mr. DENHAM.
H.R. 671: Mr. MCEACHIN and Mr. GALLEGO.
H.R. 672: Mr. ROYCE of California, Mr. DONOVAN, Mr. SHERMAN, Mr. POE of Texas, Mr. SIRES, and Mr. CICILLINE.
H.R. 676: Ms. VELÁZQUEZ and Mr. PAYNE.
H.R. 723: Mr. CARTWRIGHT.
H.R. 747: Mr. ROYCE of California and Mr. LAMALFA.
H.R. 754: Mr. COOK.
H.R. 807: Mr. ROTHFUS and Mr. NOLAN.
H.R. 816: Mr. DESAULNIER.
H.R. 822: Mr. MOULTON.
H.R. 846: Mr. VARGAS and Mr. GUTHRIE.
H.R. 849: Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. STEWART, Mr. WEBSTER of Florida, Mr. MULLIN, Mr. MESSER, Mr. LARSON of Connecticut, Mr. TED LIEU of California, Mr. GROTHMAN, Mr. TIPTON, Mr. LAMBORN, Mr. FARENTHOLD, Mr. DIAZ-BALART, Mr. COLE, and Mr. HARRIS.
H.R. 873: Ms. GABBARD and Mr. WITTMAN.
H.R. 879: Mr. ROUZER.
H.R. 909: Mr. CORREA, Mr. CRIST, Mrs. BEATTY, and Ms. ROSEN.
H.R. 964: Mr. CONNOLLY.
H.R. 973: Ms. MCSALLY.
H.R. 1027: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1038: Mr. FORTENBERRY.
H.R. 1116: Mr. EMMER
H.R. 1148: Mr. RUPPERSBERGER.
H.R. 1150: Mr. RENACCI, Mr. BARR, Mr. BOST, Mr. CALVERT, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. LONG, Mr. COLE, Mr. BYRNE, and Mr. VALADAO.
H.R. 1155: Mr. DEFAZIO and Mr. POCAN.
H.R. 1160: Mr. DELANEY.
H.R. 1172: Mr. HUFFMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. PINGREE, and Mr. NOLAN.
H.R. 1180: Mr. BYRNE.
H.R. 1203: Mr. EMMER.
H.R. 1222: Mr. ABRAHAM, Mr. SWALWELL of California, Mr. LOEBSACK, Mr. BOST, Mr. SOTO, Mr. POCAN, Mrs. MCMORRIS RODGERS, Mrs. MURPHY of Florida, Mr. WEBSTER of Florida, Mr. MULLIN, Mr. EVANS, Mr. STIVERS, Mr. GUTHRIE, Mr. CONNOLLY, and Ms. NORTON.
H.R. 1235: Mr. PASCRELL and Mr. TED LIEU of California.
H.R. 1264: Mr. CULBERSON, Mr. BABIN, and Mr. POE of Texas.
H.R. 1267: Mr. CARTER of Georgia, Mr. CURBELO of Florida, and Mr. KEATING.
H.R. 1303: Mr. PALLONE and Mr. MCGOVERN.
H.R. 1318: Ms. ESTY and Mr. THOMPSON of California.
H.R. 1334: Mr. ALLEN.
H.R. 1346: Ms. FRANKEL of Florida and Mr. YOUNG of Alaska.
H.R. 1358: Mr. COHEN.
H.R. 1393: Mr. YARMUTH.
H.R. 1405: Mr. PALLONE and Mr. POLIS.
H.R. 1406: Mr. MEEHAN, Mr. SWALWELL of California, Mr. CHABOT, and Mr. GAETZ.
H.R. 1421: Ms. DEGETTE.
H.R. 1444: Mr. PERLMUTTER and Mr. SMUCKER.
H.R. 1452: Ms. BONAMICI and Mr. DESAULNIER.
H.R. 1466: Mr. PERLMUTTER.
H.R. 1485: Ms. TENNEY and Mr. COOK.
H.R. 1494: Mr. CUELLAR, Mr. PAULSEN, Mr. COLE, Mr. NOLAN, Mr. HURD, Mr. CUMMINGS, Mr. VISCLOSKY, Mr. POCAN, Mr. JOHNSON of Ohio, Ms. JUDY CHU of California, and Mr. RUIZ.
H.R. 1515: Mr. TAKANO, Mr. BLUMENAUER, and Ms. SINEMA.
H.R. 1516: Mr. YARMUTH and Mr. CONYERS.
H.R. 1528: Mr. POLIS.
H.R. 1552: Mr. ALLEN, Mr. GOSAR, Mr. KELLY of Mississippi, Mrs. MIMI WALTERS of California, and Mr. ISSA.
H.R. 1582: Mr. PETERS, Mr. LYNCH, and Mr. MOOLENAAR.
H.R. 1588: Mr. COHEN.
H.R. 1589: Mr. LARSON of Connecticut.
H.R. 1609: Miss RICE of New York.
H.R. 1614: Mr. KHANNA, Mr. DESAULNIER, and Ms. SEWELL of Alabama.
H.R. 1626: Mr. PETERSON.
H.R. 1644: Ms. ROS-LEHTINEN, Mr. COOK, Ms. GABBARD, and Mr. WILSON of South Carolina.
H.R. 1665: Mr. KINZINGER, Mr. BOST, Mr. SHIMKUS, and Mr. LAHOOD.
H.R. 1676: Ms. DELBENE, Mr. HECK, and Ms. MCCOLLUM.
H.R. 1678: Mr. MAST.
H.R. 1694: Mr. SESSIONS.
H.R. 1695: Mr. SCHNEIDER.
H.R. 1697: Mr. FARENTHOLD, Mrs. BEATTY, Mr. ROYCE of California, Mr. DUNCAN of South Carolina, Mr. YODER, Mr. CHAFFETZ, Mr. MARCHANT, Ms. WASSERMAN SCHULTZ, Mr. BARR, Mr. STEWART, Mr. SCHNEIDER, Mr. FITZPATRICK, Mr. KINZINGER, Mr. WEBSTER of Florida, Mr. MURPHY of Pennsylvania, Miss RICE of New York, Mr. COOK, Ms. SINEMA, Mr. HIGGINS of New York, Ms. ROSEN, Mr. PETERSON, Mr. NEAL, Mr. HOLDING, Mr. SMITH of New Jersey, Mr. GIBBS, and Mrs. NAPOLITANO.
H.R. 1698: Mr. CICILLINE, Mr. STIVERS, Mrs. DAVIS of California, Mr. RENACCI, Mr. COHEN, Ms. SINEMA, Ms. WASSERMAN SCHULTZ, Mr. CARTWRIGHT, Mr. YOUNG of Iowa, Mrs. WATSON COLEMAN, Ms. FRANKEL of Florida, Mr. FARENTHOLD, Mr. KEATING, Mr. GARRETT, Mr. DUNCAN of South Carolina, Mr. ROSKAM, Mr. YODER, Mr. DELANEY, Mr. POE of Texas, Mr. CHAFFETZ, Ms. MATSUI, Mr. MARCHANT, Mr. BARR, Mr. SMITH of New Jersey, Mr. KINZINGER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONNOLLY, Mr. WEBSTER of Florida, Mr. MURPHY of Pennsylvania, Miss RICE of New York, Mr. KELLY of Pennsylvania, Mr. COOK, Mr. HIGGINS of New York, Mr. PETERSON, Ms. KELLY of Illinois, Mr. NEAL, Mr. WALKER, Ms. JENKINS of Kansas, Mr. LAMBORN, Mr. FITZPATRICK, Mr. CRAWFORD, Mr. STEWART, Mr. GIBBS, Mr. GAETZ, and Mrs. NAPOLITANO.
H.R. 1702: Mr. BLUM.
H.R. 1711: Mr. PALLONE, Ms. JAYAPAL, Mrs. WATSON COLEMAN, Mr. NADLER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CLAY, Mr. POCAN, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. MCEACHIN, Mr. JEFFRIES, Mr. HIGGINS of New York, Mr. MCGOVERN, and Mr. FOSTER.
H.R. 1724: Mr. EVANS.
H.R. 1737: Mr. SMITH of Texas and Mr. HENSARLING.
H.R. 1739: Mr. POLIS, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.
H.J. Res. 53: Mr. KRISHNAMOORTHI and Ms. GABBARD.
H.J. Res. 59: Mr. LOUDERMILK.
H.J. Res. 73: Mr. GALLAGHER, Mr. COLLINS of Georgia, and Mr. WALKER.
H. Con. Res. 38: Mr. HUFFMAN.
H. Con. Res. 40: Mr. HIGGINS of Louisiana.
H. Res. 28: Mrs. DEMINGS, Mr. HECK, Mr. PAYNE, Mr. YODER, and Mr. GENE GREEN of Texas.
H. Res. 30: Mr. HUDSON, Ms. LOFGREN, and Mr. BRADY of Pennsylvania.
H. Res. 90: Mr. GUTIÉRREZ.
H. Res. 92: Mr. POE of Texas and Mr. KINZINGER.
H. Res. 121: Mr. GUTHRIE.
H. Res. 135: Mr. BILIRAKIS.
H. Res. 137: Mr. SHERMAN.
H. Res. 145: Mr. CICILLINE and Mr. SHERMAN.

H. Res. 148: Ms. LOFGREN.

H. Res. 163: Mr. EVANS.

H. Res. 184: Mrs. DINGELL, Mr. LEVIN, Mr. CRIST, Mr. NORCROSS, Mr. LOEBSACK, Ms. HANABUSA, and Mrs. DEMINGS.

H. Res. 186: Mrs. TORRES, Ms. VELÁZQUEZ, Mr. CARSON of Indiana, Mr. KILDEE, Ms. LOFGREN, Mr. EVANS, and Mr. CARBAJAL.

H. Res. 187: Mr. WALZ, Mr. CHABOT, Mr. ENGEL, Mr. CONNOLLY, and Mr. BERA.

H. Res. 203: Mr. TED LIEU of California, Mr. CICILLINE, and Mr. COHEN.

H. Res. 206: Mr. EVANS.