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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. GRAVES of Louisiana).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 4, 2017.

I hereby appoint the Honorable GARRET GRAVES 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.

CLIMATE CHANGE

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

Mr. QUIGLEY. Mr. Speaker, there has been a lot going on around here lately. We have been conducting investigations, holding hearings, and some of us have even tried and failed to fundamentally change the way we provide health care in this country.

It has been easy to get distracted by the dozens of different headlines and breaking news stories we see each week. But no matter what else is going on here in Washington, one thing continues unabated: each day, the United States, like every other country on Earth, continues to release tons and tons of carbon dioxide into the atmosphere, and now we are starting to see the effects.

Over the last couple of years, the U.S. has joined 20 other countries from around the world in growing its economy while reducing its annual emissions into the atmosphere. This is not a small feat, and decoupling emissions from growth is the first step toward the substantive action needed to address the growing climate crisis. But I find this concept of reducing emissions can sometimes be a little misleading.

In the last few years, the U.S. has reduced the rate that it emits greenhouse gases. But even if we are doing it more slowly, we are still emitting harmful pollution into our air.

Imagine, Mr. Speaker, standing at the edge of an empty swimming pool with a garden hose. For a while, water was spewing out of that hose at a torrent; and each year, the volume got greater and greater. Now, the water is still running, but we have begun to turn the speed down. However, even if we manage to slow the rate of water going in, the pool still has more water than when we started and is still filling up.

Our atmosphere is that pool. For nearly 100 years, it has been filling up with greenhouse gases. And they don't just go away when the calendar flips. Reducing the annual emissions is vital, but we can't lose track of all the gases that have been accumulated year after year.

If we are going to hit the international goal of limiting climate warming to 2 degrees Celsius, we need to start acting now. Yet, this august body has been behind the curve on this issue for years.

Our colleagues seem content to ignore the climate crisis, to hold hearings with discredited, crank pseudoscientists bought and paid for by corporate interests, or to deny the value of scientific thinking altogether, an approach that is all too familiar given the post-research, post-intelligence, post-truth mindset that we have seen from this administration. They have adopted a ''hear no evil, see no evil, speak no evil'' approach to climate change, hoping they can ignore it until it goes away. Sadly, that is not the way the world works.

We can't unfill the pool by pretending there is no such thing as water. This form of denial has been evolving over time. First, we heard that there was no way that climate is changing at all.

Now that the changes in the atmosphere are beyond doubt, we are starting to hear that climate is changing but there is nothing we can do about it. In addition to being flat out false, that type of thinking is unbecoming of a nation that put the first man on the Moon, pioneered instantaneous communication, and has led the world in the fight against countless deadly diseases.

Last month, we heard the Administrator of the Environmental Protection Agency question the very fundamentals of atmospheric science, a particularly dismaying thing from the man charged with leading the fight against climate change. This type of willful scientific ignorance has serious consequences. It will cost lives.

Children will be exposed to harmful, asthma-inducing pollution because we didn't act fast enough to clean our air. They will die because crops that could be counted on for generations will no longer grow. They will be forced from their homes because melting polar ice is driving sea levels higher and higher.

We cannot deny these impacts. We cannot continue to hear no evil and see no evil when these changes are happening all around us, resulting in devastating consequences that affect every aspect of our life.

Instead, the time has come to speak up and speak loudly like our lives and the world depend on it, as it truly does.

RECOGNIZING VICTORIA RIOS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize an outstanding young lady from our south Florida community, Victoria Rios.

Vicki is the winner of the 2016 Congressional App Challenge from my congressional district, and she is a remarkable senior high student at Gulliver Preparatory.

Her app, Simple Sign, was created out of the most noble and sincere desire to help those with hearing impairment, and her app was inspired by her special needs younger sister, Zoe.

Simple Sign is an easy-to-use app that includes photos and videos that helps individuals easily and quickly learn sign language through a cell phone or tablet.

The future of our great Nation relies on innovators from all backgrounds and walks of life in STEM careers, and I could not be more proud of Vicki choosing this extraordinary calling. I hope that this accomplishment will inspire her classmates, friends, and other young women across south Florida to pursue a career in STEM fields.

Congratulations, Victoria, and I cannot wait to see all of the amazing designs that you will create in the future.

2017 AIDS WALK MIAMI

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to encourage all of south Florida to participate in the 2017 AIDS Walk Miami on Sunday, April 23, at Soundscape Park located in my congressional district of Miami Beach.

This 5K walk through the streets of beautiful South Beach seeks to cultivate a culture of awareness and prevention, as well as help provide services for the more than 15,000 individuals who have been impacted by HIV/AIDS in our south Florida community.

Since 1989, this AIDS walk has been one of Miami's largest HIV/AIDS awareness charity event and continues to attract thousands of participants from all over the Nation who walk together to raise funds to prevent new infections, maximize the health outcomes and quality of life of those infected, and ultimately end the HIV/AIDS epidemic in south Florida.

Unfortunately, last year, south Florida led our Nation in AIDS-related deaths, and Miami was one of the Nation's top HIV hotspots.

This walk lends vital support to local groups and organizations, such as Care Resource and the Food for Life Network, that are working to transform the lives of patients and caregivers throughout our south Florida community.

The Food for Life Network food bank provides and delivers groceries, meals, and nutritional education to men, women, and children living with HIV/AIDS in Miami-Dade County. Since 1987, its staff and volunteers have provided over 1.5 million meals and groceries as well as other crucial services, such as free screening for sexually transmitted diseases, free medical and dental care, access to health and nutrition specialists, and so much more, Mr. Speaker.

Care Resource is improving the health and quality of life of our diverse south Florida community, especially those impacted by HIV/AIDS, by providing essential health services, such as pediatric and dental care, immunizations, HIV primary care, and more.

It is because of the work and commitment of organizations like these that AIDS is no longer a death sentence and patients can live long and fulfilling lives.

So, again, Mr. Speaker, I invite everyone in south Florida to come out to the 2017 AIDS Walk Miami and help celebrate our great success against this disease and the great progress that we have achieved for the thousands living with HIV/AIDS in south Florida and to reaffirm our strong commitment to the work that is yet to be done.

Together we can achieve the goal of an AIDS-free generation in the near future.

COMMEMORATING THE WORK OF THE HUMANE SOCIETY

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to commemorate one of the Nation's largest animal protection organizations, The Humane Society of the United States.

Each year, The Humane Society and its affiliates provide sanctuaries, veterinary programs, emergency shelters, and rescues to over 100,000 animals, leading in efforts to confront animal cruelty and providing care and services to many animals in need.

In addition, The Humane Society works tirelessly to educate and advocate by providing essential training and services to local shelters and animal groups lacking resources and through policy initiatives on both the State and national level.

Animal welfare and wildlife conservation are vital to our south Florida community. That is why, Mr. Speaker, I am so pleased to pay tribute to the outstanding commitment of all the volunteers of The Humane Society of the United States and wish all of them great success as we continue working together to combat animal cruelty and negligence to create a better world for all animals.

MILITARISM, MATERIALISM, AND RACISM

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

Mr. COHEN. Mr. Speaker, this is the 49th anniversary of the assassination of Dr. Martin Luther King, Jr.

Dr. King, Jr., was, sadly, struck down in Memphis, Tennessee, by an aberrant individual who wanted to kill him and chased him all over the country. It so happened that Memphis was the spot that he had that final opportunity.

In Memphis, there will be activities today celebrating the life of Dr. King and commitments to community service in his spirit.

Ironically, today, while it is the 49th anniversary of his assassination, it is also the 50th anniversary of his greatest speech, in my opinion. Not the ''I've Been to the Mountaintop'' speech that he made the night before in Memphis, the great speech where he said: I have been to the mountaintop, and I may not get there with you; but I want you to know tonight, that we, as a people, will get to the promised land.

His greatest speech, in my opinion, was the speech at the Riverside Church in New York, in Manhattan, on April 4 of 1967, when he spoke of the three isms that bother this country and are the enemies of this country: militarism, materialism, and racism.

The speech was called ''Beyond Vietnam.'' A prescient Dr. King saw the need to get out of Vietnam, to make a unilateral step, cease the bombing, save lives. He was indeed right about that. We should have gotten out of Vietnam then, but we didn't.

It was months later that Richard Nixon interfered with the peace process for political reasons and got word to Vietnam not to participate; that they might get a better deal from Nixon; and that stopped President Johnson from possibly concluding the war in 1968.

The racism, the militarism, and the materialism are still pervasive. Dr. King wouldn't like what he sees today. We have a budget giving 56 or $57 billion extra to the military and cutting away from diplomacy efforts, foreign aid efforts that militate against war. And it takes away from funding for people, African Americans and poor people in America, who need government assistance.

That is part of what Dr. King was concerned about in this ''Beyond Vietnam'' speech. And here it is 50 years later and we still suffer with the same tight budget and the same misguided priorities.

We have an Attorney General who is looking at ending consent decrees on police violence against African Americans in Baltimore, Maryland, and also in Ferguson, a suburb of St. Louis, Missouri.

We are going the wrong direction, and it is sad that one of our greatest prophets and one of our greatest leaders told us about it 50 years ago.

Have we learned.

The disparity in wealth is greater than ever in this country. The rich are getting richer and richer and richer. It is incomprehensible that there are billionaires—and there are lots of them out there—and that the tax breaks that we offer in the Tax Code are going to give millionaires and billionaires hundreds of thousands and millions of dollars of tax breaks at the expense of

government programs for people who don't have enough.

There is no consideration of a minimum wage. And Dr. King was strong on believing that if people worked a full-time job, they shouldn't be paid a part-time wage.

□ 1015

We need to go a lot further. We need to reflect on Dr. King's Riverside speech and understand that it is still a guide for us, and we need to look at a more understanding budget that cares about people first and not the military industrial complex that President Eisenhower warned us about; that we try to avoid wars through diplomacy and foreign aid and goodwill; and that we support our people with WIC programs and LIHEAP programs and Meals on Wheels and health care and public education; and that we try to give tax breaks to the middle class—large tax breaks, and not tax breaks to those who already have enough.

Thank you, Dr. King. You served us well. We mourn your loss. We remember your words.

CELEBRATING THE 40TH ANNIVERSARY OF WIC

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Special Supplemental Nutrition Program for Women, Infants, and Children—or WIC—is a short-term intervention program designed to help ensure pregnant women and their children are able to meet healthy nutritional needs.

WIC began in 1972 as a supplemental food pilot program aimed at improving the health of pregnant mothers, infants, and children in response to a growing concern of malnutrition among low-income families. By 1974, WIC was operating in 45 States and became a permanent program in 1975.

WIC provides participants with monthly benefits redeemable for specific foods to supplement their diets, as well as related nutrition and health services. WIC provides quality nutrition education and services; breastfeeding promotion and education; a monthly food package; and access to maternal, prenatal, and pediatric healthcare services. WIC has served 8.3 million participants each month through 10,000 clinics nationwide in 2014; 806,000 pregnant women; 592,000 breastfeeding women; 575,000 postpartum women; 2 million infants; and 4.3 million children.

Mr. Speaker, numerous studies have shown that pregnant women who participate in WIC have longer pregnancies, leading to fewer premature births. They have fewer low and very low birth weight babies. They experience fewer fetal and infant deaths, and they seek prenatal care earlier in pregnancy and consume more of key nutrients, such as iron, protein, calcium, vitamins A and C.

WIC has been addressing the nutrition and health needs of low-income families for more than 40 years. I rise today as chairman of the Agriculture Subcommittee on Nutrition but also as someone who knows firsthand how important WIC is for many Americans.

In the early 1980s, when my wife, Penny, and I were just starting out, we were eligible for WIC based on our income. We used WIC to supplement our personal resources at the time to ensure that Penny, who was expecting our first son, was healthy. Back then, WIC truly helped us supplement what we needed after our personal resources and the family assistance and support came into play.

Nutrition influences health at every stage of life. Good nutrition during pregnancy is especially important to support fetal development and protect mothers from pregnancy-related risks of gestational diabetes, excessive weight gain, hypertension, and iron deficiency anemia. Good nutrition in early childhood can promote development and foster healthy behaviors that may carry over into adulthood.

Mr. Speaker, the facts are clear: WIC works. Let's ensure this program remains viable for generations to come. WIC truly provides a competitive edge that will give everyone a fair shot at life—a fair start in life, and the American people deserve no less.

TRUMP'S GROWING LIST OF PERSONAL AND BUSINESS ENTANGLEMENTS

The SPEAKER pro tempore (Mr. NEWHOUSE). The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today to bring attention to President Trump's ever-growing risk of personal and business entanglements. They call into question his ability to serve impartially in the interests of the American people. Both he and his administration remain closely linked to private companies and foreign entities whose interests are often in direct opposition to those of the United States.

For example, we are well aware of the increasing boldness of the Chinese regime and its efforts to extend their economic and military influence. Despite portraying China publicly as a threat to economic growth of the United States, the President has selected Goldman Sachs' executive, Gary Cohn, to be his director of the National Economic Council. That is about one of seven individuals from Goldman Sachs who have been brought into this administration. Mr. Cohn has just sold his $16 million holding in a Chinese bank. This same state-owned Chinese bank also happens to be the largest tenant in Trump Tower in Manhattan. Isn't that a coincidence?

Wilbur Ross, President Trump's choice for Commerce Secretary, presents similar conflicts of interest. As a man who will play a major role in shaping U.S. trade policy, Mr. ROSS continues to hold a stake worth tens of millions of dollars in the international shipping company, Diamond S Shipping Group, a company that not only operates ships that fly the Chinese flag, but those ships also call on ports in countries, such as Iran and Sudan, that are under U.S. sanctions for being state sponsors of terrorism.

We also know that The Trump Organization was recently awarded sole rights to the President's name for products sold in China. He had waited 10 years to get those rights. The case was settled just mere days after President Trump's phone call with Chinese President Xi Jinping, when the President reversed his prior stance on Chinese unification and gave a full-throated endorsement to what he termed ''One China'' policy. That was a reversal from what he had done just after the election.

Meanwhile, according to The New York Times, President Trump's son-in-law, Jared Kushner, was recently negotiating a real estate deal worth hundreds of millions of dollars with a Chinese company closely tied to its government. And while it has been reported that the deal was called off, the fact that Mr. Kushner is continuing to negotiate private real estate deals while serving as a White House employee is deeply troubling.

It was announced last week that Ivanka Trump will now be joining her husband in the White House as an adviser to the President with top secret security clearance. While she has stepped down from her former role at her fashion licensing company that uses the Trump name, her decision to transfer her brand's assets into a trust run by her own brother-in-law—and her arrangement to continue to receive fixed payments from the company—is a matter of serious concern given her role in the administration.

The ever-growing list of valid concerns about the Trump administration's conflicting entanglements are taking place at the same time that the President is proposing $18 billion in reductions for the 2017 appropriations process—while he himself, his daughter, son-in-law, and his Cabinet members continue to benefit off the American taxpayer.

While the President spends millions of tax dollars on securing his residences in New York and in Florida and flying to his so-called southern White House almost every weekend, he is slashing to zero the Great Lakes Restoration Initiative—an absolutely critical program that directly impacts my district and many others responsible for preserving the world's largest body of fresh water from serious and growing environmental threats. What is right about that?

President Trump also wants to eliminate TIGER grants, a highly successful transportation program that provides

funding for communities across America with backlogged infrastructure projects that create jobs and produce robust economic benefits. Everyone agrees on that.

He has also called for a nearly $3 billion draconian reduction to foreign operations endangering our national security. We are the leader of the free world the last time I looked, and, meanwhile, he and his family spend millions of American taxpayer dollars on travel and security costs for themselves.

With an investigation into President Trump's possible entanglements with Putin's Russia already underway, and members of the President's family and administration engaging in increasingly brazen conflicts of interest, this Congress should pass legislation to prevent these increasingly apparent conflicts of interest from endangering our Nation and the American people. It is only a matter of time before his conflicts of interest harm our country.

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

PLANNED PARENTHOOD V. WOMEN'S HEALTH CLINICS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise today in honor of life and in respect for the conscience rights of all citizens of this free Nation.

I was proud to preside over the floor of the U.S. House of Representatives a few short weeks ago as we voted in favor of No Taxpayer Funding for Abortion Act to strike down an Obama administration policy that forces Americans to fund abortion providers.

We also passed H.J. Res. 43, which is another step closer to restoring the rights of States to decide how to distribute title X funding for women's health care. The measures ensure that States are not forced to fund abortion providers like Planned Parenthood.

Based on its own annual report, Planned Parenthood performs the most abortions in the United States. It commits more than 320,000 abortions every year, 887 each day. Mr. Speaker, that is one abortion every 97 seconds. Three unborn children's lives will be taken by Planned Parenthood as I stand here this morning.

Recently, Planned Parenthood has begun attacking me as a supposed enemy of women's health care. Nothing could be further from the truth. All Missourians deserve quality health care, which is one reason I oppose taxpayer funding of Planned Parenthood. This organization does not provide general women's health or mammogram screenings. That is a fallacy.

In the State of Missouri, there are 12 Planned Parenthood facilities scattered across our 114 counties. However, Mr. Speaker, we are grateful to have 588 healthcare clinics that prioritize women's health and wellness. That is 49 healthcare clinics for every 1 Planned Parenthood health center. So instead of driving 100 miles or more to a Planned Parenthood in Missouri, women can receive the quality care they need within their own communities.

Last Congress, I voted to increase funding to those very clinics by hundreds of millions of dollars. Congress has a sincere duty to not only defund big abortion but to radically change the conversation around life issues.

Members of Congress and this administration understand that life is beautiful, that children are a blessing, that abortion is not healthcare. It kills children, and it hurts women.

Rest assured that our work to protect life, all life, has only just begun.

HONORING SACRIFICES OF AFRICAN-AMERICAN WOMEN DURING WORLD WAR II

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

Ms. LEE. Mr. Speaker, each year during Women's History Month, we pause to commemorate the contributions women have made to this country, but we should really commemorate women every day. So I am here today in April to amplify the contributions of women of color, particularly African-American women. Far too often, the blood, sweat, and tears sown by women of color goes unrecognized. So many are truly hidden figures.

Mr. Speaker, this morning, I want to honor the sacrifices African-American women made for this country during World War II. Sadly, to this day, their sacrifices have gone unacknowledged, and as the daughter of a World War II veteran and a Korean veteran, I am honored to shed light on a few of the tremendous contributions of African-American women during World War II. I want to rise to highlight the courageous efforts of more than 800 African-American women from the 6888th Central Postal Directory Battalion, which was the first all-women, all-Black unit deployed in World War II.

The 6888th, its nickname ''Six Triple Eight'', was an all-women, all-Black unit that helped boost morale among Allied troops by working through major mail backlogs in Europe during World War II.

□ 1030

To sort through the major backlog of mail in Europe, the women were divided into three subunits that allowed them to run the postal service 24 hours a day, 7 days a week, processing 65,000 pieces of mail per 8-hour shift.

The battalion endured the harsh winter of Europe, dimly lit rooms, and rat-infested headquarters to carry out their mission. Adding insult to injury, these courageous women also faced segregation and discrimination from the very country they were working to defend. The women were forced to run their own mess halls, hair salon, refreshment bar, and other facilities because of segregationist Department of Defense policies.

Yet despite the harsh conditions of war and unequal treatment, the women of the 6888th Battalion cleared a 6-month backlog of mail in just 3 months while posted in Britain. In France, they cleared a 3-year mail backlog in just 6 months. Thanks to their tireless efforts, United States soldiers were finally able to receive lost letters from loved ones during the war.

The courage exhibited by the 6888th proved once again that senseless acts of cruelty are no match for the will and determination of African-American women.

But in July 1945, tragedy struck Private First Class Mary J. Barlow, Private First Class Mary H. Bankston, and Sergeant Dolores M. Browne, who lost their lives in a Jeep accident. Recognizing their fellow comrades' sacrifices, the women of the 6888th pooled their personal resources to properly bury these women. These women who tragically lost their lives while serving in Europe are buried at the Normandy American Cemetery, which I was privileged to visit a couple of years ago.

Their contributions and sacrifices deserve to be celebrated. These Black women proudly sacrificed their lives for a country that did not value them due to racial discrimination and bigotry. So it is with great pride that I speak their names today, hoping that more people will come to acknowledge their sacrifice and the sacrifices of their fellow sisters during World War II.

I want to thank our Military Construction, Veteran Affairs Appropriations Chair Congressman CHARLIE DENT, then-Ranking Member SANFORD BISHOP, as well as our full committee Chair ROGERS and Ranking Member LOWEY for their support in the Appropriations Committee to help us uncover this great history, and also the American Battle Monuments Commission.

These great sheroes need to be brought to the attention of the American people so that they can properly be recognized for their sacrifices and their legacies.

It is my hope that the United States will no longer be shy about recognizing the value, accomplishments, and sacrifices of Black women in history. I am hopeful that we will come to know the many nameless sheroes of the Black community. These hidden figures have fought many battles, have sacrificed so much, and have paved the way for Black women to move forward in spite of the barriers which we are still trying to break.

On today, Equal Pay Day, I am reminded that African-American women earn 63 cents on the dollar. We are still at the bottom of the economic ladder. I urge my colleagues to fight for pay

equality and gender equality as we continue to honor the lives and legacies of so many African-American women who truly are hidden figures but who have done so much to make this a better country.

A TRIBUTE FOR ROBERT ''BOB'' RAWLINGS

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

Mr. TIPTON. Mr. Speaker, today I rise to honor the life of Robert ''Bob'' Rawlings of Pueblo, Colorado. Bob passed away at the age of 92, on March 24, 2017.

Born in 1924, Bob graduated from Bent High School in 1942. He immediately pursued a college education at Colorado College in Colorado Springs, but, ultimately, he decided to enlist in the Navy that same year.

Bob received a commission from the University of Colorado Boulder in 1943 and served honorably as the executive officer of subchaser 648 in the Pacific campaign of World War II. Bob was part of an effort to liberate over 100 British and Dutch prisoners of war during his time in service.

After receiving an honorable discharge from the Navy in 1946, Bob returned to school at Colorado College and earned his bachelor's degree in economics in 1947. Bob took a job as a reporter at the Pueblo Chieftain, the place he would work for the next seven decades, ultimately climbing the ladder to serve as chairman and as editor of the paper.

Bob always championed his hometown and used his career with the Chieftain as a platform to advocate his passion for Pueblo and for the surrounding region. A vocal supporter of protecting Pueblo's resources, Bob spent 70 years delivering news to the people of southern Colorado. His character and his life's work represent the very best of Pueblo and the entire State of Colorado.

Mr. Speaker, Bob Rawlings served his community as a philanthropist, a journalist, a sailor, and as a family man. Although Bob referred to himself as the world's worst golfer, Bob will be remembered by so many in his hometown as one of its best citizens.

While I am saddened by his death, I am honored to have known Bob. His presence will be missed by so many, but his impact in the community, however, will be remembered forever.

SPEAKING FOR EQUAL PAY DAY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. CLARKE) for 5 minutes.

Ms. CLARKE of New York. Mr. Speaker, I rise today on behalf of women and men of New York's Ninth Congressional District on this, the anniversary of the signing of the Equal Pay Act by President John F. Kennedy.

It has been 54 years since the Equal Pay Act was signed into law, yet women in the United States who work full-time, year-round, on average still only earn 80 cents for every dollar earned by men. This amounts to a yearly gap of $10,470 between full-time working men and women.

For African-American women like myself, the pay gap is even larger. African-American women working full-time, year-round, on average still only earn 63 cents for every dollar earned by White, non-Hispanic men.

In my own district, in Brooklyn, men earn $49,691, while women earn only $42,487. Mr. Speaker, that is just not acceptable.

On Equal Pay Day 2017, we are calling upon Congressional Republicans to work with Democrats in getting the long overdue Paycheck Fairness Act enacted into law.

Pay inequity not only affects women, it affects children and families and our national economy as a whole. That is because so many women in our country are the sole or co-bread winner in two-thirds of families with children. Families increasingly rely on women's wages to help make ends meet, and with less take-home pay, women have less for the everyday needs of their families: groceries, mortgages, rent, child care, and doctor visits.

President Barack Obama signed several orders to address gaps in Federal equal pay protections, protecting segments of the civilian workforce from pay discrimination, despite congressional gridlock. Rather than working with Democrats to promote equal pay, House Republicans have voted nine times since 2013 to block the Paycheck Fairness Act from being considered on the House floor.

So let's see whether Donald Trump, who claims he respects women more than anyone else, demonstrates through his deeds in real and substantive plans to do more to help working women and their families.

Mr. Trump, it is time to put the money where your mouth is.

THE REMARKABLE LIFE OF EDNA YODER

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

Mr. YODER. Mr. Speaker, I rise today with a heavy heart to honor the life and legacy of a Kansas pioneer woman. Last week I joined my family in Yoder, Kansas, to celebrate the life and legacy of my grandma, Edna Yoder, who recently passed at the age of 105 years old.

I was very close to my grandma, as many of us are to our grandparents. She was a sweet and kind woman who could tell a good story, never met a stranger, and had an infectious laugh. I spent much of my childhood listening to her hum church hymns while cooking a country meal or quilting another masterpiece.

As one of 14 children, born in 1911, she grew up in another era, attending school in a one-room schoolhouse, a time without cell phones or television or even electricity and the other modern conveniences we take for granted today. Yet somehow she survived and had a remarkable life. She saw hard times from the Dust Bowl to the Great Depression to countless world events over the past century.

When she was born, women didn't have the right to vote in America; but even well past turning 100 years old, she was voting in local elections, even for President of the United States. She saw a lot of Presidents come and go—19, as a matter of fact.

She saw America progress from a country really still recovering from the deep wounds of our Civil War to the world's most indispensable, vital, and vibrant nation. She saw us defeat Hitler in Nazi Germany. She saw us bring freedom and peace around the globe to men, women, and children who had never experienced it before.

She was born less than 10 years after Orville and Wilbur Wright took off on their first flight at Kitty Hawk, and yet she would watch Neil Armstrong set foot on the Moon while she was just in her fifties. But as the world changed around her, she quietly lived her entire life near Yoder, Kansas, where she raised her children on the same farm that I grew up on.

She worked tirelessly on that farm, milking cows at dawn and bringing in the Kansas wheat harvest in the hot sun. She didn't ask for much: food on the table, a roof over her head, and a better life for her children and grandchildren.

Mr. Speaker, we like to call them the Greatest Generation. She was a living embodiment of the values that help make America the greatest country in the world. She was guided every day by her faith in God, and she was truly blessed with more than a century of good health and good spirits in return. She loved her family and deeply believed in hard work and self-determination.

She and her husband, Orie, were married for 49 years, and together they raised their four children and nine grandchildren, and they even watched one of them make it all the way from that farm in Yoder, Kansas, to the United States House of Representatives here in Washington, D.C. Family always came first for her.

In her later years, she passed the time reading her Bible, playing in the bell choir, and, of course, quilting and playing lots of games. In fact, the last time I saw her recently, we played bingo together, and we wiped out the competition at her retirement home one last time. She was sharp into her final hours.

She was born into a home that did not have a telephone, but in her final days, we were also able to communicate from Kansas to Washington via FaceTime so I would have a chance to speak with her.

We recently had her services at the Yoder Mennonite Church, built just

after she born. This was the church she was raised in, was baptized in, was married in, and the church in which we laid her to eternal rest.

From 1911 to 2017, what a ride, what a remarkable life and unforgettable woman. Through it all, she stayed true to what was important to her and what makes America such a strong nation: her faith, her family, and her Kansas prairie values.

Grandma, we were so blessed to have so many years with you. You lived an amazing 105 years. I think if we look closely and we listen closely, you gave us a roadmap for a long and happy life. As you pass on to eternal life, please know that you are an inspiration to all of us every day. May you rest in peace, Grandma.

Mr. Speaker, may you and my colleagues in this body join me in keeping her in your prayers.

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 45 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

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

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

Bless abundantly the Members of this people's House. During this season of new growth, may Your redemptive power help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

The disagreements on the Hill are profound. Send Your spirit of hope and goodwill upon those who are struggling through current, contentious issues.

May all Members, and may we all, be transformed by Your grace and better reflect the sense of wonder, even joy at the opportunities to serve that are ever before us.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentlewoman from North Carolina (Ms. ADAMS) come forward and lead the House in the Pledge of Allegiance.

Ms. ADAMS led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

DENY TERRORISTS THE RECRUITS OF THE NEXT GENERATION

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

Mr. KINZINGER. Mr. Speaker, we woke up this morning to yet more horrific images of dozens of people killed by another chemical weapons attack in Syria.

Mr. Speaker, this included children who were gasping for their last breath as they perished because of the brutal, murderous dictator Bashar al-Assad, who decided that chemical weapons would be used to extinguish their life.

Mr. Speaker, for 6 years, we have failed in the Western world to address this horrific act. In fact, for the first time since World War II, we are accepting the use of chemical weapons as just a normal part of everyday life.

Mr. Speaker, the Western world, the free world, needs to stand up, needs to make clear that Assad needs to go, and needs to stand up for humanity, lest we see these images again.

We wonder how to defeat terrorism. Mr. Speaker, you do it by denying terrorists the recruits of the next generation, of which Bashar al-Assad is creating many.

HAWAII'S PUBLIC SAFETY DISPATCHERS AND RADIO TECHNICIANS

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

Ms. GABBARD. Mr. Speaker, I would like to extend a warm mahalo to Hawaii's public safety dispatchers and radio technicians who provide an essential service to our community.

These hardworking men and women process more than 1.4 million 911 calls each year in Hawaii and are literally the first line of response in an emergency situation. Their ability to relay accurate and up-to-date information is essential to the success of our police officers, firefighters, paramedics, and to the safety of those in desperate need of help.

Last year, Hawaii's public safety telecommunicators helped our State become one of the very first in the Nation to implement a text-to-911 program that is helping to close the gap in emergency response. This program addresses a very real need for situations where you may have a home invasion or domestic violence scenario where making a phone call to 911 safely is simply not possible.

Mahalo to our telecommunicators for leading the way on this initiative and for your work every single day on behalf of Hawaii's people.

MOMENT OF SILENCE HONORING DONALD BURGETT

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to honor the memory of World War II veteran, noted author, and longtime Eighth Congressional District resident Donald Burgett, who recently passed away at the age of 81.

Don was an Army paratrooper, and he participated in the opening operations of the Normandy invasion with A Company, 506th Parachute Infantry of the 101st Airborne Division.

After his service, Mr. Burgett published four books, including ''Currahee!'' published in 1967 and endorsed by President Dwight D. Eisenhower. Mr. Burgett used his photographic memory to paint vivid scenes during the chaos of war.

In addition to his writing, he also was an active member of several veterans organizations, including the VFW, American Legion, Disabled American Veterans, and the Military Order of the Cooties. He was a local builder and loved spending time outdoors.

Don is survived by his wife, Twyla, his 5 children, 12 grandchildren, and 28 great-grandchildren. A memorial is being held for him this week in his honor in his hometown of Howell, Michigan.

Mr. Speaker, I ask for a moment of silence for this great American patriot.

May God bless Don and his family.

OUR DEMOCRACY UNDER ATTACK

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

Ms. KELLY of Illinois. Mr. Speaker, it pains me to come to this Chamber this morning to say that nothing was done as our democracy came under attack.

We know Russia intervened in our Presidential election. This was not done in the interest of the people, by the people, or for the people of America. It was done to make America a vehicle for Russian interests.

You know that, in 2016, President Trump said he hoped Russia would hack our former Secretary of State's emails. You know General Michael Flynn was forced to resign due to his

unreported contact with Russian agents, who he also had business ties to.

Yesterday, you learned that the President had a contractor meet with Russian officials on his behalf to have a back channel to the Kremlin.

Where is the transparency from the White House? How is it that Meals on Wheels is the enemy, but you turn a blind eye to an attack on democracy by Vladimir Putin?

Russian spies have long attacked American businesses. Now they are attacking our freedom. You must investigate the Russian grip on our government. We must investigate swiftly and seriously.

Mr. Speaker, this is on your watch.

The SPEAKER pro tempore (Mr. POE of Texas). Members are reminded to address their remarks to the Chair.

CELEBRATING THE MASTERS

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

Mr. ALLEN. Mr. Speaker, as you know, I have the honor of representing the 12th Congressional District of Georgia and the good people who live and work there.

This week, thousands will gather in Augusta to take part in a tradition unlike any other.

Beginning in 1934, the Masters, hosted by the Augusta National Golf Club, has become the most prestigious golf tournament in the world. Known for its lightning-fast greens and gorgeous azaleas, this tournament captivates the world for both the talent of those playing and its beauty. Since its inception, many legends have conquered the greens to prove their skill and earn the coveted green jacket.

This year will be a little somber, as we will deeply miss another of the great legends, four-time Masters champion Arnold Palmer. His presence will certainly be missed on that first tee as an honorary starter and throughout this great week.

I wish the best to all those competing in this truly remarkable event and invite those who are traveling from far and wide to experience and enjoy the wonderful hospitality of the 12th Congressional District of Georgia and my home, Augusta.

REJECT THE NEW HEALTHCARE BILL

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

Mr. HIGGINS of New York. Mr. Speaker, word coming out of the White House and House Republicans is that there is a new healthcare bill, and this bill would obliterate the patient protections for preexisting conditions and eviscerate essential benefits and cost controls.

Under the new healthcare scam, insurance companies could opt out of all consumer protections. In other words, insurance companies could write fake policies with big premiums and little or no coverage.

Mr. Speaker, under this plan, a parent of a kid who is struck with childhood cancer could still buy a policy, but the policy is worthless because the policy would not have to cover their children's cancer treatment.

This is how House Republicans and the insurance lobby plan to get out from under their obligation to cover preexisting conditions.

This means more power for the insurance companies and less protection for good people, the American people, who play by the rules. This plan should be rejected again. It is deceitful, cold, cruel, and wrong.

GORDIAN KNOT

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to highlight legislation I recently introduced, the VA GORDIAN KNOT Act, which would help improve and reform the Department of Veterans Affairs.

In Greek mythology, the Gordian knot represents a complex problem that needs out-of-the-box thinking to solve, and that is exactly what we need.

The VA's Gordian knot is its repeated manipulation of key data and overall lack of accountability. The VA has been known to yield less-than-truthful information when it comes to collecting and reporting data about patient care, appointment wait times, and employee hiring and firing practices.

This behavior is an erosion of public trust and a disservice to our Nation's veterans, our true heroes. It also makes it difficult to properly address the VA's shortcomings and enhance its successes because there are successes as well.

The VA GORDIAN KNOT Act requires the VA to standardize its data collecting and reporting mechanisms and increases oversight of the integrity and accuracy of the information.

I believe this bill is absolutely necessary to reform the VA and assist in its mission to care for our true American heroes.

EQUAL PAY DAY

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

Ms. ADAMS. Mr. Speaker, it is Equal Pay Day. I rise to support not only women but the American family and the economy.

Women drive our economy. We buy more goods. We own more small businesses, and we earn more degrees. Despite this, we still earn less than men. This should embarrass every lawmaker in this Chamber and every person listening.

In 2017, Mr. Speaker, how can we justify underpaying women across this Nation? Women still earn 20 percent less than their male counterparts, and it is even worse for Black and Hispanic women.

Shortchanging women shortchanges our children and our economy. When women succeed, we all succeed. Women and our families demand paycheck fairness. We stand boldly united today embracing the words of Florynce Kennedy who said: We won't agonize. We will organize. We will show up and cut up until Molly earns the same pay as Billy.

As Susan B. Anthony said: ''Men, their rights and nothing more. Women, their rights and nothing less.''

I urge you to call your Representatives, demand that we support you by supporting the Paycheck Fairness Act.

RECOGNIZING SERVICE ACADEMY APPOINTEES

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

Mr. DUNN. Mr. Speaker, I rise today to recognize three outstanding young people from Florida's Second Congressional District who will be continuing their education serving our country next year at the Naval Academy and at West Point.

Sean Moriarty and Zachary Moser will be attending the United States Naval Academy. Sean plays football at Arnold High School, and Zac is on the swim team at Rutherford High School.

Shane Ferry will be attending the United States Military Academy, West Point. He attends Mosley High School and is a member of the wrestling team.

The bar is high and the competition is stiff to earn entry into our service academies, and it should be. I am confident that each of these young men possess the character, ability, and determination to excel at Annapolis and West Point and to earn the privilege to do extraordinary things for our Nation and for those who they will one day command.

As they join their Federal fellow cadets and midshipmen, they also have our support and our gratitude for choosing this life of service.

Thank you and good luck.

□ 1215

INDEPENDENT COMMISSION NEEDED TO INVESTIGATE TRUMP'S TIES WITH RUSSIA

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

Mr. KILDEE. Mr. Speaker, Republicans are now joining Democrats in calling for Chairman NUNES to recuse himself from the House Intelligence Committee's current investigation into Russia's interference in the 2016 election.

By working hand in glove with the White House around an investigation that centers on the President and his administration, the chairman has blown the integrity of this investigation. Through his actions, he has shown he cannot lead an impartial investigation. His actions demonstrate why Congress must establish a bipartisan, independent commission to investigate President Trump's political and personal business ties to Russia.

The majority of the American people favor an independent commission, outside of Congress, according to polling done by the Associated Press. This is a serious matter. Our democracy is at stake. Our national security is at stake.

Congress must call a bipartisan, independent commission to investigate these troubling connections between President Trump and Russia.

HONORING STEPHEN P. COUNIHAN

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

Mr. MEEHAN. Mr. Speaker, I rise on behalf of Stephen P. Counihan, and I rise with my colleagues all around the greater Boston area, as we seek to raise the spirits of Stephen, who is currently battling cancer. ''Couhni,'' as he is affectionately known, is currently the tennis coach at Suffolk University, where he has led four championship teams to great renown in the greater Boston area. But it was in the 1970s, as a standout defenseman at Bowdoin College where Counihan got the name ''Couhni-Orr'' because of his remarkable presence on the ice and his cool capacity under pressure.

Now, Stephen is facing one of the great challenges of his life, as he deals not only with the chemotherapy, but the potential surgery that we are looking at in the month of April ahead.

Couhni, I want you to know that all of your colleagues from Beta Theta Pi, from Bowdoin College hockey team, from the greater Bowdoin community, in fact, the entire Boston area, stand with you today. Win one more championship for us, Couhni, so we can all celebrate together when we have you back collectively.

UNIVERSITY OF NORTH CAROLINA: NCAA CHAMPIONS

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

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the University of North Carolina at Chapel Hill's men's basketball team for winning the 2017 NCAA Division I National Championship, in the face of a spirited challenge from Gonzaga University.

As a proud alumnus of UNC-Chapel Hill, the Nation's first public university, I was delighted to cheer on the entire team—players, coaches, and staff—during their outstanding performance yesterday in the Nation's most competitive and most popular collegiate athletic tournament.

The Tar Heels have now played in a record 20 NCAA Final Four games, the most of all time, and last night marked their sixth NCAA National Championship and seventh overall National Championship. The years 1957, 1982, 1993, 2005, and 2009 are seared in the minds of North Carolina basketball fans, and I know I speak for our entire State when I say how delighted we are to add 2017 to that list!

The teamwork, camaraderie, and determination of this year's team were evident throughout the entire season as they struggled to overcome their heartbreaking defeat in the last seconds of the 2016 National Championship game. While their tournament finishes may have been a little closer than we wished, the team managed six wins against a formidable slate of opponents. These 15 young men played hard, played smart, and played together.

Mr. Speaker, I include in the RECORD the names of the players, coaches, and staff.

UNC MEN'S BASKETBALL ROSTER

Nate Britt, Upper Marlboro, Md.; Theo Pinson, Greensboro, N.C.; Joel Berry, II, Apopka, Fla.; Kennedy Meeks, Charlotte, N.C.; Isaiah Hicks, Oxford, N.C.; Tony Bradley, Bartow, Fla.; Shea Rush, Fairway, Kan.; Kanler Coker, Gainesville, Ga.; Brandon Robinson, Douglasville, Ga.; Seventh Woods, Columbia, S.C.; Aaron Rohlman, Gastonia, N.C.; Stilman White, Wilmington, N.C.; Luke Maye, Huntersville, N.C.; Justin Jackson, Tomball, Texas; Roy Williams, Head Coach; Steve Robinson, Assistant Coach; Hubert Davis, Assistant Coach; C.B. McGrath, Assistant Coach; Brad Frederick, Director of Basketball Operations; Sean May, Director of Player Personnel; Jonas Sahratian, Strength & Conditioning Coordinator; Eric Hoots, Director of Player Development.

Mr. PRICE of North Carolina. Mr. Speaker, we could not be prouder of our team's victory last night.

To paraphrase the greatest basketball player of all time and a fellow UNC alumnus, Michael Jordan, who was perhaps channeling Yogi Berra, ''The ceiling truly is the roof.''

Hark the sound, and Go Heels!

THANKING SNAPa

(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, this afternoon I will meet with leaders from the School Nutrition Association of Pennsylvania, commonly called SNAPa, which is a statewide organization of school nutrition professionals.

SNAPa works to advance quality child nutrition programs through education and advocacy. Organized in 1955, SNAPa is an all-volunteer board of directors elected by its member, which currently stands at more than 2,300 individuals.

As chairman of the Agriculture Subcommittee on Nutrition and a senior member of the House Education and the Workforce Committee, I know the essential services that SNAPa works to provide. Students throughout the Commonwealth receive high-quality, low-cost meals thanks to SNAPa.

Mr. Speaker, it is important to remember that, for some students, the only meal that they receive is at school. This organization works to keep our children healthy and ensure that they have healthy food options through school meal programs. SNAPa is recognized as the authority on school nutrition in Pennsylvania.

I sincerely thank SNAPa for advancing the availability, quality, and acceptance of school nutrition programs as an essential part of education in Pennsylvania for more than 60 years.

RECOGNIZING THE ACHIEVEMENT OF HENRY HALGREN

(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, it is my pleasure to rise today to recognize the achievement of Henry Halgren from Fort Collins, Colorado. Henry is a sixth grader at Liberty Common School, a middle school, a public charter school that is very high-performing in my district. He is the victor from all of Colorado in the National Geographic Bee this last week.

He competed against over 100 kids at the University of Denver, and he was able to answer as a sixth grader the following question: Altamira Cave, known for its prehistoric paintings, is found in the province of Cantabria in the north part of what European country?

Henry knew that the answer was Spain. He got it right. He won a $30,000 scholarship to CU, some prize money, and an atlas.

I am proud to say he will be coming here to Washington, D.C., to represent the Second Congressional District of Colorado in May. And if he is able to win against the competitors from other States, the prize for that is a $50,000 scholarship and a family tour to the Galapagos Islands.

Congratulations not only to Henry, but to all the participants who showed such a keen interest in learning about the world around them and about our planet.

Mr. Speaker, I want to congratulate Henry and his family and everybody who participates in furthering the knowledge about geography.

RECOGNIZING MONTH OF THE MILITARY CHILD

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

Mr. MARSHALL. Mr. Speaker, I rise today in recognition of April as the Month of the Military Child. I have the

utmost respect for the families of the military's men and women; specifically, the children of our Nation's military, who are the bedrock of military families. These children make sacrifices—relocations, new schools, and the absence of a parent on deployment—and they deserve our gratitude.

Due to the unique circumstances the children are put under, I stand before you today to commend the children of those currently serving in my district at Fort Riley in Kansas, and the children of those serving around the Nation. I call on my colleagues to provide continued support of our military children and families whose sacrifice is not always recognized, but certainly is revered.

CONGRATULATIONS TO READING RED KNIGHTS' VICTORY

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

Mr. SMUCKER. Mr. Speaker, I rise today to congratulate the Reading High School men's basketball team on their first State championship in school history. The Red Knights finished their historic season with a 30–3 record, and beat Pine-Richland 64–60 in the Class 6A Boys Final to bring a championship to the city of Reading.

This is a group of outstanding young men led by senior guard and McDonald's All-American Lonnie Walker. This team is a staple in the Berks County community.

Lonnie may have said it best himself after the championship victory: ''What we did wasn't even about Reading High basketball. It was about the city of Reading. It was about the community, all the schools, the young kids we inspired. This is for them.''

I couldn't be more proud today to represent these young men. I look forward to the continued success of this team, and I look forward to watching Lonnie continue his basketball career at the University of Miami.

Congratulations to the Reading Red Knights team, the coaches, their families, the faculty, staff, and students that made this championship possible.

REMEMBERING MARTIN LUTHER KING, JR.

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

Mr. LAMALFA. Mr. Speaker, I rise today to recognize that on this day, April 4, 49 years ago, Martin Luther King, Jr., was assassinated on a hotel balcony in Memphis, Tennessee.

We all know the story: the most prominent civil rights activist in the sixties, if not of our entire Nation's history, was shot dead in cold blood at the still very young age of 39 years old. It is a tragic tale of a man who had accomplished much and still had more to accomplish, but we should note this day as remembrance to honor the sacrifice he risked and he made during a very difficult time in our Nation's history.

He demonstrated to the world that it was not the color of a person's skin that we should be judged, but by the nature of their character. He led by example in an era of violence that violence was not the answer.

The peaceful protests he organized were an illustration of how to go about achieving social change in America, building bridges of understanding. The image of the Selma bridge comes to mind.

His strong Christian beliefs helped him to see what many others could not, and opened the doors for millions to follow in his path.

Mr. King's work is not done. It is very saddening to still see so many in racial strife in these days in our Nation, but he showed the right way to lead, the right way to peacefully protest, and the right way to inspire to fulfill his famous dream.

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, April 4, 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 April 4, 2017, at 9:28 a.m.:

That the Senate passed S. 89.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1343, ENCOURAGING EMPLOYEE OWNERSHIP ACT of 2017

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 240 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 240

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-11 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Financial Services; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by the Member designated in the report, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

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

Mr. BUCK. 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. BUCK. 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 Colorado?

There was no objection.

Mr. BUCK. Mr. Speaker, I rise today in support of the rule and the underlying legislation. Americans have always been a people known for taking ownership. We take ownership of our lives and livelihoods, working hard to provide for our families. We take ownership in our communities, setting standards of conduct. We take ownership in all our political process, voting for the right candidates. We have even taken ownership in our world, fighting evil actors and regimes to maintain peace.

□ 1230

H.R. 1343, the bill we are discussing today, allows employees to take ownership in their companies. This is the American way.

Under SEC rule 701, private companies can offer their own securities to employees, enabling those employees to take a stake in the company. This is a great deal for both businessowners and employees. I doubt either side of the aisle would disagree.

Rule 701 allows employers to better recruit talented employees and pay them without having to borrow money or sell securities. For some companies, especially younger ones, compensating employees through equity is vital for survival.

These younger companies need the top talent but often can't pay the top salaries. Rule 701 allows them to offer potential recruits a tradeoff: accept a lower salary now for more equity in the company later.

By giving the employees a stake in the company, businessowners reward the employees for their continued hard

work and innovation. Workers have an opportunity to buy into the mission and future of the company. They have the opportunity to reap what they sow, making their work more meaningful and fulfilling.

Mr. Speaker, H.R. 1343 simply raises the reporting threshold for companies who issue securities to their employees as compensatory benefits. Right now, any company that issues more than $5 million of securities in a yearlong period faces significant reporting requirements, including financial statements and disclosure of risk factors. These requirements cost small businesses time and money, making them less likely to issue stock as compensation for their employees. That is why this legislation moves the threshold up to $10 million.

The original $5 million threshold was added to rule 701 in 1999 and hasn't been updated since. By easing the threshold and indexing it to inflation every 5 years, we allow companies to increase the amount of stock they offer to employees. Additionally, raising the threshold will prevent private companies from having to disclose confidential financial information.

America is known for taking ownership, but we are also known for innovation. Our technology industry, especially, has propelled our economy and quality of life forward. But so many great tech companies started as small startups, struggling along from month to month before the financial rewards of their hard work could be achieved.

Thinking about the young companies right now that have grand innovative visions for improving our quality of life, this legislation will help them thrive. The employees already pour so much of their livelihoods into the venture. This bill will reward those workers with equity so that their perseverance and investment will pay off.

Mr. Speaker, before I close, I would like to discuss the broad support for this bill. I indicated earlier that both sides of the aisle can support this legislation, and I want to highlight that bipartisan support for the bill.

H.R. 1343 has equal numbers of Republican and Democratic sponsors. Further, the bill passed out of the Financial Services Committee 48–11. A majority of the Democrats on the committee supported the bill. A similar bill passed with a bipartisan vote last Congress, with more than two dozen Democrats joining Republicans to pass the bill. And in the Senate, this same basic proposal passed the Senate Banking Committee by a voice vote just a few weeks ago.

Mr. Speaker, it is clear to see why this proposal is generating so much bipartisan support. With a higher threshold, companies can focus their time on innovating and creating jobs instead of filling out paperwork. Employees, meanwhile, can take a stake in their company and their own future. I urge my colleagues to vote for this important rule and the underlying legislation.

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

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

Mr. Speaker, I rise in opposition to the rule, one that provides for consideration of H.R. 1343, the Encouraging Employee Ownership Act.

I strongly support the underlying legislation. I wish it had been brought forward to the floor under an open rule that allowed Democrats and Republicans to freely offer amendments that could be adopted by a simple majority vote.

Before we get to the specifics of the bill, I want to talk about the importance of employee ownership. I join my friend and colleague from my neighboring district in Colorado in extolling the virtues of employee stock ownership, of ensuring that employees in the company are stakeholders and able to benefit from the value that is being created.

You know, we have different stakeholders in our economy, and when you look at a company, you have different stakeholders that that company is responsible to and caters to: You have the shareholders, you have the employees, and you have the customers. In running a company, as I have done, it is always a constant balancing act to make sure that you are able to satisfy the legitimate demands of all those various stakeholders.

Now, one of the things that has been out of whack in our economy the last few decades is that a disproportionate share of the value creation has gone to the shareholders and the customers, often to the detriment of the employees.

Now, everybody has benefited as consumers and as customers with revolutions in prices and consumer technology. It is so exciting to see people, you know, where a flat screen television used to be out of reach, you now see them in nearly every home; and, in many cases, they cost less than a television would have cost that was significantly smaller 10 years ago—not to mention the remarkable mobile computing devices that middle class families and working families carry in their pockets with them that contains more processing power than a $3,000 computer did just a decade ago.

Consumers have benefited and shareholders have benefited. There has been an unprecedented increase in private equity markets, in stocks, a huge amount of value creation in the American economy, both on the balance sheet as well as in the market valuation of companies.

Now, the issue is that, while all of this has happened, wages have largely stagnated. A lot of the increases in efficiency and economic growth have gone to benefit consumers and shareholders. Employees and workers have felt, legitimately so, that they haven't seen their share of value creation.

Now, there are a number of reasons for that. One of those has been the weakening of the union movement that gave workers a collective voice. But if you look at what some of the remedies are, really none can make a bigger impact than employee stock ownership. This bill doesn't change the ball on that. It is a positive step.

There are a lot of other ideas that I hope we can talk about in a bipartisan way. Fundamentally, we need to create an economy that works for everyone, one in which employees and workers can directly benefit from the increase in value of the firm that they helped create. And what better way to do that than employee stock ownership in a variety of models and options for that. This bill deals with one; but we have ESOPs, we have co-ops, we have employee stock option plans, to name a few.

Companies find that it is in their interest to help improve morale and maintain a stable employee base to align the incentives of employees with shareholders and, of course, to help align the success of our economy with the success of all the stakeholders in our economy.

H.R. 1343 is a bipartisan bill. It was passed last year; it will pass again overwhelmingly this year. It sends a strong statement that Democrats and Republicans in the House of Representatives want to make employee stock ownership easier. Hopefully, this is a starting point rather than an ending point.

The two other bills the Chamber is considering are also bipartisan, and I am hopeful that they can move forward expeditiously.

Now, that stands in stark contrast to some of the other actions of this Chamber, for instance, the 15 Congressional Review Act resolutions which simply sought to undo some of the positive steps that President Obama took rather than put forward a proactive agenda of where Republicans actually want to lead the Nation.

We also spent countless hours debating healthcare legislation that, thankfully, didn't go anywhere because it would have left 24 million Americans without health insurance and increased premiums by 15 to 20 percent for those who were lucky enough not to lose their insurance altogether.

I am glad that we have been able to move past that towards a more bipartisan discussion here that will fundamentally help American innovators and entrepreneurs and help lead to a fair economy that works better for everybody, that shows that Democrats and Republicans can work together to create a real solution that addresses a real problem and takes a first step towards creating an economy that works for workers, consumers, and shareholders.

I am hopeful that we can continue this trend after the district work period and move forward on bipartisan legislation that will simplify our complex Tax Code and realign incentives in

a positive way, fix our broken immigration system, and make sure that we have the infrastructure we need for our country to succeed in the 21st century. I hope that my colleagues are encouraged by the strong bipartisan show of support for H.R. 1343 and we can work together to bring more bipartisan legislation to the floor instead of divisive bills that make problems even larger.

This bill, very simply, updates an SEC rule from 1999 that will allow private companies to offer employees a greater stake in the place they work without requiring additional paperwork or regulation—a simple and good idea.

Currently, a private company that offers over $5 million in securities through compensation for employees is required to provide additional disclosures which can, A, often serve as a detriment to going over the $5 million in compensatory stock for their employees, and, B, take up costs, administrative overhead, should they choose to proceed. H.R. 1343 simply raises that threshold from $5 million to $10 million, and this legislation gives a private company more flexibility to reward and retain employees of all levels.

Employee ownership of various structures has benefits to both the company, the employees, and the overall economy. It helps align the interests. It results in more productivity, higher employee retention. It can help make a business more profitable and more sustainable. It helps make the American economy and the amazing value that is created work for everybody rather than just one of the stakeholder groups.

For many startups and small businesses, giving employees a stake in the business is a great way to provide an additional benefit, an incentive. It gives companies flexibility to attract new employees when they are starting up, to retain talent as a company grows and matures.

Providing workers stakes in their company helps strengthen their retirement savings. Employee stock ownership plans, or ESOPs, are a type of retirement plan that offers employees an ownership stake without upfront costs. In Colorado, there are 118 businesses that use employee-owned ESOPs as a way to promote employee ownership.

A good example of an ESOP is Fire Safety Services. The owner, Jeff, wanted to offer his employees a stake in the business. He converted his business to an ESOP, an employee-owned company, that allowed him to create a succession plan so the business can stay locally owned by the people who worked to create the value. Jeff noted that, after the conversion, employee morale was up and sales were up.

One of our most famous examples of employee-owned companies is in my district in Fort Collins, Colorado: New Belgium Brewing. From the perspective of the employees, New Belgium has a very strong corporate culture of personal and collective growth. The employee owners are concerned about their own professional development and that of their colleagues. They have a vested stake in the management, economic health, and stability of the company.

This bill is a commonsense approach and makes it easier for companies to give their employees ownership opportunities. It is a small first step towards encouraging an economy that works for everybody.

Now, I want to make sure that this legislation helps employees at all income levels have access to ownership opportunities and that workers' retirement savings are not put in jeopardy by an overconcentration in company stock. That is why I offered an amendment requiring GAO to do a study on the impact of this legislation on employee participation and ownership and the effect this legislation has on securities held by retirement plans that are governed by ERISA.

I very much look forward and am grateful that the rule has made in order my amendment. This study will give us important information on how these changes impacting employee ownership also affect retirement. It will give this body information that we need to move forward.

The example of my amendment is an example of the many great ideas that Democrats and Republicans could have brought forward had this been brought forward under an open rule. What better bill to bring forward under an open rule than this kind of bipartisan bill where there is nobody in this body who is trying to undermine or sabotage this bill?

There may be some Members who vote against it on both sides, I don't know, but the overwhelming majority are for it. I think there are Democrats and Republicans with great ideas who would love the opportunity to take 10 or 15 minutes—10 minutes as I am afforded under this rule. How many other Republicans and Democrats would love that same opportunity to offer amendments to improve this bill to make it even better?

The good news is employee ownership is not a partisan issue. Employee ownership strengthens our economy, helps small and medium-sized and large businesses across our entire economic spectrum create and retain jobs, and promotes an increased retirement savings for the middle class. These companies are often anchor businesses in our communities that go beyond offering jobs but are involved with sponsoring Little League or being involved with community nonprofits by giving back, by helping local charities and helping support an ecosystem of entrepreneurship by helping other entrepreneurs get off the ground through mentorship networks and angel funding networks.

I am a strong supporter of this bill and, of course, want to point out that it is simply a starting place. We have a long way to go with encouraging employee ownership in all of its forms—ESOPs, co-ops, stock options, outright stock grants—and any other ways that we can come up with or that the private sector can come up with that allow a stake in the company and in the value being created to reside with the employees, aligning their incentive, making our economy work for everybody, and ensuring that stakeholders have balanced benefits from our overall growth.

I support this bill. I wish it had been brought to the floor under an open rule. I oppose the rule.

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

□ 1245

Mr. BUCK. Mr. Speaker, I just want to respond briefly to my friend from Colorado's comments about the nature of the rule. The Rules Committee did make in order every single germane rule that was offered to this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HULTGREN).

Mr. HULTGREN. Mr. Speaker, I want to thank my friends, colleagues from Colorado for their work on this, for their support of this important legislation.

I rise today to speak in support of the rule providing for consideration of H.R. 1343, the Encouraging Employee Ownership Act of 2017. I am proud to be a sponsor of this legislation, and I am grateful for the consideration it has been given by the House, and I am encouraged by its strong record of bipartisan support. The bill has passed the House in prior Congresses as part of larger capital markets packages, but this is the first time the legislation will be considered on its own.

We have had very constructive debate on the bill in the Financial Services Committee over the last few years. This debate has allowed us to build a strong consensus around this uniting principle: What is good for the company should also be good for the employee, and vice versa.

We want it to be easy for companies to offer stock compensation to their employees. This is a company issue, and this is a jobs issue, but this is also a workforce issue. The title of this legislation does not betray its intent. We believe encouraging employee ownership is important.

Agreement on the benefits of employee ownership has contributed to the strong bipartisan support enjoyed by this legislation. It has three Republican and three Democratic original cosponsors. Furthermore, the majority of Republicans and Democrats voted in favor of the Encouraging Employee Ownership Act when it was considered in the House Financial Services Committee just last month. We are simply expanding on something that is working.

The Securities and Exchange Commission, the investor protection regulator, has never raised issue with reduced disclosures available under rule 701, so we are simply saying this tool

should be made available to more companies and to their employees. We do this by adjusting for inflation the threshold for the amount of securities that can be issued each year under rule 701.

Again, I want to thank my colleagues from Colorado. I want to thank all for the work in the Financial Services Committee, and I look forward to the House's consideration and, hopefully, passage of this important legislation.

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

You know, the beauty of an open rule, which we did see when the Democrats had the majority and we have not seen since the Republicans took the majority, is it allows the floor debate to inspire good ideas. It allows Democrats and Republicans to bring forward amendments, subject to germaneness, that can be considered and voted upon.

Frankly, it seems like the Republicans didn't have much for us to do this week. This would have been a perfect week to try an open rule; and I know that Democrats and Republicans would have, consistent with the spirit of an open rule, brought forth good ideas and offered them. Good ideas would have been included in the bill.

But most importantly, we could have set a precedent that open rules work and an open process that values our contributions as legislators and as representatives of 750,000 Americans who would be able to work to improve legislation. So I think that we need to move in that direction. Let the debate on the floor and the back-and-forth inspire new collaboration between Democrats and Republicans, new ideas, new ways of working together.

Here you have a concept that Democrats and Republicans join together in support of. How can we reduce the costs or the red tape around administering employee ownership? We would love to remove barriers to employee ownership that exist across all forms of employee ownership.

We would love to see an economy that works for everybody, one that values employees and workers as stakeholders that share in the economic growth that they helped create. That is a big part of the answer to the discrepancies in our economy and the simple fact—yes, fact—that the majority of the benefit of our economic growth has resided with a few and, generally, with shareholders and executives rather than workers.

So at the same time we can continue to move forward with conveying value to consumers, I think we can also find a way to make sure that workers are able to participate in the value that is created in our economy. But to be able to do so, we should have an open process that allows Democrats and Republicans to bring forward germane amendments that improve the bill, to create an even better and more comprehensive effort to encourage employee ownership.

Employee ownership ultimately touches a number of different committees. There are issues around employee ownership that affect government procurement. There are issues that would reside in the Ways and Means Committee under taxes. There are issues that reside in the Judiciary Committee, and, yes, Financial Services and regulator issues as well.

I am hopeful that Democrats and Republicans can work together to create a comprehensive omnibus approach to improving access to employee ownership for firms across our country.

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

Mr. BUCK. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA. Mr. Speaker, small businesses and entrepreneurs are what drive the American economy. I meet with these folks all the time when I am back home in the Second District, as I know my colleagues do when they are back in their districts, and we see firsthand the benefits that these people's dreams, their innovations, their hard work, and as they provide to our communities that inspiration.

These innovators, entrepreneurs, and risk-takers are critical to our country's economic growth and prosperity. In fact, small businesses are responsible for more than 60 percent of all of the net new jobs. Let me repeat that. Small businesses are responsible for more than 60 percent of all the net new jobs over the past two decades. This isn't just a one-time blip. This is over the last two decades.

So if our Nation is going to have an economy that provides opportunities for every American, then we must promote and encourage success and growth for our small businesses, our startups, and our entrepreneurs. It is this notion that I think brings us to this legislation we are discussing here today.

H.R. 1343, the Encouraging Employee Ownership Act, would simply level the playing field for small companies by updating Federal rules that allow small businesses to better compensate their employees with ownership in those businesses.

Currently, the SEC rule 701 permits private companies to offer their own securities as part of written compensation agreements with employees, directors, general partners, trustees, officers, or other certain consultants without having to comply with rigid Federal securities registration requirements. The SEC rule 701, therefore, allows small companies to reward their employees.

Despite the SEC having the authority to increase the $5 million threshold via a rulemaking, the SEC has once again chosen to prioritize what, I would argue, are highly politicized regulatory undertakings instead of focusing on its core mission, which includes the facilitation of capital formation. That is one of the key core jobs of the Securities and Exchange Commission. Well, if the SEC isn't going to focus its priorities, then Congress will help them do that. So that is why we are here today on this bill.

I believe it is imperative that small businesses not only in West Michigan, but across America, have the ability to compete. A critical element of competition and success is, first, that small businesses be able to offer compensation packages that attract and retain top-tier talent in their fields. In today's world, that includes rewarding employees with stock options. To me, this is common sense. Small-business employees have a clear and vested interest in the success of their employers, and oftentimes they are attracted to it.

I know, having some younger children myself that are coming into adulthood, they are looking for that excitement. They are looking for that opportunity. They are looking to be builders themselves.

Well, by increasing the rule 701 threshold to $10 million, it will give these private companies more flexibility to attract, reward, and retain those employees. This simple change would allow companies to offer twice as much stock to their employees annually without having to trigger additional disclosure information to investors about those compensation packages that include securities offerings.

By reforming this regulatory burden, Mr. Speaker, startups, small businesses, and emerging growth companies will be better equipped to attract highly talented individuals from companies that are better capitalized and able to provide cash compensation. By incentivizing employees with stock options, small businesses will now be able to compete on a more level playing field in order to retain those valuable employees rather than seeing them flee to cash, frankly.

This bill is an example, I believe, of positive, bipartisan results that can be achieved when Republicans and Democrats reach across the aisle. I commend our sponsors of the bills, Representative HULTGREN, who spoke a little earlier; Representatives DELANEY, HIGGINS, MACARTHUR, SINEMA, and STIVERS, for their leadership on this issue; and my friend from Colorado, as well, and what he is doing.

I encourage all my colleagues to support this rule and the underlying bill.

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

Mr. Speaker, I have had the opportunity to convene several roundtables in my district featuring employee-owned businesses, and it has been great to hear their stories, whether it is New Belgium Brewing, talking to employee owners who are excited to spend their time building value for themselves and creating stability in their own job and bringing a wonderful craft brew product to people in all the States in which they distribute, or medical care companies and so many others that have different variations of employee ownership.

As a private sector entrepreneur before I came to Congress, I founded several companies in the technology sector. My companies used stock options for every employee, ranging from entry-level front desk and telephone all the way to executive positions; and, frankly, Mr. Speaker, that has become the standard in the tech industry.

So many venture-backed companies and technology companies provide stock options across the board such that people who participate in building that value are able to also participate in sharing the value that is created. That is one of the great aspects of the technology sector, in particular, and the startup sector that I hope can export to other sectors.

On the margins, this bill will make it a little bit easier for small and mid-sized companies to provide equity compensation to employees. But again, we need to do a lot more. We need to do a lot more culturally to make this the norm. We need to do a lot more from a tax perspective and from a regulatory perspective to make it easier for companies to share ownership with employees so that employees can benefit from the value that is being created.

It is considered the cultural norm and the best practice within the technology entrepreneurship sector, and I hope that that can carry across to other sectors as well. It is very important to have an economy that works for everybody, and employee ownership is a critical linchpin of that effort.

Mr. Speaker, we are debating on a rule and a bill that makes it easier for companies to offer employee stock as part of their compensation; but, unfortunately, the backdrop to this discussion is that there continues to be an enduring wage gap in which women are simply not paid the same as men for doing the same job. Any efforts by us to strengthen compensation packages continue to remain hollow for 51 percent of the country—women.

Today is Equal Pay Day. I wish you, Mr. Speaker, a happy Equal Pay Day, and it is time that we do something to address pay and equity in our country.

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative DELAURO's Paycheck Fairness Act in addition to the legislation we have been debating, H.R. 1343. So what that means is I will still bring forward this legislation. I will just also bring forward the Paycheck Fairness Act, which I am a proud cosponsor of.

Sometimes when we move the previous question, we bring forward a piece of legislation in lieu of the legislation that we bring to the floor under the rule. In this case, once we defeat the previous question, I will offer both of those bills: this employee stock ownership bill and the bill to address paycheck inequity, the Paycheck Fairness Act.

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, the gentlewoman from Connecticut (Ms. DELAURO) may be joining us on the floor in a few minutes to talk about her proposal.

I have an article written by Ms. DELAURO that I include in the RECORD.

[From Cosmopolitan, Apr. 4, 2017]

WE WILL WIN THE FIGHT FOR EQUAL PAY

(By Rosa DeLauro)

Think about 20 cents. It doesn't feel very significant—there isn't much you could buy with it. But over a lifetime, those 20 cents add up in a major way.

Today, we have reached yet another Equal Pay Day—the day on which the average woman's earnings finally catch up to what the average man made last year. This year's Equal Pay Day falls 94 days into 2017—94 days too late.

Women are nearly half the workforce—yet they still only earn about 80 cents on average, to a man's dollar. The gap widens even further when you consider women of color—African-American women make 63 cents on the dollar, while Latinas make only 54 cents on average, compared with what white men earn. This is unacceptable.

The National Women's Law Center found that based on today's wage gap, a woman starting her career now will lose $418,800 over a 40–vear career. For African-Americans, the losses are $840,040. And for Latinas, the lifetime gap is over $1 million.

These disparities exist at all levels of education and occupation—even at the very top. The world champion U.S. women's soccer team is fighting for pay equality, as are Academy-Award winning actresses from Emma Stone to Viola Davis and Patricia Arquette, who have used their platforms to call for equal pay in Hollywood.

Men and women in the same job should have the same pay. Period. Wage discrimination takes place not just on the soccer field or the silver screen, but in the board room, on the factory floor, and in countless other workplaces across the country. That is why I am fighting for equal pay—for all women.

I am fighting for AnnMarie in Massachusetts, who found out, years into her job, that the university she worked for was paying men more for the same work. I am fighting for Terri in Tennessee, who only discovered she was making less than she deserved because her husband held the exact same job and was paid more! And I am fighting for ReShonda in Iowa, who discovered that her own father was paying women less when she went to work in the family business. Pay discrimination in the workplace is real—and it is happening everywhere.

Pay inequity does not just affect women—it affects children, families, and our economy as a whole. That is because women in this country are the sole or co-breadwinner in half of families with children. The biggest problem facing our country today is that families are not making enough to live on—and closing the wage gap would help address that problem.

Over 50 years ago, Congress came together—in a bipartisan fashion—to pass the Equal Pay Act and end what President John F. Kennedy called ''the serious and endemic problem'' of unequal wages. The Equal Pay Act made it illegal for employers to pay men and women differently for substantially equal work. Yet we still have so far to go to close the wage gap.

In 2009, we took a critical step forward with the passage of the Lilly Ledbetter Fair Pay Act, which kept the courthouse door open to sue for pay discrimination. But we must continue the fight and finish the job by passing into law the Paycheck Fairness Act.

I first introduced the Paycheck Fairness Act on June 24, 1997—almost 20 years ago. The Paycheck Fairness Act will mean real progress in the fight to eliminate the gender wage gap and help families. The act ensures that employers who try to justify paying a man more than a woman for the same job must show the disparity is not sex-based, but job-related and necessary. It prohibits employers from retaliating against employees who discuss or disclose salary information with their coworkers. The bill would also allow women to join together in class-action lawsuits where there are allegations of sex-based pay discrimination.

The bill actually passed the House twice, with bipartisan support. Yet it has never made it to the president's desk—despite the fact that this is an issue that affects every single state in this country. In the last session of Congress, I was proud to have every single Democratic member of Congress signed onto the Paycheck Fairness Act—and even one Republican!

But we need to keep fighting. When women raise their voices, we get results. Take the recent victory for the U.S. women's national hockey team who were able to negotiate a historic new contract to address pay inequality. They spoke up—even threatening to boycott the International Ice Hockey Federation World Championship games—and their voices were heard.

In January, I attended the Wonnen's March in Washington. The organic energy—the real, tangible power of the people—was unlike anything I have ever seen. It was a stark reminder of what we can achieve together, when we speak with one voice and demand what we deserve.

When I looked out at the sea of pink hats and powerful, handmade signs, I thought of my mother. When she was born, women could not even vote. Yet today, her daughter is a congresswoman. When we fight for equal pay for equal work, we carry on the legacy of all the women who have fought before us. And when we finally succeed, we will create a better future for all the women who will follow us.

Equal pay is an idea whose time has come—in fact, it is long overdue. But we have the power. We have the momentum. And I believe that we will win.

Mr. POLIS. Mr. Speaker, Congresswoman DELAURO's article from Cosmopolitan magazine, dated April 4, 2017, today, talks about how, over a lifetime, the 20 cents that women are missing every paycheck on a dollar earned by men adds up. In fact, the National Women's Law Center found that a woman starting her career now will lose over $400,000 over a 40-year career. That could be a house. That could be college for two kids or three kids. That could be a family vacation every year. That means a lot, which is why we need to defeat the previous question and move forward on both of these worthy bills.

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

□ 1300

Mr. BUCK. Mr. Speaker, I have no other speakers, and I reserve the balance of my time.

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

say to the gentleman that I do have one other speaker on the way.

Mr. Speaker, this bill under consideration is a small but significant step to help companies increase worker ownership to help improve the overall equity of our economy. I hope that this bill, along with the other two coming to the floor later this week, are the start of something. I hope they are a sign that this body will actually consider meaningful, bipartisan, practical, and commonsense legislation to address the issues the American people sent us to Washington to fix: creating jobs, growing our economy, reforming our Tax Code, and fixing our broken immigration system.

I hope my colleagues support the underlying legislation, H.R. 1343, oppose the rule, and defeat the previous question so I can bring forward not only the employee stock ownership rule, but also the Paycheck Fairness Act here on Equal Pay Day across America so that we can make sure as we are talking about making sure that women receive the same cash and ownership in recognition of their efforts as employees across the country.

This bill will hopefully pass overwhelmingly. I just wish it could be an example of how we could work under an open rule and give Democrats and Republicans a chance to build upon and improve legislation. There have been zero open rules under Speaker RYAN since he has taken over the Speaker's gavel promising, ironically, a more open process. It is about time.

If not this bill, what bill, Mr. Speaker? If not a bill with strong bipartisan support that Democratic and Republican leaders are committed to bringing across the finish line, when can we have an open process that allows us as legislators to bring forward our amendments in response to debate on the floor in realtime?

I wish that this would have been that bill. And I hope that by defeating this rule, we can send a message back to the Rules Committee that we should consider open rules for these kinds of bipartisan legislation.

Promoting employee stock ownership is incredibly important. To have a multistakeholder economy that works for everybody will help address a lot of the legitimate concerns that Americans have, that workers and employees have not shared, and the great amount of value that has been created.

Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO) to further discuss our proposal on the previous question on Equal Pay Day and the Paycheck Fairness Act.

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to the previous question and to the rule. If we defeat this rule, we can enable the House of Representatives to vote on the Paycheck Fairness Act.

Today is Equal Pay Day. This is the day that the average woman's earnings finally catch up to what the average man made last year—and we are 94 days into 2017.

Women are nearly half the workforce, yet they still only earn about 80 cents, on average, to a man's dollar. The gap widens even further when you consider women of color. African-American women make 63 cents on the dollar, while Latinas make only 54 cents, on average, compared with White men.

This is unacceptable. The National Women's Law Center found that, based on today's wage gap, a woman starting her career will lose $418,800 over a 40-year career. For African-American women, the losses are $840,000. For Latinas, the lifetime gap is over $1 million.

This disparity, by the way, exists at all levels of education and occupation—even at the very top. The world champion U.S. women's soccer team is fighting for pay equity, as are Academy Award-winning actresses like Emma Stone and Viola Davis, who have used their platforms to call for equal pay in Hollywood. The fact that women at the top of their field feel the repercussions of this issue speaks to its pervasiveness. Women from the boardroom to the factory floor and in every industry in every State are hurt by the wage gap.

The biggest issue of our time is that people are not making enough to live on, and their jobs just don't pay them enough money. Pay inequity does not just affect women; it affects children, families, and our economy as a whole, and that is because women in this country are the sole or co-breadwinner in half of families with children today.

I first introduced the Paycheck Fairness Act on June 24, 1997, almost 20 years ago. The Paycheck Fairness Act will mean real progress in the fight to eliminate the gender wage gap and help families. The act ensures that employers who try to justify paying a man more than a woman for the same job must show the disparity is not sex-based but job-related and necessary. It prohibits employers from retaliating against employees who discuss or disclose salary information with their coworkers. The bill would allow women to join together in class action lawsuits where there are allegations of sex-based pay discrimination.

This bill, by the way, has passed the House of Representatives twice in a bipartisan way. Today we have 198 cosponsors of that bill, and, yes, it is bipartisan. We can pass this piece of legislation in this body. We have not been able to get it to the President's desk despite the fact that this is an issue that affects every single State in this country.

Every year I hope we never have to recognize this day again because equal pay will be the law of the land. Men and women in the same job deserve the same pay. It is true in the House of Representatives; it should be true all over this country. We are men and women in this body who come from different parts of the country with different skill sets, different educational backgrounds, and different philosophies, and, yes, we get paid the same amount of money. Let's make sure that the Paycheck Fairness Act is the law of the land. The time has come for equal pay.

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

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

I want to thank Ms. DELAURO for her tireless advocacy on behalf of equal pay. I would also encourage my colleagues to join me in cosponsoring the Equal Rights Amendment to the U.S. Constitution. It is about time. Today, on Equal Pay Day, let's enshrine equality between men and women into the U.S. Constitution.

If we can defeat the previous question, we will bring forward H.R. 1343, the employee stock ownership bill, but we will also bring forward the Paycheck Fairness Act so that we can do a little more work of the people's work here in the House of Representatives and help make sure that we can look ourselves in the mirror knowing that men and women will both benefit equally from a hard day's work.

Mr. Speaker, I encourage my colleagues to vote ''no'' on the rule to defeat the previous question and to vote ''yes'' on H.R. 1343 as a first step to encouraging an economy that works for everybody and employee stock ownership.

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

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

Mr. Speaker, we often talk about coming together in support of good policy. We all have friends on both sides of the aisle, and we routinely promise to work together on issues upon which we agree. Most of us speak in front of our constituents about our desire to work with the other party. However, we all know that Americans perceive us to be constantly engaged in partisan conflict.

It is unfortunate that we are not able to work together on good legislation more often. It is understandable that Americans feel disappointed by Washington's partisan sniping. But here before us today is a bill with wide bipartisan support. Not only has it already received numerous bipartisan votes, there were only two amendments offered to the bill. One amendment was withdrawn because it was not germane. The other amendment from my good friend from Colorado and the Rules Committee, Mr. POLIS, is simply requiring a report.

Why is this bill so noncontroversial?

I believe it has to do with the process by which we received this legislation. The Committee on Financial Services held hearings as far back as 2015 in which problems with the SEC rule were raised by small-business owners.

The sponsor of this bill, Mr. HULTGREN, worked with his Democratic

colleagues on the committee and introduced a proposal to reform the SEC rule. Chairman HENSARLING held a full committee markup last month which allowed for full debate and amendment, and now we have the bill on the floor this week. Good process produces good policy. But perhaps equally as important, good process helps instill faith in this institution. When Americans see us take up an issue, hear their concerns, and work together to find a commonsense solution, they will trust us to tackle even bigger problems.

This may not be the largest legislative product that Chairman HENSARLING and the Financial Services Committee produce in this Congress, but, nevertheless, it is an important work that is helping us solve problems faced by American small businesses. This legislation ensures that the employees of America's small businesses can take ownership in their companies and their jobs. It reduces regulatory encroachment on America's job creators and helps our small businesses expand and grow.

I thank Representative HULTGREN for bringing this bill before us. I commend Chairman HENSARLING for working with both sides of the aisle and for following a good process on this legislation.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the rule and vote ''yes'' on the bill.

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

AN AMENDMENT TO H. RES. 240 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. 1869) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. 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. 1869.

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 altemative 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 altemative views the opportunity to offer an alternative plan.

Mr. BUCK. 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. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1304, SELF-INSURANCE PROTECTION ACT

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 241 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 241

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further 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 Education and the Workforce; and (2) one motion to recommit with or without instructions.

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

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. BYRNE. 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 Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, in 2010, then-President Obama said: ''If you like your health insurance plan, you can keep it.''

Unfortunately, at least 4.7 million Americans now know that was simply not true. ObamaCare was a takeover of the American healthcare system. The law's mandates have been burdensome, destroying 300,000 small-business jobs and forcing an estimated 10,000 small businesses to close. Premiums are skyrocketing, and choices are dwindling.

House Resolution 241 provides for the consideration of H.R. 1304, the Self-Insurance Protection Act, an important part of the Republican effort to repair the damage ObamaCare has done to insurance markets. More than 150 million Americans—62 percent of workers—receive their health insurance from their employer. In fact, almost all firms with at least 200 or more employees offer health benefits, and just over half of smaller firms with 3 to 199 employees offer health insurance.

Overwhelmingly, Americans and their employers like this system of employer-sponsored health care; and for many years, employer health plans have been successfully regulated by the Employee Retirement Income Security Act, or ERISA.

□ 1315

Typically, small and large employers offer healthcare coverage to employees either in self-funded arrangements or purchase fully insured plans from an insurer.

Under self-insurance plans, employers cover the costs of their employees' medical expenses. Employers can either process claims in-house or work with a third-party administrator to oversee and implement the plans.

ERISA regulates both fully insured and self-insured plans, but only self-insured plans are exempt from the patchwork of mandates imposed under State insurance law. Furthermore, employer-sponsored self-insured plans are not subject to the same requirements under ObamaCare, as are fully insured plans.

Thus, self-insurance plans are desirable and successful because they are free from many government restrictions and regulations and allow employers to tailor their plans to meet the unique needs of their employees and to innovate.

For example, these plans do not require employees to purchase government-mandated coverage options that their employees do not want or need. This helps lower costs for working families while ensuring access to high-quality health care.

In hearings before the Education and the Workforce Committee, on which I sit, we heard testimony that today self-insurance is often the only way employers can afford coverage, thanks to the burdens of ObamaCare.

Mr. Speaker, in Alabama, we like to say: if it ain't broke, don't fix it. Prior to ObamaCare, there were problems in our Nation's healthcare system, but the successful model of employer self-insurance wasn't one of them. Today, self-insurance remains perhaps the best way for employers to provide health care to their workers.

Unfortunately, the prior administration seemed intent on disrupting this successful healthcare model. Rather than leave self-insurance plans alone, they repeatedly explored ways to impose new regulations that would negatively impact self-insurance. Specifically, the Obama administration wanted to disrupt the model by regulating stop-loss insurance and treating it as if it were health insurance.

Employers who self-insure often purchase stop-loss insurance to cover large medical claims and to protect against the financial risks such claims can pose. Despite decades of Federal regulation on employer health plans under ERISA, stop-loss insurance has never been regulated by the Federal Government. That is because stop-loss insurance is actually a financial risk management tool designed to protect employers from catastrophic claim expenses. Remarkably, in a regulatory grab, the Obama administration tried to reclassify it as ''group health insurance.''

Mr. Speaker, if the last 7 years have taught us anything, it is that more Federal control over health insurance does not make health care more affordable for the American people. Stop-loss insurance is not health insurance, and it should not be regulated like it is.

The Self-Insurance Protection Act simply updates the law to make clear that Federal bureaucrats cannot redefine stop-loss insurance as group health insurance. This is about reaffirming longstanding policies and ensuring workers continue to have access to a health insurance model that is proven to lower costs and provide flexibility to consumers.

This bill will provide workers and employers alike with the regulatory certainty that they have desperately wanted and needed. They shouldn't have to worry about unelected Federal bureaucrats stepping in and destroying their healthcare system.

To put it simply, this bill is necessary in order to prevent future bureaucratic overreach that would destroy the self-insurance model that has been so successful for so many working families.

I also think this bill is an area where we should have some bipartisan cooperation. It passed out of the Education and the Workforce Committee earlier this year on a voice vote, and I hope it earns bipartisan support here in the full House.

As we continue our efforts to increase choices, lower costs, and provide better healthcare options for working families, let us not forget to shore up and protect the health insurance programs that are actually working and getting the job done.

Mr. Speaker, I urge my colleagues to support House Resolution 241 and the underlying bill.

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

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

Mr. Speaker, I rise today to debate a rule for a piece of legislation that many on this side of the aisle do not necessarily have a serious issue with. The attempt here today is to ensure that a thing that is already happening continues to happen.

I suppose that, the next time we meet, we will take up a bill that declares that the Moon is not the Sun. Doing so is a complete waste of time, but that does not seem to necessarily be dispositive when deciding whether we should legislate on an issue these days.

Look, I get it. My friends across the aisle took one on the chin the other week when their Affordable Care Act repeal bill—a bill they spent 17 days working on, even though they had 7 long years to prepare for it—went down in flames in a most public and spectacular fashion, and now they need some time to dust themselves off and become reoriented.

The problem is, while they are doing that, while they are recovering from the miserable failure that was their attempt to strip 24 million Americans of their health care, they are burning valuable time—time that should be used to tackle more pressing issues like addressing the debt ceiling and fixing our crumbling infrastructure.

Let me also take this opportunity to remind my Republican colleagues that, while we spend our time here today debating these filler bills, there are only 7 legislative days, including today, remaining before the government runs out of funding. But are we tackling any of these importance issues or ensuring the government remains open? No.

Instead, we have before us a bill that addresses an issue that is not an issue. On top of that, this legislation was actually supposed to be the third bucket of their three-bucket strategy to end health care for millions of Americans.

We saw how sturdy the first bucket was a couple of weeks ago. In fact, the bucket we are talking about today was actually referred to as the ''sucker's bucket'' by Senator CRUZ. That is not exactly a glowing endorsement.

Indeed, some, like Senator COTTON, have referred to all this bucket talk as simply a bunch of political spin. Whatever it is, it is certainly a bucket that has a hole in it.

In all of the uncertainty facing my Republican friends, one thing becomes crystal clear: they have no plan whatsoever to help working Americans achieve the American Dream. They are adrift, in general, and most particularly when it comes to health care.

What do they really want? At first, it was repeal, then it was repeal and replace, then it was repeal and delay, followed finally by access to coverage, and would you believe another one: patient-centered.

That is repeal, repeal and replace, repeal and delay, access to coverage, and patient-centered. We still don't have a plan. Then it turned toward a three-bucket strategy that makes little to any sense, let alone to the American people but even to powerful elected leaders in the Republican Party.

At the end of the day, Mr. Speaker, do you know what all this talk was?

Exactly what Senator COTTON said: nothing but political spin.

My fear is that it will all come down to whatever it takes to win in the eyes of the other side of the aisle, regardless of the consequences to the American people.

While we were told there was no plan B, we now hear there is a plan B. Donald John Trump ''doesn't lose,'' and doesn't like to lose. So I guess they are going to pass something, even if it is just this bill that does absolutely nothing, just so our Republican friends can say they did something. I am sure Donald John Trump will tweet about this great victory.

Mr. Speaker, Republicans must end their secretive plan B option and embrace the opportunity to do what is right, which is to pursue a path that strengthens and builds upon the strong foundation that has been set by the Affordable Care Act.

Democrats stand ready to work with my friends in the Republican Party on this task to continue to provide affordable coverage to millions of American citizens.

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

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

Mr. Speaker, my colleague from Florida said that the Moon is not the Sun. Well, stop-loss insurance is not health insurance, but the Obama administration tried to make it so. Because they tried to make it so, we need to put into statutory law what I think we all agree on both sides of the aisle not only is the law but should be the law so that there is no question about it in the future. It is unfortunate we have to do that, but, because of some of the actions of the prior administration, it is necessary.

He talked about the strong foundation of the ACA, ObamaCare. That foundation is crumbling beneath the program. We now have more insurers jumping out of exchanges. My home State of Alabama is down to one carrier on the exchange. Soon enough, we may find that, in Alabama, like some other States, there are no carriers. This isn't a foundation. It is a foundation made of sand—and the sand is leaking out. Something has to be done.

Today's bill is a step—not the only step—in that direction. I know my colleagues on the other side of the aisle agree with what we are doing here in substance, and I wish we would just come together and get this bill done so that we can assure that the self-insured smaller employers and larger employers have the protection that they need for the working families that participate in their programs.

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

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

Mr. Speaker, yesterday, Donald John Trump signed into law a measure that eliminates Americans' internet privacy. With Trump's signature, internet service providers will now be able to sell your personal information to the highest bidder.

Mr. Speaker, we stand here ready to fight for the privacy of the American people.

If we defeat the previous question, I am going to offer an amendment to the rule to bring up legislation which would reinstate the Federal Communications Commission's internet privacy rule.

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 Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Nevada (Ms. ROSEN), a member of the Armed Services and Science, Space, and Technology Committees to discuss our proposal.

Ms. ROSEN. Mr. Speaker, if today's vote on the previous question fails, we will have the opportunity to vote on my bill, H.R. 1868, Restoring American Privacy Act of 2017, which will reverse last night's disastrous action by President Trump when he signed a partisan congressional resolution allowing internet providers to sell their customers' personal information without their knowledge or consent.

Before my time in Congress, I started my career as a systems analyst. I have firsthand experience writing code, and I can tell you that the first thing to protect vulnerable and sensitive data is to make sure it is kept private.

S.J. Res. 34, which the House passed last Tuesday, unraveled those vital protections for sensitive information belonging to millions of Americans nationwide.

□ 1330

The resolution negating essential protections for private citizens was signed by President Trump last night. The October 2016 FCC rule was the only rule that required internet service providers to obtain consumers' permission before selling their private internet browsing history and other sensitive information.

I am simply shocked that my colleagues across the aisle would vote for a measure that violates American privacy by selling your most personal and intimate information, including your email content and your app usage, all without your consent. Not only is this wrong and a blatant violation of policy, but it jeopardizes Americans' personal data and puts them at risk of hacking.

Repealing the FCC rule with S.J. Res. 34 allows broadband providers to turn over your info to the highest bidder or anyone else they want, including the government, without a warrant, without ever telling you. That is right. I will repeat it. Repealing the FCC rule with S.J. Res. 34 allows broadband providers to turn over your private information to the highest bidder or anyone else they want, including the government, without a warrant, without ever telling you.

Even worse, S.J. Res. 34 also tells providers they no longer have to use reasonable measures to protect consumers' personal information. This is absolutely unacceptable. We are living in a time where identity theft and internet hacking has become the new norm. We must provide consumers with these protections. No American wants their most personal information to be up for grabs.

Eliminating this rule prevents the FCC from publishing rules that are substantially the same absent additional legislation, establishing a very dangerous precedent for private citizens. Americans should have the right to decide how their internet providers use their personal information.

What this bill does, Mr. Speaker, is simple. This bill makes clear that the American people's browser histories are not for sale. The American people's health information: not for sale. The American people's financial information: not for sale. And the American people's location data: not for sale.

It is a simple concept and one I hope my colleagues across the aisle will recognize and support. The American people don't want the legislation that was signed last night. In overwhelming numbers, they are calling Congress and letting it be known that they want to keep their private information private.

I am proud to stand up for the American people by introducing the Restoring American Privacy Act of 2017, which reverses this misguided resolution and says, once and for all, that ISPs cannot sell customers' personal information without their knowledge, without their permission. This bill says that your privacy is not for sale, period.

Mr. BYRNE. Mr. Speaker, I reserve the balance of my time to close.

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

It is time for my friends on the other side of the aisle to end their self-proclaimed political spin designed to bewilder and confuse average Americans, making them believe that their Republican representatives are fighting for the future of their health care and the health care of their families, when what they are really doing is fighting for powerful corporate interests.

Now is the time for us to face facts and accept truths.

Fact: House Republicans made an attempt to replace the Affordable Care Act with a bill that caused such an outcry from their own constituents that they were forced to pull it.

Truth: There are serious issues in health care that need to be addressed for the betterment of all Americans, and it is going to take the effort of both parties in both the House and the Senate working together to strengthen our healthcare system.

No more smokescreens, no more political rhetoric, only collaborative discourse using only the well-being of the American people as our compass. It is this approach that will steer us back onto course for the betterment of this and future generations. Unfortunately, this bill does not further that effort.

Mr. Speaker, I urge a ''no'' vote on the rule and underlying measure, and I yield back the balance of my time.

Mr. BYRNE. I yield myself the balance of my time.

Mr. Speaker, I thank my colleague from Florida for his remarks. I completely agree with him. Both parties should be working together to make sure that we provide what we can reasonably for the health care of the people of America, and we should be collaborating, not just in this House across the aisle but in the Senate as well. I think it is a good place to start right here with this bill because we really don't have a substantive disagreement about this bill.

Both sides understand that stop-loss insurance is not health insurance. It is just the Obama administration tried to turn it into that. This bill would stop that and bring the certainty we need back to these self-insured plans that mainly small employers have and make sure that we have in place for working families across America a system that is working for them and maintain that.

I hope that my colleagues on the other side of the aisle will join with us, will collaborate with us, and that our colleagues in the other House, in the Senate, will do as well and pass this legislation because it truly is bipartisan in substance and, I hope today, in the vote.

Mr. Speaker, I again urge my colleagues to support House Resolution 241 and the underlying bill.

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

AN AMENDMENT TO H. RES. 241 OFFERED BY MR. HASTINGS

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. 1868) to provide that providers of broadband Internet access service shall be subject to the privacy rules adopted by the Federal Communications Commission on October 27, 2016. 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 Energy and Commerce. 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. 1868.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered; ordering the previous question on House Resolution 240; and adoption of House Resolution 240, if ordered.

The vote was taken by electronic device, and there were—yeas 232, nays 188, not voting 9, as follows:

[Roll No. 211]

YEAS—232

Abraham	Duffy	Knight
Aderholt	Duncan (SC)	Kustoff (TN)
Allen	Duncan (TN)	Labrador
Amash	Dunn	LaHood
Amodei	Emmer	LaMalfa
Arrington	Farenthold	Lamborn
Babin	Faso	Lance
Bacon	Ferguson	Latta
Banks (IN)	Fitzpatrick	Lewis (MN)
Barletta	Fleischmann	LoBiondo
Barr	Flores	Long
Barton	Fortenberry	Loudermilk
Bergman	Foxx	Love
Biggs	Franks (AZ)	Lucas
Bilirakis	Frelinghuysen	Luetkemeyer
Bishop (MI)	Gaetz	MacArthur
Bishop (UT)	Garrett	Marchant
Black	Gibbs	Marino
Blackburn	Gohmert	Marshall
Blum	Goodlatte	Massie
Bost	Gosar	Mast
Brady (TX)	Gowdy	McCarthy
Brat	Granger	McCaul
Brooks (AL)	Graves (GA)	McClintock
Brooks (IN)	Graves (LA)	McHenry
Buchanan	Graves (MO)	McKinley
Buck	Griffith	McMorris Rodgers
Bucshon	Guthrie	McSally
Budd	Harper	Meadows
Burgess	Harris	Meehan
Byrne	Hartzler	Messer
Calvert	Hensarling	Mitchell
Carter (GA)	Herrera Beutler	Moolenaar
Carter (TX)	Hice, Jody B.	Mooney (WV)
Chabot	Higgins (LA)	Mullin
Chaffetz	Hill	Murphy (PA)
Cheney	Holding	Newhouse
Coffman	Hollingsworth	Noem
Cole	Hudson	Nunes
Collins (GA)	Huizenga	Olson
Collins (NY)	Hultgren	Palazzo
Comer	Hunter	Palmer
Comstock	Hurd	Paulsen
Conaway	Issa	Pearce
Cook	Jenkins (KS)	Perry
Costello (PA)	Jenkins (WV)	Pittenger
Cramer	Johnson (LA)	Poe (TX)
Crawford	Johnson (OH)	Poliquin
Culberson	Johnson, Sam	Posey
Curbelo (FL)	Jones	Ratcliffe
Davidson	Jordan	Reed
Davis, Rodney	Joyce (OH)	Reichert
Denham	Katko	Renacci
Dent	Kelly (MS)	Rice (SC)
DeSantis	Kelly (PA)	Roby
DesJarlais	King (IA)	Roe (TN)
Diaz-Balart	King (NY)	Rogers (KY)
Donovan	Kinzinger	

Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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—188

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)
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
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
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
Rush
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
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Bridenstine
Davis, Danny
Gallagher
Grothman
McEachin
Murphy (FL)
Rogers (AL)
Slaughter
Visclosky

□ 1403

Mr. BRADY of Pennsylvania, Ms. KUSTER of New Hampshire, Messrs. RUSH, JOHNSON of Georgia, and Ms. CLARKE of New York changed their vote from ''yea'' to ''nay.''

Mr. ISSA 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 (Mr. ROGERS of Kentucky). 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. HASTINGS. 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 234, noes 184, not voting 11, as follows:

[Roll No. 212]

AYES—234

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
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
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
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
Marino
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
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
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—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
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)
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)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
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
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—11

Bridenstine
Davis, Danny
Gallagher
Grothman
Hoyer
McEachin
Murphy (FL)
Pelosi
Rogers (AL)
Slaughter
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1413

Mr. PETERS changed his vote from ''aye'' to ''no.''

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 H.R. 1343, ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 240) providing for consideration of the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, 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 229, nays 187, not voting 13, as follows:

[Roll No. 213]

YEAS—229

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
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
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
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
Marino
Marshall
Massie
Mast
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
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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—187

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)
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
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
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
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
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Bridenstine
Davis, Danny
Gallagher
Grothman
Hoyer
Hurd
McCarthy
McEachin
Murphy (FL)
Pelosi
Rogers (AL)
Slaughter
Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1421

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. HASTINGS. 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 238, noes 177, not voting 14, as follows:

[Roll No. 214]

AYES—238

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
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
Delaney
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
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
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
Marino
Marshall
Massie
Mast
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
O'Halleran
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Suozzi
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—177

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

NOT VOTING—14

Bridenstine	Hurd	Pelosi
Davis, Danny	Kelly (IL)	Rogers (AL)
Gallagher	McCarthy	Slaughter
Grothman	McEachin	Visclosky
Hoyer	Murphy (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1430

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. KELLY of Illinois. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 214.

PERSONAL EXPLANATION

Mr. GALLAGHER. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 211, "yea" on rollcall No. 212, "yea" on rollcall No. 213, and "yea" on rollcall No. 214.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 353) to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, to expand commercial opportunities for the provision of weather data, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Weather Research and Forecasting Innovation Act of 2017''.

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

SEC. 2. DEFINITIONS.

In this Act:

(1) SEASONAL.—The term ''seasonal'' means the time range between 3 months and 2 years.

(2) STATE.—The term ''State'' means a State, a territory, or possession of the United States, including a Commonwealth, or the District of Columbia.

(3) SUBSEASONAL.—The term ''subseasonal'' means the time range between 2 weeks and 3 months.

(4) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Oceans and Atmosphere.

(5) WEATHER INDUSTRY AND WEATHER ENTERPRISE.—The terms ''weather industry'' and ''weather enterprise'' are interchangeable in this Act, and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

TITLE I—UNITED STATES WEATHER RESEARCH AND FORECASTING IMPROVEMENT

SEC. 101. PUBLIC SAFETY PRIORITY.

In conducting research, the Under Secretary shall prioritize improving weather data, modeling, computing, forecasting, and warnings for the protection of life and property and for the enhancement of the national economy.

SEC. 102. WEATHER RESEARCH AND FORECASTING INNOVATION.

(a) PROGRAM.—The Assistant Administrator for the Office of Oceanic and Atmospheric Research shall conduct a program to develop improved understanding of and forecast capabilities for atmospheric events and their impacts, placing priority on developing more accurate, timely, and effective warnings and forecasts of high impact weather events that endanger life and property.

(b) PROGRAM ELEMENTS.—The program described in subsection (a) shall focus on the following activities:

(1) Improving the fundamental understanding of weather consistent with section 101, including the boundary layer and other processes affecting high impact weather events.

(2) Improving the understanding of how the public receives, interprets, and responds to warnings and forecasts of high impact weather events that endanger life and property.

(3) Research and development, and transfer of knowledge, technologies, and applications to the National Weather Service and other appropriate agencies and entities, including the United States weather industry and academic partners, related to—

(A) advanced radar, radar networking technologies, and other ground-based technologies, including those emphasizing rapid, fine-scale sensing of the boundary layer and lower troposphere, and the use of innovative, dual-polarization, phased-array technologies;

(B) aerial weather observing systems;

(C) high performance computing and information technology and wireless communication networks;

(D) advanced numerical weather prediction systems and forecasting tools and techniques that improve the forecasting of timing, track, intensity, and severity of high impact weather, including through—

(i) the development of more effective mesoscale models;

(ii) more effective use of existing, and the development of new, regional and national cloud-resolving models;

(iii) enhanced global weather models; and

(iv) integrated assessment models;

(E) quantitative assessment tools for measuring the impact and value of data and observing systems, including Observing System Simulation Experiments (as described in section 107), Observing System Experiments, and Analyses of Alternatives;

(F) atmospheric chemistry and interactions essential to accurately characterizing atmospheric composition and predicting meteorological processes, including cloud microphysical, precipitation, and atmospheric electrification processes, to more effectively understand their role in severe weather; and

(G) additional sources of weather data and information, including commercial observing systems.

(4) A technology transfer initiative, carried out jointly and in coordination with the Director of the National Weather Service, and in cooperation with the United States weather industry and academic partners, to ensure continuous development and transition of the latest scientific and technological advances into operations of the National Weather Service and to establish a process to sunset outdated and expensive operational methods and tools to enable cost-effective transfer of new methods and tools into operations.

(c) EXTRAMURAL RESEARCH.—

(1) IN GENERAL.—In carrying out the program under this section, the Assistant Administrator for Oceanic and Atmospheric Research shall collaborate with and support the non-Federal weather research community, which includes institutions of higher education, private entities, and nongovernmental organizations, by making funds available through competitive grants, contracts, and cooperative agreements.

(2) SENSE OF CONGRESS.—It is the sense of Congress that not less than 30 percent of the funds for weather research and development at the Office of Oceanic and Atmospheric Research should be made available for the purpose described in paragraph (1).

(d) ANNUAL REPORT.—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, for the National Oceanic and Atmospheric Administration, the Under Secretary shall submit to Congress a description of current and planned activities under this section.

SEC. 103. TORNADO WARNING IMPROVEMENT AND EXTENSION PROGRAM.

(a) IN GENERAL.—The Under Secretary, in collaboration with the United States weather industry and academic partners, shall establish a tornado warning improvement and extension program.

(b) GOAL.—The goal of such program shall be to reduce the loss of life and economic losses from tornadoes through the development and extension of accurate, effective, and timely tornado forecasts, predictions, and warnings, including the prediction of tornadoes beyond 1 hour in advance.

(c) PROGRAM PLAN.—Not later than 180 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research, in coordination with the Director of the National Weather Service, shall develop a program plan that details the specific research, development, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the program goal.

(d) ANNUAL BUDGET FOR PLAN SUBMITTAL.—Following completion of the plan, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in coordination with the Director of the National Weather Service, shall, not less frequently than once each year, submit to Congress a proposed budget corresponding with the activities identified in the plan.

SEC. 104. HURRICANE FORECAST IMPROVEMENT PROGRAM.

(a) IN GENERAL.—The Under Secretary, in collaboration with the United States weather industry and such academic entities as the Administrator considers appropriate, shall maintain a project to improve hurricane forecasting.

(b) GOAL.—The goal of the project maintained under subsection (a) shall be to develop and extend accurate hurricane forecasts and warnings in order to reduce loss of life, injury, and damage to the economy, with a focus on—

(1) improving the prediction of rapid intensification and track of hurricanes;

(2) improving the forecast and communication of storm surges from hurricanes; and

(3) incorporating risk communication research to create more effective watch and warning products.

(c) PROJECT PLAN.—Not later than 1 year after the date of the enactment of this Act, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in consultation with the Director of the National Weather Service, shall develop a plan for the project maintained under subsection (a) that details the specific research, development, and technology transfer activities, as well as corresponding resources and timelines, necessary to achieve the goal set forth in subsection (b).

SEC. 105. WEATHER RESEARCH AND DEVELOPMENT PLANNING.

Not later than 1 year after the date of the enactment of this Act, and not less frequently than once each year thereafter, the Under Secretary, acting through the Assistant Administrator for Oceanic and Atmospheric Research and in coordination with the Director of the National Weather Service and the Assistant Administrator for Satellite and Information Services, shall issue a research and development and research to operations plan to restore and maintain United States leadership in numerical weather prediction and forecasting that—

(1) describes the forecasting skill and technology goals, objectives, and progress of the National Oceanic and Atmospheric Administration in carrying out the program conducted under section 102;

(2) identifies and prioritizes specific research and development activities, and performance metrics, weighted to meet the operational weather mission of the National Weather Service to achieve a weather-ready Nation;

(3) describes how the program will collaborate with stakeholders, including the United States weather industry and academic partners; and

(4) identifies, through consultation with the National Science Foundation, the United States weather industry, and academic partners, research necessary to enhance the integration of social science knowledge into weather forecast and warning processes, including to improve the communication of threat information necessary to enable improved severe weather planning and decisionmaking on the part of individuals and communities.

SEC. 106. OBSERVING SYSTEM PLANNING.

The Under Secretary shall—

(1) develop and maintain a prioritized list of observation data requirements necessary to ensure weather forecasting capabilities to protect life and property to the maximum extent practicable;

(2) consistent with section 107, utilize Observing System Simulation Experiments, Observing System Experiments, Analyses of Alternatives, and other appropriate assessment tools to ensure continuous systemic evaluations of the observing systems, data, and information needed to meet the requirements of paragraph (1), including options to maximize observational capabilities and their cost-effectiveness;

(3) identify current and potential future data gaps in observing capabilities related to the requirements listed under paragraph (1); and

(4) determine a range of options to address gaps identified under paragraph (3).

SEC. 107. OBSERVING SYSTEM SIMULATION EXPERIMENTS.

(a) IN GENERAL.—In support of the requirements of section 106, the Assistant Administrator for Oceanic and Atmospheric Research shall undertake Observing System Simulation Experiments, or such other quantitative assessments as the Assistant Administrator considers appropriate, to quantitatively assess the relative value and benefits of observing capabilities and systems. Technical and scientific Observing System Simulation Experiment evaluations—

(1) may include assessments of the impact of observing capabilities on—

(A) global weather prediction;

(B) hurricane track and intensity forecasting;

(C) tornado warning lead times and accuracy;

(D) prediction of mid-latitude severe local storm outbreaks; and

(E) prediction of storms that have the potential to cause extreme precipitation and flooding lasting from 6 hours to 1 week; and

(2) shall be conducted in cooperation with other appropriate entities within the National Oceanic and Atmospheric Administration, other Federal agencies, the United States weather industry, and academic partners to ensure the technical and scientific merit of results from Observing System Simulation Experiments or other appropriate quantitative assessment methodologies.

(b) REQUIREMENTS.—Observing System Simulation Experiments shall quantitatively—

(1) determine the potential impact of proposed space-based, suborbital, and in situ observing systems on analyses and forecasts, including potential impacts on extreme weather events across all parts of the Nation;

(2) evaluate and compare observing system design options; and

(3) assess the relative capabilities and costs of various observing systems and combinations of observing systems in providing data necessary to protect life and property.

(c) IMPLEMENTATION.—Observing System Simulation Experiments—

(1) shall be conducted prior to the acquisition of major Government-owned or Government-leased operational observing systems, including polar-orbiting and geostationary satellite systems, with a lifecycle cost of more than $500,000,000; and

(2) shall be conducted prior to the purchase of any major new commercially provided data with a lifecycle cost of more than $500,000,000.

(d) PRIORITY OBSERVING SYSTEM SIMULATION EXPERIMENTS.—

(1) GLOBAL NAVIGATION SATELLITE SYSTEM RADIO OCCULTATION.—Not later than 30 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research shall complete an Observing System Simulation Experiment to assess the value of data from Global Navigation Satellite System Radio Occultation.

(2) GEOSTATIONARY HYPERSPECTRAL SOUNDER GLOBAL CONSTELLATION.—Not later than 120 days after the date of the enactment of this Act, the Assistant Administrator for Oceanic and Atmospheric Research shall complete an Observing System Simulation Experiment to assess the value of data from a geostationary hyperspectral sounder global constellation.

(e) RESULTS.—Upon completion of all Observing System Simulation Experiments, the Assistant Administrator shall make available to the public the results an assessment of related private and public sector weather data sourcing options, including their availability, affordability, and cost-effectiveness. Such assessments shall be developed in accordance with section 50503 of title 51, United States Code.

SEC. 108. ANNUAL REPORT ON COMPUTING RESOURCES PRIORITIZATION.

Not later than 1 year after the date of the enactment of this Act and not less frequently than once each year thereafter, the Under Secretary, acting through the Chief Information Officer of the National Oceanic and Atmospheric Administration and in coordination with the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service, shall produce and make publicly available a report that explains how the Under Secretary intends—

(1) to continually support upgrades to pursue the fastest, most powerful, and cost-effective high performance computing technologies in support of its weather prediction mission;

(2) to ensure a balance between the research to operations requirements to develop the next generation of regional and global models as well as highly reliable operational models;

(3) to take advantage of advanced development concepts to, as appropriate, make next generation weather prediction models available in beta-test mode to operational forecasters, the United States weather industry, and partners in academic and Government research; and

(4) to use existing computing resources to improve advanced research and operational weather prediction.

SEC. 109. UNITED STATES WEATHER RESEARCH PROGRAM.

Section 108 of the Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567; 15 U.S.C. 313 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

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

''(5) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, not less frequently than once each year, a report, including—

''(A) a list of ongoing research projects;

''(B) project goals and a point of contact for each project;

''(C) the five projects related to weather observations, short-term weather, or subseasonal forecasts within Office of Oceanic and Atmospheric Research that are closest to operationalization;

''(D) for each project referred to in subparagraph (C)—

''(i) the potential benefit;

''(ii) any barrier to operationalization; and

''(iii) the plan for operationalization, including which line office will financially support the project and how much the line office intends to spend;

''(6) establish teams with staff from the Office of Oceanic and Atmospheric Research and the National Weather Service to oversee the operationalization of research products developed by the Office of Oceanic and Atmospheric Research;

''(7) develop mechanisms for research priorities of the Office of Oceanic and Atmospheric Research to be informed by the relevant line offices within the National Oceanic and Atmospheric Administration, the relevant user community, and the weather enterprise;

''(8) develop an internal mechanism to track the progress of each research project within the Office of Oceanic and Atmospheric Research and mechanisms to terminate a project that is not adequately progressing;

''(9) develop and implement a system to track whether extramural research grant goals were accomplished;

''(10) provide facilities for products developed by the Office of Oceanic and Atmospheric Research to be tested in operational simulations, such as test beds; and

''(11) encourage academic collaboration with the Office of Oceanic and Atmospheric Research and the National Weather Service by facilitating visiting scholars.'';

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''Not later than 90 days after the date of enactment of this Act, the'' and inserting ''The''; and

(3) by adding at the end the following new subsection:

''(c) SUBSEASONAL DEFINED.—In this section, the term 'subseasonal' means the time range between 2 weeks and 3 months.''.

SEC. 110. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEARS 2017 AND 2018.—For each of fiscal years 2017 and 2018, there are authorized to be appropriated to Office of Oceanic and Atmospheric Research—

(1) $111,516,000 to carry out this title, of which—

(A) $85,758,000 is authorized for weather laboratories and cooperative institutes; and

(B) $25,758,000 is authorized for weather and air chemistry research programs; and

(2) an additional amount of $20,000,000 for the joint technology transfer initiative described in section 102(b)(4).

(b) LIMITATION.—No additional funds are authorized to carry out this title and the amendments made by this title.

TITLE II—SUBSEASONAL AND SEASONAL FORECASTING INNOVATION

SEC. 201. IMPROVING SUBSEASONAL AND SEASONAL FORECASTS.

Section 1762 of the Food Security Act of 1985 (Public Law 99–198; 15 U.S.C. 313 note) is amended—

(1) in subsection (a), by striking ''(a)'' and inserting ''(a) FINDINGS.—'';

(2) in subsection (b), by striking ''(b)'' and inserting ''(b) POLICY.—''; and

(3) by adding at the end the following:

''(c) FUNCTIONS.—The Under Secretary, acting through the Director of the National Weather Service and the heads of such other programs of the National Oceanic and Atmospheric Administration as the Under Secretary considers appropriate, shall—

''(1) collect and utilize information in order to make usable, reliable, and timely foundational forecasts of subseasonal and seasonal temperature and precipitation;

''(2) leverage existing research and models from the weather enterprise to improve the forecasts under paragraph (1);

''(3) determine and provide information on how the forecasted conditions under paragraph (1) may impact—

''(A) the number and severity of droughts, fires, tornadoes, hurricanes, floods, heat waves, coastal inundation, winter storms, high impact weather, or other relevant natural disasters;

''(B) snowpack; and

''(C) sea ice conditions; and

''(4) develop an Internet clearinghouse to provide the forecasts under paragraph (1) and the information under paragraphs (1) and (3) on both national and regional levels.

''(d) COMMUNICATION.—The Director of the National Weather Service shall provide the forecasts under paragraph (1) of subsection (c) and the information on their impacts under paragraph (3) of such subsection to the public, including public and private entities engaged in planning and preparedness, such as National Weather Service Core partners at the Federal, regional, State, tribal, and local levels of government.

''(e) COOPERATION.—The Under Secretary shall build upon existing forecasting and assessment programs and partnerships, including—

''(1) by designating research and monitoring activities related to subseasonal and seasonal forecasts as a priority in one or more solicitations of the Cooperative Institutes of the Office of Oceanic and Atmospheric Research;

''(2) by contributing to the interagency Earth System Prediction Capability; and

''(3) by consulting with the Secretary of Defense and the Secretary of Homeland Security to determine the highest priority subseasonal and seasonal forecast needs to enhance national security.

''(f) FORECAST COMMUNICATION COORDINATORS.—

''(1) IN GENERAL.—The Under Secretary shall foster effective communication, understanding, and use of the forecasts by the intended users of the information described in subsection (d). This may include assistance to States for forecast communication coordinators to enable local interpretation and planning based on the information.

''(2) REQUIREMENTS.—For each State that requests assistance under this subsection, the Under Secretary may—

''(A) provide funds to support an individual in that State—

''(i) to serve as a liaison among the National Oceanic and Atmospheric Administration, other Federal departments and agencies, the weather enterprise, the State, and relevant interests within that State; and

''(ii) to receive the forecasts and information under subsection (c) and disseminate the forecasts and information throughout the State, including to county and tribal governments; and

''(B) require matching funds of at least 50 percent, from the State, a university, a nongovernmental organization, a trade association, or the private sector.

''(3) LIMITATION.—Assistance to an individual State under this subsection shall not exceed $100,000 in a fiscal year.

''(g) COOPERATION FROM OTHER FEDERAL AGENCIES.—Each Federal department and agency shall cooperate as appropriate with the Under Secretary in carrying out this section.

''(h) REPORTS.—

''(1) IN GENERAL.—Not later than 18 months after the date of the enactment of the Weather Research and Forecasting Innovation Act of 2017, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report, including—

''(A) an analysis of the how information from the National Oceanic and Atmospheric Administration on subseasonal and seasonal forecasts, as provided under subsection (c), is utilized in public planning and preparedness;

''(B) specific plans and goals for the continued development of the subseasonal and seasonal forecasts and related products described in subsection (c); and

''(C) an identification of research, monitoring, observing, and forecasting requirements to meet the goals described in subparagraph (B).

''(2) CONSULTATION.—In developing the report under paragraph (1), the Under Secretary shall consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.

''(i) DEFINITIONS.—In this section:

''(1) FOUNDATIONAL FORECAST.—The term 'foundational forecast' means basic weather observation and forecast data, largely in raw form, before further processing is applied.

''(2) NATIONAL WEATHER SERVICE CORE PARTNERS.—The term 'National Weather Service core partners' means government and nongovernment entities which are directly involved in the preparation or dissemination of, or discussions involving, hazardous weather or other emergency information put out by the National Weather Service.

''(3) SEASONAL.—The term 'seasonal' means the time range between 3 months and 2 years.

''(4) STATE.—The term 'State' means a State, a territory, or possession of the United States, including a Commonwealth, or the District of Columbia.

''(5) SUBSEASONAL.—The term 'subseasonal' means the time range between 2 weeks and 3 months.

''(6) UNDER SECRETARY.—The term 'Under Secretary' means the Under Secretary of Commerce for Oceans and Atmosphere.

''(7) WEATHER INDUSTRY AND WEATHER ENTERPRISE.—The terms 'weather industry' and 'weather enterprise' are interchangeable in this section and include individuals and organizations from public, private, and academic sectors that contribute to the research, development, and production of weather forecast products, and primary consumers of these weather forecast products.

''(j) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2017 and 2018, there are authorized out of funds appropriated to the National Weather Service, $26,500,000 to carry out the activities of this section.''.

TITLE III—WEATHER SATELLITE AND DATA INNOVATION

SEC. 301. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SATELLITE AND DATA MANAGEMENT.

(a) SHORT-TERM MANAGEMENT OF ENVIRONMENTAL OBSERVATIONS.—

(1) MICROSATELLITE CONSTELLATIONS.—

(A) IN GENERAL.—The Under Secretary shall complete and operationalize the Constellation Observing System for Meteorology, Ionosphere, and Climate–1 and Climate–2 (COSMIC) in effect on the day before the date of the enactment of this Act—

(i) by deploying constellations of microsatellites in both the equatorial and polar orbits;

(ii) by integrating the resulting data and research into all national operational and research weather forecast models; and

(iii) by ensuring that the resulting data of National Oceanic and Atmospheric Administration's COSMIC–1 and COSMIC–2 programs are free and open to all communities.

(B) ANNUAL REPORTS.—Not less frequently than once each year until the Under Secretary has completed and operationalized the program described in subparagraph (A) pursuant to such subparagraph, the Under Secretary shall submit to Congress a report on the status of the efforts of the Under Secretary to carry out such subparagraph.

(2) INTEGRATION OF OCEAN AND COASTAL DATA FROM THE INTEGRATED OCEAN OBSERVING SYSTEM.—In National Weather Service Regions where the Director of the National Weather Service determines that ocean and coastal data would improve forecasts, the Director, in consultation with the Assistant Administrator for Oceanic and Atmospheric Research and the Assistant Administrator of the National Ocean Service, shall—

(A) integrate additional coastal and ocean observations, and other data and research, from the Integrated Ocean Observing System (IOOS) into regional weather forecasts to improve weather forecasts and forecasting decision support systems; and

(B) support the development of real-time data sharing products and forecast products in collaboration with the regional associations of such system, including contributions from the private sector, academia, and research institutions to ensure timely and accurate use of ocean and coastal data in regional forecasts.

(3) EXISTING MONITORING AND OBSERVATION-CAPABILITY.—The Under Secretary shall identify degradation of existing monitoring and observation capabilities that could lead to a reduction in forecast quality.

(4) SPECIFICATIONS FOR NEW SATELLITE SYSTEMS OR DATA DETERMINED BY OPERATIONAL NEEDS.—In developing specifications for any satellite systems or data to follow the Joint Polar Satellite System, Geostationary Operational Environmental Satellites, and any other satellites, in effect on the day before the date of enactment of this Act, the Under Secretary shall ensure the specifications are determined to the extent practicable by the recommendations of the reports under subsection (b) of this section.

(b) INDEPENDENT STUDY ON FUTURE OF NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SATELLITE SYSTEMS AND DATA.—

(1) AGREEMENT.—

(A) IN GENERAL.—The Under Secretary shall seek to enter into an agreement with the National Academy of Sciences to perform the services covered by this subsection.

(B) TIMING.—The Under Secretary shall seek to enter into the agreement described in subparagraph (A) before September 30, 2018.

(2) STUDY.—

(A) IN GENERAL.—Under an agreement between the Under Secretary and the National Academy of Sciences under this subsection, the National Academy of Sciences shall conduct a study on matters concerning future satellite data needs.

(B) ELEMENTS.—In conducting the study under subparagraph (A), the National Academy of Sciences shall—

(i) develop recommendations on how to make the data portfolio of the Administration more robust and cost-effective;

(ii) assess the costs and benefits of moving toward a constellation of many small satellites, standardizing satellite bus design, relying more on the purchasing of data, or acquiring data from other sources or methods;

(iii) identify the environmental observations that are essential to the performance of weather models, based on an assessment of Federal, academic, and private sector weather research, and the cost of obtaining the environmental data;

(iv) identify environmental observations that improve the quality of operational and research weather models in effect on the day before the date of enactment of this Act;

(v) identify and prioritize new environmental observations that could contribute to existing and future weather models; and

(vi) develop recommendations on a portfolio of environmental observations that balances essential, quality-improving, and new data, private and nonprivate sources, and space-based and Earth-based sources.

(C) DEADLINE AND REPORT.—In carrying out the study under subparagraph (A), the National Academy of Sciences shall complete and transmit to the Under Secretary a report containing the findings of the National Academy of Sciences with respect to the study not later than 2 years after the date on which the Administrator enters into an agreement with the National Academy of Sciences under paragraph (1)(A).

(3) ALTERNATE ORGANIZATION.—

(A) IN GENERAL.—If the Under Secretary is unable within the period prescribed in subparagraph (B) of paragraph (1) to enter into an agreement described in subparagraph (A) of such paragraph with the National Academy of Sciences on terms acceptable to the Under Secretary, the Under Secretary shall seek to enter into such an agreement with another appropriate organization that—

(i) is not part of the Federal Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the National Academy of Sciences.

(B) TREATMENT.—If the Under Secretary enters into an agreement with another organization as described in subparagraph (A), any reference in this subsection to the National Academy of Sciences shall be treated as a reference to the other organization.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out of funds appropriated to National Environmental Satellite, Data, and Information Service, to carry out this subsection $1,000,000 for the period encompassing fiscal years 2018 through 2019.

SEC. 302. COMMERCIAL WEATHER DATA.

(a) DATA AND HOSTED SATELLITE PAYLOADS.—Notwithstanding any other provision of law, the Secretary of Commerce may enter into agreements for—

(1) the purchase of weather data through contracts with commercial providers; and

(2) the placement of weather satellite instruments on cohosted government or private payloads.

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Under Secretary, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a strategy to enable the procurement of quality commercial weather data. The strategy shall assess the range of commercial opportunities, including public-private partnerships, for obtaining surface-based, aviation-based, and space-based weather observations. The strategy shall include the expected cost-effectiveness of these opportunities as well as provide a plan for procuring data, including an expected implementation timeline, from these nongovernmental sources, as appropriate.

(2) REQUIREMENTS.—The strategy shall include—

(A) an analysis of financial or other benefits to, and risks associated with, acquiring commercial weather data or services, including through multiyear acquisition approaches;

(B) an identification of methods to address planning, programming, budgeting, and execution challenges to such approaches, including—

(i) how standards will be set to ensure that data is reliable and effective;

(ii) how data may be acquired through commercial experimental or innovative techniques and then evaluated for integration into operational use;

(iii) how to guarantee public access to all forecast-critical data to ensure that the United

States weather industry and the public continue to have access to information critical to their work; and

(iv) in accordance with section 50503 of title 51, United States Code, methods to address potential termination liability or cancellation costs associated with weather data or service contracts; and

(C) an identification of any changes needed in the requirements development and approval processes of the Department of Commerce to facilitate effective and efficient implementation of such strategy.

(3) AUTHORITY FOR AGREEMENTS.—The Assistant Administrator for National Environmental Satellite, Data, and Information Service may enter into multiyear agreements necessary to carry out the strategy developed under this subsection.

(c) PILOT PROGRAM.—

(1) CRITERIA.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary shall publish data and metadata standards and specifications for space-based commercial weather data, including radio occultation data, and, as soon as possible, geostationary hyperspectral sounder data.

(2) PILOT CONTRACTS.—

(A) CONTRACTS.—Not later than 90 days after the date of enactment of this Act, the Under Secretary shall, through an open competition, enter into at least one pilot contract with one or more private sector entities capable of providing data that meet the standards and specifications set by the Under Secretary for providing commercial weather data in a manner that allows the Under Secretary to calibrate and evaluate the data for its use in National Oceanic and Atmospheric Administration meteorological models.

(B) ASSESSMENT OF DATA VIABILITY.—Not later than the date that is 3 years after the date on which the Under Secretary enters into a contract under subparagraph (A), the Under Secretary shall assess and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives the results of a determination of the extent to which data provided under the contract entered into under subparagraph (A) meet the criteria published under paragraph (1) and the extent to which the pilot program has demonstrated—

(i) the viability of assimilating the commercially provided data into National Oceanic and Atmospheric Administration meteorological models;

(ii) whether, and by how much, the data add value to weather forecasts; and

(iii) the accuracy, quality, timeliness, validity, reliability, usability, information technology security, and cost-effectiveness of obtaining commercial weather data from private sector providers.

(3) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2017 through 2020, there are authorized to be appropriated for procurement, acquisition, and construction at National Environmental Satellite, Data, and Information Service, $6,000,000 to carry out this subsection.

(d) OBTAINING FUTURE DATA.—If an assessment under subsection (c)(2)(B) demonstrates the ability of commercial weather data to meet data and metadata standards and specifications published under subsection (c)(1), the Under Secretary shall—

(1) where appropriate, cost-effective, and feasible, obtain commercial weather data from private sector providers;

(2) as early as possible in the acquisition process for any future National Oceanic and Atmospheric Administration meteorological space system, consider whether there is a suitable, cost-effective, commercial capability available or that will be available to meet any or all of the observational requirements by the planned operational date of the system;

(3) if a suitable, cost-effective, commercial capability is or will be available as described in paragraph (2), determine whether it is in the national interest to develop a governmental meteorological space system; and

(4) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report detailing any determination made under paragraphs (2) and (3).

(e) DATA SHARING PRACTICES.—The Under Secretary shall continue to meet the international meteorological agreements into which the Under Secretary has entered, including practices set forth through World Meteorological Organization Resolution 40.

SEC. 303. UNNECESSARY DUPLICATION.

In meeting the requirements under this title, the Under Secretary shall avoid unnecessary duplication between public and private sources of data and the corresponding expenditure of funds and employment of personnel.

TITLE IV—FEDERAL WEATHER COORDINATION

SEC. 401. ENVIRONMENTAL INFORMATION SERVICES WORKING GROUP.

(a) ESTABLISHMENT.—The National Oceanic and Atmospheric Administration Science Advisory Board shall continue to maintain a standing working group named the Environmental Information Services Working Group (in this section referred to as the ''Working Group'')—

(1) to provide advice for prioritizing weather research initiatives at the National Oceanic and Atmospheric Administration to produce real improvement in weather forecasting;

(2) to provide advice on existing or emerging technologies or techniques that can be found in private industry or the research community that could be incorporated into forecasting at the National Weather Service to improve forecasting skill;

(3) to identify opportunities to improve—

(A) communications between weather forecasters, Federal, State, local, tribal, and other emergency management personnel, and the public; and

(B) communications and partnerships among the National Oceanic and Atmospheric Administration and the private and academic sectors; and

(4) to address such other matters as the Science Advisory Board requests of the Working Group.

(b) COMPOSITION.—

(1) IN GENERAL.—The Working Group shall be composed of leading experts and innovators from all relevant fields of science and engineering including atmospheric chemistry, atmospheric physics, meteorology, hydrology, social science, risk communications, electrical engineering, and computer sciences. In carrying out this section, the Working Group may organize into subpanels.

(2) NUMBER.—The Working Group shall be composed of no fewer than 15 members. Nominees for the Working Group may be forwarded by the Working Group for approval by the Science Advisory Board. Members of the Working Group may choose a chair (or co-chairs) from among their number with approval by the Science Advisory Board.

(c) ANNUAL REPORT.—Not less frequently than once each year, the Working Group shall transmit to the Science Advisory Board for submission to the Under Secretary a report on progress made by National Oceanic and Atmospheric Administration in adopting the Working Group's recommendations. The Science Advisory Board shall transmit this report to the Under Secretary. Within 30 days of receipt of such report, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a copy of such report.

SEC. 402. INTERAGENCY WEATHER RESEARCH AND FORECAST INNOVATION COORDINATION.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy shall establish an Interagency Committee for Advancing Weather Services to improve coordination of relevant weather research and forecast innovation activities across the Federal Government. The Interagency Committee shall—

(1) include participation by the National Aeronautics and Space Administration, the Federal Aviation Administration, National Oceanic and Atmospheric Administration and its constituent elements, the National Science Foundation, and such other agencies involved in weather forecasting research as the President determines are appropriate;

(2) identify and prioritize top forecast needs and coordinate those needs against budget requests and program initiatives across participating offices and agencies; and

(3) share information regarding operational needs and forecasting improvements across relevant agencies.

(b) CO-CHAIR.—The Federal Coordinator for Meteorology shall serve as a co-chair of this panel.

(c) FURTHER COORDINATION.—The Director of the Office of Science and Technology Policy shall take such other steps as are necessary to coordinate the activities of the Federal Government with those of the United States weather industry, State governments, emergency managers, and academic researchers.

SEC. 403. OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH AND NATIONAL WEATHER SERVICE EXCHANGE PROGRAM.

(a) IN GENERAL.—The Assistant Administrator for Oceanic and Atmospheric Research and the Director of National Weather Service may establish a program to detail Office of Oceanic and Atmospheric Research personnel to the National Weather Service and National Weather Service personnel to the Office of Oceanic and Atmospheric Research.

(b) GOAL.—The goal of this program is to enhance forecasting innovation through regular, direct interaction between the Office of Oceanic and Atmospheric Research's world-class scientists and the National Weather Service's operational staff.

(c) ELEMENTS.—The program shall allow up to 10 Office of Oceanic and Atmospheric Research staff and National Weather Service staff to spend up to 1 year on detail. Candidates shall be jointly selected by the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the National Weather Service.

(d) ANNUAL REPORT.—Not less frequently than once each year, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on participation in such program and shall highlight any innovations that come from this interaction.

SEC. 404. VISITING FELLOWS AT NATIONAL WEATHER SERVICE.

(a) IN GENERAL.—The Director of the National Weather Service may establish a program to host postdoctoral fellows and academic researchers at any of the National Centers for Environmental Prediction.

(b) GOAL.—This program shall be designed to provide direct interaction between forecasters and talented academic and private sector researchers in an effort to bring innovation to forecasting tools and techniques to the National Weather Service.

(c) SELECTION AND APPOINTMENT.—Such fellows shall be competitively selected and appointed for a term not to exceed 1 year.

SEC. 405. WARNING COORDINATION METEOROLOGISTS AT WEATHER FORECAST OFFICES OF NATIONAL WEATHER SERVICE.

(a) DESIGNATION OF WARNING COORDINATION METEOROLOGISTS.—

(1) IN GENERAL.—The Director of the National Weather Service shall designate at least one warning coordination meteorologist at each weather forecast office of the National Weather Service.

(2) NO ADDITIONAL EMPLOYEES AUTHORIZED.—Nothing in this section shall be construed to authorize or require a change in the authorized number of full time equivalent employees in the National Weather Service or otherwise result in the employment of any additional employees.

(3) PERFORMANCE BY OTHER EMPLOYEES.—Performance of the responsibilities outlined in this section is not limited to the warning coordination meteorologist position.

(b) PRIMARY ROLE OF WARNING COORDINATION METEOROLOGISTS.—The primary role of the warning coordination meteorologist shall be to carry out the responsibilities required by this section.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—Subject to paragraph (2), consistent with the analysis described in section 409, and in order to increase impact-based decision support services, each warning coordination meteorologist designated under subsection (a) shall—

(A) be responsible for providing service to the geographic area of responsibility covered by the weather forecast office at which the warning coordination meteorologist is employed to help ensure that users of products of the National Weather Service can respond effectively to improve outcomes from weather events;

(B) liaise with users of products and services of the National Weather Service, such as the public, media outlets, users in the aviation, marine, and agricultural communities, and forestry, land, and water management interests, to evaluate the adequacy and usefulness of the products and services of the National Weather Service;

(C) collaborate with such weather forecast offices and State, local, and tribal government agencies as the Director considers appropriate in developing, proposing, and implementing plans to develop, modify, or tailor products and services of the National Weather Service to improve the usefulness of such products and services;

(D) ensure the maintenance and accuracy of severe weather call lists, appropriate office severe weather policy or procedures, and other severe weather or dissemination methodologies or strategies; and

(E) work closely with State, local, and tribal emergency management agencies, and other agencies related to disaster management, to ensure a planned, coordinated, and effective preparedness and response effort.

(2) OTHER STAFF.—The Director may assign a responsibility set forth in paragraph (1) to such other staff as the Director considers appropriate to carry out such responsibility.

(d) ADDITIONAL RESPONSIBILITIES.—

(1) IN GENERAL.—Subject to paragraph (2), a warning coordination meteorologist designated under subsection (a) may—

(A) work with a State agency to develop plans for promoting more effective use of products and services of the National Weather Service throughout the State;

(B) identify priority community preparedness objectives;

(C) develop plans to meet the objectives identified under paragraph (2); and

(D) conduct severe weather event preparedness planning and citizen education efforts with and through various State, local, and tribal government agencies and other disaster management-related organizations.

(2) OTHER STAFF.—The Director may assign a responsibility set forth in paragraph (1) to such other staff as the Director considers appropriate to carry out such responsibility.

(e) PLACEMENT WITH STATE AND LOCAL EMERGENCY MANAGERS.—

(1) IN GENERAL.—In carrying out this section, the Director of the National Weather Service may place a warning coordination meteorologist designated under subsection (a) with a State or local emergency manager if the Director considers doing so is necessary or convenient to carry out this section.

(2) TREATMENT.—If the Director determines that the placement of a warning coordination meteorologist placed with a State or local emergency manager under paragraph (1) is near a weather forecast office of the National Weather Service, such placement shall be treated as designation of the warning coordination meteorologist at such weather forecast office for purposes of subsection (a).

SEC. 406. IMPROVING NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMUNICATION OF HAZARDOUS WEATHER AND WATER EVENTS.

(a) PURPOSE OF SYSTEM.—For purposes of the assessment required by subsection (b)(1)(A), the purpose of National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events shall be risk communication to the general public that informs action to prevent loss of life and property.

(b) ASSESSMENT OF SYSTEM.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall—

(A) assess the National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events; and

(B) submit to Congress a report on the findings of the Under Secretary with respect to the assessment conducted under subparagraph (A).

(2) ELEMENTS.—The assessment required by paragraph (1)(A) shall include the following:

(A) An evaluation of whether the National Oceanic and Atmospheric Administration system for issuing watches and warnings regarding hazardous weather and water events meets the purpose described in subsection (a).

(B) Development of recommendations for—

(i) legislative and administrative action to improve the system described in paragraph (1)(A); and

(ii) such research as the Under Secretary considers necessary to address the focus areas described in paragraph (3).

(3) FOCUS AREAS.—The assessment required by paragraph (1)(A) shall focus on the following:

(A) Ways to communicate the risks posed by hazardous weather or water events to the public that are most likely to result in action to mitigate the risk.

(B) Ways to communicate the risks posed by hazardous weather or water events to the public as broadly and rapidly as practicable.

(C) Ways to preserve the benefits of the existing watches and warnings system.

(D) Ways to maintain the utility of the watches and warnings system for Government and commercial users of the system.

(4) CONSULTATION.—In conducting the assessment required by paragraph (1)(A), the Under Secretary shall—

(A) consult with such line offices within the National Oceanic and Atmospheric Administration as the Under Secretary considers relevant, including the National Ocean Service, the National Weather Service, and the Office of Oceanic and Atmospheric Research;

(B) consult with individuals in the academic sector, including individuals in the field of social and behavioral sciences, and other weather services;

(C) consult with media outlets that will be distributing the watches and warnings;

(D) consult with non-Federal forecasters that produce alternate severe weather risk communication products;

(E) consult with emergency planners and responders, including State and local emergency management agencies, and other government users of the watches and warnings system, including the Federal Emergency Management Agency, the Office of Personnel Management, the Coast Guard, and such other Federal agencies as the Under Secretary determines rely on watches and warnings for operational decisions; and

(F) make use of the services of the National Academy of Sciences, as the Under Secretary considers necessary and practicable, including contracting with the National Research Council to review the scientific and technical soundness of the assessment required by paragraph (1)(A), including the recommendations developed under paragraph (2)(B).

(5) METHODOLOGIES.—In conducting the assessment required by paragraph (1)(A), the Under Secretary shall use such methodologies as the Under Secretary considers are generally accepted by the weather enterprise, including social and behavioral sciences.

(c) IMPROVEMENTS TO SYSTEM.—

(1) IN GENERAL.—The Under Secretary shall, based on the assessment required by subsection (b)(1)(A), make such recommendations to Congress to improve the system as the Under Secretary considers necessary—

(A) to improve the system for issuing watches and warnings regarding hazardous weather and water events; and

(B) to support efforts to satisfy research needs to enable future improvements to such system.

(2) REQUIREMENTS REGARDING RECOMMENDATIONS.—In carrying out paragraph (1)(A), the Under Secretary shall ensure that any recommendation that the Under Secretary considers a major change—

(A) is validated by social and behavioral science using a generalizable sample;

(B) accounts for the needs of various demographics, vulnerable populations, and geographic regions;

(C) accounts for the differences between types of weather and water hazards;

(D) responds to the needs of Federal, State, and local government partners and media partners; and

(E) accounts for necessary changes to Federally operated watch and warning propagation and dissemination infrastructure and protocols.

(d) WATCHES AND WARNINGS DEFINED.—

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the terms ''watch'' and ''warning'', with respect to a hazardous weather and water event, mean products issued by the Administration, intended for consumption by the general public, to alert the general public to the potential for or presence of the event and to inform action to prevent loss of life and property.

(2) EXCEPTION.—In this section, the terms ''watch'' and ''warning'' do not include technical or specialized meteorological and hydrological forecasts, outlooks, or model guidance products.

SEC. 407. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION WEATHER READY ALL HAZARDS AWARD PROGRAM.

(a) PROGRAM.—The Director of the National Weather Service is authorized to establish the National Oceanic and Atmospheric Administration Weather Ready All Hazards Award Program. This award program shall provide annual awards to honor individuals or organizations that use or provide National Oceanic and Atmospheric Administration Weather Radio All Hazards receivers or transmitters to save lives and protect property. Individuals or organizations that utilize other early warning tools or applications also qualify for this award.

(b) GOAL.—This award program draws attention to the life-saving work of the National Oceanic and Atmospheric Administration Weather Ready All Hazards Program, as well as emerging tools and applications, that provide real-time warning to individuals and communities of severe weather or other hazardous conditions.

(c) PROGRAM ELEMENTS.—

(1) NOMINATIONS.—Nominations for this award shall be made annually by the Weather

Field Offices to the Director of the National Weather Service. Broadcast meteorologists, weather radio manufacturers and weather warning tool and application developers, emergency managers, and public safety officials may nominate individuals or organizations to their local Weather Field Offices, but the final list of award nominees must come from the Weather Field Offices.

(2) SELECTION OF AWARDEES.—Annually, the Director of the National Weather Service shall choose winners of this award whose timely actions, based on National Oceanic and Atmospheric Administration Weather Radio All Hazards receivers or transmitters or other early warning tools and applications, saved lives or property, or demonstrated public service in support of weather or all hazard warnings.

(3) AWARD CEREMONY.—The Director of the National Weather Service shall establish a means of making these awards to provide maximum public awareness of the importance of National Oceanic and Atmospheric Administration Weather Radio, and such other warning tools and applications as are represented in the awards.

SEC. 408. DEPARTMENT OF DEFENSE WEATHER FORECASTING ACTIVITIES.

Not later than 60 days after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report analyzing the impacts of the proposed Air Force divestiture in the United States Weather Research and Forecasting Model, including—

(1) the impact on—

(A) the United States weather forecasting capabilities;

(B) the accuracy of civilian regional forecasts;

(C) the civilian readiness for traditional weather and extreme weather events in the United States; and

(D) the research necessary to develop the United States Weather Research and Forecasting Model; and

(2) such other analysis relating to the divestiture as the Under Secretary considers appropriate.

SEC. 409. NATIONAL WEATHER SERVICE; OPERATIONS AND WORKFORCE ANALYSIS.

The Under Secretary shall contract or continue to partner with an external organization to conduct a baseline analysis of National Weather Service operations and workforce.

SEC. 410. REPORT ON CONTRACT POSITIONS AT NATIONAL WEATHER SERVICE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to Congress a report on the use of contractors at the National Weather Service for the most recently completed fiscal year.

(b) CONTENTS.—The report required by subsection (a) shall include, with respect to the most recently completed fiscal year, the following:

(1) The total number of full-time equivalent employees at the National Weather Service, disaggregated by each equivalent level of the General Schedule.

(2) The total number of full-time equivalent contractors at the National Weather Service, disaggregated by each equivalent level of the General Schedule that most closely approximates their duties.

(3) The total number of vacant positions at the National Weather Service on the day before the date of enactment of this Act, disaggregated by each equivalent level of the General Schedule.

(4) The five most common positions filled by full-time equivalent contractors at the National Weather Service and the equivalent level of the General Schedule that most closely approximates the duties of such positions.

(5) Of the positions identified under paragraph (4), the percentage of full-time equivalent contractors in those positions that have held a prior position at the National Weather Service or another entity in National Oceanic and Atmospheric Administration.

(6) The average full-time equivalent salary for Federal employees at the National Weather Service for each equivalent level of the General Schedule.

(7) The average salary for full-time equivalent contractors performing at each equivalent level of the General Schedule at the National Weather Service.

(8) A description of any actions taken by the Under Secretary to respond to the issues raised by the Inspector General of the Department of Commerce regarding the hiring of former National Oceanic and Atmospheric Administration employees as contractors at the National Weather Service such as the issues raised in the Investigative Report dated June 2, 2015 (OIG–12–0447).

(c) ANNUAL PUBLICATION.—For each fiscal year after the fiscal year covered by the report required by subsection (a), the Under Secretary shall, not later than 180 days after the completion of the fiscal year, publish on a publicly accessible Internet website the information described in paragraphs (1) through (8) of subsection (b) for such fiscal year.

SEC. 411. WEATHER IMPACTS TO COMMUNITIES AND INFRASTRUCTURE.

(a) REVIEW.—

(1) IN GENERAL.—The Director of the National Weather Service shall review existing research, products, and services that meet the specific needs of the urban environment, given its unique physical characteristics and forecasting challenges.

(2) ELEMENTS.—The review required by paragraph (1) shall include research, products, and services with the potential to improve modeling and forecasting capabilities, taking into account factors including varying building heights, impermeable surfaces, lack of tree canopy, traffic, pollution, and inter-building wind effects.

(b) REPORT AND ASSESSMENT.—Upon completion of the review required by subsection (a), the Under Secretary shall submit to Congress a report on the research, products, and services of the National Weather Service, including an assessment of such research, products, and services that is based on the review, public comment, and recent publications by the National Academy of Sciences.

SEC. 412. WEATHER ENTERPRISE OUTREACH.

(a) IN GENERAL.—The Under Secretary may establish mechanisms for outreach to the weather enterprise—

(1) to assess the weather forecasts and forecast products provided by the National Oceanic and Atmospheric Administration; and

(2) to determine the highest priority weather forecast needs of the community described in subsection (b).

(b) OUTREACH COMMUNITY.—In conducting outreach under subsection (a), the Under Secretary shall contact leading experts and innovators from relevant stakeholders, including the representatives from the following:

(1) State or local emergency management agencies.

(2) State agriculture agencies.

(3) Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) and Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)).

(4) The private aerospace industry.

(5) The private earth observing industry.

(6) The operational forecasting community.

(7) The academic community.

(8) Professional societies that focus on meteorology.

(9) Such other stakeholder groups as the Under Secretary considers appropriate.

SEC. 413. HURRICANE HUNTER AIRCRAFT.

(a) BACKUP CAPABILITY.—The Under Secretary shall acquire backup for the capabilities of the WP–3D Orion and G–IV hurricane aircraft of the National Oceanic and Atmospheric Administration that is sufficient to prevent a single point of failure.

(b) AUTHORITY TO ENTER AGREEMENTS.—In order to carry out subsection (a), the Under Secretary shall negotiate and enter into 1 or more agreements or contracts, to the extent practicable and necessary, with governmental and non-governmental entities.

(c) FUTURE TECHNOLOGY.—The Under Secretary shall continue the development of Airborne Phased Array Radar under the United States Weather Research Program.

(d) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2017 through 2020, support for implementing subsections (a) and (b) is authorized out of funds appropriated to the Office of Marine and Aviation Operations.

SEC. 414. STUDY ON GAPS IN NEXRAD COVERAGE AND RECOMMENDATIONS TO ADDRESS SUCH GAPS.

(a) STUDY ON GAPS IN NEXRAD COVERAGE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall complete a study on gaps in the coverage of the Next Generation Weather Radar of the National Weather Service (''NEXRAD'').

(2) ELEMENTS.—In conducting the study required under paragraph (1), the Secretary shall—

(A) identify areas in the United States where limited or no NEXRAD coverage has resulted in—

(i) instances in which no or insufficient warnings were given for hazardous weather events, including tornadoes; or

(ii) degraded forecasts for hazardous weather events that resulted in fatalities, significant injuries, or substantial property damage; and

(B) for the areas identified under subparagraph (A)—

(i) identify the key weather effects for which prediction would improve with improved radar detection;

(ii) identify additional sources of observations for high impact weather that were available and operational for such areas on the day before the date of the enactment of this Act, including dense networks of x-band radars, Terminal Doppler Weather Radar (commonly known as ''TDWR''), air surveillance radars of the Federal Aviation Administration, and cooperative network observers;

(iii) assess the feasibility and advisability of efforts to integrate and upgrade Federal radar capabilities that are not owned or controlled by the National Oceanic and Atmospheric Administration, including radar capabilities of the Federal Aviation Administration and the Department of Defense;

(iv) assess the feasibility and advisability of incorporating State-operated and other non-Federal radars into the operations of the National Weather Service;

(v) identify options to improve hazardous weather detection and forecasting coverage; and

(vi) provide the estimated cost of, and timeline for, each of the options identified under clause (v).

(3) REPORT.—Upon the completion of the study required under paragraph (1), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes the findings of the Secretary with respect to the study.

(b) RECOMMENDATIONS TO IMPROVE RADAR COVERAGE.—Not later than 90 days after the completion of the study under subsection (a)(1), the Secretary of Commerce shall submit to the congressional committees referred to in subsection (a)(3) recommendations for improving

hazardous weather detection and forecasting coverage in the areas identified under subsection (a)(2)(A) by integrating additional observation solutions to the extent practicable and meteorologically justified and necessary to protect public safety.

(c) THIRD-PARTY CONSULTATION REGARDING RECOMMENDATIONS TO IMPROVE RADAR COVERAGE.—The Secretary of Commerce may seek reviews by, or consult with, appropriate third parties regarding the scientific methodology relating to, and the feasibility and advisability of implementing, the recommendations submitted under subsection (b), including the extent to which warning and forecast services of the National Weather Service would be improved by additional observations.

TITLE V—TSUNAMI WARNING, EDUCATION, AND RESEARCH ACT OF 2017

SEC. 501. SHORT TITLE.

This title may be cited as the ''Tsunami Warning, Education, and Research Act of 2017''.

SEC. 502. REFERENCES TO THE TSUNAMI WARNING AND EDUCATION ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 33 U.S.C. 3201 et seq.).

SEC. 503. EXPANSION OF PURPOSES OF TSUNAMI WARNING AND EDUCATION ACT.

Section 803 (33 U.S.C. 3202) is amended—

(1) in paragraph (1), by inserting ''research,'' after ''warnings,'';

(2) by amending paragraph (2) to read as follows:

''(2) to enhance and modernize the existing United States Tsunami Warning System to increase the accuracy of forecasts and warnings, to ensure full coverage of tsunami threats to the United States with a network of detection assets, and to reduce false alarms;'';

(3) by amending paragraph (3) to read as follows:

''(3) to improve and develop standards and guidelines for mapping, modeling, and assessment efforts to improve tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;'';

(4) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (8), respectively;

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

''(4) to improve research efforts related to improving tsunami detection, forecasting, warnings, notification, mitigation, resiliency, response, outreach, and recovery;'';

(6) in paragraph (5), as redesignated—

(A) by striking ''and increase'' and inserting '', increase, and develop uniform standards and guidelines for''; and

(B) by inserting '', including the warning signs of locally generated tsunami'' after ''approaching'';

(7) in paragraph (6), as redesignated, by striking '', including the Indian Ocean; and'' and inserting a semicolon; and

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

''(7) to foster resilient communities in the face of tsunami and other similar coastal hazards; and''.

SEC. 504. MODIFICATION OF TSUNAMI FORECASTING AND WARNING PROGRAM.

(a) IN GENERAL.—Subsection (a) of section 804 (33 U.S.C. 3203(a)) is amended by striking ''Atlantic Ocean, Caribbean Sea, and Gulf of Mexico region'' and inserting ''Atlantic Ocean region, including the Caribbean Sea and the Gulf of Mexico''.

(b) COMPONENTS.—Subsection (b) of section 804 (33 U.S.C. 3203(b)) is amended—

(1) in paragraph (1), by striking ''established'' and inserting ''supported or maintained'';

(2) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(3) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

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

''(2) to the degree practicable, maintain not less than 80 percent of the Deep-ocean Assessment and Reporting of Tsunamis buoy array at operational capacity to optimize data reliability;''.

(5) by amending paragraph (5), as redesignated by paragraph (3), to read as follows:

''(5) provide tsunami forecasting capability based on models and measurements, including tsunami inundation models and maps for use in increasing the preparedness of communities and safeguarding port and harbor operations, that incorporate inputs, including—

''(A) the United States and global ocean and coastal observing system;

''(B) the global Earth observing system;

''(C) the global seismic network;

''(D) the Advanced National Seismic system;

''(E) tsunami model validation using historical and paleotsunami data;

''(F) digital elevation models and bathymetry; and

''(G) newly developing tsunami detection methodologies using satellites and airborne remote sensing;'';

(6) by amending paragraph (7), as redesignated by paragraph (3), to read as follows:

''(7) include a cooperative effort among the Administration, the United States Geological Survey, and the National Science Foundation under which the Director of the United States Geological Survey and the Director of the National Science Foundation shall—

''(A) provide rapid and reliable seismic information to the Administrator from international and domestic seismic networks; and

''(B) support seismic stations installed before the date of the enactment of the Tsunami Warning, Education, and Research Act of 2017 to supplement coverage in areas of sparse instrumentation;'';

(7) in paragraph (8), as redesignated by paragraph (2)—

(A) by inserting '', including graphical warning products,'' after ''warnings'';

(B) by inserting '', territories,'' after ''States''; and

(C) by inserting ''and Wireless Emergency Alerts'' after ''Hazards Program''; and

(8) in paragraph (9), as redesignated by paragraph (2)—

(A) by inserting ''provide and'' before ''allow''; and

(B) by inserting ''and commercial and Federal undersea communications cables'' after ''observing technologies''.

(c) TSUNAMI WARNING SYSTEM.—Subsection (c) of section 804 (33 U.S.C. 3203(c)) is amended to read as follows:

''(c) TSUNAMI WARNING SYSTEM.—The program under this section shall operate a tsunami warning system that—

''(1) is capable of forecasting tsunami, including forecasting tsunami arrival time and inundation estimates, anywhere in the Pacific and Arctic Ocean regions and providing adequate warnings;

''(2) is capable of forecasting and providing adequate warnings, including tsunami arrival time and inundation models where applicable, in areas of the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, that are determined—

''(A) to be geologically active, or to have significant potential for geological activity; and

''(B) to pose significant risks of tsunami for States along the coastal areas of the Atlantic Ocean, Caribbean Sea, or Gulf of Mexico; and

''(3) supports other international tsunami forecasting and warning efforts.''.

(d) TSUNAMI WARNING CENTERS.—Subsection (d) of section 804 (33 U.S.C. 3203(d)) is amended to read as follows:

''(d) TSUNAMI WARNING CENTERS.—

''(1) IN GENERAL.—The Administrator shall support or maintain centers to support the tsunami warning system required by subsection (c). The Centers shall include—

''(A) the National Tsunami Warning Center, located in Alaska, which is primarily responsible for Alaska and the continental United States;

''(B) the Pacific Tsunami Warning Center, located in Hawaii, which is primarily responsible for Hawaii, the Caribbean, and other areas of the Pacific not covered by the National Center; and

''(C) any additional forecast and warning centers determined by the National Weather Service to be necessary.

''(2) RESPONSIBILITIES.—The responsibilities of the centers supported or maintained under paragraph (1) shall include the following:

''(A) Continuously monitoring data from seismological, deep ocean, coastal sea level, and tidal monitoring stations and other data sources as may be developed and deployed.

''(B) Evaluating earthquakes, landslides, and volcanic eruptions that have the potential to generate tsunami.

''(C) Evaluating deep ocean buoy data and tidal monitoring stations for indications of tsunami resulting from earthquakes and other sources.

''(D) To the extent practicable, utilizing a range of models, including ensemble models, to predict tsunami, including arrival times, flooding estimates, coastal and harbor currents, and duration.

''(E) Using data from the Integrated Ocean Observing System of the Administration in coordination with regional associations to calculate new inundation estimates and periodically update existing inundation estimates.

''(F) Disseminating forecasts and tsunami warning bulletins to Federal, State, tribal, and local government officials and the public.

''(G) Coordinating with the tsunami hazard mitigation program conducted under section 805 to ensure ongoing sharing of information between forecasters and emergency management officials.

''(H) In coordination with the Commandant of the Coast Guard and the Administrator of the Federal Emergency Management Agency, evaluating and recommending procedures for ports and harbors at risk of tsunami inundation, including review of readiness, response, and communication strategies, and data sharing policies, to the maximum extent practicable.

''(I) Making data gathered under this Act and post-warning analyses conducted by the National Weather Service or other relevant Administration offices available to the public.

''(J) Integrating and modernizing the program operated under this section with advances in tsunami science to improve performance without compromising service.

''(3) FAIL-SAFE WARNING CAPABILITY.—The tsunami warning centers supported or maintained under paragraph (1) shall maintain a fail-safe warning capability and perform backup duties for each other.

''(4) COORDINATION WITH NATIONAL WEATHER SERVICE.—The Administrator shall coordinate with the forecast offices of the National Weather Service, the centers supported or maintained under paragraph (1), and such program offices of the Administration as the Administrator or the coordinating committee, as established in section 805(d), consider appropriate to ensure that regional and local forecast offices—

''(A) have the technical knowledge and capability to disseminate tsunami warnings for the communities they serve;

''(B) leverage connections with local emergency management officials for optimally disseminating tsunami warnings and forecasts; and

''(C) implement mass communication tools in effect on the day before the date of the enactment of the Tsunami Warning, Education, and

Research Act of 2017 used by the National Weather Service on such date and newer mass communication technologies as they are developed as a part of the Weather-Ready Nation program of the Administration, or otherwise, for the purpose of timely and effective delivery of tsunami warnings.

''(5) UNIFORM OPERATING PROCEDURES.—The Administrator shall—

''(A) develop uniform operational procedures for the centers supported or maintained under paragraph (1), including the use of software applications, checklists, decision support tools, and tsunami warning products that have been standardized across the program supported under this section;

''(B) ensure that processes and products of the warning system operated under subsection (c)—

''(i) reflect industry best practices when practicable;

''(ii) conform to the maximum extent practicable with internationally recognized standards for information technology; and

''(iii) conform to the maximum extent practicable with other warning products and practices of the National Weather Service;

''(C) ensure that future adjustments to operational protocols, processes, and warning products—

''(i) are made consistently across the warning system operated under subsection (c); and

''(ii) are applied in a uniform manner across such warning system;

''(D) establish a systematic method for information technology product development to improve long-term technology planning efforts; and

''(E) disseminate guidelines and metrics for evaluating and improving tsunami forecast models.

''(6) AVAILABLE RESOURCES.—The Administrator, through the National Weather Service, shall ensure that resources are available to fulfill the obligations of this Act. This includes ensuring supercomputing resources are available to run, as rapidly as possible, such computer models as are needed for purposes of the tsunami warning system operated under subsection (c).''.

(e) TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.—Subsection (e) of section 804 (33 U.S.C. 3203(e)) is amended to read as follows:

''(e) TRANSFER OF TECHNOLOGY; MAINTENANCE AND UPGRADES.—In carrying out this section, the Administrator shall—

''(1) develop requirements for the equipment used to forecast tsunami, including—

''(A) provisions for multipurpose detection platforms;

''(B) reliability and performance metrics; and

''(C) to the maximum extent practicable, requirements for the integration of equipment with other United States and global ocean and coastal observation systems, the global Earth observing system of systems, the global seismic networks, and the Advanced National Seismic System;

''(2) develop and execute a plan for the transfer of technology from ongoing research conducted as part of the program supported or maintained under section 6 into the program under this section; and

''(3) ensure that the Administration's operational tsunami detection equipment is properly maintained.''.

(f) FEDERAL COOPERATION.—Subsection (f) of section 804 (33 U.S.C. 3203(f)) is amended to read as follows:

''(f) FEDERAL COOPERATION.—When deploying and maintaining tsunami detection technologies under the program under this section, the Administrator shall—

''(1) identify which assets of other Federal agencies are necessary to support such program; and

''(2) work with each agency identified under paragraph (1)—

''(A) to acquire the agency's assistance; and

''(B) to prioritize the necessary assets in support of the tsunami forecast and warning program.''.

(g) UNNECESSARY PROVISIONS.—Section 804 (33 U.S.C. 3203) is further amended—

(1) by striking subsection (g);

(2) by striking subsections (i) through (k); and

(3) by redesignating subsection (h) as subsection (g).

(h) CONGRESSIONAL NOTIFICATIONS.—Subsection (g) of section 804 (33 U.S.C. 3203(g)), as redesignated by subsection (g)(3), is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and moving such subparagraphs 2 ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (2), by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(3) in paragraph (1), as redesignated by paragraph (3)—

(A) in subparagraph (A), as redesignated by paragraph (2), by striking ''and'' at the end;

(B) in subparagraph (B), as redesignated by paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) the occurrence of a significant tsunami warning.''; and

(4) by adding at the end the following:

''(2) CONTENTS.—In a case in which notice is submitted under paragraph (1) within 30 days of a significant tsunami warning described in subparagraph (C) of such paragraph, such notice shall include, as appropriate, brief information and analysis of—

''(A) the accuracy of the tsunami model used;

''(B) the specific deep ocean or other monitoring equipment that detected the incident, as well as the deep ocean or other monitoring equipment that did not detect the incident due to malfunction or other reasons;

''(C) the effectiveness of the warning communication, including the dissemination of warnings with State, territory, local, and tribal partners in the affected area under the jurisdiction of the National Weather Service; and

''(D) such other findings as the Administrator considers appropriate.''.

SEC. 505. MODIFICATION OF NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.

(a) IN GENERAL.—Section 805(a) (33 U.S.C. 3204(a)) is amended to read as follows:

''(a) PROGRAM REQUIRED.—The Administrator, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of such other agencies as the Administrator considers relevant, shall conduct a community-based tsunami hazard mitigation program to improve tsunami preparedness and resiliency of at-risk areas in the United States and the territories of the United States.''.

(b) NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM.—Section 805 (33 U.S.C. 3204) is amended by striking subsections (c) and (d) and inserting the following:

''(c) PROGRAM COMPONENTS.—The Program conducted under subsection (a) shall include the following:

''(1) Technical and financial assistance to coastal States, territories, tribes, and local governments to develop and implement activities under this section.

''(2) Integration of tsunami preparedness and mitigation programs into ongoing State-based hazard warning, resilience planning, and risk management activities, including predisaster planning, emergency response, evacuation planning, disaster recovery, hazard mitigation, and community development and redevelopment planning programs in affected areas.

''(3) Coordination with other Federal preparedness and mitigation programs to leverage Federal investment, avoid duplication, and maximize effort.

''(4) Activities to promote the adoption of tsunami resilience, preparedness, warning, and mitigation measures by Federal, State, territorial, tribal, and local governments and nongovernmental entities, including educational and risk communication programs to discourage development in high-risk areas.

''(5) Activities to support the development of regional tsunami hazard and risk assessments. Such regional risk assessments may include the following:

''(A) The sources, sizes, and other relevant historical data of tsunami in the region, including paleotsunami data.

''(B) Inundation models and maps of critical infrastructure and socioeconomic vulnerability in areas subject to tsunami inundation.

''(C) Maps of evacuation areas and evacuation routes, including, when appropriate, traffic studies that evaluate the viability of evacuation routes.

''(D) Evaluations of the size of populations that will require evacuation, including populations with special evacuation needs.

''(E) Evaluations and technical assistance for vertical evacuation structure planning for communities where models indicate limited or no ability for timely evacuation, especially in areas at risk of near shore generated tsunami.

''(F) Evaluation of at-risk ports and harbors.

''(G) Evaluation of the effect of tsunami currents on the foundations of closely-spaced, coastal high-rise structures.

''(6) Activities to promote preparedness in at-risk ports and harbors, including the following:

''(A) Evaluation and recommendation of procedures for ports and harbors in the event of a distant or near-field tsunami.

''(B) A review of readiness, response, and communication strategies to ensure coordination and data sharing with the Coast Guard.

''(7) Activities to support the development of community-based outreach and education programs to ensure community readiness and resilience, including the following:

''(A) The development, implementation, and assessment of technical training and public education programs, including education programs that address unique characteristics of distant and near-field tsunami.

''(B) The development of decision support tools.

''(C) The incorporation of social science research into community readiness and resilience efforts.

''(D) The development of evidence-based education guidelines.

''(8) Dissemination of guidelines and standards for community planning, education, and training products, programs, and tools, including—

''(A) standards for—

''(i) mapping products;

''(ii) inundation models; and

''(iii) effective emergency exercises; and

''(B) recommended guidance for at-risk port and harbor tsunami warning, evacuation, and response procedures in coordination with the Coast Guard and the Federal Emergency Management Agency.

''(d) AUTHORIZED ACTIVITIES.—In addition to activities conducted under subsection (c), the program conducted under subsection (a) may include the following:

''(1) Multidisciplinary vulnerability assessment research, education, and training to help integrate risk management and resilience objectives with community development planning and policies.

''(2) Risk management training for local officials and community organizations to enhance understanding and preparedness.

''(3) In coordination with the Federal Emergency Management Agency, interagency, Federal, State, tribal, and territorial intergovernmental tsunami response exercise planning and implementation in high risk areas.

''(4) Development of practical applications for existing or emerging technologies, such as modeling, remote sensing, geospatial technology, engineering, and observing systems, including the

integration of tsunami sensors into Federal and commercial submarine telecommunication cables if practicable.

''(5) Risk management, risk assessment, and resilience data and information services, including—

''(A) access to data and products derived from observing and detection systems; and

''(B) development and maintenance of new integrated data products to support risk management, risk assessment, and resilience programs.

''(6) Risk notification systems that coordinate with and build upon existing systems and actively engage decisionmakers, State, local, tribal, and territorial governments and agencies, business communities, nongovernmental organizations, and the media.

''(e) NO PREEMPTION WITH RESPECT TO DESIGNATION OF AT-RISK AREAS.—The establishment of national standards for inundation models under this section shall not prevent States, territories, tribes, and local governments from designating additional areas as being at risk based on knowledge of local conditions.

''(f) NO NEW REGULATORY AUTHORITY.—Nothing in this Act may be construed as establishing new regulatory authority for any Federal agency.''.

(c) REPORT ON ACCREDITATION OF TSUNAMIREADY PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on which authorities and activities would be needed to have the TsunamiReady program of the National Weather Service accredited by the Emergency Management Accreditation Program.

SEC. 506. MODIFICATION OF TSUNAMI RESEARCH PROGRAM.

Section 806 (33 U.S.C. 3205) is amended—

(1) in the matter before paragraph (1), by striking ''The Administrator shall'' and all that follows through ''establish or maintain'' and inserting the following:

''(a) IN GENERAL.—The Administrator shall, in consultation with such other Federal agencies, State, tribal, and territorial governments, and academic institutions as the Administrator considers appropriate, the coordinating committee under section 805(d), and the panel under section 808(a), support or maintain'';

(2) in subsection (a), as designated by paragraph (1), by striking ''and assessment for tsunami tracking and numerical forecast modeling. Such research program shall—'' and inserting the following: ''assessment for tsunami tracking and numerical forecast modeling, and standards development.

''(b) RESPONSIBILITIES.—The research program supported or maintained under subsection (a) shall—''; and

(3) in subsection (b), as designated by paragraph (2)—

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

''(1) consider other appropriate and cost effective solutions to mitigate the impact of tsunami, including the improvement of near-field and distant tsunami detection and forecasting capabilities, which may include use of a new generation of the Deep-ocean Assessment and Reporting of Tsunamis array, integration of tsunami sensors into commercial and Federal telecommunications cables, and other real-time tsunami monitoring systems and supercomputer capacity of the Administration to develop a rapid tsunami forecast for all United States coastlines;'';

(B) in paragraph (3)—

(i) by striking ''include'' and inserting ''conduct''; and

(ii) by striking ''and'' at the end;

(C) by redesignating paragraph (4) as paragraph (5);

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

''(4) develop the technical basis for validation of tsunami maps, numerical tsunami models, digital elevation models, and forecasts; and''; and

(E) in paragraph (5), as redesignated by subparagraph (C), by striking ''to the scientific community'' and inserting ''to the public and the scientific community''.

SEC. 507. GLOBAL TSUNAMI WARNING AND MITIGATION NETWORK.

Section 807 (33 U.S.C. 3206) is amended—

(1) by amending subsection (a) to read as follows:

''(a) SUPPORT FOR DEVELOPMENT OF AN INTERNATIONAL TSUNAMI WARNING SYSTEM.—The Administrator shall, in coordination with the Secretary of State and in consultation with such other agencies as the Administrator considers relevant, provide technical assistance, operational support, and training to the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific, and Cultural Organization, the World Meteorological Organization of the United Nations, and such other international entities as the Administrator considers appropriate, as part of the international efforts to develop a fully functional global tsunami forecast and warning system comprised of regional tsunami warning networks.'';

(2) in subsection (b), by striking ''shall'' each place it appears and inserting ''may''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''establishing'' and inserting ''supporting''; and

(B) in paragraph (2)—

(i) by striking ''establish'' and inserting ''support''; and

(ii) by striking ''establishing'' and inserting ''supporting''.

SEC. 508. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

(a) IN GENERAL.—The Act is further amended—

(1) by redesignating section 808 (33 U.S.C. 3207) as section 809; and

(2) by inserting after section 807 (33 U.S.C. 3206) the following:

''SEC. 808. TSUNAMI SCIENCE AND TECHNOLOGY ADVISORY PANEL.

''(a) DESIGNATION.—The Administrator shall designate an existing working group within the Science Advisory Board of the Administration to serve as the Tsunami Science and Technology Advisory Panel to provide advice to the Administrator on matters regarding tsunami science, technology, and regional preparedness.

''(b) MEMBERSHIP.—

''(1) COMPOSITION.—The Panel shall be composed of no fewer than 7 members selected by the Administrator from among individuals from academia or State agencies who have academic or practical expertise in physical sciences, social sciences, information technology, coastal resilience, emergency management, or such other disciplines as the Administrator considers appropriate.

''(2) FEDERAL EMPLOYMENT.—No member of the Panel may be a Federal employee.

''(c) RESPONSIBILITIES.—Not less frequently than once every 4 years, the Panel shall—

''(1) review the activities of the Administration, and other Federal activities as appropriate, relating to tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation; and

''(2) submit to the Administrator and such others as the Administrator considers appropriate—

''(A) the findings of the working group with respect to the most recent review conducted under paragraph (1); and

''(B) such recommendations for legislative or administrative action as the working group considers appropriate to improve Federal tsunami research, detection, forecasting, warning, mitigation, resiliency, and preparation.

''(d) REPORTS TO CONGRESS.—Not less frequently than once every 4 years, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a report on the findings and recommendations received by the Administrator under subsection (c)(2).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 120 Stat. 3575) is amended by striking the item relating to section 808 and inserting the following:

''Sec. 808. Tsunami Science and Technology Advisory Panel.

''Sec. 809. Authorization of appropriations.''.

SEC. 509. REPORTS.

(a) REPORT ON IMPLEMENTATION OF TSUNAMI WARNING AND EDUCATION ACT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to Congress a report on the implementation of the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 33 U.S.C. 3201 et seq.), as amended by this Act.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A detailed description of the progress made in implementing sections 804(d)(6), 805(b), and 806(b)(4) of the Tsunami Warning and Education Act the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 33 U.S.C. 3201 et seq.).

(B) A description of the ways that tsunami warnings and warning products issued by the Tsunami Forecasting and Warning Program established under section 804 of the Tsunami Warning and Education Act (33 U.S.C. 3203), as amended by this Act, may be standardized and streamlined with warnings and warning products for hurricanes, coastal storms, and other coastal flooding events.

(b) REPORT ON NATIONAL EFFORTS THAT SUPPORT RAPID RESPONSE FOLLOWING NEAR-SHORE TSUNAMI EVENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Administrator and the Secretary of Homeland Security shall jointly, in coordination with the Director of the United States Geological Survey, Administrator of the Federal Emergency Management Agency, the Chief of the National Guard Bureau, and the heads of such other Federal agencies as the Administrator considers appropriate, submit to the appropriate committees of Congress a report on the national efforts in effect on the day before the date of the enactment of this Act that support and facilitate rapid emergency response following a domestic near-shore tsunami event to better understand domestic effects of earthquake derived tsunami on people, infrastructure, and communities in the United States.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of scientific or other measurements collected on the day before the date of the enactment of this Act to quickly identify and quantify lost or degraded infrastructure or terrestrial formations.

(B) A description of scientific or other measurements that would be necessary to collect to quickly identify and quantify lost or degraded infrastructure or terrestrial formations.

(C) Identification and evaluation of Federal, State, local, tribal, territorial, and military first responder and search and rescue operation centers, bases, and other facilities as well as other critical response assets and infrastructure, including search and rescue aircraft, located

within near-shore and distant tsunami inundation areas on the day before the date of the enactment of this Act.

(D) An evaluation of near-shore tsunami response plans in areas described in subparagraph (C) in effect on the day before the date of the enactment of this Act, and how those response plans would be affected by the loss of search and rescue and first responder infrastructure described in such subparagraph.

(E) A description of redevelopment plans and reports in effect on the day before the date of the enactment of this Act for communities in areas that are at high-risk for near-shore tsunami, as well identification of States or communities that do not have redevelopment plans.

(F) Recommendations to enhance near-shore tsunami preparedness and response plans, including recommended responder exercises, predisaster planning, and mitigation needs.

(G) Such other data and analysis information as the Administrator and the Secretary of Homeland Security consider appropriate.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Science, Space, and Technology, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 510. AUTHORIZATION OF APPROPRIATIONS.

Section 809 of the Act, as redesignated by section __08(a)(1) of this Act, is amended—

(1) in paragraph (4)(B), by striking ''and'' at the end;

(2) in paragraph (5)(B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) $25,800,000 for each of fiscal years 2016 through 2021, of which—

''(A) not less than 27 percent of the amount appropriated for each fiscal year shall be for activities conducted at the State level under the tsunami hazard mitigation program under section 805; and

''(B) not less than 8 percent of the amount appropriated shall be for the tsunami research program under section 806.''.

SEC. 511. OUTREACH RESPONSIBILITIES.

The Administrator of the National Oceanic and Atmospheric Administration, in coordination with State and local emergency managers, shall develop and carry out formal outreach activities to improve tsunami education and awareness and foster the development of resilient communities. Outreach activities may include—

(1) the development of outreach plans to ensure the close integration of tsunami warning centers supported or maintained under section 804(d) of the Tsunami Warning and Education Act (33 U.S.C. 3203(d)), as amended by this Act, with local Weather Forecast Offices of the National Weather Service and emergency managers;

(2) working with appropriate local Weather Forecast Offices to ensure they have the technical knowledge and capability to disseminate tsunami warnings to the communities they serve; and

(3) evaluating the effectiveness of warnings and of coordination with local Weather Forecast Offices after significant tsunami events.

SEC. 512. REPEAL OF DUPLICATE PROVISIONS OF LAW.

(a) REPEAL.—The Tsunami Warning and Education Act enacted by Public Law 109–424 (120 Stat. 2902) is repealed.

(b) CONSTRUCTION.—Nothing in this section may be construed to repeal, or affect in any way, the Tsunami Warning and Education Act enacted as title VIII of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (Public Law 109–479; 33 U.S.C. 3201 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Oregon (Ms. BONAMICI) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous materials on the bill under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 353, the Weather Research and Forecasting Innovation Act of 2017 advances weather research and technology and will transform our Nation's weather industry.

I thank the vice chairman of the Science Committee, Mr. LUCAS, for sponsoring this legislation.

We must better understand short-term weather events so that we can better protect lives and property. Severe weather routinely affects large portions of the United States. Nearly every year, we witness the devastating effects of tornadoes and intense storms across our country. This bill will ensure that Americans are more protected from severe weather because of accurate supercomputing, forecasts, and earlier warnings.

H.R. 353 directs the National Oceanic and Atmospheric Administration, NOAA, to prioritize its research to improve weather data, modeling, computing, forecasting, and warnings. This enables NOAA to support its core mission of protecting lives and property.

The bill strengthens NOAA's ability to study the underlying atmospheric science while simultaneously advancing innovative technologies and reforming operations to provide better weather data models and forecasts.

Also, the legislation creates a tornado research program to develop more accurate, effective, and timely tornado forecasts. This program will increase our understanding of these deadly events, just as the Hurricane Forecast Improvement Program advanced our ability to predict and forecast hurricanes.

The bill improves weather observation systems through the use of observing system simulation experiments and next generation computing and modeling capabilities. These requirements will help ensure we use the best and most appropriate technologies to protect our country from severe weather. It prompts NOAA to actively embrace new commercial data and private sector weather solutions through a multiyear commercial weather data pilot program. Further, it directs NOAA to seriously consider commercial data options rather than rely on slow, costly, and often delayed government-owned satellites.

For far too long, our government has relied on these massive multibillion-dollar government weather satellites. The government has failed to consider other options that could help strengthen our weather industry. The Science Committee has jurisdiction over NOAA's satellite office and conducts ongoing oversight of the agency's satellite program. Our conclusion is that NOAA is in need of real reform.

Over the years, events at NOAA have revealed mismanagement, cost overruns, and launching delays of its weather satellites. This detracts from our ability to accurately predict our own weather, which places Americans in harm's way. It is also a tremendous burden to taxpayers who have to pay the massive bills for these satellites. This is a waste of resources that should be put to better use.

This bill gives NOAA a new vision and allows NOAA the flexibility to buy new, affordable, and potentially better sources of data from the private sector. With more and better options, we can finally have the power to make real improvements to our weather forecasting capabilities. This is long overdue.

The bill also creates a much-needed technology transfer fund in NOAA's research office to help push technologies into operation. This ensures that the technologies that are developed are effectively employed and do not sit idly on the lab bench.

I again thank the gentleman from Oklahoma (Mr. LUCAS) and I thank the former Environment Subcommittee chairman, Mr. BRIDENSTINE, for their initiative on this issue. I also want to thank Senator THUNE for helping produce bipartisan and bicameral legislation that will protect all Americans from harmful weather events. Americans from coast to coast will now be better prepared for severe weather with the passage of this bill.

Recently, we have seen the devastating effects of severe weather across our country, especially in Texas, Oklahoma, Louisiana, Missouri, Kansas, Alabama, and Mississippi, among other States. This bill will help these residents be better prepared so that they can protect their property and their families.

I urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise in support of H.R. 353, the Weather Research and Forecasting Innovation Act, which also includes the Tsunami Warning, Education, and Research Act.

The Weather Research and Forecasting Innovation Act is a product of hard work and negotiation over the past two Congresses. I want to thank

Congressman FRANK LUCAS, Chairman LAMAR SMITH, and former Environment Subcommittee Chairs JIM BRIDENSTINE and CHRIS STEWART, who were great partners in getting us here today.

The National Oceanic and Atmospheric Administration is responsible for important work at the cutting edge of science and public service. Weather forecasting is one of the most critical tasks for our country. At a time when budget uncertainty jeopardizes some of the most fundamental services NOAA provides to our Nation, it is imperative that we support legislation like H.R. 353 to give the agency the resources and flexibility needed to fulfill its mission.

The northwest Oregon communities I represent and communities across the country rely on timely and accurate weather forecasts to decide when to harvest their crops, when to go to sea to fish, how to navigate the roads safely when there is freezing rain or snow and to prepare for possible flood conditions.

The National Weather Service provides excellent forecasting products to support our economy, but with the increasing frequency and severity of severe weather events, there can be and should be improvements in our forecasting capabilities and delivery. Improvements in forecasts can provide more lead time to allow communities to prepare, especially in severe weather events. More effective communication of forecast information to the public and those in harm's way can reduce the loss of life and property.

This bill connects the research side of NOAA—the Office of Oceanic and Atmospheric Research—more effectively to the forecasting needs of the National Weather Service, cultivating a research-to-operations pipeline that is essential for the continued improvement of our weather forecasting enterprise. The bill contains several provisions that will improve interactions and information sharing between NOAA's researchers and the National Weather Service. It improves communication between NOAA and the broader research and private weather communities. The bill also formally establishes the pilot program currently operating at NOAA to engage in contracts with the commercial sector for weather forecasting data.

Even the best forecasts will not adequately serve the public's needs unless there are effective communication systems in place. H.R. 353 directs NOAA to do more research, listen to experts, and improve its risk communication techniques.

The bill also establishes interagency coordination through the Office of Science and Technology Policy across multiple agencies outside NOAA that share responsibilities for weather research and forecast communications. This is essential, and it highlights the important role the Office of Science and Technology Policy and NOAA share to help speed the adoption of best tools and practices across the various agencies of the Federal Government.

The legislation before us today also includes the Tsunami Warning, Education, and Research Act, legislation I have introduced over the past three Congresses. The Tsunami Warning, Education, and Research Act seeks to improve our country's understanding of the threat posed by tsunami events by improving forecasting and notification systems, developing supportive technologies, and supporting local community outreach preparedness and response plans. This bill helps to address the risk faced by communities on both coasts and in the Gulf of Mexico by improving our mitigation and research program and enhancing community outreach and planning.

Many, if not most, of my colleagues represent districts that have experienced some kind of natural disaster. The threat of a catastrophic earthquake and tsunami is real because of the Cascadia Subduction Zone. West Coast Members take this threat very seriously.

I have heard from coastal communities, people who fish, the tourism and maritime industries, marine and public safety officials, sheriffs, emergency managers, small-business owners, older Americans, and students who are concerned that their communities are not prepared for a tsunami.

Students at Seaside High School, a coastal community in my district, engaged in a year-long project to educate Oregonians about the threat a tsunami has on lives and property. Three of the four public schools in Seaside are still located inside the tsunami inundation zone. The high school students have practiced their evacuation route, and they know that, in the projected time between a major earthquake and the devastating wave of a tsunami, they couldn't make it to higher ground. That is unacceptable.

The University of Oregon and Oregon State University are working on seismic warning systems and tsunami preparedness to help make sure that our communities are prepared and have the best research available to give the most warning time possible, and this bill compliments their work.

I am proud to have worked on this legislation which is so important to the people of northwest Oregon and all coastal communities, but I do remain very concerned that the funding level is below current spending. This cut would have serious consequences. The operation and maintenance funding for the buoy network we rely on to detect tsunami could decrease, adding hours of delay in appropriately warning coastal communities.

Tsunami warning centers in Alaska and Hawaii are likely to see a reduction in staff, resulting in gaps in coverage and creating greater risks because of time delays in sending out accurate warnings and, in some instances, not being able to provide adequate warning at all.

Tsunami are among the most deadly natural disasters. In the past two decades, tsunami have caused the deaths of roughly a quarter million people around the world. These disasters also have profound economic consequences. The 2001 tsunami in Japan caused more than $200 billion in economic losses.

We are fortunate, in the United States, to have been spared these catastrophes so far.

□ 1445

But our coastlines, from the Gulf of Mexico to Alaska, are very susceptible to the same kind of disasters we have seen in Indonesia and in Japan. It is not a matter of if, it is a matter of when.

Tsunami program activities protect coastal Oregonians just as hurricane forecasting protects coastal Floridians, Carolinians, and others up and down the East Coast of the United States. It is important that we reauthorize these lifesaving activities, and just as important to provide the necessary funding to support them.

I will work tirelessly with my colleagues to make sure this program receives the full funding it needs to serve our communities and save lives and property.

Although there are always areas where we can do more, this underlying bill, the Weather Research and Forecasting Innovation Act, with the tsunami bill, is a good bipartisan agreement and one that I am proud to support while continuing to ask for current levels of funding.

I ask my colleagues to join me in voting ''yes'' on H.R. 353.

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

Mr. SMITH of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. LUCAS), who is the vice chairman of the Science, Space, and Technology Committee, and also the sponsor of this legislation.

Mr. LUCAS. Mr. Speaker, I want to thank the gentleman from Texas, Chairman SMITH, for his continued leadership on the Science, Space, and Technology Committee, and for bringing forward this important legislation.

H.R. 353, the Weather Research and Forecasting Innovation Act of 2017, prioritizes improving weather forecasting for the protection of lives and property at the National Oceanic and Atmospheric Administration. This is a core program of the agency that has been in need of improved direction and investment for years.

The bill directs NOAA to develop plans to restore our country's leadership in weather forecasting. It is no secret that many people in our weather community are distraught that our forecasting capacities have deteriorated in recent years. Some even say that America no longer has the best weather prediction system in the world. In fact, we routinely rely on forecasts of other countries to predict what will happen in this country. This

is unacceptable, but I am glad we are here today to pass legislation that will dramatically improve our weather forecasting system.

The bill before us today enhances our ability to predict severe weather by focusing research and computing resources on improved weather forecasting, quantitative observing data planning, next generation modeling, and an emphasis on research-to-operations technology transfer.

As a Representative from Oklahoma, I understand the need for accurate and timely weather predictions firsthand. Every year, the loss of life from deadly tornadoes in my home State are a stark reminder that we can do better to predict severe weather events and provide longer lead times to protect Americans in harm's way.

I am proud that this legislation has a dedicated tornado warning improvement program. The goal of this program is to reduce the loss of life from tornadoes by advancing the understanding of fundamental meteorological science. This will allow detection and notifications of severe weather that are more accurate, effective, and timely. Constituents in my home State will benefit greatly from longer tornado warning lead times, which will save lives and better protect property.

Being better prepared for severe weather events is of the utmost important. The bill will improve our forecasting by encouraging innovations and new technologies through a joint technology transfer fund at NOAA's Office of Oceanic and Atmospheric Research. This transfer is essential to get new forecasting, models, and technologies out of the research side of NOAA and into the operational forecasts to better protect our country.

Furthermore, the legislation will enhance our forecasting by directing NOAA to engage new commercial data and private sector solutions. This legislation includes a pilot project, which will provide NOAA a clear demonstration of the valuable data from commercial technologies. The private sector has the potential to aid our forecasting skill while reducing government cost with innovative solutions. In order to increase our weather skills, we must not limit ourselves by solely relying on government data.

This legislation packs in multiple efforts to protect lives and property from severe weather. From encouraging new technologies both inside and outside of NOAA to the careful planning and prioritization of weather research, this legislation will put our country back on track to be a world leader in weather prediction.

The time has come for Americans to have the most accurate and timely weather predictions. They deserve nothing less.

Mr. Speaker, I urge my colleagues to vote for the bill.

Ms. BONAMICI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Science, Space, and Technology Committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 353, the Weather Research and Forecasting Innovation Act of 2017.

Climate and weather are not fundamentally partisan concerns; they affect all of our constituents, regardless of their party affiliation. The bill we are considering today, which is the culmination of more than 4 years of bipartisan compromise and negotiation, demonstrates what can be accomplished when we work together to address the concerns of our constituents.

Mr. Speaker, weather affects all of us each and every day. It is a constant presence in our lives. Extreme weather events, which are becoming more severe and more frequent, are damaging lives and property in my home State of Texas, across the continental U.S., and all the way to the islands of Hawaii.

Sadly, the devastation caused by tornadoes, hurricanes, and other severe weather incidents have become a far more familiar occurrence and, really, too much of it for far more Americans. It should go without saying that we need to help Americans avoid and cope with these potentially devastating events by utilizing the very best weather forecasting and warning capabilities.

In that regard, the National Weather Service and the Office of Oceanic and Atmospheric Research, or NOAA, play a central role in protecting the lives and property of every American. H.R. 353 will help accelerate innovation that NOAA can make use of, turning cutting-edge weather research into essential weather forecasting tools and products; tools the forecasters can then use to protect American lives.

The legislation improves collaboration and cooperation within NOAA and removes barriers that exist between the weather research community, our Nation's forecasters, and the private sector weather enterprise. Improving these relationships will strengthen the accuracy and timing of our weather predictions and, ultimately, will save lives and make our communities safer.

H.R. 353 also reauthorizes NOAA's tsunami warning activities. Communities along our Western Coasts are particularly impacted by the threat of tsunamis. While this bill reauthorizes tsunami warning and research activities at NOAA, it does so at a level far below current agency spending. Such a cut makes little sense. Even in a tough fiscal climate, we should be wary of cuts to programs that negatively affect our ability to protect American lives and property from natural disasters.

I want to applaud Environment Subcommittee Ranking Member SUZANNE BONAMICI for her fight to retain funding for these programs at their current level, and I hope that we can work together with our colleagues to maintain current tsunami funding when it comes time for appropriations.

Mr. Speaker, strengthening our resilience to severe weather events is both vital and necessary to strengthen our Nation's economic security. H.R. 353 will advance our weather forecasting capabilities, and I urge my colleagues to support its passage.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS), who is the chairman of the Environment Subcommittee.

Mr. BIGGS. Mr. Speaker, I thank the gentleman from Texas, Chairman SMITH, for yielding me time to speak on this important legislation.

It has become increasingly apparent with every major weather event that our forecasting services are desperately in need of a major overhaul. I am happy to support legislation that will do just that.

H.R. 353, the Weather Research and Forecasting Innovation Act, will put our country's weather forecasting back on track to provide citizens with life-saving predictions and warnings.

I specifically point to this bill's innovative language on weather technology planning. H.R. 353 calls on NOAA to evaluate the combination of observing systems it needs to meet weather forecasting requirements. It also requires the agency to conduct experiments on different observing systems to evaluate their costs and benefits.

Such reforms will grant NOAA more flexibility to develop new technologies while scrapping older approaches that do not bring enough value to our forecasts. We need to better assess our observing system resources instead of continuing to rely on outdated methods.

This bill will help push NOAA to consider new approaches, including those from the private sector. For its part, the growing private sector has signaled it is ready and willing to work with NOAA to bring better weather forecasting to our citizens, and we should welcome this development.

I am confident that H.R. 353 will create the kind of meaningful change that we want to see at NOAA. This bill will better protect American lives and property with more accurate weather forecasting. I applaud the sponsors. I encourage all Members to support this bill.

Ms. BONAMICI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PITTENGER), who is also a member of the Financial Services Committee.

Mr. PITTENGER. Mr. Speaker, I thank the chairman for his exceptional leadership on this very important legislation.

In 2012, 7-year-old Jamal Stevens was in his bed when a tornado tore through the house, tossing him onto the embankment along Interstate 485, hundreds of feet from his room.

The warning from the National Weather Service came 10 minutes later,

after the tornado had already touched down. This is because my hometown of Charlotte relies on radar nearly 100 miles away, meaning that the National Weather Service is using weak or inaccurate readings when issuing crucial safety warnings for Charlotteans.

In 2013, the current system provided a tornado warning, but for citizens in an entirely wrong neighborhood. More recently, a tornado in December of 2015 struck neighboring Union County with no warning from the National Weather Service.

Fortunately, our region has not suffered any fatalities due to the inadequate coverage, but we shouldn't wait for tragedy to act.

The Weather Research and Forecasting Innovation Act requires the Commerce Department to identify weak coverage areas and identify solutions to the problem by improving existing government radars or incorporating non-Federal radars into the National Weather Service's operations.

Americans across the country rely on the National Weather Service to detect and provide warning for severe weather such as thunderstorms and tornadoes. But Charlotte is currently the largest metropolitan area without an adequate radar coverage. Addressing this shortcoming is an important step for public safety.

With that in mind, I do urge my colleagues to support H.R. 353. I thank the chairman so much for his support on this critical legislation.

Ms. BONAMICI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS), who is a very active member of the Science, Space, and Technology Committee.

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank the gentleman from Texas, Chairman SMITH, for yielding me time to highlight my support for H.R. 353, the Weather Research and Forecasting Innovation Act of 2017.

This past weekend, deadly storms ravaged Louisiana's Third District, my district, tragically taking the lives of Francine Gotch and her 3-year-old daughter, Nevaeh Alexander, when their singlewide trailer flipped during high winds produced by a tornado.

The United States was once at the forefront of weather forecasting; however, that ability has diminished over the years with the capabilities of some other countries now paralleling or even exceeding our own.

I do not know if a better weather forecasting service would have made a difference this past weekend. However, as elected officials, we must make it a priority to protect American lives and property to the fullest extent.

□ 1500

We must never waver in this most significant responsibility. This legislation will put America back on track to lead the world in accurately predicting severe weather events with a renewed focus on increasing weather research and placing new technologies into operation.

More specifically, this bill also creates a tornado forecasting improvement program to develop more accurate, effective, and timely tornado forecasts that will allow for increased tornado warning lead times, which is crucial to saving lives and would perhaps have saved the lives of that mother and her young daughter this past weekend.

Mr. Speaker, with the number of hurricanes, floods, and tornadoes that have hit Louisiana in the last few decades, my constituency knows all too well the danger that mother nature can pose, as well as the need for reliable information to adequately prepare for such occurrences.

Constituents in my district need good, commonsense legislation like this to protect their families and their property. I applaud the efforts of the Science, Space, and Technology Committee Chairman SMITH and Representative LUCAS for leading this effort to protect Americans from severe weather.

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

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. BANKS) who is the vice chairman of the Environment Subcommittee.

Mr. BANKS of Indiana. Mr. Speaker, I thank the chairman for his leadership on important issues like these.

Unfortunately, my home State of Indiana is no stranger to severe weather. As we enter peak tornado season, my constituents are vulnerable to tornado outbreaks which could lead to loss of life and destruction. Protecting lives and property from severe weather needs to be a top priority at NOAA. I am glad we are addressing this issue for that reason today.

This legislation will greatly improve our ability to predict severe weather, like the tornadoes that affect my district, through a focused program to enhance forecasting. When mere seconds make the difference between life and death, my constituents deserve the most accurate and timely forecasts available, and I am confident that this legislation will help give them that information.

I am also pleased that this bill gives NOAA the ability to incorporate data and forecasting skill from private sector companies like Harris Corporation in northeast Indiana, which employs about 450 engineers and technicians in my district. These talented professionals build the world's most advanced weather satellite instruments.

Many government-operated systems are slow and costly, and the private sector can be used to fill critical weather data needs. Directing NOAA to integrate next-generation commercial solutions improves our ability to protect lives and property.

The time to think outside of the government-only-weather-data box is now. That is why I applaud the chairman of the Science, Space, and Technology Committee, Mr. SMITH, as well as my colleague from Oklahoma (Mr. LUCAS) for bringing this important legislation to the forefront. I look forward to its passage into law.

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

Mr. Speaker, in addition to thanking all my colleagues on both sides of the aisle who have worked so hard on this legislation, I want to take a moment, also, to thank all of the staff in our offices and committee on both sides of the aisle who worked so hard on this legislation.

I encourage all my colleagues to support the Weather Research and Forecasting Innovation Act, which includes the Tsunami Warning, Education, and Research Act. This legislation will improve weather forecasting and tsunami preparedness.

Mr. Speaker, I encourage everyone to support this bipartisan legislation, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill is the culmination of hard work and negotiations that have spanned 5 years. Today, we finalize this House-initiated weather policy reform legislation that will benefit residents throughout the United States. H.R. 353 greatly improves our ability to predict short-term severe weather events. It better protects lives and property, a core mission of NOAA that has needed greater attention in recent years.

Again, I want to thank Mr. LUCAS and Mr. BRIDENSTINE for their initiative on this issue. I thank the former Environment Subcommittee chairman, Representative CHRIS STEWART, for his years of commitment to this subject as well.

I especially appreciate Ms. BONAMICI and her 5 years of effort to make this a bipartisan bill. I would like to thank the Science, Space, and Technology Subcommittee on Environment staff for their years of effort on this bill, especially Taylor Jordan, who worked diligently to ensure that this bill became a reality. I also recognize the minority staff who were central to the process as well.

Mr. Speaker, this legislation will transform our weather forecasting ability. It ensures that we, once again, have a world-class forecasting system that will protect lives and property from the dangers of severe weather.

Mr. Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 353.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ENCOURAGING EMPLOYEE OWNERSHIP ACT OF 2017

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 240, I call up the bill (H.R. 1343) to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 240, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–11 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1343

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Encouraging Employee Ownership Act of 2017''.

SEC. 2. INCREASED THRESHOLD FOR DISCLOSURES RELATING TO COMPENSATORY BENEFIT PLANS.

Not later than 60 days after the date of the enactment of this Act, the Securities and Exchange Commission shall revise section 230.701(e) of title 17, Code of Federal Regulations, so as to increase from $5,000,000 to $10,000,000 the aggregate sales price or amount of securities sold during any consecutive 12-month period in excess of which the issuer is required under such section to deliver an additional disclosure to investors. The Commission shall index for inflation such aggregate sales price or amount every 5 years to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics, rounding to the nearest $1,000,000.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

After 1 hour of debate, it shall be in order to consider the amendment printed in House Report 115–75, if offered by the Member designated in the report, which shall be considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent.

The gentleman from Texas (Mr. HENSARLING) and the gentleman from Michigan (Mr. KILDEE) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1343, the Encouraging Employee Ownership Act. I also want to commend the Republican and Democrat sponsors of this important bill: Mr. HULTGREN of Illinois, Mr. DELANEY of Maryland, Mr. HIGGINS of New York, Mr. MACARTHUR of New Jersey, Ms. SINEMA of Arizona, and Mr. STIVERS of Ohio.

Their bipartisan efforts resulted in a bipartisan bill that will help small businesses, including startups, to successfully reward their hardworking employees; and, while doing so, this bill will allow small businesses to effectively deploy their capital to grow and to create jobs on Main Streets all across our country.

We all know, Mr. Speaker, that small businesses are the heart and soul of the American economy. In fact, they helped create more than 60 percent of the Nation's net new jobs over the past two decades. So if our Nation is to have a healthier economy that offers more opportunity to more Americans, then we must encourage small-business growth and small-business startups, and this starts with ensuring they have access to the capital and credit they need to grow.

Yet as we have heard from countless witnesses who have appeared before the House Financial Services Committee, community banks and credit unions in particular—the primary source of our small-business loans—are simply drowning, Mr. Speaker, in a sea of complicated and costly regulations. The same occurs with the maze of burdensome securities regulations that are written with the largest public companies in mind but end up hurting smaller companies.

Although small companies are at the forefront of innovation and job creation, they often face significant obstacles in obtaining funding in our capital markets. These obstacles often result from the proportionately larger burden that securities regulations place on small companies when they seek to access capital both in the public and private markets.

These small companies also face difficult challenges on how best they can deploy their limited resources and capital—to grow and thrive or to be able to sufficiently compensate their workforce, which is a critical component of their success.

Currently, the SEC allows private companies to offer their own securities to employees as part of written compensation agreements without having to comply with burdensome Federal securities registration requirements under what is called SEC rule 701. Now, unfortunately, one of the rule's thresholds has not been adjusted in two decades. What the bipartisan supporters of this bill are proposing is simply to modernize this SEC rule with a modest increase in that threshold.

Increasing the rule 701 threshold gives private companies more flexibility to reward and retain employees and permits private companies to keep valuable, skilled employees without having to use other methods such as borrowing money or selling securities. Updating this rule can encourage more companies to offer more incentives to more employees.

As one witness who testified before Congress said, this bill ''would support a valuable compensation practice that allows small businesses to hire the most highly skilled workers'' and better enable small, emerging growth companies that are at a competitive disadvantage with bigger businesses to attract and retain employees.

Allowing employees to become owners in the company also benefits those employees. As startups and small companies reach success, we all want their employees to also reap the benefits of that success. That is what is happening with companies that are able to offer stock options as part of their employee compensation plans.

For example, when Google was in its early stages, it hired someone to be an in-house, part-time masseuse and compensated her with both cash and stock options. That masseuse is now worth millions today. Another example is from an ad-tech company, MoPub. Thirty-six of its 100 employees became millionaires when the company was acquired by Twitter because MoPub's CEO set his employees up for success by offering them performance-based stock-option grants.

So, Mr. Speaker, shouldn't we want more American workers to have the opportunities like at Google and MoPub? Don't we want more Americans to have an opportunity to obtain an ownership stake in the places that they work? That way the workers can earn the large financial upside that comes when the company performs well, and the company benefits by being able to attract talented workers.

Unfortunately, again, Mr. Speaker, too many companies right now shy away from offering employees greater ownership opportunities because an expensive, bureaucratic, burdensome, top-down regulation in Washington hasn't been updated in nearly 20 years. Mr. Speaker, we can fix that today. We can fix that by passing this commonsense, bipartisan bill, the Encouraging Employee Ownership Act.

We can provide American workers with more opportunities to share in the successes and profits of companies they work for. We can help to foster capital formation so more Americans can go back to work, have good careers, pay their mortgages, plan for a secure retirement, and ultimately give their families a better life.

Mr. Speaker, I urge all my colleagues to join me in supporting this commonsense bipartisan legislation, and I reserve the balance of my time.

□ 1515

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

H.R. 1343, Encouraging Employee Ownership Act of 2017, eliminates important disclosures that private companies must provide to their employees in the event they are compensating those employees with stock.

This bill would limit transparency. If companies want to pay their employees in stocks, they should have to simply disclose to their workers the risks associated with those investments.

Currently, private companies can provide up to $5 million worth of stock compensation annually to their employees and are not required to provide any financial disclosure. This bill would lift that cap to $10 million.

If companies choose to provide an employee with stock compensation, they should be required to inform that employee of the appropriate financial information, benefits, and the risks associated with that investment, including 2 years of company financial statements. All of this information is commonly available to typical investors.

Let's be clear: this stock is compensation for their work. Employees deserve to understand the value of their compensation prior to accepting it. They deserve the same protections that other investors would get.

I agree with Professor Mercer Bullard, who is a professor of law at the University of Mississippi School of Law, who testified before the Capital Markets, Securities, and Investments Subcommittee voicing his concerns about the bill. In his testimony, he noted that to take advantage of the terms of this legislation, an issuer would have to have at least $34 million in total assets. Surely, such minimal disclosures are not too burdensome for those sort of companies.

I do also understand that some proponents of this legislation argue that such an exemption is needed because disclosure of company information to employees runs the risk that confidential information could be leaked to competitors.

Employees with access to such information could simply be subject to nondisclosure agreements, which are typical today. Indeed, nondisclosure agreements are a simple solution that protects the company, but does not deny the employees the right to understand the worth of, or the risks associated with, the compensation they are receiving. Unfortunately, this bill would limit that transparency and those protections.

Mr. Speaker, I oppose this legislation, and I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. HUIZENGA), and I ask unanimous consent that he may control that time.

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

There was no objection.

Mr. HUIZENGA. Mr. Speaker, I yield myself such time as I may consume, and I thank the chairman for his leadership on this particular issue.

Mr. Speaker, small businesses and entrepreneurs are what drive the American economy. I meet with them in my district, the Second District of Michigan, all the time. I know my colleagues do as well back in their districts.

We see them firsthand. We see firsthand the benefits that their dreams, their innovations, their inspiration, and their hard work provide to our communities.

These innovators, entrepreneurs, and risk-takers are critical for our country's economic growth and prosperity. In fact, small businesses are responsible for 60 percent of the Nation's net new jobs over the past two decades. Not 2 years, not 10 years, but over the last 20 years, the last two decades.

If our Nation is going to have an economy that provides opportunity for every American, then we must promote and encourage success and growth in our small businesses and our startups. It is this notion that brings us this legislation we are discussing today.

H.R. 1343, Encouraging Employee Ownership Act, would simply level the playing field for small companies by updating Federal rules that allow small businesses to better compensate their employees with ownership in their own businesses.

Currently, Securities and Exchange Commission rule 701 permits private companies to offer their securities as part of written compensation agreements to employees, directors, general partners, trustees, officers, or certain consultants without having to comply with rigid Federal securities registration requirements. SEC rule 701, therefore, allows small companies to reward its employees.

Despite the SEC having the authority to increase the $5 million threshold disclosure via rulemaking, the SEC has once again chosen to prioritize highly politicized regulatory undertakings instead of focusing on its core mission. That mission includes facilitating capital formation. If the SEC cannot or will not focus its priorities, Congress will.

It is imperative that small businesses in west Michigan, all of Michigan, and across America have the ability to compete. A critical element of competition and success is for those small businesses to be able to offer compensation packages that attract and retain top-tier talent.

In today's world, that includes rewarding employees in stock options. To me, this just makes common sense. Small-business employees have a clear and vested interest in the success of their employer.

By increasing the rule 701 threshold to $10 million, it will give private companies more flexibility to attract, reward, and retain those highly valuable employees. This simple change will allow companies to offer twice as much stock to their employers annually, as they currently can, without having to trigger additional disclosure information to investors about compensation packages that include these security offerings.

By reforming this regulatory burden, startups, small businesses, and emerging growth companies will be better equipped to attract highly talented individuals from companies that are better capitalized and able to maybe provide some additional cash compensation.

By incentivizing employees with stock options, small businesses will now be able to compete on a more level playing field with older, larger, and maybe more established companies. They are going to be able to retain their invaluable employees as well.

This bill is an example of the positive bipartisan results that can be achieved when Republicans and Democrats reach across the aisle. I commend the sponsors of the bill, Representatives Hultgren, Delaney, Higgins, MacArthur, Sinema, and Stivers for their leadership on this issue. I encourage my colleagues to support H.R. 1343.

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

Mr. KILDEE. Mr. Speaker, I yield 6 minutes to the gentleman from Minnesota (Mr. ELLISON), a member of the Financial Services Committee.

Mr. ELLISON. Mr. Speaker, the value of companies doesn't always go up. It is not true that the stock market always goes up and only goes up. It would be nice if Methuselahs at Google and every other company in America could get stock options and end up millionaires, but the truth is the world doesn't work that way. That is why disclosure is very important. That is why there is nothing wrong and no one objects to employees being compensated with stock options, but those employees ought to at least know the value of those stock options.

If you give me a check and it has a monetary value, I can read it and I know how much it is. If you give me stock options and you don't tell me because you don't have to disclose how much they are worth, then that is not fair, and that is what we object to.

This bill simply allows companies to avoid disclosure to employees of what those stock options are worth. That is wrong, and that is why we oppose it.

Let me just start in terms of the context, Mr. Speaker. Today we consider yet another bill in favor of the moneyed interests. Today we consider another bill that basically helps out people who have a lot while so many Americans are struggling to get by and problems abound almost everywhere.

I have got to wonder, of all the things the American public want, why is a revision to the SEC's rule—section 701, to be precise—the priority for this week?

We have been here for about 3 months now. The Republicans have set

the agenda. They are in the majority. They get to decide which bills come up. Why do they keep on bringing up bills that only the moneyed interests want?

Mr. Speaker, in the past few months, congressional Republicans—I almost called them corporate Republicans—who decide which bills are the priority, have brought forth a hodgepodge of pieces of legislation. I will just review a few.

Republicans made it easier to drug test people receiving unemployment compensation.

Do you think the unemployed want that?

I doubt it.

Republicans have passed and the President even signed a law to protect corporate firms from having to disclose labor violations like wage theft before winning government contracts. I have got a feeling the employees were not calling for that.

House and Senate Republicans passed laws that allow internet service providers to sell your browser history. I don't think most folks on the internet today were clamoring for that gem, which I was proud to vote ''no'' on.

Republicans enacted a new law making it easier to dump coal debris near rivers and streams.

Republicans stopped efforts to help governments around the world avoid corruption.

H.J. Res. 41 removed the requirement that corporations disclose resource payments to foreign governments, which is a crushing blow to democracy activists working in fragile nations.

Mr. Speaker, this particular piece of legislation comes within a certain kind of context—a context where we are not talking about increase in pay, making people safer, making water cleaner, making foreign governments more honest. It is quite the opposite.

In the 3 months that we have been back in Congress, these laws removing competition, removing disclosure, and removing consumer privacy are all priorities of Republicans, who set the agenda.

Mr. Speaker, people who might be clued into this broadcast today need to know what the majority has been up to. It has not been up to business.

These are all multinational corporate interests that don't punish people for polluting, allow them to sell your internet browser's history, allow them to make money off of testing laid-off workers receiving employment compensation that is due them, and don't make corporate interests disclose payments to foreign governments when they drill for oil and minerals.

I just want the American people and Members to understand what is going on here, what is the larger context of this piece of legislation that we look at today.

When I talk to my constituents, they don't bring up any of this stuff. Mr. Speaker, they want to know: Where is the jobs bill? When are we going to get back to work? Somebody said we were going to work on real infrastructure, real fair trade. When is that going to happen?

Well, the people who are in charge around here, I guess they are going to get around to it at some point.

My constituents say: Can't we raise the minimum wage from something higher than $7.25 an hour, which is the Federal minimum wage? When is that bill coming up? Or, what about reconstructing our roads and our bridges and allowing us to raise a gas tax to invest in our Nation's infrastructure?

They say they want to increase skills. Let's invest in preschool, Pell grants, and community college. Let's put the people, not the corporate wish list, first.

Today we are asked to vote on a bill that basically makes it easier for private companies to provide options, like stocks, rather than compensation to their employees. As I have said, fundamentally, this may not be a bad thing if disclosure is made. This bill makes it not required. This bill makes it easier for firms to offload some of their options to employees without disclosing financial information to them.

While I am glad to see employers reward employees with stock and other compensation in addition to salaries, workers should be told the value of the compensation they receive. I don't think that is asking too much, Mr. Speaker.

With this bill, H.R. 1343, it is possible that employees would be promised stock options which could be worth less than promised or even completely worthless.

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

Mr. KILDEE. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Minnesota.

Mr. ELLISON. Employees could decide to forego a salary increase and accept lower pay in order to receive more stock options; yet, those stock options could be worth way less than they expected.

Why should employees receive less information than any other minority shareholder?

If an employee is trusted enough to run day-to-day aspects of the business, they should be trusted enough to receive full disclosure about the stock. Employees should be able to receive information on the financial position of the company so they can make an educated decision.

It is not difficult to allow participating employees to sign nondisclosure agreements, and it can't be because these disclosures are an additional burden on the firm. These firms prepare these types of disclosures to receive rule 701 exemption from the SEC in the first place.

□ 1530

So I am also concerned about the mismatch of power between corporations and their employees, and I am very concerned that employees can be susceptible to pressure. Let me do a quick example.

George Maddox was one of 21,000 people who worked for Enron. After working at Enron for 30 years, he had 14,000 shares of company stock valued at $1.3 million. When Enron collapsed, he had literally nothing, Mr. Speaker. All of his retirement was Enron stocks. If you haven't watched the movie ''Enron: The Smartest Guys in the Room'' recently, I would urge you to watch it again. You could also read Bethany McLean's book by the same name.

One image consistently stuck with me: a staff rally where leaders extolled the virtues of the firm. Just as we heard on the other side of the aisle a moment ago, leaders whipped employees into a frenzy to buy Enron stock, even as leaders knew it was worthless. In fact, corporate leaders had already sold their stock while urging employees to buy. Enron had a strategy of buying companies and then pressuring new employees to buy Enron stock to keep the stock price inflated. Since Enron usually fired 10 percent of the workers every year, workers felt pressured to buy stock to show commitment to the firm.

I can't just support a bill that gives employees fewer protections than investors. I can't support a bill that encourages employees to possibly forgo cash in their paychecks in exchange for some unverified investment option. It is not right.

Mr. Speaker, I see you reaching for the gavel. I will include the rest of my comments in the RECORD. I urge a ''no'' vote on this particular piece of legislation until it allows for disclosures.

Today we consider another bill requested by corporations.

But, I got to wonder, of all the things the American public want, why is a revision to the Securities and Exchange Commission rules—Section 701 to be precise—the priority for this week?

We've been here for three months now.

House Republicans set the agenda.

They lead this governing body.

Why do they keep bringing us bills that corporate America wants?

In the past few months, Congressional Republicans, who decide which bills are priorities have brought forward a hodgepodge of corporate requests.

Here are some of the bills that are now law.

Republicans made it easier to drug test people receiving unemployment compensation (H.J. Res. 42).

Republicans passed—and the President signed—a law to protect corporate firms from having to disclose labor violations—like wage theft—before winning government contracts (H.J. Res. 37).

House and Senate Republicans passed laws that allow internet services providers to sell your browser history.

Republicans enacted a new law making it easier to dump coal debris near rivers and streams (H.J. Res. 38).

Republicans stopped efforts to help governments around the world avoid corruption.

H.J. Res. 41 removed the requirement that corporations disclose resource payments to foreign governments.

Which is a crushing blow to democracy activists working in fragile nations.

And, a law preventing State governments from setting up retirement plans for residents who do not have a work-based plan.

So, in the three months we've been back, these laws—removing competition, disclosure, and consumer privacy—are the priorities of Republicans who set the agenda.

These are all asks of corporate America—don't punish us for polluting streams; let us sell your internet browser history; let us make money drug testing laid off workers receiving unemployment due them, and; don't make us disclose our payments to foreign governments when we drill for oil or minerals.

When I talk to my constituents, they don't ask for any of these.

They say, ''Where's the jobs bill?''

My constituents say, can't we raise the minimum wage from $7.25 an hour?

They say, our roads and bridges need work. Let's raise the gas tax a skoch and invest in infrastructure?

They say, we want to increase our skills; let's invest in pre-school, Pell grants and community colleges.

Let's put people, not corporate wish lists—first.

But, nope, today we are asked to vote on a bill that makes it easier for private companies to provide options—like stocks—rather than compensation to their employees.

This bill makes it easier for firms to offload some of their options to their employees without disclosing financial information to them.

While I'm glad to see companies reward employees with stock and other compensation in addition to salaries, workers should be told the value of the compensation they receive.

With this bill—H.R. 1343—it is possible that employees would be promised stock options which could be worth less than promised, or even, completely worthless.

So, employees could decide to forego a salary increase—or accept lower pay—in order to receive more stock options, yet, those stock options could be worth way less than expected.

Why should employees receive less information than that of any other minority shareholder?

If an employee is trusted enough to run the day-to-day aspects of the business, they should be trusted enough to receive full disclosure about the stock.

Employees should be able to receive information on the financial position of the company so they can make an educated decision.

It's not difficult to allow participating employees to sign non-disclosure agreements.

And it can't be because these disclosures are an additional burden on the firm.

Because these companies prepared these types of disclosures to receive the Rule 701 exemption from the SEC in the first place.

I'm also concerned about the mismatch in power between the corporations and their employees.

I am very concerned that employees can be more susceptible to pressure to take options instead of salary increases.

For example, we could ask George Maddox.

George was one of the 21,000 people who worked at ENRON.

After working at ENRON for 30 years, he had 14,000 shares of company stock. It was valued at $1.3 million.

Then ENRON collapsed, and he had literally nothing.

All his retirement was in ENRON stocks.

If you haven't watched the movie ENRON: The Smartest Guys in the Room recently, I'd urge you to watch it again.

You could also read Bethany McLean's book by the same name.

One image has consistently stuck with me.

A staff rally where leadership extolled the virtues of the firm.

Leaders whipped employees into a frenzy to buy ENRON stock even as the leaders knew it was worthless.

In fact, corporate leaders had already sold their stock while urging employees to buy.

ENRON had a strategy of buying companies and then pressuring the new employees to buy ENRON stock to keep the stock price inflated.

And since ENRON usually fired 10% of workers every year, workers felt pressured to buy stock to show a commitment to the firm.

I just can't support a bill that gives employees fewer protections than investors.

I can't support a bill that encourages employees to possibly forego cash in their paychecks in exchange for some unverified investment option.

I don't think the supporters of this bill are doing this for nefarious reasons.

I'm sure they find my reference to Enron hyperbolic.

They might also say that it's irrelevant since Enron was a public company and we are talking about private companies.

So, let's talk about Palantir Technologies.

This $20 billion company convinced top-tier engineers to accept below-market salaries by promising them generous stock options.

But some employees who accepted this bargain, hoping to make money on selling their shares, cannot sell them.

The only buyer of their stocks is Palantir Technologies themselves—or a buyer approved by Palantir Technologies.

Palantir is not a small firm.

Palantir is the third biggest American tech startup, behind only Uber and AIR B-N-B.

It was also founded in 2004, which makes Palantir as old as Facebook—which is a long time to wait to cash in your options.

Pushing employees to own more of employer's stock exposes workers—like George Maddox—to put all their retirement eggs in one basket—what we call ''concentration risk.''

I ask this Congress to stop doing the bidding of corporate America until we address the priorities of American families and workers.

We should increase wages and access to affordable housing, provide clean air and clean water, and protect our privacy.

We should not make it easier for employers to pressure workers to choose options over salary without adequate disclosures. Vote no on H.R. 1343.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), my fellow subcommittee chairman.

Mr. LUETKEMEYER. Mr. Speaker, I thank the gentleman for yielding me this time. I also want to thank the distinguished gentleman from Illinois (Mr. HULTGREN) for his work on this legislation and, more broadly, issues surrounding American entrepreneurship. He has been a tireless advocate.

Mr. Speaker, over the last 2 weeks, the Subcommittee on Financial Institutions and Consumer Credit, which I chair, has held hearings to examine the impact regulations have had on financial institutions, small businesses, and American consumers. What we have seen is that the burdens stemming from Dodd-Frank and associated Obama era policies continue to harm consumers and small businesses.

We have what some have referred to as a two-speed economy. Large banks and their large customers are thriving, but the story isn't as bright for small businesses. That is why H.R. 1343 is so important. Small businesses and startups don't necessarily have the same opportunities to access the capital markets as their larger competitors, but from a regulatory standpoint, the small guys are treated the same as the big guys.

Mr. HULTGREN's legislation takes an important step in addressing some of the disparities that exist. H.R. 1343 will allow small businesses to attract and retain employees through incentives similar to those that may be offered by large businesses. Unlike the gentleman who just got done speaking, this is not about Enrons. It is about small businesses that we are talking about.

It will also ease some of the reporting burden on small and emerging businesses. The bill does so simply by increasing the SEC rule 701 threshold, taking the existing rule and simply expanding it, a figure that hasn't been touched since 1999.

It is essential that Washington take steps to level the playing field for small businesses and eliminate this two-speed economy. The bill the House will consider today is another step toward job creation and a more reasonable regulatory environment.

I again want to thank and commend Mr. HULTGREN for his leadership and ask that my colleagues join me in supporting H.R. 1343.

Mr. KILDEE. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. DELANEY), a member of the Committee on Financial Services, my classmate, and a cosponsor of this legislation.

Mr. DELANEY. Mr. Speaker, I want to thank my good friend from Michigan for yielding me this time, the vice ranking member of our committee, and the gentleman from Illinois (Mr. HULTGREN), my good friend, for cosponsoring this legislation with me.

I do rise in support of H.R. 1343, Mr. Speaker, and I think it is a very simple piece of legislation. The chairman of the committee said it was a simple piece of legislation. It is very straightforward. It simply raises the threshold as to the amount of stock a private corporation can give its employees, from $5 million to $10 million, without triggering additional disclosure.

What this bill is not about is rolling back disclosure because, as a practical matter, it simply defines the threshold as to when additional disclosure is required. That threshold was originally

established in 1988 at $5 million. Five million dollars was good in 1988; it is no longer good in 2017. We have simply escalated that amount by inflation, and we have come up with the number $10 million, which is proposed in the legislation.

One of the reasons this legislation does not roll back disclosures, which is a myth that I intend to debunk here this afternoon, is because, as a practical matter, what corporations will do is, in fact, not give additional stock to their employees if, in fact, it triggers additional disclosures. That is what actually happens in the private market is this threshold defines the amount of stock that a company will, in fact, give to its employees in any given year; and, if we don't raise the cap from $5 million to $10 million, we are effectively preventing companies from allowing their employees to share in stock ownership.

Private companies make decisions, Mr. Speaker, to stay private for many reasons: either because they are too small and they don't want to go public; or they don't want to, in fact, disclose their confidential information; or they don't want the costs or burdens of being a public company; or because they don't want to give up control. Whatever reason they have, it is a very important decision for a private company to stay private and not go public. The current threshold of $5 million effectively forces a company to make the kind of disclosures it would have to make as a public company if it elects to give more than $5 million of stock to its employees.

We, as policymakers, should encourage more employee ownership in the markets because it is good for both the corporations and the employees. It is good for the corporations because it creates a better culture. It allows the management team and the employees of the company to have a more long-term perspective, and it reduces turnover, which is one of the highest costs that companies have. So it is very good for the companies.

But, in fact, Mr. Speaker, it is even better for the employees. The data suggest that companies that have high employee ownership are much less likely to lay off their employees during a recession. So it creates, effectively, better retention, which is obviously in the interest of employees.

But the other thing it does—and I think this is the most important point—is it encourages kind of an inclusive capitalism whereby workers actually own more of the U.S. economy. This is something, as Democrats, we should care about, in particular, because we have talked for many years about how the growth in the U.S. economy and the increases in productivity have disproportionately gone to capital and not to workers.

We believe there are many reasons this has occurred, but one of the things we should be advocating for, strongly, is increasing workers' ownership of capital. It will inevitably lead to more savings among workers, and it will start balancing out the distribution of profits in society. One of the ways we do that is to eliminate the barriers for companies to issue stock to their employees, which is effectively what this bill does.

So if we care about this concept of inclusive capitalism, if we believe American workers should own a greater percentage of the economy and, therefore, benefit from the productivity enhancements that are occurring in the economy and the economic growth that is occurring in the economy, we should put policies in place specifically to make it easier for corporations to engage in shared employee ownership, which is exactly what this bill does.

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

Mr. KILDEE. Mr. Speaker, I yield an additional 1 minute to the gentleman from Maryland.

Mr. DELANEY. I had firsthand experience with this prior to coming to Congress. I started two businesses as private companies, and they both became publicly traded companies. I shared ownership in those companies broadly with my team. It was very good for my business, and it was very good for hundreds of them when those initial public offerings occurred.

So I have firsthand experience with this. I do think it is good public policy across the long term, and I encourage my colleagues to support H.R. 1343.

Mr. HUIZENGA. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. HULTGREN), the author of this legislation.

Mr. HULTGREN. Mr. Speaker, I thank the chairman.

I do want to thank my colleagues for being here. I think this is a really important discussion that we are having today. It is such an honor to serve with all of my colleagues.

I do think some who have spoken opposed to this legislation really don't understand the impact. There is nothing in this legislation that takes away any disclosures. Disclosures still remain. The same disclosures that have been in place for 30 years remain exactly there. This does not have anything to do with Enron, a publicly traded company. It is completely different. This is private sector. This is opening up opportunity. I think, by arguing against this, ultimately, it is taking away opportunity from employees to benefit.

It is such a privilege to serve with people like the gentleman from Maryland (Mr. DELANEY), who was part of this, opening up opportunities to hundreds of families. Congressman MACARTHUR, similarly, opened up opportunities that changed lives, as well as Congressman TROTT, who is going to be speaking as well. They opened up opportunities to people who would never have had opportunity to own a company, to own that and to have it completely change their family and their future.

I rise to support H.R. 1343, the Encouraging Employee Ownership Act of 2017.

My legislation is based on a simple principle: Employees who own a stake in the company they work for every day want to see it do well and will do their best to make sure that that business succeeds. Their sense of ownership over details, large and small, makes a real difference to the bottom line and, just as importantly, to the quality of life of the employers and employees. When the company succeeds, the employee succeeds. The business, in turn, receives a large boost in productivity, enabling it to expand its reach and invest in new technology and equipment.

EEOA would make it easier for companies in Illinois and nationwide to let hardworking employees own a stake in the business they pour their sweat into every single day. This benefit also helps companies attract top talent, even if the company is just starting out.

Warren Ribley of the Illinois Biotechnology Industry Organization, which represents companies that employ thousands of residents in the 14th Congressional District, believes: '' . . . offering an ownership stake to employees is a critical tool in recruiting top talent to job-generating companies. And there is no doubt that an equity stake encourages employees to drive hard for success of that enterprise.''

Unfortunately, some companies are shying away from offering employee ownership because of regulations that limit how much ownership they can safely offer. SEC rule 701 mandates various disclosures for certain privately held companies that use more than $5 million worth of securities for employee compensation per year.

This threshold was arbitrarily set by the SEC in 1999. For businesses that want to offer more stock to more employees, this rule forces those businesses to make confidential disclosures that could greatly damage future innovation if they fell into the wrong hands; this includes business-sensitive information, including the financials and corresponding materials like future plans and capital expenditures. The SEC's original rulemaking acknowledged these concerns.

And these disclosures aren't just risky, they are costly. As the Chamber of Commerce has explained, the Encouraging Employee Ownership Act would instead ''help give employees of American businesses a greater chance to participate in the success of their company.''

EEOA builds off the JOBS Act reform to rule 12(g), which increased the number of shareholders of record that a company could have without SEC registration from 500 to 2,000 and exempted employee compensation securities from the registration requirements. This idea championed in the JOBS Act,

that the law should treat employee compensation securities differently than traditional securities, has not been extended to the SEC rule 701.

My bill is simple. It is a bipartisan fix. EEOA raises the outdated threshold for enhanced disclosure from $5 million to $10 million, keeping pace with inflation every 5 years. We are taking something that is already working and making it available for even more companies and, more importantly, more employees.

To be clear, issuers who are exempt from enhanced disclosure would still have to comply with all pertinent antifraud civil liability requirements. Furthermore, the employees purchasing these securities observe the business they work for every day and have a closer perspective on its operation that is not available to the traditional investor, thus negating the need for additional disclosure. We should applaud the employee ownership from the board room to the shop floor.

I thank the bipartisan cosponsors of this EEOA legislation, especially Congressman DELANEY for his hard work and Congressmen STIVERS, SINEMA, HIGGINS of New York, MACARTHUR, GOTTHEIMER, and TROTT. I thank Speaker RYAN and Chairman HENSARLING for their support in advancing this critical legislation.

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

I appreciate the comments of my colleague and friend. I do, however, disagree that the question here derives from a lack of understanding of the legislation. I think it is entirely possible—in fact, I would suggest that it is likely—that members of a body such as this, from 435 distinct districts and different experiences, can look at the same information, fully understand it, and come to different conclusions as to what sort of policy ought to be in place, and that is where I have landed on this particular subject. I fully understand.

□ 1545

I also think it is important to note that we can't on one hand say that this is not about disclosure and on the other hand mention that these disclosure requirements could have a negative impact and encourage or discourage companies from engaging in the practice of awarding employees with stock as a part of their compensation.

It is a question of disclosure. This legislation is about the disclosure requirements that should be applied in this case. That is really what we have heard from both sides of this argument: where should that disclosure requirement be, and at what level should it be incurred?

What I would say is—and I think this is important to note, speaking for myself—I know many other members of the Financial Services Committee and Members of this body that may oppose this legislation feel strongly that the direction toward awarding employees with stock ownership is a positive direction. It is something that my friend, Mr. DELANEY, has not only advocated for, but has practiced in his own private sector experience. It is a positive thing for a company and it is a positive thing for the employees.

The only point that I continue to drive home and that others have reiterated is that it is important that employees understand the nature of the stock that is being awarded to them and that the disclosure requirements make clear employees are aware of the compensation and its true value. That is really the point of my objection.

Mr. Speaker, I include in the RECORD a letter I received from Public Citizen, which articulates some of these same arguments.

PUBLIC CITIZEN,
Washington, DC, March 8, 2017.

MEMBER,
House Committee on Financial Services, Washington, DC.

DEAR REPRESENTATIVE: On behalf of more than 400,000 members and supporters of Public Citizen, we offer the following comments on bills facing a committee vote March 9, 2017.

In securities lawmaking, we believe the committee's compass should always point to investor protection. Well informed investors who can trust disclosures form the bedrock of capital formation. We are concerned that a few of these measures point in a different direction.

HR 910: The ''Fair Access to Investor Research Act of 2017'' directs the SEC to eliminate restrictions on research reports that cover Exchange Traded Funds (ETEs). The result of this measure means that firms promoting ETFs can simultaneously publish reports that appear to be impartial analysis. This may lead investors to take unwarranted comfort in the security. In the last decade, ETFs have grown from about 100 funds with $100 billion in assets to more than 1300 funds with $1.8 trillion in assets,That makes the playing field for mischief immense.

Puffery parading as research led to the dot-com bubble in the late 1990s, where analysts disregarded fundamental metrics such as a revenue and income when recommending the purchase of new internet-based firms. This measure improves on a previous iteration of the legislation by allowing fundamental fraud oversight by the SEC. But the bill ignores the basic hazard that a firm's motivation in funding research may be sales promotion and not bona fide education for its clients. We also note that ETFs represent the securities of active firms. That is, an ETF holds assets such as stocks or bonds. That means this has little to do with capital formation. Now, research reports insulated from government scrutiny may too often serve to promote more turnover and commissions, not sound guidance. For these reasons, we oppose this bill and encourage members to vote no.

HR 1343: The ''Encouraging Employee Ownership Act of 2017'' increases from $5 million to $10 million the amount of securities a firm may sell annually to its employees without providing certain basic financial information. We believe this is misguided for a number of reasons. First, defenders of this measure reference the potential for leakage of propriety information. There's little evidence of this problem. It's simply not in the self-interest of an employee-owner to divulge critical information to a rival, especially if it would undermine the value of the stock. Second, employees who are compensated in stock (instead of additional cash) should be entitled to be informed about the financial condition of their company, the same as any other investor. Other company creditors, such as the firm's bank or major supplier, receive this information, however this measure reduces stock-compensated employees to a class below these other creditors. Young firms may be struggling with cash-flow problems and choose to use stock rather than cash for compensation. But those employees should be informed about such risks. Third, the basic thrust of this measure is to lead employees to hold a greater share of their savings in the firm. An employee invested in his or her own firm may be more productive and lead to greater profits at the firm that the employee then shares; but there is a point beyond which this dynamic dissipates. Any prudent investor should diversify. Overconcentration in one asset, especially where the firm's prospects are less than stellar, compounds the employee-investor's risk. We oppose this bill, and encourage members to do the same.

HR 1366: The ''U.S. Territories Investor Protection Act'' extends basic U.S. securities law oversight to investment firms operating in Puerto Rico and other U.S. territories. To date, these firms have escaped oversight, disclosure and conflict-of-interest requirements that mainland firms face. We support this common sense reform.

Sincerely

BARTLETT NAYLOR,
Public Citizen.

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

Mr. HUIZENGA. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arkansas (Mr. HILL).

Mr. HILL. Mr. Speaker, I thank my friend from Michigan, the distinguished chairman of the Capital Markets, Securities, and Investments Subcommittee, for yielding the time.

Mr. Speaker, what we are here talking about today is opportunity. We are not talking about the money interests. We are not talking about waving the bloody shirt of the Enron debacle. What we are talking about here today, Mr. Speaker, is in the interest of innovators. It is in the interest of talented Millennials who have huge student loans, who have a great idea to benefit themselves, their community, their economy. We are here to be in the interest of hardworking workers who have no big investment dollars, but have an abundance of sweat equity. We are here in the interest, Mr. Speaker, of building businesses and growing this economy. If we do that, we are growing jobs and opportunity for our citizens. And we are in the interest, Mr. Speaker, again, not of the money interest, but of efforts all over this country, led by people like JOHN DELANEY of Maryland and Stephen Case of Virginia, to build out venture capital and entrepreneurship in places other than Boston, Massachusetts; Menlo Park; places like Detroit; Flint; Little Rock; St. Louis; and Chicago. That is why we are here today. This bill is a simple, commonsense, small step in that effort.

For many years, in my private sector life, I helped young companies form and raise capital for them. In my own business, I extended stock options and

opportunities to buy stock to those very people who did not have the excess cash to invest. Many companies issue stock to compensate their employees, but it is especially important to startup businesses and private businesses. It is especially important to those businesses that are trying to compete with big private enterprises that have a public stock to offer as an incentive. And structuring competitive compensation in private businesses is very challenging.

Further, for employees, this stock ownership is a huge source of pride, allowing individuals to participate in the growth and prosperity that their hard work and sweat equity have helped build.

Through rule 701, the SEC allows private companies to offer up to $5 million in their own securities without additional regulatory bureaucracy. My friend from Illinois (Mr. HULTGREN) and my friend from Maryland (Mr. DELANEY) have simply made a small change, Mr. Speaker; and that is to raise that commensurate with inflation to $10 million to reflect the world we live in today. This is not rocket science; this is something we need to do for building our economy.

As we celebrate the fifth anniversary of the signing of the JOBS Act by President Obama and the successes this legislation has yielded in capital formation for small and emerging growth companies, I urge my colleagues to support this effort by my friend from Illinois in this bipartisan, commonsense job-creating proposal.

Mr. KILDEE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Colorado (Mr. POLIS), a member of the Committee on Rules and the Committee on Education and the Workforce.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding the time.

Various measurements of the economy have shown economic growth and an increase in the stock market. The frustration that I hear from so many of my constituents is that: With all of this economic growth, why haven't my prospects improved? Why has there been wage stagnation? Why aren't my family and I earning any more than I was?

It is true, because a lot of the benefits of this economic growth have gone to shareholders and consumers rather than workers. We are all consumers, and we have all benefited from that. And do you know what? We are all shareholders through pensions and through retirement accounts, public and private. Many people also put food on their table and pay their rent, wearing their hat as an employee or a worker.

One of the things that we can do not just by passing this bill, but by passing a whole host of legal changes both in the tax framework and in the regulatory framework to make it easier for employees to own companies, is allow employees and workers to share in the value that is being created on the shareholder side of the ledger. Then, and only then, can we have an economy that works for more people rather than just a few.

This bill is a small step in that direction. It can reduce the cost and remove a detriment that small to midsize companies have from aggressively pursuing employee stock ownership. But it is just a first step.

There is a lot of work that we need to do to reorient the economy around a shareholder economy that aligns the incentives of workers with those of shareholders. It is good for sustainable profits, it is good for long-term economic growth, it is good for stability. It is a better way to make sure that of this vast value that is being created, we all can partake in it on both sides of the ledger, as shareholders and as workers.

That is why I rise today in support of the bill, and that is why I call upon my colleagues on both sides of the aisle to see this as but a modest first step towards a shareholder economy that works for every worker.

Mr. HUIZENGA. Mr. Speaker, may I inquire as to the balance of time remaining on each side?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. HUIZENGA) has 10 minutes remaining. The gentleman from Michigan (Mr. KILDEE) has 10 minutes remaining.

Mr. HUIZENGA. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I thank the gentleman from Michigan for yielding the time.

Mr. Speaker, over the last 8 years, our Nation has experienced sluggish economic growth. Americans have suffered through stagnant paychecks and a lack of new opportunities. Last year, the economy grew at a meager 1.6 percent, which is half of the historic average.

However, there has been one job filled that has grown at a faster rate than any other; and that job is those who specialize in regulatory compliance. This is a testament to the crushing onslaught of new regulations under the previous administration, where compliance with regulation and red tape was emphasized more than growing businesses and creating jobs.

We in Congress must do our part to foster economic growth and relieve our job creators of the excessive burden of complying with unnecessary regulation. The bill before us today will do exactly that.

Currently, businesses that offer more than $5 million in stock to their own employees are required by law to comply with costly financial disclosures. This number was set nearly 20 years ago. It is time to update the law and raise this threshold to encourage small-business startups and give them the resources they need to expand and create jobs.

The Encouraging Employee Ownership Act would raise this threshold to $10 million and give private businesses more flexibility to reward their employees with ownership of a company. This bill passed the Financial Services Committee last month with strong bipartisan support.

This is just one of the many steps that we must take to foster innovation and encourage capital formation, to provide every American with opportunities that they deserve. We must build an economy that is open and accessible to every single American, not one that is closed off to those who can't afford to comply with the high cost of bureaucratic red tape and endless government paperwork.

As a former small-business owner for 20 years, I know the employees benefit tremendously from any opportunity to participate in a company's success. I support this bill because I know from personal experience this model works and helps startup companies to retain their best employees over the long term.

Americans are not satisfied with the stagnant economy that has become the new norm in our Nation. It is unacceptable for government to stand in the way of prosperity and make it harder for Americans to succeed. Small businesses employ half of U.S. workers, and we must promote, not hinder, small business growth.

This bill, Mr. Speaker, empowers Main Street, not Wall Street. I encourage all of my colleagues to support this bill.

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

I would just point out again that the position many of us are taking does not contradict the principles that are being articulated. In fact, the law does not preclude any company from awarding stock as compensation at any level. It simply requires that information be provided so that those individuals who are receiving that compensation have the information and have the resources to understand the value of that compensation. I just want to reiterate that because it is important that the position not be mischaracterized as one that wants to dampen the ability of companies to reward their employees with stock or use that as a form of compensation. It is just important that they have transparency in that process so people who are receiving that compensation understand its true value.

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

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. TROTT), my fellow Michiganian.

Mr. TROTT. Mr. Speaker, I rise in support of H.R. 1343, the Encouraging Employee Ownership Act.

I want to thank my colleagues, Mr. HULTGREN and Mr. DELANEY, for their thoughtful and bipartisan work on this issue.

This is a commonsense, simple bill that makes it easier for employees to obtain ownership in the companies

they work for. When I was in the private sector, I gave dozens of employees an ownership interest. It worked out great for them, it worked out great for the company, and it worked out great for our customers. Ownership interest gave them an upside that could not be realized through a salary. The stock instilled loyalty and dedication. More importantly, it created a family atmosphere. We were all in it together. Our opportunities would rise and fall, depending on our collective success.

To have a career where someday, through your hard work, you can end up owning a piece of action is what the American Dream is all about. The outdated cap is keeping this dream, for no good reason, from many Americans.

I suspect that those who oppose the bill, while they may understand the legislation, probably have never worked in the private sector and have no clue how meaningful incentives and opportunities, such as stock ownership, are to individuals. I found it was the best way to motivate and reward employees. In fact, it worked so well, no one ever left the company except to retire.

My friends from Michigan and Minnesota oppose the bill because of a lack of transparency. The argument is flawed because it assumes stock ownership opportunities comprise all or a significant portion of the individual's compensation. This is not correct. A stock ownership benefit is typically over and above salary and bonuses.

To require the owner of a small business or a startup to make disclosures will cause many employers not to give employees this opportunity. Implicit in their argument is an assumption, like in so many other areas of life, that individuals cannot be trusted to make decisions on their own, that they need the help of all of the smart politicians and bureaucrats in Washington, D.C., to tell them what to do and what they need to see, and, of course, we cannot trust people to make decisions and discern for themselves whether stock ownership is a fair opportunity.

This bill had the support of a bipartisan group in our committee. I urge all of my colleagues to support H.R. 1343.

□ 1600

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

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Speaker, I rise today in strong support of H.R. 1343, the Encouraging Employee Ownership Act of 2017. This is bipartisan legislation that will remove outdated barriers to capital formation and job creation imposed on the small businesses and startups that are driving America's innovation economy.

The SEC still hasn't updated a rule from 17 years ago that imposed an undue burden on entrepreneurs when they want to attract and retain talent through employee compensation plans. Startup ventures, by offering their employees a stake in the company through equity and other forms of deferred compensation, can reward hardworking employees by giving them direct ownership while their business continues to grow.

SEC rules governing these compensation plans haven't been updated since 1999, and they are imposing burdensome compliance and reporting requirements on the very entrepreneurs we should be encouraging to expand and create more good-paying, private sector jobs. We see the effects of this compliance tax placing a drain on our economy because it diverts the resources and human capital of entrepreneurs away from expansion and job creation.

In my district on Long Island and nationwide, entrepreneurs who have the next great invention or idea are struggling to gain access to capital. By regulating small startup ventures as if they are large, publicly traded companies, the SEC is imposing an unnecessary mound of paperwork on startups. A large corporation may have the lawyers and accountants to fill out the mountain of paperwork imposed on them by the SEC, but a small business can't compete, and that is why they need relief.

This Congress we have an opportunity through bipartisan reforms like this legislation to reverse that troubling trend by removing the regulatory burdens that harm the economy, consumers, and prospects for job growth.

In closing, Mr. Speaker, I want to thank my colleague from the Committee on Financial Services, RANDY HULTGREN, for his leadership on this issue.

I urge adoption of this commonsense bipartisan bill.

Mr. KILDEE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HUIZENGA. Mr. Speaker, may I inquire as to the balance of time remaining on each side?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Michigan (Mr. HUIZENGA) has 3½ minutes remaining. The gentleman from Michigan (Mr. KILDEE) has 9 minutes remaining.

Mr. HUIZENGA. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. TENNEY).

Ms. TENNEY. Mr. Speaker, I rise today in support of H.R. 1343, which passed the Committee on Financial Services by a very large bipartisan vote of 48–11. I thank the gentleman from Illinois (Mr. HULTGREN) and the gentleman from Maryland (Mr. DELANEY) for introducing this essential piece of legislation.

As the coowner of a small manufacturing business in New York, this legislation would help companies in New York and across our Nation to grow stronger while allowing hardworking employees to have a stake in a business' future through ownership.

Company leaders across America understand that greater employee investment through ownership will develop a stronger workplace culture and increase productivity by giving private companies more flexibility in retaining and rewarding employees, the people we so vitally need to grow our businesses.

I want to thank the sponsors of this bill, and I urge my colleagues to support this legislation.

Mr. KILDEE. Mr. Speaker, I yield myself the balance of my time to close.

I have heard a number of my colleagues point to the red tape and the unnecessary burdens that are placed on a company that wishes to provide stock compensation.

Let me be clear about what it is that we would require. This is what is required for a company that exceeds the threshold: That they provide a copy of the compensation plan or a contract, if they disclose that; a copy of a summary plan description, if it is an ERISA retirement plan or, if not, a summary of the plan's material terms; risk factors associated with the stock; and the company's most recent financial statements from the last 2 years, which don't need to be audited.

This is important information for anyone receiving stock as compensation in order to understand the value of that stock and not a burdensome requirement on a company, particularly a company of the size that would be required under the increased threshold that is being proposed by this law.

If there is any aspect of this debate which is common sense, it is common sense that a person receiving compensation ought to have information that tells them the value of that compensation.

Mr. Speaker, I think this is an important debate and discussion. It is one that this body is well-served by taking on.

I do agree, as I said, that this is an important direction for us to take as a nation. And it certainly makes sense that, in order for us to fully all participate in the economy, employee ownership is a value. It creates more productive companies, more competitive companies. It provides better compensation, and, as has been pointed out, it creates more stable organizations less likely to lay people off, more likely to be sustainable companies. That is all good, and that is important.

It comes down to the question of transparency. Employees deserve to know the state of their employer's finances, if they are to accept stock in lieu of monetary compensation. They deserve no less protection than other investors in the company.

We shouldn't fear that kind of transparency. A company that wants its employees to accept stock instead of monetary compensation should embrace this sort of compensation. If they want to empower those employees and they want to make them a part of the company, they should provide them with

the information that helps them understand the value of that ownership.

Transparency is important for individuals to make informed choices, not informed choices coming from a dictate from Washington but information that they have the right to have. It empowers them with knowledge that allows them to make choices about the form of compensation that they would accept.

That is what this legislation really is about, and that is why I oppose the legislation and encourage my colleagues to join me in that.

I yield back the balance of my time.

Mr. HUIZENGA. Mr. Speaker, I yield myself the balance of my time to close.

My colleague on the other side is trying to maybe split some hairs. We heard some rhetoric earlier on the floor here which, I think, shows why many on both sides of the aisle scratch their heads in opposition to this bill. We heard about monied interests. We heard about corporate wish lists. We heard about Enron which is, by the way, a publicly traded company which has absolutely nothing to do with this bill. Now, that all might play really well on a leftwing political base, but that is detached from the realities of what our economy is about.

As we have talked, 60 percent of all new job creation happens in small businesses. These are not corporations. These are LLCs, limited liability corporations. These are subchapter S sole proprietorships. These are small entrepreneurs and innovators.

By the way, I looked up the definition of innovator. It is a person who introduces new methods, ideas, or products. Those are the kind of dynamic elements that we are seeing here. And I think this confusion between corporations and Enron and what we are trying to do here is really a disservice to the American people.

This is about making sure that we update basically an inflation escalator from 1988. We update a rule that the SEC could have the power to do, which it has not done, that benefits employees and benefits those owner-employer's workers who oftentimes, more often than not, work alongside their employees. So they are the ones who are seeing this on a daily basis.

I can just say to you that, as was pointed out by my colleague from across the aisle from Maryland, if we don't do this, what most of those small businesses are going to do is say: You know what, it is just not worth the effort; I am not going to do it. And we will see that lack of upside going to those employees.

As was pointed out by my fellow colleague from Michigan, this is beyond their salary, this is beyond bonuses. This is an additional way to make sure that those relationships get cemented in.

So, at a minimum, all you would be doing is voting to confirm the inflation escalator from 1988. It is not a radical change to the law. This is a commonsense, I believe, innovative way of trying to make sure that this next generation of workers has the ability to really reap the benefits of success here in the United States.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The SPEAKER pro tempore. It is now in order to consider amendment No. 1 printed in House Report 115–75.

Mr. POLIS. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, after line 2, insert the following:

SEC. 3. GAO REPORT ON IMPACT ON EMPLOYEE OWNERSHIP.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the impact on employee ownership of the revisions required by section 2, including the impact on—

(1) the number of employees participating in compensatory benefit plans; and

(2) diversification of the securities held by employee pension benefit plans subject to title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

The SPEAKER pro tempore. Pursuant to House Resolution 240, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Speaker, my amendment would require GAO to do a study on the impact of this legislation on employee ownership. When employees are offered the opportunity to have an ownership stake in the place they work, there are benefits for both workers and businesses in our entire economy.

Many studies have shown that employee ownership increases productivity, promotes employee retention and stability, and has long-term growth benefits for the business. I believe that the underlying legislation is an important first step to increase employee ownership opportunities, but we should want to make sure that opportunities for participation are widely available to employees at different income levels.

The amendment also requests the GAO to see the effect of this legislation on the diversification of securities held in ERISA-governed retirement plans. As we all know, diversification in any type of financial portfolio can help weather dramatic fluctuations in the economy and limit financial risk for retirees.

By requesting the GAO study, we will be able to understand this legislation's full impact on employee ownership and make necessary changes and improvements in the future.

I yield to the gentleman from Illinois (Mr. HULTGREN) for the purpose of a colloquy.

Mr. HULTGREN. Mr. Speaker, I thank the gentleman from Colorado (Mr. POLIS) for offering this important amendment to study the impact of this legislation on employee ownership.

I believe that employee ownership opportunities should be made widely available to all employees of a company, from the boardroom to the shop floor.

As the gentleman from Colorado (Mr. POLIS) stated, this legislation is an important step forward to increasing ownership opportunities and gives companies more flexibility to make those opportunities available.

We should understand how this legislation would help increase participation for employees at all key levels. A study will help us understand what we can do in the future to incentivize employee ownership and increase employee ownership participation.

If the gentleman would withdraw his amendment, I would like to work with him in requesting GAO to carry out this study.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Illinois (Mr. HULTGREN), and I take the gentleman at his word. I look forward to working with him on this important issue in coordination with GAO.

Mr. Speaker, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The SPEAKER pro tempore. The amendment is withdrawn.

Pursuant to the rule, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT

Mr. SWALWELL of California. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. SWALWELL of California. I am opposed in its current form.

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

The Clerk read as follows:

Mr. Swalwell of California moves to recommit the bill H.R. 1343 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 3. PROHIBITION.

Any exemption, safe harbor, or other authority provided by this Act or a regulation issued pursuant to this Act shall not apply to an issuer if the issuer or a director, officer, or affiliate of the issuer has withheld information from Congress relevant to its investigation of any collusion between persons associated with the Russian Government and persons associated with the presidential campaign of Donald J. Trump to influence the outcome of the 2016 United States presidential election.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SWALWELL) is recognized for 5 minutes in support of his motion.

Mr. SWALWELL of California. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Russia attacked our democracy this past Presidential election. This motion asks Members of this House: Do you want to do something about it? Do you want to do all you can to make sure it doesn't happen again?

□ 1615

If you do, support this amendment. If you don't, vote against it, and watch Russia and other adversaries of ours with similar cyber capabilities carry out similar attacks, and the very democracy that we treasure will erode before our eyes. But I believe we are a better body than one that would let another country attack us and then divide us.

What does this motion to recommit do? It requires any company—particularly, I am concerned about financial institutions—to cooperate with all investigations into collusion between President Trump, his campaign, his family, his businesses, and anyone on his team and Russia's interference campaign during the 2016 election.

The evidence is overwhelming. In the 2016 election, Russia ran a multifaceted electronic interference campaign against our democracy. They used paid social media trolls. They hacked Democratic emails and disseminated the information in those emails through cutouts like WikiLeaks and Guccifer 2.0. They had a clear preference for Donald Trump as their candidate. It was ordered by their own President, Vladimir Putin.

And most concerning for every person in this House—should be—they are sharpening their knives, and they intend to do it again. That was the final finding in the intelligence report. They are sharpening their knives and intend to do it again not just to the United States, but to our allies like France and Germany, who are a part of the best check on Russia, the NATO alliance.

Why are we concerned about finances and companies cooperating with the United States in this investigation? Well, we know from the Kremlin's playbook that they use financial entanglements as a means to recruit individuals or to peddle influence.

Why are we concerned about financial ties among Donald Trump and his team? Because unlike any Presidential candidate in the history of our Presidential elections, there are an unprecedented amount of personal, political, and financial ties to a foreign adversary. They include, but are not limited to:

Paul Manafort, where it is alleged he was paid by pro-Russian Ukraine Government individuals and also paid up to $10 million a year by Vladimir Putin's associates;

Former national security adviser Michael Flynn, who should have known better as the former Director of the Defense Intelligence Agency, should have known about Russia's playbook and their ability to influence people, but after leaving the DIA, went over to Moscow, sat next to Vladimir Putin, and was paid by Russia's propaganda tool, Russia Today, also known as RT, who General Flynn would have known is an arm of Russia's intelligence services;

Donald J. Trump, Jr., who said in 2008, in terms of high-end product influx into the United States, Russians make up a pretty disproportionate cross section of a lot of our assets. In Dubai, and certainly with our project in SoHo, and anywhere in New York, we see a lot of money pouring in from Russia;

President Trump, who has invested in the past in Russia: over half a dozen trademarks granted to him in Russia, a vodka brand he tried to peddle in Russia, a Miss Universe contest that he held in Moscow in 2013, and Russia has invested in our President. There are Russian businessowners who have bought condos in his Trump Tower building. There are loans from banks that have paid fines for laundering money through Russia. There is a home sale in 2008 where the President reaped 129 percent in profit. He bought a home in 2004 in West Palm Beach for $40 million; sold it in 2008, as the real estate market was collapsing, for over $90 million; sold it to a Russian businessman known as the fertilizer king. No one else in that ZIP Code reaped a profit of 129 percent.

So why are banks particularly relevant for this motion? We know they are used by Russia to move money and extend influence. Their cooperation will be crucial to understanding how Russia finances its interference campaign.

Mr. Speaker, I urge my colleagues to support this motion to recommit and get to the bottom of exactly what happened with Russia.

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

Mr. HUIZENGA. Mr. Speaker, I claim the time in opposition to the motion.

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

Mr. HUIZENGA. Mr. Speaker, I just want to point out a couple of things.

The Senate Banking Committee has moved an identical bill forward, unanimously, recently.

Regarding the subject matter that the gentleman from California was throwing out, this bill is not about anything other than providing hard-working Americans an opportunity to succeed. It is not about relitigating the last election or even about Susan Rice illegally unmasking American citizens. This is about an underlying bill that will help American citizens.

I urge my colleagues to vote ''no'' on this motion to recommit, and I urge them to vote ''yes'' on the underlying bill.

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

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

There was no objection.

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

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

Mr. SWALWELL of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage of the bill.

The vote was taken by electronic device, and there were—yeas 185, nays 228, not voting 16, as follows:

[Roll No. 215]

YEAS—185

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

Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
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
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
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
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
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
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
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

NOT VOTING—16

Bishop (UT)
Bridenstine
Davis, Danny
Frankel (FL)
Grothman
Jones
Lamborn
Larson (CT)
McEachin
Murphy (FL)
Poe (TX)
Rogers (AL)
Rohrabacher
Slaughter
Suozzi
Visclosky

□ 1644

Messrs. NEWHOUSE, KINZINGER, WEBSTER of Florida, Mrs. BLACKBURN, Messrs. CULBERSON, COLLINS of Georgia, LOUDERMILK, HUDSON, THOMAS J. ROONEY of Florida, WALKER, COOK, MULLIN, BANKS of Indiana, GRAVES of Georgia, and ROKITA changed their vote from ''yea'' to ''nay.''

Messrs. DOGGETT and CÁRDENAS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. FRANKEL of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 215.

Mr. SUOZZI. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 215.

Stated against:

Mr. LAMBORN. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 215.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 331, nays 87, not voting 11, as follows:

[Roll No. 216]

YEAS—331

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bost
Boyle, Brendan F.
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert
Carbajal
Cárdenas
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Chabot
Chaffetz
Cheney
Clay
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Esty
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Guthrie
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larsen (WA)
Larson (CT)
Latta
Lawson (FL)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (PA)
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Panetta
Pascrell
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Poliquin
Polis
Posey
Price (NC)
Quigley
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Roby
Roe (TN)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sanford
Scalise
Schneider
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
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Sinema
Smith (MO)
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Smith (NJ)
Smith (TX)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
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Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—87

Adams
Barragán
Bass
Beatty
Bonamici
Brady (PA)
Butterfield
Capuano
Carson (IN)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Conyers
Crist
Cummings
DeFazio
Demings
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Ellison
Espaillat
Evans
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Green, Al
Grijalva
Gutiérrez
Hanabusa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Khanna
Kildee
Langevin
Lawrence
Lee
Levin
Lewis (GA)
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
McCollum
McGovern
Meng
Moore
Nadler
Napolitano
Pallone
Payne
Pingree
Pocan
Raskin
Richmond
Roybal-Allard
Rush
Sánchez
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sires
Smith (WA)
Takano
Thompson (MS)
Tonko
Velázquez
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—11

Bridenstine
Davis, Danny
Grothman
McEachin
Murphy (FL)
Poe (TX)
Rice (SC)
Rogers (AL)
Rohrabacher
Slaughter
Visclosky

□ 1657

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

Ms. ESTY and Mr. RYAN of Ohio changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 50

Mr. DUNCAN of South Carolina. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.J. Res. 50.

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

There was no objection.

EQUAL PAY DAY

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

Ms. MCSALLY. Mr. Speaker, since the passage of the Equal Pay Act in 1963, it has been illegal for an employer to pay a woman less than a man for the same work. But the unfortunate reality is that today, over 50 years later, women are still making less than men, and that is unacceptable.

Labor Department statistics cite, when comparing median salaries for all annual full-time jobs, women are making 81 cents on the dollar compared to men. Some of this is from blatant bias and discrimination, which is illegal and unacceptable. But most of the pay gap comes from factors like women going into lower-paying career fields; seeking flexibility since they are still primary caregivers for children and, increasingly, parents; or not being able to afford child care.

Here in the House, I am working on putting forward ideas and solutions to empower women to close this pay gap. Last year I joined my colleagues to create and lead a Working Group on Women in the 21st century workforce. It is examining the challenges women still face and working to expand equal opportunity and improve outcomes for all women.

Mr. Speaker, I have been fighting for women my whole life. I know we still have work to do, and I am committed to making equal opportunity for women a reality. After all, this is America and we pick the best man for the job, even if she is a woman, and that means making sure she is getting paid what she deserves.

□ 1700

CONGRATULATING TEXAS WESLEYAN MEN'S BASKETBALL TEAM

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

Mr. VEASEY. Mr. Speaker, I rise today to congratulate my alma mater, Texas Wesleyan University. On March 21, 2017, Texas Wesleyan's men's basketball team brought home their second NAIA title to Fort Worth, Texas. From the start, Texas Wesleyan Rams were up against a tough fight as they faced off with Life University in the championship match.

Thanks to the Ram's MVP, Dion Rogers, who scored 28 points in the final match, and with another 21 points scored by Ryan Harris, the Rams were led to victory.

But the road to the championship wasn't easy. The Rams showed true perseverance, heart, and dedication to win 5 games in 6 days against the toughest competition in the Nation.

Congratulations to the Rams, the coaching staff, parents, families, and the city of Fort Worth for this hard fought victory.

Go Rams.

Mr. Speaker, the Rams were not the only team making Fort Worth proud. Just 9 days later, Texas Christian University across town also won a championship, and my colleague, KAY GRANGER, who represents west Fort Worth, is here to tell that story.

CONGRATULATING TEXAS CHRISTIAN UNIVERSITY'S MEN'S BASKETBALL TEAM

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

Ms. GRANGER. Mr. Speaker, I rise today to congratulate the Texas Christian University's men's basketball team on their National Invitational Tournament championship.

After a 12-win season last year, the Horned Frogs showed the grit and tenacity my hometown of Fort Worth is known for. They finished the season with 24 wins.

With their win over the Georgia Tech Yellow Jackets in the title game last week, the Horned Frogs capped off a memorable and historic comeback season. In fact, this 2017 NIT title is Texas Christian University's first postseason championship in school history.

I want to recognize the TCU players and coaches for a job well done. Go Frogs.

EQUAL PAY DAY

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

Mr. ESPAILLAT. Mr. Speaker, I rise to recognize Equal Pay Day. The year is 2017, and women, especially women of color, still earn significantly less than their male counterparts.

Pay inequality disproportionately impacts women of color. For example, White women earn 80 cents to every dollar that her White male counterpart makes, African-American women earn an average of 63 cents per every dollar, and Latina women on average earn 54 cents for every dollar.

This may seem like mere pennies on the dollar, but, over a lifetime, this translates to an estimated loss of almost $700,000 for a high school graduate and $1.2 million for a college graduate. $1.2 million—can you imagine what these earnings mean to working families of today? That is health insurance, retirement savings, and food on the table. Unequal pay for equal work just doesn't add up. It is morally and mathematically wrong.

Pay inequality is not only a women's issue, but a family issue. To my male colleagues, I ask: In 2017, do you not believe in strong women? In 2017, do you not believe in equality?

NATIONAL PET ADOPTION DAY

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

Mr. WILLIAMS. Mr. Speaker, today I rise to talk about H. Res. 133, a bill I introduced with my friend and Texas colleague, Congressman MARC VEASEY.

This resolution expresses support for the designation of April 11 as National Pet Adoption Day and the month of April as National Pet Adoption Month. Simply, we are aiming to highlight the importance of pet adoption.

Mr. Speaker, each year, 2.7 million adoptable dogs and cats are euthanized in the United States. As a rancher and lifelong animal lover, this is heartbreaking.

The Humane Society of the United States, ASPCA, Animal Welfare Institute, and local shelters such as PAWS Shelter of Central Texas have endorsed this resolution.

Mr. Speaker, we request that the President issue a proclamation calling upon the people of the United States to observe April 11 as National Pet Adoption Day and the month of April as National Pet Adoption Month.

More than 60 Members of Congress have signed on to our bipartisan resolution, and I encourage others to do so. For those who may be watching this back home, call your Representative in Washington and have them support this bill.

In God We Trust.

EQUAL PAY DAY

(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, I rise today to recognize Equal Pay Day. This day marks how far into this year that a woman must work to earn what a man earned up to December 31 of last year.

In the United States, a woman is paid 20 percent less than her male counterpart. In California, a woman earns 86 percent of what men earn. Pay disparities in California are even more stark for women of color. Latinas make just 56 percent of what a man makes.

In order to continue to close the pay gap, Congress must pass the Paycheck

Fairness Act. That law would strengthen the Equal Pay Act by requiring employers to demonstrate that wage differences are not due to gender, and they would hold employers accountable for discriminatory actions.

This bill, which I proudly cosponsored, is only one step forward. Congress must also pass legislation to address family leave and fight to protect a woman's right to choose, because, ultimately, the challenges and burdens women face are shared by all Americans, and when half of our citizenry is in any way impeded from their full potential, all of our country suffers.

MICHIGAN FARMERS AND TRUCKERS AID WILDFIRE VICTIMS

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

Mr. MITCHELL. Mr. Speaker, I rise today to highlight the selfless actions of farmers in my district and across Michigan. In early March, wildfires spread through Kansas, Oklahoma, Texas, and Colorado, devastating families and destroying crops and livestock—farmers' income for next year.

Hearing of the devastation, Michigan farmers and truckers mobilized quickly to bring aid to the farmers in need of immediate assistance. Selfless individuals have donated their resources, including over 250 bales of hay, fencing, cattle feed, financial support, and more. Convoys of volunteers, farmers, and truckers have volunteered their time and their vehicles to drive these resources hundreds of miles to affected areas. Farmers in 68 of 83 Michigan counties have donated supplies or driven to deliver aid, and their efforts are expanding. This weekend, 50 students from Sanilac County 4–H are delivering aid to Ashland.

These selfless acts are truly inspiring and humbling. I am proud to recognize their efforts and was happy to be able to aid some of these efforts by getting permits issued for their travel.

EQUAL PAY DAY

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

Ms. KAPTUR. Mr. Speaker, it is Equal Pay Day, and I am privileged to rise in support of the Paycheck Fairness Act today. This legislation would strengthen the Equal Pay Act of 1963 by ensuring that women can hold employers accountable for what they earn and challenge discrimination. Representative ROSA DELAURO has introduced this bill for two decades, which is two decades too long.

Women in Ohio make 75 cents for every dollar a man makes, which is unacceptable. It is time we close the decades-old loophole that prevents the United States from closing this gender pay gap once and for all.

The Paycheck Fairness Act would close loopholes in the Equal Pay Act of 1963, by holding employers accountable for discriminatory practices. The bill would end the practice of pay secrecy, ease workers' ability to individually or jointly challenge pay discrimination, and strengthen the available remedies for wronged employees.

President Trump said on equal pay: ''If they do the same job, they should get the same pay.'' Boy, do I agree. So let's make it happen.

WAS SURVEILLANCE OF TRUMP ILLEGAL?

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

Mr. SMITH of Texas. Mr. Speaker, criminal laws may well have been broken when the Obama administration conducted surveillance of candidate and then-President-elect Trump and those close to him, including his family members.

It is reported that a former national security adviser under President Obama ordered the names of Trump associates to be revealed rather than kept confidential, as would normally be the case with any American citizen.

This exposing and disseminating personal information may well have been a criminal act. A serious question is: Who authorized the surveillance in the first place? To direct intelligence or law enforcement agencies to conduct surveillance of political opponents is a violation of the Constitution and a threat to our democracy. But the Obama administration wrongfully asked the IRS to target conservative organizations, so anything is possible.

One thing is for sure—the American people need to learn a lot more about what the Obama administration did and who did it.

NEW YORK IS NUMBER ONE IN CLOSING THE GAP

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, think all the way back to New Year's Day—94 days ago—and contemplate for just a moment the fact that if a full-time working woman were to take all of the money she made between way back then and today, and she added that to what she had made working all of last year, well, she just now would have an amount equal to what a typical man made just last year. Well, welcome to Equal Pay Day.

The exact size of the gender pay gap can vary. It tends to be smaller when you are younger, worse when you are older, and worse still if you are a woman of color. Even where you choose to live can make a difference.

My thanks to the Democratic staff of the Joint Economic Committee, where I sit as the ranking member, for producing a new report that updates all these numbers, as well as State-by-State numbers on the gender wage gap.

I encourage all my colleagues to take a look at this report to see just how your State is doing. The best news I read all day was that New York State is number one. That was good news.

RECOGNIZING GREENBERG TRAURIG

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Greenberg Traurig, an iconic law firm located in my congressional district whose growth, over the past 50 years, has been symbolic of the growth of our south Florida community.

In 1967, attorneys Larry Hoffman, Mel Greenberg, and Robert Traurig saw an opportunity to capitalize on south Florida's emergence as a center of global commerce and joined together to found the law firm Greenberg Traurig Hoffman. Over time, these visionaries played an important role in defining the south Florida skyline and its corporate landscape. Now their firm has expanded across Florida, across our country, and even internationally.

Fifty years after its founding, Greenberg Traurig today has more than 2,000 attorneys practicing in 38 locations on three continents. With a culture strongly rooted in providing legal excellence for clients and an unparalleled commitment to community service, Greenberg Traurig prospered and grew alongside Miami to the extent that both are now global influencers.

I am truly proud to have Greenberg Traurig, founded in my congressional district, as a continued partner in the growth of south Florida, and I wish the firm another 50 years of continued success.

RECOGNIZING ZACH MAIORANA AND HIS BATTLE WITH CYSTIC FIBROSIS

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

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of my constituent, Zach Maiorana, and his ongoing battle with cystic fibrosis. At birth, Zach was diagnosed with cystic fibrosis and has been courageously battling this condition for the past 2½ years.

Cystic fibrosis is a complex, genetic disease that primarily affects the lungs and digestive systems. Those diagnosed with CF require intensive daily treatment and regular physician visits to maintain a healthy lifestyle.

Despite this diagnosis, Zach and his family have channeled their determination into becoming advocates for those impacted by cystic fibrosis—a true testament to their perseverance and will to live their lives to the fullest extent possible.

Now it is up to us. This Congress can be the one to prioritize research and

funding to combat this disease and continue making progress. In 1955, children born with CF likely would not make it through elementary school. Today, more than half of those living with CF are older than age 18, and many are living into their thirties, forties, and beyond. Investment into new therapies for this disease and continuous focus on improvement have made promising gains for those suffering with CF.

I commend Zach and the entire Maiorana family for their strength, and I hope that my colleagues will stand up to cystic fibrosis and advocate for all those who are affected in this country.

□ 1715

JOBS AND TRADE

The SPEAKER pro tempore (Mr. GAETZ). Under the Speaker's announced policy of January 3, 2017, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, I yield to the gentleman from Illinois (Mr. RUSH) in the beginning of our Special Order this evening.

REMEMBERING DR. MARTIN LUTHER KING, JR., ON THE ANNIVERSARY OF HIS DEATH

Mr. RUSH. Mr. Speaker, I commend Representative KAPTUR for her outstanding leadership in this Congress and past Congresses. She has been a beacon of hope for so many of my constituents and so many poor and disenfranchised Americans. She never cowered in the face of those who restrict the rights of all.

Ms. KAPTUR has been my friend and someone whom I have shared so many conversations with about justice and fighting for justice, creating a nation where all people have the opportunity to have freedom, justice, and equality. I want to commend her for being such a stalwart battler for the people of America.

Mr. Speaker, today marks the 49th anniversary of one of the darkest days in the history of this Nation: the day that Dr. Martin Luther King, Jr., America's drum major for justice, was assassinated.

Dr. King was murdered while standing on the balcony of the Lorraine Motel in Memphis, Tennessee, on April 4, 1968. He was there to advocate for the rights of Black sanitation workers who were fighting for their dignity: for equal pay, for equal treatment, and for racial justice in the American workplace.

In one of the dimmest hours in our history, a voice of reason, a voice of mercy, a voice of compassion, a voice for justice, a voice of the beloved community was silenced. Yet, Mr. Speaker, his work to hold the United States to its constitutional promises that are rooted in the very fabric of our Declaration of Independence remains largely incomplete.

As you know, Mr. Speaker, America remains a divided nation, even more so now. We are tremendously disconnected from the ideals set forth by Dr. King's monumental ''I Have a Dream'' speech. Today, we still live in two Americas: one white and privileged, another filled with people of color, the poor, the disabled, and those lost in the margins, where people of color—Black and Brown—continue to be judged by the color of their skin rather than the content of their character.

In the year 2017, Mr. Speaker, we find the names of countless men and women who have lost their lives at the hands of too many law enforcement officials and too many police departments all across this country. Those individuals, Mr. Speaker, are now etched in the social justice history of this Nation because they were first judged by the color of their skin and not by the content of their character.

The list is far-reaching, Mr. Speaker. I am speaking of Michael Brown, Tamir Rice, Freddie Gray, Laquan McDonald, Alton Sterling, Philando Castile, Rekia Boyd, Tanisha Anderson, Yvette Smith, Shereese Francis, and, lastly, 4-year-old Aiyana Stanley-Jones and so many, many others. I could go on and on and on, but the names of the men, women, and children victimized by errant and wayward police departments all across this Nation would keep us here for days, even months, if we were to recite them all.

These stalwart young citizens are joined also by the many martyrs who lost their lives in the struggle for American justice, just like Dr. King: Viola Liuzzo; Emmett Till; Jimmie Lee Jackson; Medgar Evers; Chaney, Goodman, and Schwerner; the four little girls in Birmingham, Alabama; Fred Hampton; and many, many others who gave their lives during the fifties and sixties.

In my hometown of Chicago, Mr. Speaker, the killing of Laquan McDonald rocked our city and the Nation by pulling the scab off a festering wound of police relations and the Black community.

McDonald's death by 16 shots from a single police weapon fired by a police officer led to multiple investigations of previous police-involved shootings and also sparked the investigation by the United States Department of Justice under then-Attorney General Loretta Lynch and the United States Attorney for the Northern District of Illinois. That investigation concluded that the Chicago Police Department officers engage ''in a pattern or practice of using force, including deadly force,'' that is a unreasonable. This report also found the Chicago Police Department has failed to hold officers accountable when they use force contrary to Department policy or otherwise commit misconduct.

To put it bluntly, Mr. Speaker, the Department of Justice found and reported that the Chicago Police Department engages in force in violation of the United States Constitution.

Mr. Speaker, I am here today because I am just beside myself. I am angry. I am so fed up, Mr. Speaker, because I learned recently that Attorney General Jefferson Sessions has issued a memorandum ordering officials at the Justice Department to review police reform consent agreements all across the country, including the agreement that is being negotiated with the City of Chicago.

Mr. Speaker, our Nation has fallen so very, very far. Dr. King's dream has not been realized in this Nation. The day before his assassination—this Attorney General has retreated so very, very far from the high ideals of American justice.

It is proven beyond a shadow of a doubt that police agencies—not all police officers, not all agencies, not all departments—but there are too many police departments, too many law enforcement officials, too many police officers who have wantonly killed innocent young men of color in this Nation, and it did not just begin in this year. It has been going on for decades. We are now at a point where some departments have been placed under a consent decree. The U.S. Attorney is now trying to retreat from that pattern.

I am here, Mr. Speaker, to ask—to demand—that Attorney General Sessions retreat from his position, that he stop this memorandum from circulating in the department, and that he see the light of day that many innocent American citizens are being killed because of the wayward actions of those police officers who think that they are above the law. They can't just continue to kill wantonly and think that they are above the American law and the American Constitution.

Ms. KAPTUR. Mr. Speaker, Congressman RUSH is always calling the Nation to its higher principles. I thank him so very much for sharing our Special Order this evening.

Congressman DAVID CICILLINE of Rhode Island is here on the floor. I also want to thank Congressman JOHN GARAMENDI for sharing his hour with us.

The focus tonight really is on jobs and trade, an issue on the mind of millions and millions of Americans. We have been joined by Congressman BRENDAN BOYLE of Philadelphia, Pennsylvania, as well.

I will place this up for the Nation to see. It is a chart showing just U.S. trade relations with Mexico and Canada and what has happened since the deal was negotiated back in the early 1990s. It was also prepared before that, during the 1980s, when the United States actually had some trade surpluses on this continent with both Canada and Mexico.

This shows, in 1994, when NAFTA was actually enacted. You could see the United States begin to kind of fall into deficit. Then we had just a precipitous trade deficit, including the collapse of the peso after the NAFTA trade agreement was signed.

This is serious business for our country because this red ink represents lost jobs, lost productive power, and communities in disrepair across this country, where production units were just picked up and put either north or south of the border.

Tonight, we want to focus on President Trump's Manufacturing Jobs Initiative, which he announced during the campaign and afterwards. Here were his words:

Everything is going to be based on bringing our jobs back, the good jobs, the real jobs. They have to come back.

Well, after all we have lost, we certainly do need job creation in this country.

□ 1730

We are now into the third month of Mr. Trump's Presidency and closing in on his first 100 days in office, a period when most Presidents are able to pass something through this Congress that really matters to the American people. I remember when we were able to save Social Security back during the 1980s and when a Congress was elected in response to Ronald Reagan's excesses, and it was in the first quarter of the year that that was done. So we are waiting. It is 100 days now, and nothing significant has been done on the jobs and trade front.

Candidate Donald Trump's campaign for President in my region of America was actually founded on the principle of fixing jobs and trade. People listened. But if we look at this first 100 days, we see that he has really taken a back seat to his billionaire donors and their interests and a staff that seems to be more and more peopled with individuals who spent a whole lot of time at Goldman Sachs, which is a company that has been notorious in helping to outsource jobs.

Throughout the campaign, Mr. Trump touted his trade policies, assuring voters he would renegotiate NAFTA. Well, we have been waiting. During a debate, he said: ''NAFTA is the worst trade deal maybe ever signed anywhere, but certainly ever signed in this country.''

I would say that that agreement is the foundational agreement, the precepts on which all subsequent trade deals have been negotiated that have placed America in a red ink position: many more imports coming into this country, many more of our jobs being outsourced elsewhere than our exports going out.

So I ask: Are the strong planks for a new NAFTA part of what the Trump administration is proposing?

Well, no. A leaked draft notice last week revealed a tepid agenda on trade that is little more than a rehash of what the President said in his campaign rhetoric. It is not a real plan. The one action item identified in the Trump trade agenda is the announcement of a study to find out why the United States is losing in global trade. It actually doesn't focus completely on NAFTA itself, and we need healing in this hemisphere before we start looking around the world.

The reality is we know why the deficit is so bad. Bad trade deals have led to a loss of nearly 4 million American jobs and a deficit just last month of $43.6 billion. President Trump promised a trade deal that would get Americans back to work and reduce our deficit. Instead, our deficit with NAFTA and Mexico and Canada is 31 percent higher. It got worse than a year ago. So I hope the President understands the real urgency of stopping U.S. job outsourcing, especially in the manufacturing sector. He should do more than pay lipservice. He should really take a look at how thin his administration proposals have been on renegotiating this agreement. He should establish real goals and timetables for U.S. trade to drive policy that will fix these job-killing trade agreements and deliver real benefits for the American people.

Now, we have Members who have been very active on this trade issue since being sworn in here in Congress.

Mr. Speaker, I yield now to Congressman DAVID CICILLINE, former mayor of Providence, Rhode Island, and a very strong leader for working men and women across this country.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding. I want to begin by thanking her for her extraordinary leadership on this issue. From the very day that I arrived in Congress, she has been a passionate, articulate, effective voice for working men and women and for the impact that bad trade agreements have had on the economy of this country and on her region, but on working families all across America. She has done it consistently and relentlessly. It has been a privilege to work with her, but I really do want to acknowledge her extraordinary leadership and thank her for convening this Special Order hour tonight.

As Ms. KAPTUR mentioned, the consequences of bad trade agreements have been felt by many regions throughout the country, but in my home State of Rhode Island, as an example, we lost more than 41,000 jobs since NAFTA was enacted. These are good wages. These are jobs that pay, on average, above nonmanufacturing jobs—jobs that really help build the economy of our State and of this country.

When President Trump was elected, as Ms. KAPTUR mentioned, during the course of his campaign he promised that he would do something different with our trade deals. He promised hard-working Americans that he would deliver results, but we are now 10 weeks into his Presidency, and we have seen a lot of talk and no action on fair trade.

The President promised to label China a currency manipulator on day one. He hasn't done that.

The President promised to use American steel for the pipelines. He hasn't done that.

The President promised to make NAFTA work for American workers, but as Congresswoman KAPTUR mentioned, there is a leaked letter from the White House that shows he is already looking to implement the same failed policies that are good for corporate America and bad for American workers.

The executive orders that President Trump signed failed to address the real challenges that are facing hard working Rhode Islanders and hardworking Americans.

Let's be very clear, Mr. Speaker, we don't need another report on trade policy. We need concrete actions that create good-paying jobs, that honor hard work with good wages and grow our economy. We need to end incentives that encourage corporations to ship jobs overseas and raise the Federal minimum wage. And while we should collect unpaid penalties, that is only going to happen if the President takes real action to clamp down on cheating, end job-killing trade deals, and create new standards that benefit working Americans.

It already seems that President Trump's campaign promises to get tough on trade were all bark and no bite. If President Trump does indeed deliver on his promise to renegotiate NAFTA, any new agreement must include strong labor and environmental standards, strong Buy America provisions, prescription drug cost reductions, enforceable currency manipulation standards, and other pro-worker, pro-consumer requirements.

Mr. Speaker, there is a terrific publication that I know you are aware of entitled ''The New Rules of the Road: A Progressive Approach to Globalization,'' prepared by Jared Bernstein, who is a senior fellow at the Center on Budget and Policy Priorities, a former chief economist and economic adviser to Vice President Biden; and Lori Wallach, a lawyer and someone who has been director of Public Citizen's Global Trade Watch since 1995.

It really sets forth the kind of principles that should guide a new trade deal: that we need to ensure that, first of all, the way it is negotiated ensures that it is going to benefit working men and women. We cannot allow corporate elites to dictate how NAFTA is renegotiated. The agreement could potentially become more damaging for working families and for our environment in the countries that we work with. If done wrong, it could increase job offshoring, push down wages, and expand the special power and protections that NAFTA provides to corporate interests that are reflected in the original deal.

What we have to ensure is that what President Trump doesn't do is make a bad trade deal worse and pander to corporate and multinational corporations and his sort of crony friends, and the process by which this will be renegotiated will help to determine that. The provisions that are in it need to be

guided by what is good for American workers and what is good to help grow American jobs.

So not unlike so many other areas, it is disappointing because there has been a lot of good rhetoric about this, but very little action by the administration. I think we are all here tonight to participate in this Special Order led by the gentlewoman from Ohio to let the administration know that we are not going anywhere, that we are going to demand that NAFTA be renegotiated, that it be a trade deal that works for American jobs and American workers, and we are not going to allow the President to simply use rhetoric but actually not do the hard work to strike a better deal for American jobs and American workers.

I want to just end where I began, by thanking the gentlewoman for yielding. This is an issue of tremendous importance to my home State, where manufacturing is so important, the birthplace of the American industrial revolution, and one of the reasons I continue to work hard on the whole Make It In America agenda. We need to start creating conditions for the creation of good manufacturing jobs here in America so we can export American-made goods, not American jobs. I thank again the gentlewoman for yielding.

Ms. KAPTUR. I thank Congressman CICILLINE. He hit it right on the head. We ought to be exporting goods, not importing this many more than we export, and we ought to be creating jobs right here. I am sure he has seen companies from his community, from his State, literally picked up and then magically transported to some other environment, like Mexico, in one of the maquiladoras, and maybe windshield wipers or plastic parts or auto parts that used to be made in the United States then are made down there. I certainly have seen it.

Mr. CICILLINE. Absolutely.

Ms. KAPTUR. If we look at this chart, just for those who are listening to us this evening, if you go back to the mid-1970s, as Congressman CICILLINE pointed out, you will see the United States was pretty buoyant. We were actually exporting more than we were importing.

But then when China Most Favored Nation passed in 1979, 1994 NAFTA passed, and all of a sudden what was happening is the reverse flow started. We started importing more than we were exporting, and every time you get a billion dollars of red ink, you lose 5,000 more jobs in this country.

Well, my gosh, as NAFTA actually took full bore and then China permanent normal trade relations took effect here, CAFTA, which was the Central American Free Trade Agreement, here was the Colombian Free Trade Agreement, here was the Korean Free Trade Agreement, every single agreement that happened, we ended up getting more imports into our country than exports out, and promises were not kept.

Our focus tonight is mainly on NAFTA, but if we look at Korea, they were supposed to be taking 50,000 cars from us. We were supposed to have more balanced trade. Well, guess what, they didn't keep up their end of the bargain. Other markets around the world, such as Japan, remain closed to this day to cars from other places in the world.

You say: Congresswoman, that can't be possible.

I have seen it with my own eyes. I have visited there many times. When I first began my career, Japan had about—oh, 3 percent of the cars on their streets were from anyplace else in the world. Today maybe it is 4 percent, maybe it is 3.5 percent, but there are all kinds of nontariff barriers where they keep cars out. Yet you look at our country, they have put manufacturing plants here, they send product over here. It simply isn't a two-way street, and Japan is the second largest market in the world for automobiles. So the trade isn't fair. The American people know this. They are trying to fix this. It really requires the President's leadership to do it.

Congressman CICILLINE talked about steel trade—I just want to put on the Record—with China, and we see what a big player she is in the market and doesn't play fair. I just want to put some numbers on the Record. China's expansion of steel since 2000 has grown to over 2,300 million metric tons. That is a big number to imagine. But only 1,500 million metric tons are needed to actually serve the global marketplace. So what you have got is over 800 million metric tons of steel just floating around the world in warehouses and stored up in provinces in China, and they are dumping the steel.

Why does that matter?

Because in places like I represent, Lorain, Ohio, U.S. Steel just pink-slipped hundreds and hundreds and hundreds of more workers. Republic Steel, which sits next door to U.S. Steel, has shuttered their plant because of imported steel.

The President could do something about that. He could have done something about that the second day he was in office. Nothing has been done. All these workers, some of whom have worked in these plants for 28 years, in modernized plants where hundreds of millions of dollars of investment have been made to upgrade the capacity of these plants, rather than save that capacity for our country for the years ahead and to try to deal with this Chinese dumping, they are allowing more workers and more companies to go belly up in this country. It is wrong. It is wrong. This needs to be fixed. This is big time for jobs and economic growth in our country.

I want to thank Congressman BRENDAN F. BOYLE, who understands this problem full well. As a younger Member of Congress and one who really speaks on behalf of working men and women in Pennsylvania and coast to coast, I thank him so much for taking time and joining us tonight. I yield to the gentleman.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I thank the gentlewoman for yielding. I have to say that the working people of not just Ohio but this country are very lucky to have MARCY KAPTUR fighting for them and for her years of service. There is not a more passionate champion for working Americans in this House than the gentlewoman from Ohio.

Mr. Speaker, I come here not with a prepared text, but really to speak from my heart. As the son of two hard-working parents who were working in industries that were supported by organized labor, and it depresses me to see the great decline in our workforce today that is in a union.

Now, the subject that we are speaking about tonight is about the trade deficit, and I just started talking about unions. To some that might seem as if I am off topic, but there is no question the two are absolutely related.

□ 1745

Mr. Speaker, I want to correct a fallacy that sometimes is out there about those of us who may be critical about NAFTA and other trade deals. I am not antitrade. I recognize that the United States of America, despite being a large country of over 320 million people, we are only 5 percent of the world's population. We must engage in trade with the rest of the world. I also look at those economic statistics that tell us, without question, the most productive workforce in the world today is the American worker.

So if the grounds of trade are fair and if the rules of the game are fair, we can compete with anyone. Our workers can compete and outcompete anyone in the world. But, Mr. Speaker, they have not been fighting on a fair playing field.

Now, let's not forget that over the last 20 to 23 years or so since NAFTA was passed, that happens to also coincide with this point in American history in which most wages have been stagnant. Indeed, for middle class people and lower middle class folks, their real wages have declined, not to mention the most lower income quintile, which has seen a dramatic drop in real wages.

I think that it would be unfair for any of us to say that this is because of NAFTA or that this is because of any specific trade deal. But it is also very fair for us to point out that none of these trade deals did anything to raise the living standards and wages of American workers. Here we are in an environment in Congress in which, recently, we were talking about the TPP and moving forward with other trade deals and talking about nothing really to raise wages and living standards for our own workers here at home.

Look at the example of NAFTA, something that was promised to raise wage standards in Mexico, that we would benefit from having on our

southern border a country with a rising middle class population. There is no question that would be in the best interest of the United States and, obviously, in the best interest of Mexico.

However, Mr. Speaker, here we are in the last few years with more jobs going to Mexico, including the closing of the Nabisco plant in my district that I stood on the well of the House floor and protested against. It goes to a nice new facility in Monterrey, Mexico. Is that helping to raise wages in Mexico? Actually, wages are lower today in Mexico than they were 3 years ago. That is an economic fact.

Under the letter of the law of NAFTA, that is something that our administration could take up with our Mexican counterparts, but they don't. Instead, we see Nabisco. And I am taking one specific example because it affected my district. We see them closing a plant that had existed in Philadelphia since before my parents were born lay off 325 workers, lay off double that in Chicago, and move to Monterrey, Mexico, which they can do in accordance with NAFTA.

If we are going to move forward with new trade deals, which inevitably at some point in years moving forward we will, I would simply ask—and strongly suggest—that we look out not just for the corporate interest, not just for what is in the best interest of consumers, but also what is in the best interest of American workers.

We should not be surprised that we see this tumult in the United States politically at the same time that we are seeing stagnant wages and stagnant benefits for decades. Those two are inextricably linked.

Mr. Speaker, finally, let me say to all those who are interested in working on this trade issue on both sides of the aisle: You have committed and passionate public servants on this side of the aisle who want to get it right, who want to ensure that we finally have trade deals that put American workers first and foremost.

Ms. KAPTUR. Mr. Speaker, I thank Congressman BOYLE. He has raised so many important issues tonight on jobs and trade and how we fix this problem for the people of our country and, frankly, the world.

One of the issues is which banks are actually financing this outsourcing. I can tell you, they are not banks in the communities that I represent. They are not big enough to put all that money, to actually take these big companies and move them out of the United States and plunk them down in a Third World environment. It is largely Wall Street banks that do that. So they fly over the heads of people that live in communities across this country.

The gentleman talked about Nabisco moving. I had an experience. I went out to Newton, Iowa, a few years ago when Maytag was closing. I felt so bad as an American that a gold star label company that had manufactured reliable, high-quality products in our country was closing. I learned what was happening. What I didn't realize was that the production that closed in Newton, Iowa, large parts of it were moved south of the border.

I was traveling down to Monterrey, Mexico. I was going down there, actually, to find out what had happened to someone who was murdered, who had been a student in our community and was murdered in Monterrey, Mexico. We went by this big complex that said Maytag, Amana, all of these American companies that had been outsourced to Monterrey. I said: Stop the cab. I am taking a picture. This is exactly what I am talking about.

I said: Let me ask a question to some of the people that were walking by and living in the area. I said: Can the people who work in that Maytag plant in Monterrey, can they afford to buy the washers they make?

Guess what? No. In fact, where they lived, there was no running water. There was no decent water to drink.

I thought: This is what we stand for as a country? What is wrong with this picture? For our country, in districts like mine, the results of all this lopsided trade are that citizens in northern Ohio, on average, are earning $7,000 less than they did when this century began, because of this. The playing field is simply not level.

Several years ago, I was visited by a group of United Automobile Workers from Milwaukee, Wisconsin. They told me—and I just love these wonderful, generous human beings. They had all been pink-slipped. They had just lost their jobs. They came to see me to tell me their stories on trade and what it had done to them.

They said: Marcy, we are training those who are going to replace us in Mexico. But we went down to Mexico, and we felt so sorry to see where the people lived and the conditions under which they were working that we are collecting medical items, and we are doing humanitarian shipments to that town.

I thought: Oh, my goodness, what a generous group of Americans who are facing such horror in their own lives and yet they were doing that for people who live on this continent—and were, by the way, going to be earning, like, one-twentieth of what the workers in Milwaukee earned. So it was all about cheap labor.

I really felt bad for the cheapening of the Maytag product. I am probably going to get in trouble for saying that, but it is the truth. I certainly learned a lesson by traveling to Newton, Iowa.

Now, another story, this is on plastic seals. I happened to visit a plant in the Tijuana area, and I walked through the plant in Mexico. This company had been moved from Ohio and its equipment shipped down to Mexico.

I walked through this plant. It was about 100 degrees that particular day. I turned the corner. There were no fans taking out the exhaust. It was bloody hot, and it had to be 110 degrees. These men were working. They had T-shirts on. It was very hot that summer. They were pulling down these large levers because they were melting plastic and rubber. I witnessed this.

I thought: Boy, that really looks dangerous with that thing that they are pulling down because it was moving like this. I thought: Boy, they have got to really pay attention every time they move that steam press down so they don't catch their arm in there.

I took pictures, and I sent them back to Ohio. I got a letter from one of my constituents. This constituent said: Congresswoman, did you really take a look at the picture you took?

I thought: Well, yeah, I was looking at the workers.

He said: No. No. Look at the machine, the machine, up in the right-hand corner, the button with the tape over it.

I said: Oh, yeah.

He said: I used to do that job. Do you know what that button is?

I said: No.

He said: That is the safety button.

In other words, when the equipment was shipped and the machine started, life wasn't worth as much in Mexico, so these workers were working with much greater risk of injury to themselves because the equipment had been tinkered with in a way that told me a lot about health and safety standards and how they are really not enforced in places like Mexico.

I finally want to end with a story that relates to trade. It doesn't just have to do with goods. It has to do with human beings, with people, and why renegotiating trade deals is so important for what our Constitution says we stand for: life, liberty, and the pursuit of happiness. This is a country that believes in liberty and justice for all. It has to do with the undocumented workers in our country who are coming from south of our border.

We hear all kinds of rhetoric about that, but the truth is that I face the reality of what happened in the agricultural sector with NAFTA. What happened is we wanted two-way trade with Mexico, but what the trade agreement did is it caused great problems in Mexico in that over 2 million small farmers in Mexico were displaced by the NAFTA agreement because our country was 18 times more efficient in corn agriculture than the Mexican people. These workers and owners of these little ejidos, these little, tiny farms that were subsistence farms, they were just completely obliterated—2 million or more people.

Well, guess what? When you lose your livelihood and the trade agreement doesn't provide for readjustment, what do you think desperate people do? They run anywhere to eat, and north of the border looks pretty attractive.

As I heard all of these speeches during the campaign about what we are going to do on trade and how we are going to fix everything, I have never heard any of the major candidates talk

about: How are you going to fix the problem for the people in Mexico who lost their livelihoods, their ability to produce for themselves?

The undocumented worker problem has a big, big root in Mexico. It was an uncaring set of governments that negotiated these agreements that caused that hemorrhage that creates an endless flow of people who are desperate, who will do anything to survive. You wouldn't want this to happen to your family.

I am all for yellow corn from the United States. I eat corn. I just served it the other night to our family. But when a trade agreement wipes out the livelihoods of millions of people, it upsets an entire continent. So now the solution is not to figure out a way to have readjustment in agriculture in Mexico as part of a renegotiated NAFTA agreement; the answer is supposed to be a wall.

Do you know what? Walls don't feed people. Proper trade agreements feed people when they are done the right way and you don't obliterate people's lives. That is what really matters.

When I see what the White House is producing, I haven't seen anything yet that really gets us to balanced trade accounts in a way that people matter and the communities in which they live matter. And it isn't always a default to what Wall Street wants and cheap labor and substandard working conditions and substandard living conditions.

We have to do better than that. We have to aspire to a system where people are invited into a trade union in which we have rising standards of living, where we have balanced trade accounts again, and where people's incomes and living standards rise. If we don't get there, we are going to have even greater social problems on this continent.

Today, I met with El Salvadoran workers, talking about the conditions in that country, what has happened there with the maquiladoras and the situations that people face in their daily lives. This race to the bottom is not working. It is not working in our country. It is not working in the Latin American countries or in Canada. We simply have to aspire to the highest values that founded this country.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO), someone who knows all about those values. Congresswoman ROSA DELAURO is a true leader of our trade efforts to reform this really terrible trade regimen that isn't helping anyone but the wealthiest investors who have invested in the movement of these companies abroad.

Connecticut we think of as an eastern State close to New York, but Connecticut has been battered in so many corners by trade. Congresswoman ROSA DELAURO is an indefatigable Member of the House. I don't know how the people of Connecticut found her, but keep sending her here because she really does her job with distinction. I thank her so much for joining us this evening.

□ 1800

Ms. DELAURO. Mr. Speaker, what a great compliment from someone who is a tigress when it comes to making sure that the working people in her community are represented—that their interests, their families, and their economic security are represented—and who fights on a daily basis to make sure that our families have the economic wherewithal with which to succeed.

The gentlewoman from Ohio is someone who really knows that the biggest problem that we face today in this Nation is that people are in jobs that just don't pay them enough; and that they can't make it, that they are struggling.

When you lay on top of that the direction that our trade agreements have taken us, it reinforces the fact of their lack of wages and of income inequality. And you can't have a discussion about income inequality in this Nation today without starting with wages.

I am struck by those people who tell us that all of this wage stagnation and income inequality is the fault of globalization and technology. No, that is not the case. You just listen to Nobel Laureate Joseph Stiglitz, who said that this inequality and the depression of wages has come from public policy choices. And we have made the wrong public policy choices, as has been evidenced by my colleague's comments.

We support a trade policy that puts American workers before corporate interests. And although President Trump made trade a central focus of his campaign and he promised to fight for working men and women, the broken promises are piling up.

I am deeply disturbed—I know my colleague is—that President Trump's Commerce Secretary, Wilbur Ross, has suggested that the Trans-Pacific Partnership Agreement is a good place to start for the NAFTA renegotiations. Working men and women deserve a new North American Free Trade Agreement, not more of the same corporate-driven trade policies of the failed Trans-Pacific Partnership—an agreement, as I said, that, as a candidate, President Trump opposed. He spoke all over the country and told people that it had to go, that he was going to renegotiate NAFTA.

This is not the only about-face that this administration has taken on trade. If you listen to the Economic Policy Institute, China's past cheating to manipulate the value of their money has left over 5 million Americans without good-paying jobs. Yet, President Trump has failed to deliver on declaring China a currency manipulator. He said he was going to do that on day one. And he has yet to act on countering our massive $347 billion trade deficit with China.

He missed his promised deadline to start NAFTA renegotiation in his first 100 days. He has already reneged on his Buy American promise that American steel would be required for the Keystone XL pipeline. They have waived that requirement, and my colleague knows deeply what has happened to steel workers.

Ms. KAPTUR. Mr. Speaker, I wanted to mention that hundreds and hundreds of steel workers in my district are getting laid off right now, as the gentlewoman from Connecticut speaks.

We are facing complete closure of two plants. One has already been idled, Republic Steel; and the other, the U.S. Steel plant in Lorain, Ohio, will be by early June.

If the President really wanted to do something to make a statement, what he would do is put an embargo on the products that are being dumped by China and Korea on our market that are forcing this to happen at our steel companies.

There is a glut in the steel market globally. We have about 800 million metric tons of steel that are out there.

What China has been doing is building a steel company in every province to put people to work. Then, what do they do with the steel? They have been storing it because there is so much that the global market can't absorb 800 million more metric tons.

So companies like those I represent get hurt because they are trying to play by the rules; but the rules aren't being enforced properly, so they end up with the short end of the deal that is absolutely backwards. So what the gentlewoman says about steel is right on.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, this has been happening all along in so many sectors. When you talk about the various agreements and NAFTA—and actually with regard to currency—what we fought for in the Trans-Pacific Partnership Agreement was to do something about currency manipulation because everything that may have been negotiated in the NAFTA agreement with tariffs and lowering them and all of that, all of that was for naught when Mexico devalued the peso. Once you do that, then your goods are cheaper than our goods and we suffer. It is the same thing that has happened in Korea, and this is what we were looking at in the Trans-Pacific Partnership Agreement.

Despite the Oval Office fanfare last Friday, President Trump's recent executive orders are, frankly, nothing but window dressing. While initiating a new Federal report—a new Federal report, God, there must be unbelievable cavernous institutions and places where we have Federal reports which go nowhere—what they are about is a common way to avoid fixing any problems that we have. The real test is going to be whether or not the Trump administration takes action to create jobs and to reduce the trade deficit.

Improving our trade policy requires new rules, not more of the status quo. And it was Mr. Ross who, I believe, said

that: My gosh, you can't throw out the Trans-Pacific Partnership Agreement. You have to fiddle around the edges with it.

That is where they are going. Again, they are betraying the promises that were made to those workers in your district, those workers in my district, and workers all across the country.

Ms. KAPTUR. Mr. Speaker, what the gentlewoman from Connecticut is saying is very important because certain States hung in the balance in this past election. Ohio was one of them. Michigan, Pennsylvania, obviously Indiana next door was constant. If you look at each one of those States, those were the ones that actually carried for President Trump in the end because of the jobs and trade issue.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, that is absolutely right. That was a central part of the election last November.

Improving our trade policy requires new rules, as I said, not more status quo. We have to push a trade agenda that will create good-paying jobs and that is going to raise wages here at home. And our coalition is going to continue to hold this administration accountable. What we need to do is to try to reshape the trajectory of modern globalization, one that doesn't exacerbate that economic problem that I spoke about people being in jobs that just don't pay them enough money. The NAFTA agreement put people at such grave risk.

I know that the gentlewoman can recall this as well: we both stood on this House floor all those years ago and we said we were going to lose jobs, that we were going to increase the trade deficit, and that this was not an agreement that would benefit the working men and women of this country.

At that time, quite frankly, we were told by the then-Clinton administration that we were thugs, that we did not understand what was happening, that we were protectionist, all kinds of labels against the thinking that we said that this was not going to benefit us.

Ms. KAPTUR. Mr. Speaker, does the gentlewoman from Connecticut remember when Gary Hufbauer said we would have trade surpluses? In other words, this is upside down. It should actually be like this. We would have surpluses then. Well, it is exactly the opposite he testified back then. I will never forget that.

The Peterson Institute said we would have jobs, we would have rising incomes, we would have more benefits for workers. Wrong, wrong, wrong.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, we said it then.

What we didn't have at that time was the data, which is now right here on this floor of the House, which is why we were able to defeat the Trans-Pacific Partnership Agreement, because they couldn't fool us again. They could not fool us again. Not us. They couldn't fool the American people again.

We are not going down that road, not with a reheated Trans-Pacific Partnership Agreement or a tweaked North American Free Trade Agreement.

I said we have to reshape that trajectory of modern globalization. It is a trajectory that needs to benefit American workers. It has to foster inclusive growth.

This is not just about large corporations and special interests that will be the beneficiaries of trade agreements. It is about trade agreements that grow our economy, that grow the economic security of the people of this country.

Implementing a new model is not going to be easy. It isn't going to be easy; we know that. But with so much on the line, we understand that it is our obligation to put the American people first, to set those new rules for a 21st century economy and give it our all.

We are going to be absolutely vigilant with where the discussions and the negotiations go on a renegotiated NAFTA agreement and future trade agreements that we may embark on.

We are not afraid of trade. We just want it to work for the people of this country, and we don't want to do what has happened to the folks in Mexico and to other countries as well.

First and foremost, I will just say that we have to be cognizant of the repercussions on the standard of living and the quality of life that our people in the United States have. These trade agreements have worked against that, and it is not going to happen again.

Ms. KAPTUR. Mr. Speaker, I want to thank Congresswoman DELAURO for her stellar leadership on the trade task force and the work that it has done. The hours and hours of effort on defeating the Trans-Pacific Partnership, the great assemblage that she gathered and the persistence with which she approached that, seeking to defeat that trade model, which has now been done, and to go back to the drawing board and to fix what is wrong with these, Representative DELAURO has been extraordinary.

I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, it has been a remarkable coalition, and it is standing strong. It stands strong.

I thank the gentlewoman from Ohio for being a central and integral part of this effort. I appreciate that.

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman from Connecticut for coming down this evening.

As we complete our work here this evening, I wanted to reissue our invitation to Secretary of Commerce Wilbur Ross to travel to Ohio to come to U.S. Steel in Lorain to really see what is happening there to the workers; and not just Lorain—we are not selfish—but all over this country where steel companies are being harmed because of imports and the fact that China, Korea, and Russia are dumping on the international market.

We need to have an embargo. We need to let our industry survive and get over this hump of overcapacity.

We are going to need that production in the years ahead, for example, in the natural gas industry for piping and so forth. These are modern plants. America should not lose them. We have lost so many steel plants. We can't afford to lose many more for the sake of the Nation's defense.

I also wanted to invite the President to Ohio. I hope that somebody is listening. He campaigned a great deal in Ohio. I know he likes meeting people, and it certainly would be a good way to see the immediate challenge on the trade front where real lives and livelihoods are at stake in this country.

□ 1815

I also just wanted to end by saying this: When you create a system of trade where people are exploited in our country, or in other countries, that really isn't the best face that America can put forward. And unfortunately, what happens too often in our country now, for example, in trade with Mexico, when you have undocumented workers who come here, many in desperation, many of them are being trafficked across the continent. You say: Oh, Congresswoman, what do you mean trafficked? I mean, some of them come here because they are desperate, and they end up paying sometimes as much as $8,000 to come here and work at a very low-wage job. They never get out of debt.

We have to take that system and move it into the sunlight out of the doldrums, because we can't treat people like chattel. There are millions of agricultural workers, for example, who come to this country with no contract. They are completely indentured to whatever coyote brings them across the border. That is not the system I want for this country. That is not fair to those families. It is not fair to their children. It is not fair to the places to which they come in our country.

They always feel uncomfortable. What kind of a system, what kind of a trade system would subject them to that? We are a different kind of country. We aspire to higher values. We aspire to treating people and elevating their worth, not diminishing their worth as human beings.

We have a lot to fix in these trade agreements, and I hope that President Trump will join us. I would like to tell him about what coyotes do. I would like to tell him how they behave, how some of them have been involved in murder of individuals from my district who fight for labor rights so that no one is afraid, that people feel that they have a legal system that will defend them.

We need to get to that world. Our Constitution intends it for all of the people of our country. We should behave no differently internationally.

So in closing tonight, I agree with the President. We need good jobs. We need real jobs. They have to come back to this country, and we have to treat people in other countries with worth, with their worth as human beings. We need to get back to trade balances, not trade deficits.

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

NO TAX SUBSIDIES FOR STADIUMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Mr. Speaker, it is official: the Oakland Raiders are moving to Las Vegas. Beginning in 2020, they will play in a shiny, new 65,000-seat stadium outfitted with a retractable roof that is expected to cost $1.9 billion.

If you are an American taxpayer, you will help pay for it, even if you live nowhere near Nevada. About $750 million for the project will be financed through municipal bonds, which are tax exempt. The Federal tax break is projected to amount to some $120 million, according to a study by the Brookings Institution.

Congress and President Trump should take the Raiders' bad example as an impetus for reform. As the President considers a $1 trillion plan to restore America's aging roads, rail, bridges, waterways, and airports, lawmakers should ask why so many stadiums are following the Las Vegas model, fleeing one bad economic State and using your tax dollars to go to another.

The alternative is what we did in Oklahoma City in 1993. Our residents passed a temporary 1 percent increase in sales tax to fund, without incurring a debt, a building spree called the Metropolitan Area Projects, or MAPS. Over 5 years, the plan raised $350 million for nine projects, including a stadium now called the Chesapeake Energy Arena, home to NBA basketball's Oklahoma City Thunder. This pay-as-you-go approach may sound unremarkable, but it is nothing short of exceptional.

Most professional sports stadiums these days are financed with municipal bonds, something that they were never intended to be used for. But this kind of debt wasn't intended for lavish football stadiums or basketball arenas. Municipal bonds were supposed to give communities a way to build public projects—hospitals, schools, roads—without having to pay Federal taxes on the debt's interest. The point was to ease the financial burden on cities and States that invest in expensive but essential infrastructure.

Over the past 30 years, however, stadium financiers have exploited a loophole in the Tax Code to qualify professional sports arenas for municipal bonds. Because Federal taxes aren't incurred on the interest of this debt, stadiums essentially receive a multimillion-dollar subsidy from Washington.

Last year, a Brookings study examined 45 stadiums built or seriously renovated since 2000; 36 were funded at least in part with municipal bonds, resulting in forgone Federal tax revenue of $3.7 billion. That is enough money to employ 88,000 military staff sergeants or give each State a $74 million block grant, or it could help reduce the national debt.

To solve this problem, I have introduced, along with my Democratic colleague, EARL BLUMENAUER from Oregon, H.R. 811. This bipartisan No Tax Subsidies for Stadiums Act would prohibit arena financiers from using municipal bonds. Instead of building enormous, lavish sports facilities on the backs of unsuspecting taxpayers across the Nation, financiers should ask communities to buy into their vision. If residents want a stadium to be built, fine. They should be willing to pay for it like we did in Oklahoma City; or sports franchises and leagues always have the option to finance construction like most businesses do, privately.

Funding an upgrade to America's core infrastructure will be a challenge. It shouldn't require Congress to use budget gimmicks or run up the national debt.

Closing loopholes, such as requiring stadium financiers to pay Federal taxes on bond interest that was intended to improve our decaying infrastructure, would ensure taxpayers get the best return on their dollars to improve public infrastructure that all Americans use.

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

DON'T CUT INTERNATIONAL AFFAIRS BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. CASTRO) for 30 minutes.

Mr. CASTRO of Texas. Mr. Speaker, I am here this evening joined by colleagues from the Foreign Affairs Committee to discuss President Trump's extreme, proposed cuts to the International Affairs Budget.

The President's budget proposal would reduce funding for the State Department and the U.S. Agency for International Development, what we know as USAID, by nearly a third. The proposal would reduce overall funding for the International Affairs Budget by $17.4 billion, or 31 percent.

This would be a devastating reduction. U.S. diplomats and development experts work to shape a freer, more secure, and more prosperous world while advancing U.S. interests abroad. They build relationships with foreign counterparts and resolve disputes to preserve peace and reduce the need for military action.

They also provide critical services to U.S. citizens living and working overseas and screen people seeking visas to visit the United States. This work would all be compromised by the administration's funding cuts. These cuts could also undercut President Trump's purported priorities.

For example, these reductions could interrupt the Bureau of Counterterrorism and Countering Violent Extremism and U.S. efforts to disrupt money laundering and terror financing. Funding could be slashed for nonproliferation, counternarcotics, and consular affairs—efforts specifically focused on protecting Americans from foreign threats.

This work overseas is always important, but it is especially necessary now in this tumultuous time, when the United States faces complex challenges around the world:

In Asia, we see increased tensions in the South China Sea and an increasingly hostile North Korea.

In Africa, there is a devastating famine in East Africa, brutal civil wars, as well as terrorist organizations like Boko Haram and al-Shabaab.

The refugee crisis stemming from unrest in the Middle East continues, and we have just seen reports of more gas attacks on the Syrian people.

In South America, the people of Colombia have experienced devastating floods that claimed more than 270 lives, a breakdown in the rule of law in the Northern Triangle, and a government in Venezuela that has become an oppressive dictatorship.

Even in Western Europe, we continue to combat terrorist threats from organizations like ISIS, who 2 weeks ago inspired the attack in London.

These are challenging times for our world that require a fully funded International Affairs Budget. But America's unilateral diplomatic and development work is just one piece of our engagement overseas.

Following World War II, the United States helped lead the creation of several multilateral organizations to foster peace and stability in the world like the United Nations, NATO, and the World Bank. With its budget proposal and heated rhetoric, the Trump administration is threatening that architecture of peace and stability.

For example, the President recommends cutting funding for multilateral development banks by $650 million over 3 years and capping United Nations peacekeeping contributions to 25 percent of total funding. These decisions will have a significant destabilizing impact on the global order. If America retreats from the international stage, other powers, like China, will step in to fill that void and exert their influence. We cannot afford for that to happen.

That is why my colleagues and I are here tonight, to speak out against the shortsighted, dangerous budget proposal and emphasize the importance of the United States' diplomatic and development work.

And with that, I yield to the gentleman from New Jersey (Mr. SIRES).

Mr. SIRES. Mr. Speaker, as the ranking member of the Western Hemisphere Subcommittee, I am very concerned about these cuts. This undermines our leadership around the world and makes Americans less safe. When you consider that foreign aid is only 1 percent of our entire budget and helps keep Americans safe, it is an investment in our security.

Fully funding our State Department and ensuring our diplomats have the resources they need prevents conflicts, diffuses crises, and works to keep American soldiers out of harm's way.

U.S. foreign aid helps protect some of the world's poorest people from disease, starvation, and death. President Trump's own Secretary of Defense, General James Mattis, said: ''If you don't fund the State Department fully, then I need to buy more ammunition. . . .''

I signed onto a letter led by Ranking Member ENGEL, along with my Democratic colleagues on the House Foreign Affairs Committee, urging the Speaker to oppose these draconian cuts.

We are already hearing from our allies all over the Western Hemisphere how dangerous these cuts could be to the stability of the region. Countries like Colombia fought a 52-year-long war with the FARC guerrillas, and now, when they need us the most to implement the peace deal, the Trump administration has signaled it is ready to abandon one of our strongest partners in the world. The President claims to care about protecting our sovereign border, but this budget says otherwise.

Both Republican and Democrat administrations have pushed for a strong security, economic, and trade relationship with Mexico. Pushing our neighbors away could cost billions of dollars to our U.S. businesses.

□ 1830

Instead of working with our partners in the Western Hemisphere, President Trump is preventing us from maintaining a robust relationship with our neighbors to pay for this unrealistic and ineffective wall.

In Central America, we risk seeing a repeat of the 2014 crisis when nearly 70,000 children made the dangerous journeys from Guatemala, Honduras, and El Salvador after being threatened with violence, assault, and forced gang recruitment. Our engagement in Central America is helping to bring calm to the region, and abandoning our friends in their time of need puts America at risk. Retreating from the world will allow other countries like China and Russia to take our place as a global leader.

Instead of building a wall, the President should continue working with our neighbors to enhance cooperation instead of alienating friends who have stood by us for decades.

Mr. CASTRO of Texas. Mr. Speaker, I should have mentioned, of course, that Congressman SIRES is the ranking member on the Western Hemisphere Subcommittee on the Foreign Affairs Committee. His experience in that region in particular is vast.

I am glad that you mentioned that this is really part of a larger theme and a larger concern, because President Trump, in addition to proposing to cut a lot of funds for diplomacy and development around the world, has also shown a real hostility towards other nations, including some of our best allies and friends around the world, and that is of great concern.

For example, this issue with Mexico which you brought up, forcing Mexico to pay for the wall and constructing this wall along the 2,000-mile border that we have between the United States and Mexico and cutting aid if necessary, which he has threatened to do if Mexico won't pay for it, I have said very clearly that that creates an opportunity for China to step in or the Chinese President Xi Jinping to go into Latin America, go into Mexico and offer to give Mexico whatever Donald Trump takes away. That would strengthen China's hand in yet another region of the world.

Of course, China is a big economic competitor of the United States, and I relate to my Texas folks because Texas does an incredible amount of trade with Mexico, and we have been very fortunate over the years that Mexico buys a lot of our stuff. They buy a lot of our goods. But they don't have to just buy that stuff from Texas or the United States, generally. They could go buy it from Brazil. They could buy it from China or somewhere else.

So thank you for mentioning that.

Mr. SIRES. Mr. Speaker, I couldn't agree more. Already we are starting to see the influence of China in most of the countries in South America.

You know, I had a conversation with one of the presidents of the colleges in Colombia on one of my trips. He was telling me how the influence of China in Colombia is so strong. He was telling me that the second most studied language in Colombia today is Mandarin. When you think of that, that is a frightening thought.

You talk about the influence in Nicaragua of the Chinese. They even think of building a canal, which many people think will never happen. But to have China so close to our borders is not good for America. To push away our neighbors is not good for America. We must work with our neighbors. People don't realize the amount of economic activity between the United States and the rest of Central America and Mexico.

I read something very funny the other day. Well, it is not funny, but it is really sad. They were discussing this wall that the President proposes. Some people say: Where are we going to put it? In the middle of the river? Or are we going to put it on the American side and give the river to Mexico? Or are we going to go invade Mexico and put the wall on the Mexican side and keep the river to ourselves?

So I thought that was telling of the difficulty.

Mr. CASTRO of Texas. It has been a very thorny issue, as you can imagine, especially in Texas. Both Republicans and Democrats have expressed deep concern about building a wall and spending $20 billion to $30 billion to do it, and that concern, I think, has reached the U.S. Congress. I think that is part of why you see a reluctance on the part of the Senate, for example, to move forward with this in their appropriations bill, in their budget.

I yield to our ranking member on the Foreign Affairs Committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, as the ranking member on the House Foreign Affairs Committee, I join with my colleagues. I want to thank the gentleman from Texas (Mr. CASTRO), who is a valued member of our committee, for his leadership on this critical issue, and also the gentleman from New Jersey (Mr. SIRES). I agree with everything that they have said heretofore about these draconian cuts.

I am here because I am rising to strongly reject the Trump Administration's draconian cuts to the International Affairs Budget. Now 2½ months into the Trump Administration, I find myself deeply troubled by the direction American foreign policy is heading on many fronts. I was particularly shocked when the White House released its fiscal year 2018 budget calling for a 31 percent cut to American diplomacy and development efforts.

In my view, cutting the International Affairs Budget by even a fraction of that amount would be devastating. We haven't seen many details, but a cut that drastic would surely mean that too many efforts and initiatives that do so much good would wind up on the chopping block.

Here is the bottom line: Slashing diplomacy and development puts American lives at risk. If we no longer have diplomacy and development tools to meet international challenges, what does that leave? It leaves the military.

Now, don't get me wrong. I have always supported a strong national defense, and I do support our military, and I do support giving them more money. But I also support using military force only as a measure of last resort. We should not send American servicemembers into harm's way unless we have exhausted every other option. If we are not investing in diplomacy and development, we aren't even giving these other options a chance.

We rely on diplomacy to resolve conflicts across negotiating tables at multilateral gatherings and in quiet corners so that we don't need to resolve them down the line on the battlefield. Our diplomats work to strengthen old alliances and build new bridges of friendship and shared understanding.

Just last week, the Foreign Affairs Committee held a hearing on the

Trump Administration's efforts to decimate our International Affairs Budget. In his testimony at the hearing, former Under Secretary of State for Political Affairs Nicholas Burns said that morale at the State Department is ''at its lowest point in my memory.''

It is deeply disturbing to hear that our diplomats, many of whom serve in dangerous places at high risk to themselves and their families, are so disheartened.

Of course it is not just former diplomats who reject these cuts. A recent letter signed by more than 120 retired generals and admirals to House and Senate leadership said: ''We urge you to ensure that resources for the International Affairs Budget keep pace with the growing global threats and opportunities we face. Now is not the time to retreat.''

Mr. Speaker, I include their letter in the RECORD in its entirety.

FEBRUARY 27, 2017.

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

DEAR SPEAKER RYAN, MINORITY LEADER PELOSI, MAJORITY LEADER MCCONNELL, AND MINORITY LEADER SCHUMER: As you and your colleagues address the federal budget for Fiscal Year 2018. we write as retired three and four star flag and general officers from all branches of the armed services to share our strong conviction that elevating and strengthening diplomacy and development alongside defense are critical to keeping America safe.

We know from our service in uniform that many of the crises our nation faces do not have military solutions alone—from confronting violent extremist groups like ISIS in the Middle East and North Africa to preventing pandemics like Ebola and stabilizing weak and fragile states that can lead to greater instability. There are 65 million displaced people today. the most since World War II, with consequences including refugee flows that are threatening America's strategic allies in Israel, Jordan, Turkey, and Europe.

The State Department. USAID, Millennium Challenge Corporation, Peace Corps and other development agencies are critical to preventing conflict and reducing the need to put our men and women in uniform in harm's way. As Secretary James Mattis said while Commander of U.S. Central Command, ''If you don't fully fund the State Department, then I need to buy more ammunition.'' The military will lead the fight against terrorism on the battlefield, but it needs strong civilian partners in the battle against the drivers of extremism—lack of opportunity, insecurity, injustice, and hopelessness.

We recognize that America's strategic investments in diplomacy and development—like all of U.S. investments—must be effective and accountable. Significant reforms have been undertaken since 9/11, many of which have been embodied in recent legislation in Congress with strong bipartisan support—on human trafficking, the rights of women and girls. trade and energy in Africa, wildlife trafficking. water. food security. and transparency and accountability.

We urge you to ensure that resources for the International Affairs Budget keep pace with the growing global threats and opportunities we face. Now is not the time to retreat.

Sincerely,

1. General Keith B. Alexander, USA (Ret.), Director. National Security Agency ('05–'14), Commander, U.S. Cyber Command ('10–'14)
2. General John R. Allen, USMC (Ret.), Commander, NATO International Security Force ('11–'13), Commander, U.S. Forces-Afghanistan ('11–'13)
3. Lt. General Edward G. Anderson III, USA (Ret.), Vice Commander, U.S. Element, North American Aerospace Defense Command/Deputy, Commander, U.S. Northern Command ('02–'04)
4. Lt. General Thomas L. Baptiste, USAF (Ret.), Deputy Chairman, NATO Military Committee ('04–'07)
5. Lt. General Ronald R. Blanck, USA (Ret.), Surgeon General of the United States Army ('96–'00)
6. Lt. General H. Steven Blum, USA (Ret.), Deputy Commander, U.S. North American Aerospace Defense Command and U.S. Northern Command ('09–'10)
7. Lt. General Steven W. Boutelle, USA (Ret.), Chief Information Officer and G6, United States Army ('03–'07)
8. Admiral Frank L. Bowman, USN (Ret.), Director, Naval Nuclear Propulsion ('96–'04)
9. General Charles G. Boyd, USAF (Ret.), Deputy Commander in Chief, U.S. European Command ('92–'95)
10. General Bryan Doug Brown, LISA (Ret.), Commander, U.S. Special Operations Command ('03–'07)
11. General Arthur E. Brown, Jr., USA (Ret.), Vice Chief of Staff of the United States Amy ('87–'89)
12. Vice Admiral Michael Bucchi, USN (Ret.), Commander of the United States Third Fleet ('00–'03)
13. Lt. General John H. Campbell, USAF (Ret.), Associate Director of Central Intelligence for Military Support, Central Intelligence Agency ('00–'03)
14. General Bruce Carlson, USAF (Ret.), Director, National Reconnaissance Office ('09–'12)
15. General George W. Casey, Jr., USA (Ret.), Chief of Staff of the United States Army ('07–'11)
16. Lt. General John G. Castellaw, USMC (Ret.), Deputy Commandant for Programs and Resources ('07–'08)
17. Lt. General Dennis D. Cavin, USA (Ret.), Commander, U.S. Army Accessions Command ('02–'04)
18. General Peter W. Chiarelli, USA (Ret.), Vice Chief of Staff, U.S. Army ('08–'12)
19. Lt. General Daniel W. Christman, USA (Ret.), Superintendent, United States Military Academy ('96–'01)
20. Lt. General George R. Christmas. USMC (Ret.), Deputy Chief of Staff for Manpower and Reserve Affairs ('94–'96)
21. Admiral Vern Clark, USN (Ret.), Chief of Naval Operations ('00–'05)
22. Admiral Archie R. Clemins, USN (Ret.), Commander in Chief, U.S. Pacific Fleet ('96–'99)
23. General Richard A. ''Dick'' Cody, USA (Ret.), Vice Chief of Staff, United States Army ('04–'08)
24. Lt. General John B. Conaway, USAF (Ret.), Chief, National Guard Bureau ('90–'93)
25. General James T. Conway, USMC (Ret.), Commandant, U.S. Marine Corps ('06–'10)
26. General John D.W. Corley, USAF (Ret.), Commander, Air Combat Command ('07–'09)
27. General Bantz J. Craddock, USA (Ret.), Commander, U.S. European Command and NATO Supreme Allied Commander Europe ('06–'09)
28. Vice Admiral Lewis W. Crenshaw, Jr., USN (Ret.), Deputy Chief of Naval Operations for Resources, Requirements, and Assessments ('04–'07)
29. Lt. General John ''Mark'' M. Curran, USA (Ret.), Deputy Commanding General Futures, U.S. Army Training and Doctrine Command ('03–'07)
30. General Terrence R. Dake, USMC (Ret.), Assistant Commandant, U.S. Marine Corps ('98–'00)
31. Lt. General Robert R. Dierker, USAF (Ret.), Deputy Commander, U.S. Pacific Command ('02–'04)
32. Admiral Kirkland H. Donald, USN (Ret.), Director, Naval Nuclear Propulsion ('04–'12)
33. Lt. General James M. Dubik, USA (Ret.), Commander, Multi National Security Transition Command and NATO Training Mission-Iraq ('07–'08)
34. Lt. General Kenneth E. Eickmann, USAF (Ret.), Commander, Aeronautical Systems Center, U.S. Air Force ('96–'98)
35. Admiral William J. Fallon, USN (Ret.), Commander, U.S. Central Command ('07–'08)
36. Admiral Thomas B. Fargo, USN (Ret.), Commander, U.S. Pacific Command ('02–'05)
37. Admiral Mark P. Fitzgerald, USN (Ret.), Commander, U.S. Naval Forces Europe ('07–'10) and U.S. Naval Forces Africa ('09–'10)
38. General Ronald R. Fogleman, USAF (Ret.), Chief of Staff of the United States Air Force ('94–'97)
39. Lt. General Benjamin C. Freakley, USA (Ret.), Commander, U.S. Army Accessions Command ('07–'12)
40. Lt. General Robert G. Gard, Jr., USA (Ret.), President, National Defense University ('77–'81)
41. Admiral Jonathan W. Greenert, USN (Ret.), Chief of Naval Operations ('11–'15)
42. Lt. General Arthur J. Gregg, USA (Ret.), Army Deputy Chief of Staff ('79–'81)
43. Lt. General Wallace C. Gregson, USMC (Ret.), Commanding General, Marine Corps Forces Pacific and Marine Corps Forces Central Command ('03–'05)
44. Vice Admiral Lee F. Gunn, USN (Ret.), Inspector General, U.S. Navy ('97–'00)
45. General Michael W. Hagee, USMC (Ret.), Commandant, U.S. Marine Corps ('O3–'06)
46. Lt. General Michael A. Hamel, USAF (Ret.), Commander, Air Force Space and Missile Systems Center ('05–'08)
47. General John W. Handy, USAF (Ret.), Commander, U.S. Transportation Command and Commander, Air Mobility Command ('01–'05)
48. Admiral John C. Harvey, Jr., USN (Ret.), Commander, U.S. Fleet Forces Command ('09–'12)
49. General Richard E. Hawley, USAF (Ret.), Commander, Air Combat Command ('96–'99)
50. General Michael V. Hayden, USAF (Ret.), Director, Central Intelligence Agency ('06–'09)
51. General Paul V. Hester, USAF (Ret.), Commander, Pacific Air Forces. Air Component Commander for the U.S. Pacific Command Commander ('04–'07)
52. General James T. Hill, USA (Ret.), Commander, U.S. Southern Command ('02–'04)
53. Admiral James R. Hogg. USN (Ret.), U.S. Military Representative, NATO Military Committee ('88–'91)
54. Lt. General Walter S. Hogle Jr., USAF (Ret.), Commander, 15th Air Force ('00–'01)
55. Lt. General Steven A. Hummer, USMC (Ret.), Deputy Commander for Military Operations, U.S. Africa Command ('13–'15)
56. Lt. General William E. Ingram, Jr.. USA (Ret.), Director, U.S. Army National Guard ('11–'14)

57. General James L. Jamerson, USAF (Ret.), Deputy Commander in Chief, U.S. European Command (’95–’98)
58. Lt. General Arlen D. Jameson, USAF (Ret.), Deputy Commander in Chief, U.S. Strategic Command (’93–’96)
59. Admiral Gregory G. Johnson, USN (Ret.), Commander, U.S. Naval Forces Europe/Commander in Chief, Allied Forces Southern Europe (’01–’04)
60. Admiral Jerome L. Johnson, USN (Ret.), Vice Chief of Naval Operations (’90–’92)
61. Lt. General P. K. ‘‘Ken’’ Keen, USA (Ret.), Chief, Office of the U.S. Defense Representative to Pakistan (’11–’13)
62. Lt. General Richard L. Kelly, USMC (Ret.), Deputy Commandant, Installations and Logistics (’02–’05)
63. Lt. General Claudia J. Kennedy, USA (Ret.), Deputy Chief of Staff for Army Intelligence (’97–’00)
64. General Paul J. Kem, USA (Ret.), Commanding General, U.S. Army Materiel Command (’01–’04)
65. General William F. Kernan, USA (Ret.), Supreme Allied Commander, Atlantic/Commander in Chief. U.S. Joint Forces Command (’00–’02)
66. Lt. General Donald L. Kerrick, USA (Ret.), Deputy National Security Advisor to The President of the United States (’00–’01)
67. Lt. General Bruce B. Knutson, USMC (Ret.), Commanding General, Marine Corp Combat Command (’00–’01)
68. Vice Admiral Albert H. Konetzni, Jr., USN (Ret.), Deputy Conunander, U.S. Fleet Forces Command and U.S. Atlantic Fleet (’01–’04)
69. General Charles Chandler Krulak, USMC (Ret.), Commandant of the Marine Corps (’95–’99)
70. (Ret.), Lt. General William J. Lennox, Jr., USA (Ret.), Superintendent, United States Military Academy (’01–’06)
71. Vice Admiral Stephen F. Loftus, USN (Ret.), Deputy Chief of Naval Operations for Logistics (’90–’94)
72. General Lance W. Lord, USAF (Ret.), Commander, U.S. Air Force Space Command (’02–’06)
73. Admiral James M. Loy, USCG (Ret.), Commandant, U.S. Coast Guard (’98–’02)
74. Vice Admiral Joseph Maguire, USN (Ret.), Deputy Director for Strategic Operational Planning, National Counterterrorism Center (’07–’10)
75. Admiral Henry H. Mauz, Jr., USN (Ret.), Commander in Chief, U.S. Atlantic Fleet (’92–’94)
76. Vice Admiral Justin D. McCarthy, SC, USN (Ret.), Deputy Chief of Naval Operations, Fleet Readiness, and Logistics (’04–’07)
77. Lt. General Dennis McCarthy, USMC (Ret.), Commander, Marine Forces Reserve (’01–’05)
78. Vice Admiral John ‘‘Mike’’ M. McConnell, USN (Ret.), Director of the National Security Agency (’92–’96)
79. General David D. McKiernan, USA (Ret.), Commander, International Security Assistance Force in Afghanistan (’08–’09)
80. General Dan K. McNeill, USA, (Ret.), Commander, International Security Assistance Force (ISAF) in Afghanistan (’07–’08)
81. General Merrill A. McPeak, USAF (Ret.), Chief of Staff, U.S. Air Force (’90–’94)
82. Lt. General Paul T. Mikolashek, USA (Ret.), Inspector General, U.S. Army/Commanding General of the Third U.S. Army Forces Central Command (’00–’02)
83. Vice Admiral Joseph S. Mobley, USN (Ret.), Commander, Naval Air Force, U.S. Atlantic Fleet (’98–’01)
84. General Thomas R. Morgan, USMC (Ret.), Assistant Commandant of the U.S. Marine Corps (’86–’88)
85. Lt. General Carol A. Mutter, USMC (Ret.), Deputy Chief of Staff, Manpower and Reserve Affairs, Marine Corps (’96–’98)
86. Admiral Robert J. Natter, USN (Ret.), Commander, Fleet Forces Command/Commander, U.S. Atlantic Fleet (’00–’03)
87. General William L. Nyland, USMC (Ret.), Assistant Commandant, U.S. Marine Corps (’02–’05)
88. Lt. General Tad J. Oelstrom, USAF (Ret.), Superintendent, U.S. Air Force Academy (’97–’00)
89. Admiral Eric T. Olson, USN (Ret.), Commander, U.S. Special Operation Command (’07–’11)
90. Lt. General H. P. ‘‘Pete’’ Osman, USMC (Ret.), Commanding General II MEF (’02–’04)
91. Lt. General Jeffrey W. Oster. USMC (Ret.), Deputy Administrator and Chief Operating Officer, Coalition Provisional Authority, Iraq ’04), Deputy Commandant for Programs and Resources, Headquarters Marine Corps (’98)
92. Admiral William A. Owens, USN (Ret.), Vice Chairman, Joint Chiefs of Staff (’94–’96)
93. Lt. General Frank A. Panter, Jr., USMC (Ret.), Deputy Commandant for Installations and Logistics (’09–’12)
94. Vice Admiral David Pekoske, USCG (Ret.), Vice Commandant, U.S. Coast Guard (’09–’10)
95. General David H. Petraeus, USA (Ret.), Director, Central Intelligence Agency (’11–’12); Commander, Coalition Forces in Afghanistan (’10–’11) and Iraq (’07–’08)
96. Vice Admiral Carol M. Pottenger, USN (Ret.), Deputy Chief of Staff for Capability Development, NATO Allied Command Transformation (’10–’13)
97. Admiral Joseph W. Prueher, USN (Ret.), Commander in Chief, U.S. Pacific Command (’96–’99)
98. Lt. General Harry D. Raduege, Jr., USAF (Ret.), Director, Defense Information Systems Agency/Commander, Joint Task Force for Global Network Operations/Deputy Commander, Global Network Operations and Defense, U.S. Strategic Command Joint Forces Headquarters, Information Operations (’00–’05)
99. Vice Admiral Norman W. Ray, USN (Ret.), Deputy Chairman, NATO Military Committee (’92–’95)
100. Lt. General John F. Regni, USAF (Ret.), Superintendent, United States Air Force Academy (’05–’09)
101. General Victor ‘‘Gene’’ E. Renuart, USAF (Ret.), Commander, North American Aerospace Defense Command and U.S. Northern Command (’07–’10)
102. General Robert W. RisCassi, USA (Ret.), Commander in Chief, United Nations Command/Commander in Chief, Republic of Korea/U.S. Combined Forces Command (’90–’93)
103. Lt. General Norman R. Seip, USAF (Ret.), Commander, 12th Air Force/Air Forces Southern (’06–’09)
104. General Henry H. Shelton, USA (Ret.), Chairman, Joint Chiefs of Staff (’97–’01)
105. Admiral William D. Smith, USN (Ret.), U.S. Military Representative, NATO Military Committee (’91–’93)
106. Admiral Leighton W. Smith, Jr., USN (Ret.), Commander in Chief, U.S. Naval Forces Europe/Commander in Chief, Allied Forces Southern Europe (’94–’96)
107. Lt. General James N. Soligan, USAF (Ret.), Deputy Chief of Staff for Transformation, Allied Command Transformation (’06–’10)
108. Admiral James G. Stavridis, USN (Ret.), Commander, U.S. European Command and NATO Supreme Allied Commander, Europe (’09–’13)
109. Lt. General Martin R. Steele, USMC (Ret.), Deputy Chief of Staff for Plans, Policies and Operations, U.S. Marine Corps (’97–’99)
110. General Carl W. Stiner, USA (Ret.), Commander in Chief, U.S. Special Operations Command (’90–’93)
111. Vice Admiral Edward M. Straw, USN (Ret.), Director, Defense Logistics Agency (’92–’96)
112. Vice Admiral William D. Sullivan, USN (Ret.), U.S. Military Representative to NATO Military Committee (’06–’09)
113. Lt. General William J. Troy, USA (Ret.), Director, Army Staff (’10–’13)
114. Admiral Henry G. Ulrich, USN (Ret.), Commander, U.S. Naval Forces Europe/Commander, Joint Forces Command Naples (’05–’08)
115. General Charles F. Wald, USAF (Ret.), Deputy Commander, U.S. European Command (’02–’06)
116. General William S. Wallace, USA (Ret.), Commanding General, U.S. Army Training and Doctrine Command (’05–’08)
117. Lt. General William ‘‘Kip’’ E. Ward, USA (Ret.), Commander, U.S. Africa Command (’07–’11)
118. General Charles E. Wilhelm, USMC (Ret.), Commander, U.S. Southern Command (’97–’00)
119. General Michael J. Williams, USMC (Ret.), Assistant Commandant, U.S. Marine Corps (’00–’02)
120. General Ronald W. Yates, USAF (Ret.), Commander. Air Force Materiel Command (’92–’95)
121. General Anthony C. Zinni, USMC (Ret.), Commander in Chief, U.S. Central Command (’97–’00)

Mr. ENGEL. Mr. Speaker, in 2013, Secretary of Defense Mattis similarly said: ‘‘If you don’t fund the State Department fully, then I need to buy more ammunition ultimately. So I think it’s a cost benefit ratio. The more that we put into the State Department’s diplomacy, hopefully the less we have to put into a military budget as we deal with the outcome of an apparent American withdrawal from the international scene.’’

That is from Secretary of Defense Mattis. I couldn’t agree with him more.

Now, I believe that development helps to lift countries and communities up today so they can become strong partners on the global stage tomorrow. A lot of us think we have a moral obligation to help cure disease, improve access to education, and advance human rights. But even if it were not the right thing to do, it would be the smart thing to do because those efforts lead to greater stability, more responsive governments, and stronger rule of law—populations that share our values and priorities. Poverty and lack of opportunity, on the other hand, provide fertile ground for those who mean us harm.

All these efforts, by the way, cost cents on the dollar compared to military engagement. People think international affairs and foreign aid are a massive chunk of the Federal budget, but the chart right over here next to me shows how it actually stacks up: 1.4 percent. And we make that sliver of the pie even smaller. It will come back on us in spades. 1.4 percent of our Federal budget goes to all these programs.

The diseases we don’t combat will reach our shores; the communities on which we turn or backs may be the next generation of people who mean us

harm; and the conflicts we fail to defuse may well grow into the wars we need to fight later at a much higher cost in terms of American blood and treasure. Just imagine having to tell the parents of a young American soldier that their son or daughter was killed in battle because we weren't willing to spend the tiny sums needed to prevent the conflict.

Finally, let me say that the American people don't want to see us slash diplomacy and development. In fact, recent data shows that 72 percent of Americans believe the country should play a leading global role. Nearly 6 in 10 believe funding levels at the State Department should stay the same or increase.

Fortunately, the Congress is a coequal branch of government. I want to the remind the executive branch of that. We in Congress decide how much to invest in our international affairs, not the White House.

For example, regardless of how this administration is playing footsie with Vladimir Putin, Congress will devote resources to push back against the Kremlin's efforts to spread disinformation and destabilize our allies, just like they did to the United States during last year's election campaign.

I am hopeful that, as we move forward with next year's spending bills, we continue to provide our diplomatic and development efforts the support they need and the support they have received under Republican and Democratic Presidents alike.

With the President's proposed cuts, I fear what message we are sending to the world. The United States is the global standard bearer for freedom, justice, and democracy. If we cede our role as a global leader, make no mistake, someone will step into the void. It could very well be another power that doesn't share our values or our interests. Think Russia or some country like that.

We cannot allow that to happen. I am committed to ensuring it doesn't, and I look forward to working with my colleagues on both sides of the aisle to firmly reject President Trump's cuts.

Mr. CASTRO of Texas. Mr. Speaker, I thank Congressman ENGEL for all of his years of work on behalf of the Nation on the Foreign Affairs Committee.

I know you may have a busy schedule this evening. We have got about 12 minutes left, so I thought we would just have a discussion on some of these issues. Stick with us if you can.

Mr. ENGEL. You are doing a fine job.

Mr. CASTRO of Texas. Mr. Speaker, Congressman ENGEL mentioned maintaining the United States' position as a leader in the world and not ceding that to another country, whether it is China or Russia, who has been very aggressive, and it is not just maintaining a strong defense.

I represent what is known as Military City, USA: San Antonio, Texas. Once upon a time we had five military bases in San Antonio. We still have Joint Base San Antonio, which is a large operation. So it is not just about a strong defense, which we all support, but also about the hard work of diplomacy and development.

The United States, who has been a leader for so long, if we back away from our commitments, then we not only cede it to somebody else, but there is a good chance that a lot of that work is not going to get done, that the peoples in many nations around the world are going to become poorer, more desperate; and from that, only bad things can happen both for those peoples, but also for the neighboring countries, for the United States, and for the world.

Thank you for lending your strong voice to support for the diplomatic budget.

I yield to the gentleman from New York.

Mr. ENGEL. Mr. Speaker, I couldn't agree with him more. And, you know, it is especially interesting since, during the campaign, President Trump attacked the previous administration for not being strong enough, for not showing American presence. And now with this cut, with this proposed 31 percent cut, I couldn't think of anything that would make us weaker or make us unable to do what we need to do.

□ 1845

So I hope the President remembers what he said during the campaign and acts accordingly so that these massive cuts can be taken away.

Mr. CASTRO of Texas. No, absolutely. And Congressman SIRES, you recall that during those months, then-Candidate Trump talked about backing away from NATO; about allowing Germany, for example, to handle the issues between Russia and the Baltic States; about allowing or really forcing Japan and South Korea to go it alone or to develop even their own nuclear weapons to combat the threat of North Korea, to deal with China's aggressiveness in the South China Sea.

So the more we go down that road, not only do we abandon those nations who have been friends for so long and allies and supporters for so long in keeping the peace, but we also, in the long run, threaten our own security.

I yield to the gentleman from New Jersey.

Mr. SIRES. If I might, I couldn't agree with the gentleman more. Just to bring it even closer to home, we recently met with the attorneys general from the Northern Triangle. These attorneys general have been fighting corruption, have been fighting the cartel. We have assisted them with a small amount of money. These people put their lives every day in peril fighting the cartel, fighting this corruption.

In our conversation, they said to me: We need America's support to continue our work. If we stop now, all that we have accomplished until now is going to go for naught.

When you are talking about a small amount of money, the strong impact that it has on countries that, for decades, have experienced a great deal of corruption, and we finally have people that have stepped forward and want to fight this corruption and put their lives in peril every single day, I think we should support those people. Cutting and running away from these people can only hurt us.

This is just one small example of the impact that this 30 percent cut would have on this region.

Mr. CASTRO of Texas. The gentleman mentioned the Northern Triangle countries of Central America. Especially over the last few years, thousands of women and children who are fleeing very desperate situations there, not only extreme poverty, but the threats of violence by drug gangs, for example, have come to the Texas-Mexico border seeking asylum.

Congress did, over the last few years, essentially, pass assistance for these nations. And we understood that, look, if you allocate $600 million to three countries, that is not going to solve all of their problems. Nobody is under that illusion. But it can go a long way in being the seed funds to start to turn these things around and these nations around.

Mr. ENGEL. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentleman from New York.

Mr. ENGEL. I would add that we give foreign aid, and it is good for those countries, but it is also good for us. It also helps us. If there is a drug problem in Central America, it inevitably comes up to our border.

If there is some problem with some developing country, say, we have a disease that could—Ebola or something like that, and we give money to help eradicate it, well, that will prevent Ebola from coming into the United States. So it is really a win-win situation.

Again, if we are going to be the leaders of the world, certainly of the free world, and we want other countries to follow our lead, well, if you are a leader, you have to lead. What we are doing is in our own best interests, not only just in the other countries' best interests.

I think it is important to say that. And it is important to, again, say, 1 percent—1.4 percent of our total budget is all the foreign aid and all the money that we give in terms of eradicating diseases, in terms of crime, in terms of everything that is actually very important to us as well. The American people think it is much higher, but it is not.

So if you take the President's slashing of it, it would virtually make all of this impossible to do. So it is a program that is a win-win situation.

Mr. CASTRO of Texas. Congressman ENGEL, you mentioned Ebola, for example. Dallas, Texas, was the first American city to confront the challenge and

the problem of Ebola. So I couldn't agree with you more.

It should also be said that if you take away this aid and you have people becoming more desperate in nations around the world, they do become more susceptible to being employed by, for example, drug cartels, or being lured by terrorist organizations because these folks are desperate and need to survive. So these rogue alternatives become more attractive to them.

So it is important to point out that a lot of this development and a lot of this aid also prevents some of these things from happening.

I yield to the gentleman from New York.

Mr. ENGEL. Absolutely. Again, I want to reiterate that we are not the leaders of the world because we anointed ourselves. We are the leaders of the world because we provided leadership for all of these years, particularly after World War II, and it is important to engage with the world.

One of the gentlemen mentioned some of the things that the President said. You know, one of the things he did was he called NATO obsolete. That kind of talk worries me because it is our alliances that are the pillar of our foreign policy and the strength of the United States and our alliances which have worked so well since World War II.

So if we denigrate our alliances, and then we cut funding for all these programs that help various countries so we can be a leader by about a third, that doesn't say much for a robust foreign policy. You get to be a leader by acting like a leader, not by pulling away from the world.

Mr. CASTRO of Texas. Absolutely. I will give Mr. SIRES the last word. I yield to the gentleman from New Jersey.

Mr. SIRES. Well, before we finish, I just want to compliment Chairman ROYCE and Ranking Member ENGEL on the recent resolution that we worked on together in encouraging Argentina to continue on the path under new President Macri. Former President de Kirchner decided that she was going to be an isolationist.

Argentina is too big. It is a country that could be a player in assisting us in any crisis that we have in South America. So this resolution did not cost any money, but it shows our friendship, it shows our support, and it shows that they are moving in the right direction.

So my compliments to the gentleman, my compliments to the people that signed this resolution.

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

INFRASTRUCTURE IN THE UNITED STATES

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from California (Mr. LAMALFA) for 30 minutes.

Mr. LAMALFA. Mr. Speaker, I rise tonight to talk about several things to do with infrastructure in the United States and in California. I am a happy new member of the Transportation and Infrastructure Committee here in the U.S. House, and I am very interested and dedicated to things we can do to improve all of our types of infrastructure that are so important for the economy, for the people, for movement of goods, and for the people's own convenience in doing what they need to do in their personal lives, their business lives, et cetera.

So this is, indeed, a committee and issues that will affect all of our States and have a positive effect if we put good policy in place for all of our people. We have jurisdiction over quite a few areas. One of the important things we will be working on in the short term have to do with airports as well as reauthorization of the FAA, Federal Aviation Administration.

Airports, obviously, are coming more and more into play with the amount of passenger traffic that we are seeing. The FAA projects that by the year 2029 we could see 1 billion passengers using our airports per year, and that is just not that many years away. So airports will need to continue to have more upgrading, runway extensions, maybe additional runways, the infrastructure in them, the process for getting people through TSA. These are all things that we will be looking at within our committee as well as some of our other committees we partner with here in the House, because passengers are using more and more air service, whether it is urban or the rural airports that are very important to areas like my district, the First District of Northern California. They have equal weight to those that are using them in where they live and where they need to get to.

Obviously, a lot of discussion about infrastructure led by our President, Donald Trump, on highways being a key component of movement of goods and people and everything we need for our economy to be strong and the convenience for our people. Highways are breaking down. Bridges are breaking down.

We just saw the other day, in Georgia here, a fire caused by storage of things underneath that bridge. They are on the fast track trying to get that redone on I–85.

Now, was it a bridge that needed to be maintained?

Not sure. But certainly that is a situation that shows how acute the problem is when you lose one structure like that, what it can do to traffic, an inconvenience for people and commerce in an area like that.

So we have these problems all across the country with our bridges that are in dire need of repair. We need not have more accidents or more things that would endanger the public when they are not properly maintained or upgraded.

Just try driving in the right lane of a lot of our freeways here and with the truck traffic on them who pay weight fees and many other excise taxes, other forms of fees and taxes to be part of the solution. We see much damage to them because of the backlog of work that needs to be done on highways, on freeways, that have this traffic, that have this high flow that is really part of what we would expect for our highways and these systems.

But when we are not doing the work to maintain, when we are not putting the investment in there, when people pay their gas tax, when they pay the tax on diesel, when they pay their weight fees, when all those forms of compensation that are in place to help keep our highways and roads and bridges and all of our transportation structures up, when the money isn't getting there, then we have a real problem.

Again, being from California, we see that some of our highways and road systems are in some of the worst shape in the whole country. Right now, as they contemplate raising taxes on people at the State level, a gas tax increase, a per-car tax increase to get your license plate sticker, people are going to be wondering where are we going to make ends meet on that, because probably at least the average cost to a family would be somewhere around $500 in new gas and new fees to register a vehicle and get their kids to school and go to work and things that they need to do.

We need to be part of the solution on that. I don't think more taxes, more fees upon working people who are trying to make ends meet—you know, $500 out of a family's income is a pretty tough deal when we see that the jobs are not coming back as rapidly, especially in the State of California, that they need to for average working families, especially inland, that aren't part of the coast where most of the wealth seems to be centered in California.

We see that the drive in California is still pushing forward on the high-speed rail project, one that was passed all the way back in 2008 just under a $10 billion bond by the voters of California, and supplemented a few years later by ARA funding, stimulus funding from the Federal Government, about $3.5 billion.

Well, at this point, here in 2017, they have hardly even done anything on the construction of the high-speed rail, which is probably a blessing, because this a boondoggle of epic proportions. The original cost, as sold to the voters of the State of California, would be $33 billion to put a high-speed rail system from San Francisco to Los Angeles going through the Central Valley.

Just a couple of years later, the true numbers started coming in on that, and they finally admitted that it was going to cost $98.5 billion was the estimate, this in the fall of 2011.

So they scurried back, went to the drawing board once again and found a

way to downsize the cost by using local transit, local projects in northern California and the San Francisco Bay Area and in southern California, trying to bring the cost down to then an estimated $68 billion, which is still double of the original budget—the original cost that was sold to the voters in proposition 1A in 2008.

Much of the funding was supposed to come from private concerns, private investors, because when you add it up, $10 billion from the State bond, $3 billion-plus of Federal money, you are only a little over $13 billion.

And if they are projecting it is a $68 billion cost, where is the other $55 billion going to come from?

Where are the private investors that have had nearly 9 years now to line up to be part of this profitable enterprise?

They are staying away in droves.

□ 1900

There are no guarantees of income which the State cannot do under proposition 1A which is illegal. There is no subsidizing of the high-speed rail allowed under the proposition 1A bond. Yet it keeps going on and on. We have these infrastructure needs we have all over the country. I don't see any more money coming from Congress, not coming from the Federal level, to help boost this boondoggle in California. We will work hard to make sure that doesn't happen.

Unfortunately, when they seek new funds for other things such as electrification of the rail in the bay area, they were seeking $647 million of brand new money from a different pot federally to electrify the existing train route they have in the bay area that is run by diesel trains presently. So it is not like they don't have train service for commuting in the bay area, indeed, one of the richest areas of the country. They come to Congress here and ask for $647 million of new money maybe to electrify but mostly to help facilitate the high-speed rail boondoggle as part of that.

We need not be part of that. They can go to the funding they have already set aside within the bond or the $3.5 million that we don't seem to be able to capture back from the stimulus package. Go to those sources of money if you want to electrify the rail.

That said, part of the problem with building the high-speed rail is people don't really want to cooperate. When the first segment was being contemplated, it was going to go from San Francisco halfway down into the valley or L.A. halfway up to the valley. One of the reasons they chose to start building in the valley was that was the cheapest area to build one, the most wide open. One of the quotes at the time from one of the spokesmen for the authority was they would find the least amount of resistance to build the rail in the valley because there are not that many people there compared to the cities.

Well, there is plenty of resistance there, too, because, at this point, I don't know exact statistics, but they have less than half of the parcels even in their control that they would need to lay the route out through the valley because people are resisting. They don't want this thing coming through their neighborhoods, knocking out their farms, and cutting up their property in sections into little triangles and little bits that they can no longer farm or even transport their livestock or equipment to because it is going to be cut off by this rail that will be fenced on both sides because you have got a 220-mile-per-hour train supposedly running through it. So there will be a lot of damage to the economy and the fabric of the Central Valley.

The people in the urban areas aren't that excited about it either. In the high-value properties in the south bay area, they are not really excited about having this causeway 20 feet above their neighborhoods there. So they are talking, put this thing underground. So they are doing that part last. In the meantime, they are going to try and electrify the commuter train they have, which is a low-speed rail and doesn't fulfill the goals of a high-speed rail which is just required from San Francisco to Los Angeles. As well in southern California, they want to take over part of the system there to use that commuter rail as fulfilling part of the obligation to have a high-speed rail system that is electrified from one end to the other.

Now, they haven't even really contemplated what it is going to cost as they talk about drilling a hole, drilling a bore, through the Tehachapis down there in southern California, to the tunes of billions and billions of dollars that isn't really comprehended in the cost of doing the system.

So this is an issue, this is a dream, and this is a project that really needs to be scrapped. Where is the money going to come from? It is not coming from the Federal Government, and it is not coming from investors. The cap-and-trade dollars that they were counting on in the State of California from auctioning off CO_2 allotments to large businesses, that has withered as well. They are not getting the billions they were hoping to get from auctioning off this new commodity created by government in California of CO_2 allotments to large businesses that produce CO_2.

So the funding isn't available anywhere. Still they hold on to this dream of building this high-speed rail project that is at least $55 billion, probably a lot more than $55 billion short of being completed.

Do you know what? This isn't even a priority for most people. Are they going to be able to afford to ride that rail? Are they going to be able to afford to ride that train and afford the ticket? Because if it is not going to be a subsidized ticket, it is probably going to be close to $200 or $300, not the $80 that they projected 9 years ago.

Then should that really be the priority? Now, California, until this year, we were blessed with so much rain and snow pack—there is an incredible amount of snow pack up on the mountains that I just flew over yesterday in my commute to Washington. We had suffered about 5 years of drought previously to that. We didn't have the infrastructure in place to store water that we should have with a State of 40 million people that, in the good old days, we used to plan for with the Central Valley Project built in the thirties and forties, the State water project built in the fifties and sixties.

Why have we been sitting all these decades since not really doing the things to stay forward and stay ahead of the curve on a population, on the needs of an economy of agriculture and municipalities of people? Instead, we are chasing these utter boondoggles like high-speed rail.

Our water infrastructure still has a lot of needs. Our rivers, when we have the high flows, many of our levees are in danger of not holding up in really high flows. We see that issue on the Feather River on the south end of my district and the adjacent district to the south of there with the levee systems in Yuba County and Sutter County, which a lot of folks have worked really hard in recent years on, and they are trying to locally upgrade these levees and keep it going.

This year, they had to spend a lot of dollars on upgrading the levees just to get through the season by laying gravel and mat down so that the boils that would be potentially coming through the levees wouldn't give out and have a blowout in those areas. What is going on with that? The money has been put aside, and the work is ready to go, but delays have cost the ability to get more miles of those levees done during the good weather last year so that we would ensure the safety of these areas, whether it is south Butte County, Yuba and Sutter Counties, and many other areas in the north State leading all the way down to Sacramento and the delta.

We need to be getting that work done immediately. Why should we endanger our communities by not getting the work we know we need to get done, the funding has been more or less put aside for, yet needless delay and bureaucratic red tape have caused delays in endangered places like that? Or like Hamilton City up in my area that I share in western Butte County and Glenn County.

This is the type of infrastructure that produces jobs—but even more importantly, after the jobs are done, the safety to a community, the ability to invest there, to build homes there, and to have that 200-year flood protection on the levees that is necessary to be insurable and, again, ensure the public safety. So this is part of the water infrastructure we desperately need in California and many of our other States, too, as well.

So serving on the Transportation and Infrastructure Committee, we could advance these. We can have this debate.

We can have this discussion and hold accountable the agencies that are supposed to be getting it done and not looking for more ways to delay it with paperwork sitting on the desk for projects that could be going out this year that might be delayed yet another year.

Coming back to dams, that is one of our most important components in flood control because we can control the water as it comes down from the higher elevations and have that ability to store water at the level we decide to let it out of the dam instead of whatever might be coming in uncontrolled with the high flows you can sometimes get from a massive amount of rain like we saw in the Sierras this year and the snow pack that is still sitting up there.

Lake Oroville, which many people have heard about across the country in recent weeks, is right in my district, right in my backyard. It has been a great project. It is a jewel of the State water project in California, built primarily in the sixties. Well, there was a big problem with the spillway. It gave way in early February, and so they had to assess what was going on with that and temporarily shut it down, in case of so much—an amazing amount of rain coming in during some of those same days actually caused the lake to top out and some of the water to start coming over the emergency spillway, which became another issue requiring an evacuation because erosion happening underneath that emergency spillway structure was unpredictable. Nobody knew what would happen as the dirt field below that eroded.

Why is it still a dirt field? That will be an interesting thing for us to hear about in hearings that are going to be going on at the State level as well as at the Federal level here. Why was it allowed to stay that way? A dirt field. The erosion nearly came up. Who knows what the effect might have been on that emergency spillway structure. Thankfully nothing happened. The dam structure is sound, the emergency spillway structure is sound. The main spillway needs much work, and a Herculean effort since then has cleared the river channel so the river can properly flow from the power plant, which is an important regulator of State level, the water that can run through that power plant. So a really good effort was done to do that after this emergency has occurred.

The evacuation really worried deeply many people in the north State. 180,000 people were evacuated. It was the right call by our Butte County sheriff to do so because of the unpredictability of that situation. So Sheriff Honea deserves much kudos for making the correct call on that and making people safe, keeping people safe.

But, nonetheless, we have this infrastructure issue we need to come back to and is being contemplated right now with a plan to replace the spillway. Can it be done in 1 year? It doesn't look like it. But measures will be taken to upgrade that and make it work. It can be a long-term structure that will be durable for many decades. That is what we need. We need that predictability so the lake can be regulated and water stored properly in a fashion that provides for flood control during the high rain season and high snow pack season, as well as storing water for those drought years that we hopefully didn't let too much water get away from. We still have an obligation to meet water contracts and grow agricultural products and meet the needs for municipalities as well as all the environmental needs that are being demanded these days as well.

So we need to rebuild our spillway at Lake Oroville soon. That project will soon be underway. In the meantime, we still have a massive snow pack up there that has to be modeled and watched and carefully contemplated as to what the releases from the lake will be in the interim until the point where they can know what the predictability is of the amount of snow, the amount of rain, and the amount of water that can come down from the Sierras and affect the river system all the way down basically to where it meets up near Sacramento.

We need to have that predictability for people to be secure in their homes, at the same time finding that balance of storing the water that is needed to make a State run because we never know what the next drought year will be. Will it be next year? Or will we get a massive amount of rain this coming year? So we need to find that balance to make sure that we are keeping those communities safe, modeling very carefully what is up on the slopes still in snow pack and storing water for California's long-term needs this coming year and following years.

So with the repairs to Oroville that will soon be underway, I think people can be confident that that system will be sound. The dam is sound, the emergency spillway is sound, and the repairs that will be going underneath the base of that should make—if it is ever needed—which the goal is to never use the emergency spillway, but, should it be needed, it would be a sound piece of that infrastructure. And with a new spillway that will be built at Oroville within 1 to 2 years, that will be sound as well. People need to have that confidence.

I was speaking with people around the Oroville area, several of the businesses there that are concerned that having to move in an evacuation obviously is a horrendous expense, but also it is a concern for those others that they do business with, maybe outside of the area, that they can continue to supply the things that they produce for the contracts they would have. Indeed, that was expressed to me at a meeting a few weeks ago that maybe they are vendors for others in other parts of the State or the country that if they have the perception they can't rely upon them to keep producing those components that go into other assemblies, then they may not do business with them anymore.

We need to ensure those folks that Oroville is going to stay, is in business to stay, and that those manufacturers can count on those components to be produced and made available to them because we will keep working to make sure that that infrastructure is sound with the water storage and the levee flood control system that we have. In just a few short weeks, we will see that, with the snow pack properly accounted for and that flood season past us, in the rebuilding of that infrastructure, then we can assure everyone that Oroville is strongly here to stay and here for business.

□ 1915

We have the operations of the lake. Indeed, there are a lot of things to balance with this infrastructure: recreation, electricity generation, agricultural and municipal as well as environmental waters. These are all things that have to be balanced. But, indeed, balance needs to be brought to it so that no one side is pushing too far the other so that we don't meet all these goals that are needed.

Energy is an important component of that as well. Generating that with hydroelectric power helps meet a reliable baseline load for electricity generated in California. It is much more reliable than solar or wind power. Why hydropower isn't seen as an even more important component of the renewal energy portfolio is kind of silly and arbitrary to me, but it is, indeed, very, very valuable.

As we wind through all the different needs we have for infrastructure in this country—some of these examples in my own backyard—they are also needed elsewhere. Folks in all parts of the country have needs for a strong infrastructure, whether you are riding the train from New York to Washington, D.C., which I have a couple of times—that is a very important part of that infrastructure for those folks. We need to support them as well and make sure it is as modern and as safe as it can be. It affects everybody, the highway system that goes from the East Coast to the West Coast or North to South. It is a positive for all of us.

We need to stay ahead of the curve. President Trump has a very ambitious plan for rebuilding and adding to our infrastructure. It isn't all just about ribbon cuttings on new infrastructure. It is, indeed, the less glamorous that is a very important part of rebuilding what we have: upgrading our bridges, repaving those lanes, adding additional lanes to our freeways. That helps make it more convenient for all of us, better for commerce, better for safety.

With so much consternation in Washington, D.C., about what we are doing, these are some of the positives that we can point to in moving forward on infrastructure that everybody can use. It will be positive for the jobs in construction while it is being built and,

longer term, for the type of commerce that will make the United States a place to locate factories once again and have that manufacturing and that predictability of energy sources, water sources, safety of the infrastructure, and the ability to move these goods down our freeways to our ports, wherever they need to go.

With that, I will be looking forward to what we can do in California to have better infrastructure that is something people can actually use, actually access, and certainly afford without being hit with more taxes, more gas tax, more vehicle fees, and more ideas for taxes that may come from the Federal Government.

I don't see that happening here, but the people pay enough. As it is, it is already difficult enough for middle-income families to make ends meet if they have dreams of buying a home, paying off college debt, or sending their own kids to college a little later and maybe even, once in a while, going on a vacation that they would like to save up for. People need to have these choices. We are here at the Federal level to help be part of facilitating their ability to have those choices.

Mr. Speaker, I encourage all the folks in northern California to hang in there. We are going to get through this season here. To the people of Oroville, we will make sure our systems are very sound. I think already, with steps that are taken, we will weather this difficult winter with a sound dam and infrastructure that will be able to have predictability and the assurance that, when you go to sleep at night, these systems are going to be serving us well and providing for our safety. I think we are well onto that track already.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today after 4 p.m. on account of personal reasons.

ENROLLED JOINT RESOLUTIONS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker on Thursday, March 30, 2017:

H.J. Res. 43. Joint Resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients.

H.J. Res. 67. Joint Resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 5, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

973. Under clause 2 of rule XIV, a letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92–403, Sec. 1(a) (as amended by Public Law 108–458, Sec. 7121(b)); (118 Stat. 3807), was taken from the Speaker's table, referred to the Committee on Foreign 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. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 653. A bill to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes (Rept. 115–78). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 702. A bill to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes (Rept. 115–79). Referred to the Committee of the Whole House on the state of the Union.

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 Ms. ROSEN (for herself, Mr. PALLONE, and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 1868. A bill to provide that providers of broadband Internet access service shall be subject to the privacy rules adopted by the Federal Communications Commission on October 27, 2016; to the Committee on Energy and Commerce.

By Ms. DELAURO (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. VELÁZQUEZ, Ms. SLAUGHTER, Mr. O'HALLERAN, Ms. CLARKE of New York, Ms. MCCOLLUM, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. PAYNE, Miss RICE of New York, Mr. HASTINGS, Ms. SPEIER, Mr. LANGEVIN, Ms. FRANKEL of Florida, Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Mr. ENGEL, Ms. WASSERMAN SCHULTZ, Mrs. NAPOLITANO, Ms. ADAMS, Ms. SHEA-PORTER, Ms. MOORE, Ms. JACKSON LEE, Mrs. DINGELL, Ms. TSONGAS, Mr. DEFAZIO, Ms. ROSEN, Mrs. TORRES, Mr. THOMPSON of California, Mr. POCAN, Mr. HIGGINS of New York, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Ms. DELBENE, Ms. BONAMICI, Mr. RASKIN, Mr. NORCROSS, Mr. CÁRDENAS, Mr. CARBAJAL, Mr. SMITH of Washington, Mrs. DEMINGS, Mr. LYNCH, Mr. KHANNA, Mr. KIHUEN, Mr. MEEKS, Mr. DANNY K. DAVIS of Illinois, Mr. BEYER, Mr. MOULTON, Mr. LOWENTHAL, Ms. CLARK of Massachusetts, Mr. CAPUANO, Ms. BROWNLEY of California, Mrs. LAWRENCE, Ms. CASTOR of Florida, Mr. FOSTER, Mr. TONKO, Mr. KIND, Ms. WILSON of Florida, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Mr. SABLAN, Ms. FUDGE, Mr. ELLISON, Mr. SUOZZI, Mr. MCEACHIN, Mr. TAKANO, Mr. GRIJALVA, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HECK, Mr. MCNERNEY, Mr. YARMUTH, Mr. TED LIEU of California, Mr. GARAMENDI, Mr. SWALWELL of California, Mr. DESAULNIER, Mr. EVANS, Mr. CONYERS, Mr. GALLEGO, Mr. AGUILAR, Mr. RYAN of Ohio, Mr. COOPER, Mr. CLEAVER, Mr. PETERS, Mrs. BUSTOS, Mr. KILDEE, Ms. DEGETTE, Ms. ROYBAL-ALLARD, Mr. CONNOLLY, Mr. NADLER, Mr. KENNEDY, Mr. COHEN, Mr. CARSON of Indiana, Mr. PERLMUTTER, Mr. VARGAS, Mr. WALZ, Mr. VEASEY, Mr. SCHRADER, Ms. SÁNCHEZ, Mr. JEFFRIES, Mr. HIMES, Mr. BUTTERFIELD, Mrs. BEATTY, Mr. BRADY of Pennsylvania, Mr. BERA, Mr. MCGOVERN, Ms. JAYAPAL, Mr. GOTTHEIMER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GENE GREEN of Texas, Mr. SCHNEIDER, Mr. KILMER, Mr. LAWSON of Florida, Mr. BISHOP of Georgia, Mr. ESPAILLAT, Mr. LEVIN, Mrs. DAVIS of California, Ms. LEE, Mr. CRIST, Mr. DELANEY, Ms. BLUNT ROCHESTER, Mr. PALLONE, Mr. HUFFMAN, Ms. MATSUI, Mr. PASCRELL, Ms. KAPTUR, Mr. VELA, Mr. GUTIÉRREZ, Ms. ESHOO, Mr. KRISHNAMOORTHI, Ms. BARRAGÁN, Mr. SEAN PATRICK MALONEY of New York, Mr. COURTNEY, Mr. WELCH, Mr. BEN RAY LUJÁN of New Mexico, Ms. PINGREE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SARBANES, Mr. HOYER, Mrs. MURPHY of Florida, Ms. TITUS, Ms. SINEMA, Mr. CROWLEY, Mr. DOGGETT, Mr. CARTWRIGHT, Mr. CUMMINGS, Mr. PRICE of North Carolina, Mr. NOLAN, Ms. MENG, Mr. DEUTCH, Ms. BASS, Ms. GABBARD, Ms. SEWELL of Alabama, Mr. CLAY, Ms. JUDY CHU of California, Mr. KEATING, Mr. LARSEN of Washington, Mrs. LOWEY, Mr. AL GREEN of Texas, Mr. O'ROURKE, Ms. KUSTER of New Hampshire, Mr. LARSON of Connecticut, Mr. SCOTT of Virginia, Mr. VISCLOSKY, Mr. JOHNSON of Georgia, Mr. SHERMAN, Mr. RUSH, Mr. LOEBSACK, Mr. CORREA, Mr. QUIGLEY, Ms. KELLY of Illinois, Mr. RICHMOND, Ms. HANABUSA, Mr. NEAL, Ms. LOFGREN, Mr. BROWN of Maryland, Mr. SIRES, Mr. LIPINSKI, Mr. LEWIS of Georgia, Mr. SCHIFF, Ms. ESTY, Mr. SOTO, Mr. GONZALEZ of Texas, Mr. POLIS, Mr. CASTRO of Texas, Ms. BORDALLO, Ms. PELOSI, Mr. CLYBURN, Mr. CUELLAR, Mr. PANETTA, Ms. PLASKETT, Mr. RUIZ, Mr. RUPPERSBERGER, Mr. THOMPSON of

Mississippi, Mr. COSTA, Mr. PETERSON, Ms. MAXINE WATERS of California, and Mr. SMITH of New Jersey):

H.R. 1869. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COHEN (for himself, Mr. BROWN of Maryland, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mrs. DINGELL, Mr. ELLISON, Ms. ESHOO, Mr. FOSTER, Ms. FUDGE, Mr. GALLEGO, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KILDEE, Mr. LANGEVIN, Mr. LEWIS of Georgia, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. NADLER, Mr. NORCROSS, Ms. NORTON, Mr. O'ROURKE, Mr. PASCRELL, Mr. PAYNE, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RICHMOND, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. TAKANO, Mr. TONKO, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. YARMUTH, Mr. PALLONE, Mr. EVANS, Ms. JAYAPAL, Mr. CLYBURN, Mr. ESPAILLAT, Mr. RASKIN, Mr. SOTO, Mr. KHANNA, Ms. BARRAGÁN, Mr. POLIS, Mr. ENGEL, Ms. WILSON of Florida, Ms. LEE, Mr. JEFFRIES, Mr. THOMPSON of Mississippi, Mrs. LAWRENCE, and Mr. SCHIFF):

H.R. 1870. A bill to require that States receiving Byrne JAG funds to require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. FASO (for himself, Mr. COLLINS of New York, Mr. REED, Ms. TENNEY, Ms. STEFANIK, and Mr. ZELDIN):

H.R. 1871. A bill to amend title XIX of the Social Security Act to reduce Federal financial participation for certain States that require political subdivisions to contribute towards the non-Federal share of Medicaid; to the Committee on Energy and Commerce.

By Mr. MCGOVERN (for himself, Mr. HULTGREN, Ms. DELAURO, Mr. ROHRABACHER, Mr. POCAN, Mr. STEWART, Ms. MCCOLLUM, Mr. ELLISON, Ms. CLARK of Massachusetts, Mr. DEFAZIO, Mr. KEATING, Mr. NEAL, Mr. CAPUANO, Mr. KENNEDY, Mr. SERRANO, Mr. WELCH, Mr. CONNOLLY, and Mr. POLIS):

H.R. 1872. A bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, 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. LAMALFA (for himself, Mr. SCHRADER, Ms. CHENEY, Mr. COSTA, Mr. WESTERMAN, and Mr. O'HALLERAN):

H.R. 1873. A bill to amend the Federal Land Policy and Management Act of 1976 to enhance the reliability of the electricity grid and reduce the threat of wildfires to and from electric transmission and distribution facilities on Federal lands by facilitating vegetation management on such lands; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. CÁRDENAS (for himself, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 1874. A bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs; to the Committee on Ways and Means.

By Mr. SCHNEIDER (for himself, Mr. MURPHY of Pennsylvania, Mr. DEUTCH, Ms. FRANKEL of Florida, Ms. SHEA-PORTER, Mr. COHEN, Mr. LOWENTHAL, Mr. LOEBSACK, and Mr. GRIJALVA):

H.R. 1875. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions and to make additional contributions to the Homeless Veterans Assistance Fund, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, 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 Mrs. BLACKBURN (for herself, Mr. RUPPERSBERGER, Mr. BERA, Mr. ROE of Tennessee, Mr. BUCSHON, and Mr. DAVID SCOTT of Georgia):

H.R. 1876. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; 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. TONKO (for himself and Mr. MCKINLEY):

H.R. 1877. A bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems; to the Committee on Science, Space, and Technology.

By Ms. VELÁZQUEZ (for herself, Mr. EVANS, Ms. CLARKE of New York, Mrs. MURPHY of Florida, Mr. LAWSON of Florida, Ms. JUDY CHU of California, Ms. ADAMS, Mr. ESPAILLAT, and Mr. SCHNEIDER):

H.R. 1878. A bill to prohibit any hiring freeze from affecting the Small Business Administration; to the Committee on Oversight and Government Reform.

By Mr. ISSA (for himself, Ms. LOFGREN, Mr. FARENTHOLD, Mr. LANGEVIN, Mr. COHEN, and Mr. PERRY):

H.R. 1879. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Ms. JAYAPAL (for herself, Mr. ELLISON, Mr. SCOTT of Virginia, Mr. GRIJALVA, Mr. NOLAN, Ms. LEE, Mr. POCAN, Ms. JACKSON LEE, Mr. KHANNA, Ms. NORTON, Ms. VELÁZQUEZ, Mr. CONYERS, Mr. RASKIN, Mr. SWALWELL of California, Mr. CICILLINE, Mr. WELCH, Mrs. NAPOLITANO, Mr. LANGEVIN, Mr. BLUMENAUER, and Mr. ESPAILLAT):

H.R. 1880. A bill to amend the Higher Education Act to ensure College for All; to the Committee on Education and the Workforce.

By Mr. KELLY of Pennsylvania (for himself, Mr. PITTENGER, Mr. DUNCAN of South Carolina, Mr. ROTHFUS, Mr. SMITH of New Jersey, Mr. HULTGREN, Mr. JONES, Mr. PALAZZO, Mr. RENACCI, Mr. KING of Iowa, Mr. PALMER, Mr. MOONEY of West Virginia, Mr. GROTHMAN, and Mr. SESSIONS):

H.R. 1881. A bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Ways and Means.

By Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, Ms. LEE, Mr. SCHIFF, Mr. NADLER, Mr. GRIJALVA, Mr. SERRANO, Mr. EVANS, Mr. COHEN, Ms. NORTON, Mr. HASTINGS, Mr. CUMMINGS, Ms. MOORE, Mr. LEWIS of Georgia, Ms. CLARKE of New York, Mr. JEFFRIES, Mr. RUSH, Mr. SEAN PATRICK MALONEY of New York, Ms. JACKSON LEE, Ms. PLASKETT, Ms. JAYAPAL, Mr. TED LIEU of California, Mr. ELLISON, Mr. GUTIÉRREZ, Mr. POCAN, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mr. BLUMENAUER, Ms. BASS, Mr. DANNY K. DAVIS of Illinois, Mr. CLAY, Ms. BARRAGÁN, Mr. KHANNA, and Mr. BEYER):

H.R. 1882. A bill to provide for an effective HIV/AIDS program in Federal prisons; to the Committee on the Judiciary.

By Mr. BUTTERFIELD:

H.R. 1883. A bill to direct the Federal Communications Commission to take certain actions to increase diversity of ownership in the broadcasting industry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARBAJAL (for himself and Mr. TAKANO):

H.R. 1884. A bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employee's duty; to the Committee on Education and the Workforce.

By Mr. CÁRDENAS (for himself, Mr. COHEN, Mr. CUMMINGS, Mr. ELLISON, Mr. GUTIÉRREZ, Mr. KHANNA, Mr. SEAN PATRICK MALONEY of New York, Ms. MOORE, Ms. NORTON, Mr. VARGAS, and Mr. GRIJALVA):

H.R. 1885. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DEUTCH (for himself and Mr. THOMAS J. ROONEY of Florida):

H.R. 1886. A bill to establish the National Criminal Justice Commission; to the Committee on the Judiciary.

By Mr. DIAZ-BALART (for himself and Ms. ROS-LEHTINEN):

H.R. 1887. A bill to amend the Billfish Conservation Act of 2012 to clarify an exemption for traditional fisheries and markets; to the Committee on Natural Resources.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 1888. A bill to amend the National Telecommunications and Information Administration Organization Act to provide incentives for the reallocation of Federal Government spectrum for commercial use, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUFFMAN (for himself, Mr. FITZPATRICK, Mr. LOBIONDO, and Mr. GALLEGO):

H.R. 1889. A bill to preserve the Arctic coastal plain of the Arctic National Wildlife Refuge, Alaska, as wilderness in recognition of its extraordinary natural ecosystems and for the permanent good of present and future generations of Americans; to the Committee on Natural Resources.

By Mr. KNIGHT (for himself, Ms. JENKINS of Kansas, and Mr. YOUNG of Iowa):

H.R. 1890. A bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements; to the Committee on Education and the Workforce.

By Mr. LAMALFA (for himself, Mr. COSTA, Mr. CRAWFORD, Mr. BOST, Mr. ROUZER, Mr. YOHO, Mr. THOMAS J. ROONEY of Florida, Mr. MOOLENAAR, Mr. LUCAS, and Mr. GOSAR):

H.R. 1891. A bill to amend the Plant Protection Act with respect to authorized uses of methyl bromide, and for other purposes; to the Committee on Agriculture.

By Mr. LARSON of Connecticut (for himself, Mr. KING of New York, Mr. PASCRELL, Mr. REICHERT, Mr. WALZ, Mr. RUPPERSBERGER, Mr. RUTHERFORD, Mr. FITZPATRICK, Ms. DELAURO, Ms. ESTY, and Mr. GRIJALVA):

H.R. 1892. A bill to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; to the Committee on the Judiciary.

By Mr. LATTA (for himself and Mr. CARTWRIGHT):

H.R. 1893. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to create an electronic database of research and information on the causes of, and corrective actions being taken with regard to, algal blooms in the Great Lakes, their tributaries, and other surface fresh waters, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, 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. LONG:

H.R. 1894. A bill to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LUETKEMEYER (for himself, Mrs. HARTZLER, Mr. GRAVES of Missouri, Mr. BANKS of Indiana, Mr. BIGGS, Mr. MOONEY of West Virginia, Mr. FORTENBERRY, Mr. HARRIS, Mr. ABRAHAM, Mr. PITTENGER, Mr. LONG, Mr. GIBBS, Mr. ARRINGTON, Mr. JONES, Mr. FRANKS of Arizona, Mr. WEBSTER of Florida, and Mrs. WAGNER):

H.R. 1895. A bill to amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from conducting or supporting any research involving human fetal tissue that is obtained pursuant to an induced abortion, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MCMORRIS RODGERS (for herself, Mr. SESSIONS, Mr. CÁRDENAS, Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 1896. A bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS (for herself, Mr. SESSIONS, Mr. CÁRDENAS, Mr. SMITH of New Jersey, and Mr. LANGEVIN):

H.R. 1897. A bill to amend the Internal Revenue Code of 1986 to allow rollovers from 529 programs to ABLE accounts; to the Committee on Ways and Means.

By Mr. MEEHAN (for himself, Mrs. BLACKBURN, Mr. LARSON of Connecticut, Ms. SÁNCHEZ, Mr. SESSIONS, Mr. ROE of Tennessee, Ms. MOORE, Mr. DEFAZIO, Ms. PINGREE, Ms. NORTON, Mr. GRIJALVA, and Mr. MCGOVERN):

H.R. 1898. A bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS (for himself, Mr. FARENTHOLD, Mr. SMITH of Washington, and Mr. BEYER):

H.R. 1899. A bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United States are adequately protected at the border, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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. STIVERS (for himself, Mrs. BEATTY, Mr. TIBERI, Mr. CHABOT, Mr. WENSTRUP, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. DAVIDSON, Ms. KAPTUR, Mr. TURNER, Ms. FUDGE, Mr. RYAN of Ohio, Mr. JOYCE of Ohio, Mr. RENACCI, and Mr. JORDAN):

H.R. 1900. A bill to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Natural Resources, 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. YOUNG of Alaska:

H.R. 1901. A bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself and Mr. RUSH):

H. Con. Res. 43. Concurrent resolution providing official recognition of the massacre of 11 African-American soldiers of the 333rd Field Artillery Battalion of the United States Army who had been captured in Wereth, Belgium, during the Battle of the Bulge on December 17, 1944; to the Committee on Armed Services.

By Ms. FRANKEL of Florida (for herself, Ms. DELAURO, Ms. SLAUGHTER, Mr. GUTIÉRREZ, Ms. SPEIER, Ms. LEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. TONKO, Ms. SCHAKOWSKY, Mr. POCAN, Mr. GRIJALVA, Mr. O'HALLERAN, Mrs. DINGELL, Ms. TSONGAS, Mr. THOMPSON of California, Ms. DELBENE, Ms. WASSERMAN SCHULTZ, Mr. TAKANO, Mr. MCEACHIN, Mr. BEYER, Ms. SINEMA, Ms. SÁNCHEZ, Ms. CASTOR of Florida, Mr. CÁRDENAS, Ms. CLARKE of New York, Ms. ROSEN, Mr. MEEKS, Mr. CARBAJAL, Mr. HIMES, Mr. CLAY, Mr. HASTINGS, Mr. SERRANO, Mrs. NAPOLITANO, Ms. PLASKETT, Mr. SUOZZI, Mr. CARTWRIGHT, Mr. RUPPERSBERGER, Mr. KRISHNAMOORTHI, Mrs. DAVIS of California, Mr. RASKIN, Ms. PINGREE, Ms. JACKSON LEE, Mr. CICILLINE, Mr. WELCH, Mr. LOWENTHAL, Ms. VELÁZQUEZ, Ms. ADAMS, Ms. TITUS, Mr. CONYERS, Ms. WILSON of Florida, Mr. KEATING, Mr. LOEBSACK, Mr. SCOTT of Virginia, Mr. FOSTER, Mr. LAWSON of Florida, Mr. SCHIFF, Mr. NORCROSS, Ms. DEGETTE, Ms. MCCOLLUM, Ms. BROWNLEY of California, Ms. MATSUI, Mrs. LAWRENCE, Mr. KIND, Mr. HUFFMAN, Mrs. LOWEY, Mr. RYAN of Ohio, Mr. CORREA, Ms. MAXINE WATERS of California, Mr. BRADY of Pennsylvania, Ms. FUDGE, Ms. CLARK of Massachusetts, Mrs. BUSTOS, Mr. COHEN, Ms. MOORE, Ms. MENG, Mr. SARBANES, Mr. SWALWELL of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GALLEGO, Mr. POLIS, Mr. PALLONE, Mr. LYNCH, Mr. NOLAN, Ms. SHEA-PORTER, Ms. JAYAPAL, Mr. GARAMENDI, and Ms. KUSTER of New Hampshire):

H. Con. Res. 44. Concurrent resolution recognizing the significance of Equal Pay Day to illustrate the disparity between wages paid to men and women; to the Committee on Oversight and Government Reform.

By Ms. STEFANIK (for herself, Mr. VALADAO, Mr. ROSS, Mr. JONES, Mr. YOHO, Miss RICE of New York, Mr. LANCE, Mr. WALZ, Mr. COURTNEY, Ms. DELAURO, Mr. HIMES, Mrs. BLACKBURN, Mr. LOBIONDO, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. TENNEY, Mr. RASKIN, Ms. HANABUSA, Mr. COSTELLO of Pennsylvania, Mr. CRIST, Mr. GOTTHEIMER, Mr. KING of New York, Mr. SUOZZI, Mr. RYAN of Ohio, Mr. GRAVES of Missouri, Mr. PALLONE, Mr. UPTON, and Ms. BORDALLO):

H. Con. Res. 45. Concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991; to the Committee on Veterans' Affairs.

By Mr. YOHO (for himself, Mr. SCHRADER, and Mr. ABRAHAM):

H. Con. Res. 46. Concurrent resolution expressing support for the designation of a ''National Purebred Dog Day''; to the Committee on Oversight and Government Reform.

By Mr. CONYERS (for himself, Mr. LEWIS of Georgia, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. EVANS, Mr. RICHMOND, Ms. PLASKETT, Mr. ESPAILLAT, Mr. MCGOVERN, Ms. VELÁZQUEZ, Ms. BARRAGÁN, Ms. LEE, Mr. RUSH, Ms. BASS, Ms. MOORE, Ms. SEWELL of Alabama, Mr. CUMMINGS, Ms. JAYAPAL, Mr. DANNY K. DAVIS of Illinois, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Mr. COHEN, Mr. GUTIÉRREZ, Mr. CLAY, Mrs. LAWRENCE, Mr. DAVID SCOTT of Georgia, Mr. JEFFRIES, Mr. COURTNEY, Ms. DELAURO, Mrs. BEATTY, Mr. CARSON of Indiana, Mrs. NAPOLITANO, Mr. GRIJALVA, Mr. NADLER, Ms. WILSON of Florida, Mr. MCEACHIN, Mrs. DINGELL, Mrs. DEMINGS, Mr. CLEAVER, Ms. JACKSON LEE, Ms. MAXINE WATERS of California, Mr. SERRANO, Mrs. WATSON COLEMAN, Mr. RASKIN, Ms. FUDGE, Mr. ELLISON, Ms. ADAMS, Mr. PAYNE, Mr. MEEKS, Mr. PALLONE, Mr. LAWSON of Florida, and Ms. KELLY of Illinois):

H. Res. 246. A resolution commemorating the 50th anniversary of Dr. Martin Luther King Jr.'s ''Beyond Vietnam: A Time To Break Silence'' sermon condemning the Vietnam War and calling for a true revolution of values in the United States; to the Committee on Foreign Affairs.

By Mr. MEEKS (for himself, Mr. GONZALEZ of Texas, Mr. PALLONE, Ms. JAYAPAL, Mr. CARSON of Indiana, Mr. GRIJALVA, Ms. CLARKE of New York, and Mr. VARGAS):

H. Res. 247. A resolution supporting the goals and ideals of Financial Literacy Month; to the Committee on Oversight and Government Reform.

By Mr. WILSON of South Carolina (for himself and Mr. CLYBURN):

H. Res. 248. A resolution commending the University of South Carolina women's basketball team for winning the 2017 NCAA National Championship; to the Committee on Education and the Workforce.

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 Ms. ROSEN:

H.R. 1868.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the U.S. Constitution. That provision gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Ms. DELAURO:

H.R. 1869.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. COHEN:

H.R. 1870.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. FASO:

H.R. 1871.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. MCGOVERN:

H.R. 1872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LAMALFA:

H.R. 1873.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. CÁRDENAS:

H.R. 1874.

Congress has the power to enact this legislation pursuant to the following:

Article 1.Section 8. Clause 1.

The Congress shall have the 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;

By Mr. SCHNEIDER:

H.R. 1875.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mrs. BLACKBURN:

H.R. 1876.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. TONKO:

H.R. 1877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or any Department or Officer thereof.

By Ms. VELÁZQUEZ:

H.R. 1878.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ISSA:

H.R. 1879.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 8, ''to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries,''

By Ms. JAYAPAL:

H.R. 1880.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. KELLY of Pennsylvania:

H.R. 1881.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution

By Ms. MAXINE WATERS of California:

H.R. 1882.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the U.S. Constitution, and Amendment VIII to the U.S. Constitution.

By Mr. BUTTERFIELD:

H.R. 1883.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Govemment of the United States, or in any Department or Officer thereof.

By Mr. CÁRBAJAL:

H.R. 1884.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the United States Constitution

By Mr. CÁRDENAS:

H.R. 1885.

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. DEUTCH:

H.R. 1886.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. DIAZ-BALART:

H.R. 1887.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GUTHRIE:

H.R. 1888.

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. HUFFMAN:

H.R. 1889.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have 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. KNIGHT:

H.R. 1890.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I, Section 8, Clause 3

By Mr. LAMALFA:

H.R. 1891.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. LARSON of Connecticut:

H.R. 1892.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. LATTA:

H.R. 1893.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LONG:

H.R. 1894.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. LUETKEMEYER:
H.R. 1895.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18, ''To make all Laws which shall be necessary and proper from carrying into Execution from foregoing Powers, and all other Powers vested by this in the Government of the United States, or any Department of Officier thereoff.''

By Mrs. MCMORRIS RODGERS:
H.R. 1896.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution

By Mrs. MCMORRIS RODGERS:
H.R. 1897.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution

By Mr. MEEHAN:
H.R. 1898.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to: Article I, Section 8

By Mr. POLIS:
H.R. 1899.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 and the 4th Amendment to the U.S. Constitution

By Mr. STIVERS:
H.R. 1900.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. YOUNG of Alaska:
H.R. 1901.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 and Article I, Section 8, Clause 3

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 29: Mr. MCKINLEY and Mr. BROOKS of Alabama.
H.R. 44: Mr. TAKANO.
H.R. 51: Ms. WILSON of Florida.
H.R. 112: Mr. SCHWEIKERT and Mr. HASTINGS.
H.R. 179: Ms. BARRAGÁN.
H.R. 233: Mr. LARSEN of Washington.
H.R. 305: Mr. LEWIS of Georgia.
H.R. 314: Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. SCHWEIKERT, Mrs. COMSTOCK, Mr. POE of Texas, Mr. PALAZZO, Mr. ROSS, Mr. WILSON of South Carolina, Mr. GOSAR, Mr. ARRINGTON, Mr. MURPHY of Pennsylvania, Mr. DUNCAN of Tennessee, and Mr. BANKS of Indiana.
H.R. 350: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 352: Mr. SMITH of Missouri.
H.R. 365: Mr. SESSIONS.
H.R. 448: Mr. AGUILAR.
H.R. 480: Mr. GAETZ.
H.R. 490: Mr. SMITH of Texas, Mr. KELLY of Pennsylvania, and Mr. BUCK.
H.R. 520: Mr. BARR.
H.R. 530: Mr. KENNEDY.
H.R. 539: Mr. HIGGINS of Louisiana, Mr. MCKINLEY, and Mr. ABRAHAM.
H.R. 559: Mr. TIPTON.
H.R. 564: Mr. HURD.
H.R. 580: Ms. KAPTUR.
H.R. 613: Mr. BURGESS and Mr. BRAT.
H.R. 644: Mr. PALMER, Mr. BACON, Mr. CONAWAY, and Mr. LAHOOD.
H.R. 747: Mr. GOSAR and Mr. SHIMKUS.
H.R. 750: Mr. ROTHFUS.
H.R. 754: Mr. TED LIEU of California.
H.R. 769: Mr. HUDSON.
H.R. 770: Mr. SCHNEIDER, Mr. LEWIS of Minnesota, and Mr. ROSKAM.
H.R. 807: Ms. MOORE, Mr. TIPTON, and Mr. RASKIN.
H.R. 816: Mrs. BEATTY.
H.R. 849: Mr. CARBAJAL, Mr. ARRINGTON, and Mr. MARCHANT.
H.R. 873: Ms. SLAUGHTER, Mr. CHABOT, and Mr. ELLISON.
H.R. 877: Mr. OLSON and Ms. DELBENE.
H.R. 907: Mrs. BROOKS of Indiana.
H.R. 911: Mr. ROSS.
H.R. 927: Ms. HERRERA BEUTLER.
H.R. 931: Mr. LARSON of Connecticut, Mr. BISHOP of Utah, Mr. CLAY, and Mr. REICHERT.
H.R. 948: Ms. LEE.
H.R. 1017: Ms. ROSEN.
H.R. 1049: Ms. TENNEY.
H.R. 1058: Mr. SCHIFF.
H.R. 1089: Mr. MEEKS.
H.R. 1090: Mr. MESSER.
H.R. 1094: Ms. CLARKE of New York.
H.R. 1121: Mr. EMMER.
H.R. 1136: Mr. TIPTON.
H.R. 1148: Mr. BLUMENAUER and Ms. SEWELL of Alabama.
H.R. 1160: Mr. REED and Mr. HIGGINS of New York.
H.R. 1204: Mr. KELLY of Pennsylvania and Mr. JOYCE of Ohio.
H.R. 1222: Mr. COLLINS of New York.
H.R. 1232: Mr. RASKIN, Ms. JAYAPAL, and Mr. MEEKS.
H.R. 1247: Mr. TED LIEU of California, Mr. LIPINSKI, and Ms. TSONGAS.
H.R. 1267: Mr. SWALWELL of California.
H.R. 1270: Mr. POSEY, Mr. SWALWELL of California, Mr. RYAN of Ohio, Mr. YODER, Mr. O'HALLERAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CARTWRIGHT, Mr. CICILLINE, Mr. POCAN, Ms. SHEA-PORTER, Mr. YOUNG of Iowa, Mr. PETERS, Mr. SMITH of Texas, Mr. YARMUTH, Mr. VISCLOSKY, Ms. CLARKE of New York, and Mr. FITZPATRICK.
H.R. 1279: Mrs. WATSON COLEMAN, Mr. RUSH, Mr. MOULTON, and Mr. MCKINLEY.
H.R. 1300: Ms. BARRAGÁN.
H.R. 1310: Mr. SWALWELL of California.
H.R. 1329: Ms. BORDALLO and Mr. CRAMER.
H.R. 1337: Mr. KELLY of Pennsylvania.
H.R. 1361: Mr. ROTHFUS.
H.R. 1379: Ms. SINEMA, Mr. COURTNEY, Mr. MOULTON, Mr. YOUNG of Alaska, and Ms. BORDALLO.
H.R. 1399: Mr. GUTHRIE.
H.R. 1452: Mr. LARSEN of Washington and Ms. LEE.
H.R. 1468: Mr. FASO.
H.R. 1469: Mr. MEADOWS, Mr. DUNN, Mr. ROUZER, and Mr. DUNCAN of Tennessee.
H.R. 1498: Mr. LOWENTHAL and Mr. POCAN.
H.R. 1510: Mr. GROTHMAN.
H.R. 1512: Mr. SCHWEIKERT.
H.R. 1536: Ms. ROSEN and Mr. LIPINSKI.
H.R. 1542: Mr. SCHIFF, Mr. KING of Iowa, Mr. DEFAZIO and Mr. POCAN.
H.R. 1555: Mrs. WATSON COLEMAN, Mr. SERRANO, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. ROKITA, and Mr. PEARCE.
H.R. 1562: Mr. RASKIN.
H.R. 1584: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1588: Ms. LEE.
H.R. 1608: Ms. SCHAKOWSKY.
H.R. 1614: Mr. BROWN of Maryland, Mr. RASKIN, Ms. JAYAPAL, and Ms. JACKSON LEE.
H.R. 1626: Mr. PEARCE, Mr. NOLAN, and Mr. WALBERG.
H.R. 1632: Mr. ROGERS of Alabama.
H.R. 1639: Mr. NOLAN, Mr. RUPPERSBERGER, Mr. COHEN, Mr. FARENTHOLD, Mr. POCAN, Mr. LOWENTHAL, Mr. RASKIN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. GRIJALVA.
H.R. 1645: Mr. HULTGREN.
H.R. 1651: Mr. CÁRDENAS, Ms. MATSUI, Mrs. COMSTOCK, Mr. RUSH, and Mr. YARMUTH.
H.R. 1676: Mr. FORTENBERRY, Mr. DONOVAN, Mr. BRIDENSTINE, Mr. LOWENTHAL, and Mr. COSTA.
H.R. 1698: Mr. GUTHRIE, Mr. ROKITA, Mrs. HARTZLER, Mr. LATTA, Mr. HILL, Mrs. NOEM, Mr. COMER, Mrs. MCMORRIS RODGERS, and Mr. LAMALFA.
H.R. 1730: Mr. COHEN, Mr. HUDSON, and Mr. ZELDIN.
H.R. 1738: Mr. MCNERNEY and Mr. DESAULNIER.
H.R. 1739: Mrs. DINGELL and Mr. CUMMINGS.
H.R. 1740: Mrs. COMSTOCK and Mr. CURBELO of Florida.
H.R. 1757: Mr. RYAN of Ohio.
H.R. 1759: Mr. CAPUANO and Mr. SUOZZI.
H.R. 1771: Mrs. BROOKS of Indiana.
H.R. 1772: Mr. SENSENBRENNER and Ms. HANABUSA.
H.R. 1786: Mr. BACON.
H.R. 1789: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1791: Ms. DELBENE.
H.R. 1795: Mr. ROKITA.
H.R. 1796: Mrs. COMSTOCK, Mr. BISHOP of Georgia and Mr. OLSON.
H.R. 1812: Mr. KHANNA, Ms. BONAMICI, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. KIHUEN, Ms. JAYAPAL, and Mr. KENNEDY.
H.R. 1815: Mr. BUTTERFIELD, Ms. JAYAPAL, Mr. RASKIN, and Mr. GRIJALVA.
H.R. 1819: Ms. JAYAPAL.
H.R. 1825: Mr. COSTELLO of Pennsylvania and Mrs. BLACKBURN.
H.R. 1833: Mr. LAWSON of Florida, Mr. TED LIEU of California, Ms. LEE, and Mr. RASKIN.
H.R. 1847: Mr. SUOZZI, Mr. MAST, and Ms. LOFGREN.
H.R. 1861: Mr. THOMPSON of California.
H.R. 1863: Mr. ROSKAM and Mr. COHEN.
H.J. Res. 48: Ms. GABBARD and Mr. WELCH.
H.J. Res. 51: Mr. GROTHMAN, Mr. COOK, Mr. BERA, and Mr. MARCHANT.
H.J. Res. 61: Mr. FRELINGHUYSEN, Mr. COLE, Mr. KELLY of Mississippi, Mr. MURPHY of Pennsylvania, Mr. LOBIONDO, Mr. YOUNG of Iowa, Mr. ROGERS of Alabama, Mr. ROE of Tennessee, Mr. JONES, and Mr. ROUZER.
H.J. Res. 74: Ms. KELLY of Illinois.
H. Con. Res. 8: Mr. LUCAS.
H. Con. Res. 10: Mr. WALBERG, Mr. PETERSON, and Mr. DUFFY.
H. Res. 124: Mrs. BEATTY.
H. Res. 162: Mr. RUIZ.
H. Res. 188: Mrs. NAPOLITANO.
H. Res. 199: Mr. CHABOT.
H. Res. 201: Ms. WASSERMAN SCHULTZ, Mr. MCCAUL, Mr. WEBER of Texas, Mr. YOHO, Mrs. TORRES, Mr. DONOVAN, and Mr. COOK.
H. Res. 232: Mr. HUDSON, Mr. THOMAS J. ROONEY of Florida, Mr. CHABOT, and Mr. BANKS of Indiana.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.J. Res. 50: Mr. DUNCAN of South Carolina.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, TUESDAY, APRIL 4, 2017 *No. 58*

Senate

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

PRAYER

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

Let us pray.

Eternal Lord God, we rejoice because of Your power. We are dependent upon You to rescue us from ourselves and from the unseen consequences of the challenges we face.

Guide and sustain our Senators, enabling them to know the joy of having You as their sure defense. May Your unfailing love, O God, which is as vast as the Heavens, motivate our lawmakers to make faithfulness their top priority. Use them to give justice a chance to thrive in a threatening world. Lord, infuse them with the spirit of humility that seeks first to understand rather than to be understood. May they find their strength and confidence in You alone.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Madam President, later today, due to the threat of an unprecedented partisan filibuster, I will file cloture on the nomination of Judge Gorsuch to be an Associate Justice of the Supreme Court. It should be unsettling to everyone that our colleagues across the aisle have brought the Senate to this new low, and on such an impressive nominee with such broad bipartisan support.

Judge Gorsuch is independent, he is fair, he has one of the most impressive resumes we will ever see, and he has earned the highest possible rating from the group the Democratic leader called the ''gold standard'' for evaluating judicial nominations. No one seriously disputes his sterling credentials to serve on the Court. Yet, in the Judiciary Committee, Democrats withheld support from him. On the floor, Democrats said they will launch a partisan filibuster against him—something Republicans have never done. No one in the Senate Republican conference has ever voted to filibuster a Supreme Court nominee. Not one Republican has ever done that.

Later today, colleagues will continue to debate the nomination of Judge Gorsuch. They will discuss how completely unprecedented it would be for Democrats to actually follow through on this filibuster threat to actually block an up-or-down vote for this nominee even though a bipartisan majority of the Senate supports his nomination and what the negative consequences would be for the Senate if they succeed. I will be listening with interest. I hope Senators in both parties will listen as well.

''There has never been,'' as the New York Times and others reported last week, ''a successful partisan filibuster of a Supreme Court nominee.'' Never in the history of our country. Not once in the nearly 230-year history of the Senate.

The last time a Republican President nominated someone to the Supreme Court, Democrats tried to filibuster him too. That was Samuel Alito in 2006. Fortunately, cooler heads prevailed. Even former President Obama, who as a Senator participated in that effort, now admits that he regrets joining that filibuster effort.

Democrats are now being pushed by far-left interest groups into doing something truly detrimental to this body and to our country. They seem to be hurtling toward the abyss this time and trying to take the Senate with them. They need to reconsider.

Perhaps they will recall their own words from the last time they flirted with a partisan Supreme Court filibuster. Back then, the current top Democrat on the Judiciary Committee said she opposed attempts to filibuster Supreme Court nominees. ''[Just because the nominee] is a man I might disagree with,'' she said, ''that doesn't mean he shouldn't be on the court.'' She said the filibuster should be reserved for something truly outrageous.

Yesterday, the top Democrat on the Judiciary Committee announced her intention to filibuster the Supreme Court nominee before us because she disagreed with him. It is totally the opposite of what she said before. It is just the kind of thing she said the filibuster should not be used for.

This is emblematic of what we are seeing in Democrats' strained rationale for their unprecedented filibuster threat. It seems they are opposed to Judge Gorsuch's nomination because far-left interest groups are upset about other things—the way the election turned out, mostly—and threatening the careers of any Democrat who opposes blind resistance to everything this President does.

Democrats have come up with all manner of excuses to justify opposing this outstanding nominee. They asked for his personal opinions on issues that could come before him and posed hypotheticals that they know he is ethically precluded from answering. They cherry-picked a few cases out of thousands in which he has participated. They invent fake 60-vote standards that fact checkers call bogus. They are, to paraphrase the Judiciary

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

chairman, a ''no'' vote in search of a reason to vote that way. What they can't lay a glove on is the nominee's record and independence—the kinds of things that should actually be swaying our vote—and that is really quite telling.

If Democrats follow through on their threat to subject this widely respected judge to the first partisan filibuster in the history of the Senate, then I doubt there is a single nominee from this President they could ever support—ever. After all, the Democratic leader basically said as much before the nomination was even made. But it is not too late for our friends to do the right thing.

You know, we on this side of the aisle are no strangers to political pressure. We can emphathize with what our Democratic colleagues might be going through right now. But part of the job you sign up for here is to do what you know is right in the end.

When President Clinton nominated Stephen Breyer, I voted to confirm him. When President Clinton nominated Ruth Bader Ginsburg, I voted to confirm her. I thought it was the right thing to do. After all, he won the election. He was the President. The President gets to appoint Supreme Court Justices. When President Obama nominated Sonia Sotomayor and Elena Kagan, I led my party in working to ensure they received an up-or-down vote, not a filibuster.

We were in exactly the same position in which our Democratic friends are today. No filibuster. No filibuster. We thought it was the right thing to do. It is not because we harbored illusions that we would usually agree with these nominees of Democratic Presidents—certainly not. We even protested when then-Majority Leader Reid tried to file cloture on the Kagan nomination. We talked him out of it and said it wasn't necessary. Jeff Sessions, the current Attorney General, was the ranking member of the Judiciary Committee at the time. Jeff Sessions talked Harry Reid out of filing cloture because it wasn't necessary. We didn't even want the pretext of the possibility of a filibuster on the table.

Well, that is quite a different story from what we are seeing today, but this is where our Democratic colleagues have taken us. Will a partisan minority of the Senate really prevent the Senate's pro-Gorsuch bipartisan majority from confirming him? Will they really subject this eminently qualified nominee to the first successful partisan filibuster in American history? Americans will be watching, history will be watching, and the future of the Senate will hang on their choice.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Duke nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided in the usual form.

The minority whip.

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

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

NOMINATION OF NEIL GORSUCH

Mr. DURBIN. Madam President, there is a poem that I recall, and it goes like this:

When I was going up the stair,
I met a man who wasn't there.
He wasn't there again today.
I wish that man would go away.

I thought about that poem when I listened to the majority leader's speech about how cooperative he has been when it comes to Supreme Court nominations. The name he forgot to mention was Merrick Garland—Merrick Garland, who was nominated by President Obama to fill the vacancy of Justice Antonin Scalia; Merrick Garland, the only Presidential nominee to the Supreme Court in the history of the U.S. Senate to be denied a hearing and a vote; Merrick Garland, about whom Senator MCCONNELL said: I will not only refuse to give him a hearing and a vote, I refuse to even see him; Merrick Garland, who was found unanimously ''well qualified'' by the American Bar Association; Merrick Garland, the person who received bipartisan support for appointment to the DC Circuit Court of Appeals, the second highest court in the land.

So when the majority leader comes to the floor to talk about how cooperative he has been with previous Presidents when it comes to Supreme Court nominees, he conveniently omits the most obvious reason for our problems this week: the unilateral decision by the majority leader to preclude any vote on Merrick Garland to fill the vacancy of Justice Scalia.

I know Judge Garland. I have met with him several times. He is a balanced, moderate, experienced jurist who should be on the U.S. Supreme Court. We should not be entertaining Neil Gorsuch this week; we ought to be celebrating the first anniversary of Merrick Garland's service on the U.S. Supreme Court. The reason we are not is that Senator MCCONNELL and the Senate Republicans refused us that opportunity. They said: No, you cannot vote on that.

Remember their logic? The logic was: Wait a minute. This is the last year of President Obama's Presidency. Why should he be able to fill a vacancy on the U.S. Supreme Court when we have an election coming soon?

That is an interesting argument. There are two things I am troubled with.

I do believe President Obama was elected for 4 years in his second term, not for 3, which meant he had authority in the fourth year, as he did in the third year.

Secondly, the Republican argument ignores history. It ignores the obvious history when we had a situation with President Ronald Reagan, in his last year in office, with regard to a vacancy on the U.S. Supreme Court. There were Democrats in charge of the Senate and Democrats in charge of the Senate Judiciary Committee, and President Ronald Reagan, a lameduck President in his last year, nominated Anthony Kennedy to serve on the Court. He sent the name to the Democratic Senate, and there was a hearing before the Senate Judiciary Committee and a vote that sent him to the Court.

You never hear that story from Senator MCCONNELL. It is because it does not fit into his playbook as to why he would wait for a year and refuse to give Merrick Garland a hearing and a vote. The reasoning is obvious: Clearly he was banking on the possibility that the electorate would choose a Republican President—and that is what happened—so that a Republican President—in this case, Donald Trump—could fill the vacancy, not Barack Obama.

So when I hear the speeches on the floor by Senator MCCONNELL about his bipartisan cooperation, he leaves out an important chapter—the last chapter, the one that brought us to this moment in the Senate.

I look at the situation before us today, and it is a sad situation for the Senate—sad in that we have reached the point in which a Supreme Court nomination has become so political, more so than at any time in history.

Where did the name ''Neil Gorsuch'' come from for the Supreme Court? It came from a list that was prepared by two organizations: the Federalist Society and the Heritage Foundation. These are both Republican advocacy groups who represent special interests and are funded by special interests. They came up with the names and gave them to Presidential candidate Donald Trump. It was a list of 21 names. He issued them twice—in March and in September of the last campaign year—and Neil Gorsuch's name was on the list.

The Federalist Society was created in 1982. Nominally, it is an organization that is committed to originalism.

In other words, it looks to the clear meaning of the Constitution, what the Founding Fathers meant. They say that over and over again: Just look to the Constitution and read it, and then we will know what we should do. That was in a speech that was given by Edwin Meese, the then-Attorney General in 1985, who explained the Federalist Society's credo.

On its face, it sounds at least arguably defensible that there would be an organization that is so committed to the Constitution that it wants Supreme Court nominees who will follow it as literally as possible. Yet, as Justice William Brennan on the Supreme Court said, if they think they can find in those musty volumes from back in the 18th century all of the answers to all of the questions on the issues we face today—here is what he called it—that is arrogance posing as humility.

Yet that is what they said the Federalist Society was all about. If that were all the Federalist Society were about, then I guess one could argue that they ought to have their day in court, their day in choosing someone for the Supreme Court, but it is more than that. When you look at those who finance the Federalist Society—and it is a short list because they refuse to disclose all their donors—you see the classic names of Republican support: the Koch brothers, the Mercer family, the Richard Mellon Scaife family foundation, the ones who pop up over and over again. Why would these organizations be so determined to pick the next nominee to fill the vacancy on the Supreme Court? It is because there is so much at stake.

In a Judiciary Committee hearing, my colleague SHELDON WHITEHOUSE went through the box score when it came to the Supreme Court and how they ruled when given a choice between special interests and corporate elites versus average workers and consumers and families. As Senator WHITEHOUSE pointed out graphically, in detail, overwhelmingly, this Court has ruled for the special interests. Sixty-nine percent of the Roberts' Court's rulings are in favor of the U.S. Chamber of Commerce's position on issues, according to one study.

Why would a special interest organization like the Federalist Society care? It wants to keep a good thing going, from its point of view. That is why this is a different Supreme Court nominee.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

CONGRATULATING THE SENIOR SENATOR FROM ILLINOIS

Mr. SCHUMER. Mr. President, first, I sat at the back of the room to listen to my colleague from Illinois. I know he got up because he wanted very much to respond to the majority leader, and I thought he did a great job. It was a pleasure to listen, as always, to one of the most articulate Members with whom I have ever served in any legislative body, as well as his having many other good traits.

EQUAL PAY DAY

Mr. President, today is Equal Pay Day. Unlike many holidays on our calendar, Equal Pay Day is not actually a commemoration of some achievement. Equal pay for women is still not close to a reality. Women still make 79 cents for every dollar a man makes in the same position. African-American women are making 64 cents on the dollar. Latina women are making 54 cents on the dollar. That is not right. It is holding the American dream out of reach for too many women in this country. So Equal Pay Day is not a commemoration; it is a reminder that glass ceilings are everywhere and that there are hugely consequential and tangible barriers that women face every single day that men do not.

In 2007, the Supreme Court, in a 5-to-4 decision by the conservative majority in Ledbetter v. Goodyear, ruled that Lilly Ledbetter could not pursue her claim that she was entitled to equal pay. The Lilly Ledbetter Fair Pay Act, which reversed this unfair Supreme Court decision, was the first bill President Obama signed into law in 2009.

NOMINATION OF NEIL GORSUCH

Mr. President, this leads me to the Supreme Court. It is just one of so many examples of what is at stake in the nomination of Judge Gorsuch to the Supreme Court, which we now debate here on the floor of the Senate.

I was listening to the majority leader earlier this morning, and I cannot believe he can stand here on the floor of the U.S. Senate and with a straight face say that Democrats are launching the first partisan filibuster of a Supreme Court nominee. What the majority leader did to Merrick Garland by denying him even a hearing and a vote is even worse than a filibuster. For him to accuse Democrats of the first partisan filibuster on the Supreme Court belies the facts, belies the history, belies the basic truth.

My friend Representative ADAM SCHIFF said: ''When McConnell deprived President Obama of a vote on Garland, it was a nuclear option. The rest is fallout.'' Let me repeat that. ADAM SCHIFF put it better than I ever could. ''When McConnell deprived President Obama of a vote on Garland, it was a nuclear option. The rest is fallout.''

Even though my friend the majority leader keeps insisting that there is no principled reason to vote against Judge Gorsuch, we Democrats disagree. First, he has instinctively favored corporate interests over average Americans. Second, he has not shown a scintilla of independence from President Trump. Third, as my colleague from Illinois elaborated, he was handpicked by hard-right special interest groups, not because he called balls and strikes. They would not put all of that effort and money into a caller of balls and strikes. These are ideologues who want to move America far to the right. He was picked by hard-right special interest groups because his views are outside the mainstream.

According to analyses of his record on the Tenth Circuit, which were conducted by the New York Times and the Washington Post, by experts on the Court, Judge Gorsuch would be one of the most conservative voices ever on the Supreme Court should he achieve that.

The Washington Post:

> Gorsuch's actual voting behavior suggests he is to the right of both Alito and Thomas and by a substantial margin. That would make him the most conservative Justice on the Court in recent memory.

That is why the Heritage Foundation and the Federalist Society put Judge Gorsuch on their list for President Trump.

As Emily Bazelon of the New York Times put it in a brilliant article that I would urge all of my colleagues to read:

> The reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets and protect workers and consumers.

I ask unanimous consent to have that article printed in the RECORD.

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

[From the New York Times, Apr. 1, 2017]

THE GOVERNMENT GORSUCH WANTS TO UNDO

(By Emily Bazelon and Eric Posner)

At recent Senate hearings to fill the Supreme Court's open seat, Judge Neil Gorsuch came across as a thoroughly bland and nonthreatening nominee. The idea was to give as little ammunition as possible to opponents when his nomination comes up this week for a vote, one that Senate Democrats may try to upend with a filibuster.

But the reality is that Judge Gorsuch embraces a judicial philosophy that would do nothing less than undermine the structure of modern government—including the rules that keep our water clean, regulate the financial markets and protect workers and consumers. In strongly opposing the administrative state, Judge Gorsuch is in the company of incendiary figures like the White House adviser Steve Bannon, who has called for its ''deconstruction.'' The Republican-dominated House, too, has passed a bill designed to severely curtail the power of federal agencies.

Businesses have always complained that government regulations increase their costs, and no doubt some regulations are ill-conceived. But a small group of conservative intellectuals have gone much further to argue that the rules that safeguard our welfare and the orderly functioning of the market have been fashioned in a way that's not constitutionally legitimate. This once-fringe cause of the right asserts, as Judge Gorsuch put it in a speech last year, that the administrative state ''poses a grave threat to our values of personal liberty.''

The 80 years of law that are at stake began with the New Deal. President Franklin D. Roosevelt believed that the Great Depression was caused in part by ruinous competition among companies. In 1933, Congress passed the National Industrial Recovery Act, which

allowed the president to approve ''fair competition'' standards for different trades and industries. The next year, Roosevelt approved a code for the poultry industry, which, among other things, set a minimum wage and maximum hours for workers, and hygiene requirements for slaughterhouses. Such basic workplace protections and constraints on the free market are now taken for granted.

But in 1935, after a New York City slaughterhouse operator was convicted of violating the poultry code, the Supreme Court called into question the whole approach of the New Deal, by holding that the N.I.R.A. was an ''unconstitutional delegation by Congress of a legislative power.'' Only Congress can create rules like the poultry code, the justices said. Because Congress did not define ''fair competition,'' leaving the rule-making to the president, the N.I.R.A. violated the Constitution's separation of powers.

The court's ruling in Schechter Poultry Corp. v. the United States, along with another case decided the same year, are the only instances in which the Supreme Court has ever struck down a federal statute based on this rationale, known as the ''nondelegation doctrine.'' Schechter Poultry's stand against executive-branch rule-making proved to be a legal dead end, and for good reason. As the court has recognized over and over, before and since 1935, Congress is a cumbersome body that moves slowly in the best of times, while the economy is an incredibly dynamic system. For the sake of business as well as labor, the updating of regulations can't wait for Congress to give highly specific and detailed directions.

The New Deal filled the gap by giving policy-making authority to agencies, including the Securities and Exchange Commission, which protects investors, and the National Labor Relations Board, which oversees collective bargaining between unions and employers. Later came other agencies, including the Environmental Protection Agency, the Occupational Safety and Health Administration (which regulates workplace safety) and the Department of Homeland Security. Still other agencies regulate the broadcast spectrum, keep the national parks open, help farmers and assist Americans who are overseas. Administrative agencies coordinated the response to Sept. 11, kept the Ebola outbreak in check and were instrumental to ending the last financial crisis. They regulate the safety of food, drugs, airplanes and nuclear power plants. The administrative state isn't optional in our complex society. It's indispensable.

But if the regulatory power of this arm of government is necessary, it also poses a risk that federal agencies, with their large bureaucracies and potential ties to lobbyists, could abuse their power. Congress sought to address that concern in 1946, by passing the Administrative Procedure Act, which ensured a role for the judiciary in overseeing rule-making by agencies.

The system worked well enough for decades, but questions arose when Ronald Reagan came to power promising to deregulate. His E.P.A. sought to weaken a rule, issue by the Carter administration, which called for regulating ''stationary sources'' of air pollution—a broad wording that is open to interpretation. When President Reagan's E.P.A. narrowed the definition of what counted as a ''stationary source'' to allow plants to emit more pollutants, an environmental group challenged the agency. The Supreme Court held in 1984 in Chevron v. Natural Resources Defense Council that the E.P.A. (and any agency) could determine the meaning of ambiguous term in the law. The rule came to be known as Chevron deference: When Congress uses ambiguous language in a statute, courts must defer to an agency's reasonable interpretation of what the words mean.

Chevron was not viewed as a left-leaning decision. The Supreme Court decided in favor of the Reagan administration, after all, voting 6 to 0 (three justices did not take part), and spanning the ideological spectrum. After the conservative icon Justice Antonin Scalia reached the Supreme Court, he declared himself a Chevron fan. ''In the long run Chevron will endure,'' Justice Scalia wrote in a 1989 article, ''because it more accurately reflects the reality of government, and thus more adequately serves its needs.''

That was then. But the Reagan administration's effort to cut back on regulation ran out of steam. It turned out that the public often likes regulation—because it keeps the air and water clean, the workplace safe and the financial system in working order. Deregulation of the financial system led to the savings-and-loans crisis of the 1980s and the financial crisis a decade ago, costing taxpayers billions.

Businesses, however, have continued to complain that the federal government regulates too much. In the past 20 years, conservative legal scholars have bolstered the red-tape critique with a constitutional one. They argued that only Congress—not agencies—can create rules. This is Schechter Poultry all over again.

And Judge Gorsuch has forcefully joined in. Last year, in a concurring opinion in an immigration case called Gutierrez-Brizuela v. Lynch, he attacked Chevron deference, writing that the rule ''certainly seems to have added prodigious new powers to an already titanic administrative state.'' Remarkably, Judge Gorsuch argued that Chevron—one of the most frequently cited cases in the legal canon—is illegitimate in part because it is out of step with (you guessed it) Schechter Poultry. Never mind that the Supreme Court hasn't since relied on its 1935 attempt to scuttle the New Deal. Nonetheless, Judge Gorsuch wrote that in light of Schechter Poultry, ''you might ask how is it that Chevron—a rule that invests agencies with pretty unfettered power to regulate a lot more than chicken—can evade the chopping block.''

At his confirmation hearings, Judge Gorsuch hinted that he might vote to overturn Chevron without saying so directly, noting that the administrative state existed long before Chevron was decided in 1984. The implication is that little would change if courts stopped deferring to the E.P.A.'s or the Department of Labor's reading of a statute. Judges would interpret the law. Who could object to that?

But here's the thing: Judge Gorsuch is skeptical that Congress can use broadly written laws to delegate authority to agencies in the first place. That can mean only that at least portions of such statutes—the source of so many regulations that safeguard Americans' welfare—must be sent back to Congress, to redo or not.

On the current Supreme Court, only Justice Clarence Thomas seeks to strip power from the administrative state by undercutting Chevron and even reviving the obsolete and discredited nondelegation doctrine, as he explains in opinions approvingly cited by Judge Gorsuch. But President Trump may well appoint additional justices, and the other conservatives on the court have expressed some uneasiness with Chevron, though as yet they are not on board for overturning it. What would happen if agencies could not make rules for the financial industry and for consumer, environmental and workplace protection? Decades of experience in the United States and around the world teach that the administrative state is a necessary part of the modern market economy. With Judge Gorsuch on the Supreme Court, we will be one step closer to testing that premise.

Mr. SCHUMER. There are clearly principled reasons to oppose Judge Gorsuch, and enough of us Democrats have reasons to prevent his nomination from moving forward on Thursday's cloture vote.

The question is no longer whether Judge Gorsuch will get enough votes on the cloture motion; now the question is, Will the majority leader and our friends on the other side break the rules of the Senate to approve Judge Gorsuch on a majority vote? That question should be the focus of the debate here on the floor, and it should weigh heavily on the conscience of every Senator.

Ultimately, my Republican friends face a simple choice: They can fundamentally alter the rules and traditions of this great body or they can sit down with us Democrats and the President to come up with a mainstream nominee who can earn bipartisan support and pass the Senate.

No one is making our Republican colleagues change the rules. No one is forcing Senator MCCONNELL to change the rules. He is doing it of his own volition, just as he prevented Merrick Garland from getting a vote of his own volition. Senator MCCONNELL and my Republican colleagues are completely free actors in making a choice—a very bad one, in our opinion.

I know my friends on the other side of the aisle are uncomfortable with this choice, so they are scrambling for arguments to justify breaking the rules. Let me go through a few of these justifications and explain why each does not hold up.

First, many of my Republican colleagues will argue that they can break the rules because ''Democrats started it in 2013'' when we lowered the bar for lower court nominees and Cabinet appointments.

Let's talk about that. The reason Majority Leader Reid changed the rules was that Republicans had ramped up the use of the filibuster—the very filibuster they now decry—to historic proportions. They filibustered 79 nominees in the first 5 years of Obama's Presidency. Let's put that into perspective. Prior to President Obama, there were 68 filibusters on nominations under all of the other Presidents combined, from George Washington to George Bush. We had 79. Our colleagues and Leader MCCONNELL, the filibuster is wrong? There were 79—more than all of the other Presidents put together. The shoe was on a different foot.

They deliberately kept open three seats on the second most important court in the land—the DC Court of Appeals—because it had such influence over decisions made by the government. This is the court, other than the U.S. Supreme Court, that the Federalist Society and the Heritage Foundation hate the most. The deal that a

number of Senators made in 2005 allowed several of the most conservative judges to be confirmed to that court—very conservative people. It left a bad taste in my mouth, and I am sure in my colleagues' and in many others.

But then, when President Obama came in, they insisted on not filling any additional seats on the court—which, of course, would have been Democratic seats—and eventually held open 3 of the 11 seats on that court. They said they would not allow those seats to be filled by President Obama—an eerie precedent, which the majority leader repeated with Merrick Garland. He didn't want the DC Circuit to have Obama-appointed, Democratic-appointed nominees; he didn't want that on the Supreme Court, so he blocked Merrick Garland. He didn't want it on the DC Circuit, so they wouldn't let any of President Obama's nominees come to the floor.

Merrick Garland's nomination was not the first time the majority leader held open a judicial seat because it wasn't the President of his party, and that was not during an election year.

At the time, I spoke with my good friend from Tennessee, Senator ALEXANDER. I asked him to go to Senator MCCONNELL and tell him that the pressure on our side to change these rules—after all of these unprecedented numbers of filibusters—was going to be large. I said to Senator ALEXANDER: Let's try to avoid it. But Senator MCCONNELL and Republicans refused all of our overtures to break the deadlock they imposed.

To be clear, Democrats changed the rules after 1,776 days of obstruction on President Obama's nominees. My Republican friends are contemplating changing the rules after barely more than 70 days of President Trump's administration. We moved to change the rules after 79 cloture motions had to be filed. They are talking about changing the rules after 1 nominee fails to meet the 60-vote threshold.

So, yes, Democrats changed the rules in 2013, but only to surmount an unprecedented slowdown that was crippling the Federal judiciary, and we left the 60-vote threshold intact for the Supreme Court deliberately. We could have changed it. We had free will then, just as Senator MCCONNELL has it now. But we left the 60-vote threshold intact for the Supreme Court because we knew and know—just as our Republican friends know—that the highest Court in the land is different.

Unlike with lower courts, Justices on the Supreme Court don't simply apply precedents of a higher court; they set the precedents. They have the ultimate authority under our constitutional government to interpret the law. Justices on the Supreme Court should be mainstream enough to garner substantial bipartisan support; hence, why we didn't change the rules; hence, why we believe in the 60-vote threshold; and hence, why 55 or 60 percent of all Americans agree with the 60-vote threshold, according to the most recent polls. To me, and I think to most of my friends on the Republican side, that is not a good enough reason to escalate the argument and break the rules for the Supreme Court.

Second, as I have mentioned, I have heard my Republican friends complain that Democrats are conducting the first partisan filibuster of a Supreme Court nominee in history, so that is the reason they can justify breaking the rules because Democrats are the ones taking it to a new level. Again, I have just two words for my Republican friends: Merrick Garland. The Republican majority conducted the first partisan filibuster of a Supreme Court pick when their members refused to have hearings for Merrick Garland.

In fact, what the Republicans did was worse than a filibuster. The fact is, the Republicans blocked Merrick Garland using the most unprecedented of maneuvers. Now we are likely to block Judge Gorsuch because we are insisting on a bar of 60 votes.

We think a 60-vote bar is far more in keeping with tradition than what the Republicans did to Merrick Garland. We don't think the two are equivalent. Nonetheless, in the history of the Scalia vacancy, both sides have lost. We didn't get Merrick Garland; they are not getting 60 votes on Judge Gorsuch.

So we are back to square one right now, and the Republicans have total freedom of choice in this situation.

Finally, Republicans have started to argue that because Democrats will not confirm Judge Gorsuch, we will not confirm anyone nominated by President Trump, so they have to break the rules right now. That is an easy one. I am the Democratic leader. I can tell you myself that there are mainstream Republican nominees who could earn adequate Democratic support.

And just look at recent history. Justices Roberts and Alito, two conservative judges who many of us on the Democratic side probably don't agree with, both earned over 60 votes. They got Democratic votes. While there was a cloture vote on Justice Alito, he was able to earn enough bipartisan support that cloture was invoked with over 70 votes. He got only 58 when we voted for him, but the key vote was the cloture vote.

Let's have the President consult Members of both parties—he didn't with Gorsuch—and try to come up with a consensus nominee who could meet a 60-vote threshold. That is what President Clinton did with my friend, the Senator from Utah, in selecting Justices Ginsberg and Breyer. It is what President Obama did with Merrick Garland.

Of course, we realize a nominee selected this way would not agree with many of our views. That is true. But President Trump was elected President, and he is entitled by the Constitution to nominate. But Judge Gorsuch is so far out of the mainstream that the Washington Post said his voting record would place him to the right of Justice Thomas. He was selected by the Heritage Foundation and the Federalist Society without an iota of input from the Senate.

There is a better way to do this. I know it sometimes may seem like a foreign concept in our hyperpolarized politics these days, but there is always the option of actually consulting Democrats on a nominee and discussing a way forward that both parties can live with. We are willing to meet anywhere, anytime.

So my friends on the other side can dredge up these old wounds and shopworn talking points if they choose. If Republicans want to conduct a partisan, ''they started it'' exercise, I am sure we could trace this all the way back to the Hamilton-Burr duel. But at the end of the day, they have to confront a simple choice: Are they willing to break the rules of the Senate or can they work with us on a way forward? I, for one, hope we can find a way to compromise. Judge Gorsuch was not a compromise. He was solely chosen without any consultation. So it is not that there is a Merrick equivalency.

My friend the majority leader said: ''I think we can stipulate that in the Senate it takes 60 votes on controversial matters.'' If anything is a controversial, important matter, it is a selection for the Supreme Court, and Senator MCCONNELL has repeatedly stood for the rightness of 60 votes on important and controversial issues.

If Senator MCCONNELL wants to change his view on the 60 votes all of a sudden and Republicans decide to go along with him, it will not be because Democrats started it, because that is not true. It will not be because Democrats will not confirm any President Trump-nominated Justice, because that is not true. It will be because they choose to do so, and they will have to bear the unfortunate consequences.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

MINERS PROTECTION ACT

Mrs. CAPITO. Mr. President, I rise today, as I have on a number of occasions in the past, to express the urgent need for action to protect the retirement security of our Nation's coal miners. Because of bankruptcies that have decimated the coal industry, we have lost over 22,000 jobs in our State, but more than 22,000 retired coal miners and their spouses are at risk of losing their healthcare benefits at the end of April.

I have visited with retired miners from all across West Virginia to discuss this situation. During the February congressional recess, I visited the Cabin Creek Health Center in West Virginia. The Cabin Creek Health Center serves hundreds of coal miners and their families. They provide pulmonary rehabilitation services for miners suffering from black lung. They also provide primary care services for miners and other members of their community. During my visit, I met with several retired miners who would lose their health insurance coverage if Congress fails to act. These individuals are suffering from serious medical conditions and were unsure how they would afford their healthcare if they were to lose their current coverage.

Just 2 weeks ago, I met with about a dozen retired miners from West Virginia who came to Washington to support the Miners Protection Act and to stand up for their hard-earned retirement benefits. Other groups of West Virginia miners have come to Washington over the past few months. All have carried one message to Congress: Keep the promise of our lifetime health benefits. On March 1, thousands of miners received notice that their health insurance would be terminated in 60 days. Most of these same people received that very same message just last October. As I listen to their stories, it is hard to imagine the worry these notices cause for miners and their families.

In December 2016, Congress included language in the continuing appropriations legislation that preserved health coverage for these retired miners for just 4 months. While that provision kept mining families from losing their health coverage—which is good—at the end of last year, a permanent solution is critically needed.

The 4-month provision from the December CR expires at the end of this month. It is vital—vital—that Congress take action within the next few weeks to provide healthcare and peace of mind for these miners in West Virginia and across coal country. Our retired miners deserve their promised healthcare coverage and should not have to receive another cancellation notice or another Band-Aid solution. We have a bipartisan vehicle for action. I have worked closely with Senator JOE MANCHIN, Senator ROB PORTMAN, and others to introduce and promote the bipartisan Miners Protection Act, which would preserve healthcare and pension benefits for our miners. Our bill passed the Senate Finance Committee last year by a bipartisan vote of 18 to 8. I also would like to thank the majority leader, Senator MITCH MCCONNELL, because he has introduced legislation that would provide a permanent healthcare solution for our miners.

With all of us pulling together and with us working together, I am confident the Senate will act before the end of this month to continue these critical healthcare benefits for our miners. I ask my colleagues for their support in addressing this important issue for our working families.

The PRESIDING OFFICER. The Senator from Texas.

NOMINATION OF NEIL GORSUCH

Mr. CORNYN. Mr. President, yesterday the Senate Judiciary Committee voted out the nomination of Judge Neil Gorsuch to fill the vacancy on the Supreme Court left by the death of Justice Scalia. During the meeting, as the Presiding Officer knows, our Democratic colleagues trotted out the same old tired arguments we have heard time and again about Judge Gorsuch.

In the end, though, none of those arguments hold water, and of course many of them aren't even about him. Instead, these arguments reveal how our colleagues across the aisle are grasping for reasons to justify an unprecedented partisan filibuster of a Supreme Court Justice.

Some object to the nomination of Judge Gorsuch because they claim he refuses to answer specific questions. But I ask: How would any of us feel if the judge before whom we might later appear had previously, in order to get a confirmation of his nomination, made certain promises of how he would judge that case when presented at a future date? We would all feel more than a little bit betrayed and even cheated if the judge had prejudged our case before he even heard it. The judge is simply engaging in a common practice for Supreme Court nominees. They steer clear of any questions that may pertain to cases they may have to rule on later. It is a matter, as the Presiding Officer knows, of judicial ethics, and we wouldn't have it any other way.

Justice Ruth Bader Ginsburg set this precedent early on. During her confirmation hearing in 1993, she said she didn't want to give any hints or previews about how she might vote on an issue before her. So she politely and respectfully declined. Others followed her example, and Judge Gorsuch is, of course, doing precisely the same.

By any fair review, Judge Gorsuch has a history of 10 years as a judge sitting on the Tenth Circuit Court of Appeals out of Denver, CO. He has a history of interpreting the law fairly, basing his judgments on the law and the facts, without regard to politics and without respect to persons.

That brings me to this argument that somehow he is against the little guy. Clearly, a review of the records demonstrates that this is not so. But, again, how are judges supposed to perform? Are they supposed to see the litigants—the parties to a lawsuit—in their court and say: Well, you have a big guy and you have a little guy, and I am always going to vote or render a judgment for the little guy without regard to the law or the facts?

I realize that sometimes our colleagues can weave a story that seems somewhat sympathetic when it comes to the fact that not everybody is guaranteed a win in court. As a matter of fact, when there are two parties to a lawsuit, one of those parties is likely to be disappointed in the outcome. But that is what judges are there for. That is what they are supposed to do. They are supposed to render judgments, without regard to personal preferences or politics or without regard to their sympathies, let's say, for one of the parties to the lawsuit.

Judge Gorsuch even said this during his hearing: No one will capture me. No one will capture me—meaning that no special interest group or faction would derail him from following the law, wherever it may lead. That is why Judge Gorsuch is universally respected. That is why he was confirmed by voice vote 10 years ago to the Tenth Circuit Court of Appeals. No one objected to Judge Gorsuch's confirmation to a lifetime appointment on the Tenth Circuit Court of Appeals.

Again, as the Presiding Officer knows, the Supreme Court of the United States only hears about 80 cases, give or take, a year. Most of the hard work gets done in our judicial system at the district court level and at the circuit court level, and almost all of the cases end in circuit courts, like the Tenth Circuit Court of Appeals, on which Judge Gorsuch serves. That is not to say that the Supreme Court is not important—it is—in resolving conflicts between the circuits or ruling on important questions of law to guide all of the judiciary and to settle these issues for our country, at least for a time, and maybe even permanently when it comes to constitutional interpretation.

Judge Gorsuch enjoys broad support from across the political spectrum, especially from his colleagues and members of the bar.

For 13 years, I served on the State judiciary in Texas, with 6 years as a trial judge and 7 years as a member of the Texas Supreme Court. When I heard that Judge Gorsuch had participated in 2,700 cases on a three-judge panel and 97 percent of them were unanimous, that told me something special about this judge. It takes hard work to build consensus on a multijudge panel, whether it is three judges or nine judges, like the Supreme Court. I think what we are going to see out of this judge is not somebody who is going to decide cases in a knee-jerk fashion but somebody who is going to work really hard to try to build consensus on the Supreme Court of the United States.

That is really important to the Supreme Court's respect as an institution of our government. What causes disrespect for our judiciary is when judges act like politicians, when they make pledges of how they will decide cases ahead of time or they campaign, in essence, for votes based on ideological positions.

Judge Gorsuch is the opposite of that, and that is the kind of judge America needs right now in the Supreme Court. That is why later on this

week, on Friday, Judge Gorsuch will be confirmed.

In spite of all the evidence in support of the nominee's intellect and qualifications, without regard to the bipartisan chorus urging his confirmation, the Democratic leader has decided to do everything he can to prevent us from even having an up-or-down vote on his nomination. Unfortunately, he will be making history in urging his Democratic colleagues to engage in a partisan filibuster against a Supreme Court justice. In our Nation's long, rich history, there has never been a successful partisan filibuster of a Supreme Court nominee. Now, some people want to talk about Abe Fortas back in 1968, which was totally different. But there has never been a successful partisan filibuster of a Supreme Court justice until, apparently, this week on Thursday—not one of them.

Not one of my Republican colleagues mounted a filibuster when President Obama nominated Justice Sotomayor or Justice Kagan. Both received an up-or-down vote. That is because that has been the customary way this Chamber has treated Supreme Court nominees in the past. Only four times in our Nation's history has a cloture motion actually even been filed. But cloture was always achieved because, on a bipartisan basis, enough votes were cast to allow the debate to end and then to allow an up-or-down vote on the nominee.

To show how new this weaponization of the filibuster has become, back when Clarence Thomas was confirmed to the Supreme Court of the United States, he got 52 votes—52 votes—and was confirmed and now serves on the Supreme Court. Back when he was confirmed, no one even dreamed of its use. It was theoretically possible, but no one dreamed of the idea that someone would raise the threshold for confirmation from a 51-majority vote to 60.

Our colleagues have made it quite clear that they don't want to support any nominee from this President. So it is not even just about Judge Gorsuch. It is about any nominee this President might propose to the Supreme Court. And I think what it boils down to is this: Our Democratic colleagues haven't gotten over the fact that they lost the election. I think it really isn't much more complicated than that. They adamantly resisted participating in the legislative process. They dug their feet on every Cabinet nomination and now on the Supreme Court nomination. All they know is to obstruct because they haven't gotten over the fact that Hillary Clinton isn't President of the United States.

They keep bringing up Merrick Garland's name. Judge Garland is a fine man, a good judge who serves on the DC Circuit Court of Appeals, but you would have to go back to 1888 to find a time when someone was nominated in a Presidential election year with divided government and where that person was confirmed.

What we decided to do upon the death of Justice Scalia is to say that the Supreme Court is so important that we are going to have a referendum on who gets to nominate the next Justice on the Supreme Court. Our Democratic friends thought for sure it would be Hillary Clinton. When it turned out to be Donald Trump, well, all bets were off, and they were in full opposition mode. But we would have respected the right of a President Hillary Clinton to fill that nomination because that is what we said was at stake in the election. I think it had a big impact on whom got elected on November 8 as President of the United States and who would fill that vacant seat and any future vacant seats on the Supreme Court.

So here is the problem. If Judge Gorsuch is an unacceptable nominee, can you imagine any nominee by this President being acceptable to our Democratic colleagues? I can't, because Judge Gorsuch is about as good as you get when it comes to a nominee. He is exactly the type of person we should hope to see nominated to the Supreme Court.

So it is time for our Democratic colleagues to accept reality and not to live in some sort of fantasy land and not to try to punish good people like Judge Gorsuch, who has done an outstanding job, because they are disappointed in the outcome of the election.

So here is the bottom line. Our Democratic friends will determine how we get to an up-or-down vote on Judge Gorsuch. If they are genuinely concerned about the institution of the Senate, they will provide eight votes to get cloture to close off debate, they will decline to filibuster the judge, and they will allow an up-and-down vote on this imminently qualified nominee.

I am holding out hope that more thoughtful and independent Democrats will think better of the Democratic leader's strategy. Several already have, and I commend them for it. I hope more will come around to that idea, but as I and others have said before, regardless of whether they do, Judge Gorsuch will be confirmed. But it is up to the Democrats to determine just how we get that done.

I see a friend from Vermont here. I won't take much longer. I want to take about 3 or 4 minutes, maybe 5 minutes, to debunk some of the myths about how we got here.

I have in front of me an article written by Neil Lewis dated May 1, 2001. The title of this New York Times story is ''Washington Talk; Democrats Readying for Judicial Fight.'' It is dated May 1, 2001. That was, of course, in the early days of the George W. Bush administration. What it says is that 42 of the Senate's 50 Democrats attended a private retreat in Farmington, PA, where the principal topic was forging a unified party strategy to combat the White House on judicial nominees.

Mr. Lewis goes on to quote one of the people there who said: ''They said it was important for the Senate to change the ground rules'' by which judicial nominees were confirmed. And they did as a result of that meeting, which was led by Laurence Tribe of Harvard Law School, Cass Sunstein of the University of Chicago, and Marcia Greenberger, codirector of the National Women's Law Center. Senator SCHUMER, the present Democratic leader, and others, cooked up a new procedural hurdle for President George W. Bush's judicial nominees, and we remember what happened after that. It became almost routine for our Democratic colleagues to filibuster President Bush's nominees.

Ultimately, there came a meeting of a group called the Gang of 14, where there was a deal worked out that some of President Bush's judicial nominees were confirmed and others were returned and not confirmed. There was a decision made at that time by the Gang of 14, a bipartisan group, that there would be no filibuster of judicial nominees, absent exceptional circumstances. That was the language that they used—''absent exceptional circumstances''—that let us get by that obstacle and those filibusters for a time.

The next major development occurred in 2013, when President Obama really wanted to see on the DC Circuit Court of Appeals—the primary circuit court that reviewed administrative decisions—more of his Democratic nominees on that court. So in a new and unprecedented fashion, Senator Harry Reid changed the cloture rules once again—so-called the Reid Rule. For what purpose? It was a naked power grab. It was to pack the DC Circuit Court of Appeals—one of the least busy circuit courts in the country—in order to have judges confirmed by 51 Democratic votes that would rubberstamp President Obama's administrative actions during his administration. And sadly, it worked. They did just that.

So in a way, we are coming full circle, back to what the tradition in the Senate was before the year 2000, before Democrats went to this retreat led by liberal legal activists who cooked up this idea that you could filibuster judges, and they tried to impose a requirement of 60 votes for confirmation when, in fact, the Constitution contemplates a majority vote, or 51 votes for confirmation.

Some have said this represents the end of comity in the Senate. I don't believe that. Some have said this threatens the end of the legislative filibuster or cloture requirement. I don't believe that either. There is a big difference between a nominee by a President that is an up-or-down vote—confirm or don't confirm. There is a big difference between that and legislation, which by definition is a consensus-building process by offering an amendment, by offering other suggestions to build that consensus and get it passed.

You can't amend a nominee. All you can do is vote up or down. So I don't

believe restoring the status quo ante—going back before 2000 and restoring the 200-year-plus tradition of the Senate where you don't filibuster judges—I don't see that as a bad thing. I don't see it as the end of the legislative filibuster. It is completely apples and oranges.

It is true that 51 Senators will be able to close off debate and confirm Judge Gorsuch, and we will see that happen later this week. It also means that the next Democratic President can nominate a Supreme Court nominee, and that person will be confirmed by 51 votes. Again, this has been the 200-plus-year tradition of the Senate. I don't see that as the end of the Senate. I don't see this as somehow damaging our country—the restoration of the status quo before 2000, when our Democratic colleagues decided to weaponize the filibuster and use it to block judges based on this trumped-up idea that 60 votes would be required rather than 51.

I look forward to confirming Judge Gorsuch later this week. He is a fine man and a very good judge. He has exactly the sort of record we would want to serve on the Court. No, he is not a liberal activist. Clearly, Hillary Clinton, if she had been elected, would have nominated somebody different. That is one reason why we choose whom we choose for our President, because of the kinds of nominations they will make, and I must say President Trump has chosen well in Neil Gorsuch.

I yield the floor.

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

Mr. SANDERS. Mr. President, I rise today to oppose the nomination of Judge Neil Gorsuch to the Supreme Court of the United States. After meeting with Judge Gorsuch and having a long and pleasant conversation, after hearing his testimony before the Judiciary Committee, and after carefully reviewing his record, I have concluded that I cannot support a man with his views for a lifetime seat on the Supreme Court.

The Supreme Court is the most important judicial body in this country. The decisions that it reaches, even on a 5-to-4 vote, have a profound impact on all Americans, on our environment, and on our way of life. As we decide this week as to how we are going to cast our votes regarding Judge Gorsuch, it is important to understand how that vote for Judge Gorsuch—for or against him—will impact the lives of the people of our country.

Let me give you just a few examples as to what is at stake. Seven years ago, in a 5-to-4 decision, the Supreme Court ruled in a case called Citizens United, and in that case, by a 5-to-4 decision, the Court said that billionaires and corporations could spend as much money as they wanted on the political process. This decision, as all Americans know, opened the floodgates of corporate money, of money from the billionaire class, such that the wealthiest people in our country today can now elect candidates who represent their interests and not the interests of ordinary Americans.

That decision, Citizens United, is undermining American democracy, and in my view, it is moving us toward an oligarchic form of society in which a handful of the wealthiest people in this country—the Koch brothers and others—now have the power not only to control our economy but our political life as well. In my view, Citizens United must be overturned, and we must move back to a nation where our political system is based on one person, one vote, not on the ability of billionaires to buy elections.

Based on my conversation with Judge Gorsuch and a review of his record, do I believe that he will vote to overturn Citizens United? Absolutely not. Further, I suspect that he will vote to undermine our democracy even further by supporting the elimination of all restrictions on campaign finance, something which the Republican leadership in this body wants.

What the Republican leadership is striving toward is eliminating all campaign finance restrictions, such that billionaires can say to somebody: I am going to give you $500 million to run for the U.S. Senate from California, and you work for me—no independent expenditures. I will select your campaign manager, your speech writer, your media adviser, your pollster. You are my employee.

That is what the Republican leadership here wants. They want to undermine all campaign finance laws, and I believe that Judge Gorsuch will move this country in that way, a more and more undemocratic way.

Further, when we talk about the political process, it is important to point out that in 2013, again by a 5-to-4 vote, the Supreme Court gutted the 1965 historic Voting Rights Act, a law which was passed to combat racial discrimination in voting in a number of States. What the Court said, finally, is that in the United States, you have the right to vote no matter what the color of your skin is, a historic step forward in making this country the kind of country that it must become.

Well, as a result of that 5-to-4 Supreme Court decision in 2013 gutting the Voting Rights Act, literally days after, we had Republican Governors and Republican legislatures all over this country, under the guise of fighting voter fraud, passing laws—everybody knows this—intentionally designed to make it harder for people of color, for poor people, for young people, for older people to vote in elections.

In America in the year 2017, it is not too much to ask that all of our people who are eligible to vote be able to vote without harassment, without roadblocks, without barriers being placed in front of them.

I know it is a radical idea, but it is called democracy. It is called democracy. It says that if you are eligible to vote, we want you to vote. We want you to participate. It says that in America, where we have one of the lowest voter turnout rates of any major country on Earth, we want more people to be participating in the political process, not fewer people. There is nothing I have seen in Judge Gorsuch's record or in his recent statements to suggest to me that he is prepared to overturn this disastrous decision on the Voting Rights Act.

In 1973, we all know, the Supreme Court decided Rowe v. Wade and declared that women have a constitutional right to control their own bodies. That decision has been subsequently affirmed by multiple cases as recently as last June.

In his confirmation hearings, Judge Gorsuch refused to state if he believed Roe v. Wade was good law and should be upheld. Based on his statements and general philosophy, I believe there is a strong likelihood that Judge Gorsuch would vote to overturn Roe v. Wade and deny the women of this country the constitutional right to control their own bodies. This would be an outrage. I do not want to be a party to allowing that to happen.

In addition, under Chief Justice John Roberts, the Supreme Court has time and again voted in support of corporate interests and against the needs of the working people of our country. After reviewing Judge Gorsuch's record, I believe he will continue that trend.

In a case called TransAm Trucking, Judge Gorsuch argued that a trucker was properly fired by his employer for abandoning his cargo at the side of the road after his truck broke down and he nearly froze to death waiting for help. Judge Gorsuch literally believed that this man should have had to choose between his life and his job, and by choosing his life—not freezing to death—he deserved to lose his job.

In another case, Judge Gorsuch ruled that a university was correct to fire a professor battling cancer rather than grant her request to extend her sick leave. I find these decisions troubling.

At a time of massive income and wealth inequality, when so many working people throughout this country feel powerless at the hands of the wealthy and the powerful and their employers, we need a Supreme Court Justice who will protect workers' rights and not just worry about corporate profits. I fear very much that Judge Gorsuch is not that person.

I listened carefully to what my friend, Senator CORNYN of Texas, had to say about this entire process. I have to say that in his remarks there was a whole lot of obfuscation because there is a simple reality that we are going to have to deal with in the Senate this week. Everybody knows, and Senator CORNYN made the point, that under Harry Reid, the former Democratic leader, the rules, in fact, were changed. They were changed because of an unprecedented level of Republican obstructionism, making it impossible for President Obama to get almost any of his nominees appointed.

Let's not forget that in the midst of that controversial decision—and it was a controversial decision—the Democratic leader had the power also to say that we will waive the 60-vote rule regarding Supreme Court nominees. Democrats had the power, and they chose not to exercise that power in ending that rule—although, of course, they could have done that. I think the reason was that the Democratic leadership appropriately and correctly believed that on an issue of such magnitude, the appointment of a Supreme Court Justice, it is important that there be bipartisan support. But right now, it appears that the Republican leadership is going to do what the Democratic leadership did not do; that is, waive that rule and get their judge appointed with 51 votes.

So I would suggest to the Republican leader that instead of trying to push this nominee through with 50-some-odd votes, it might make more sense that, rather than changing the rule, change the nominee, and bring forth someone who, in fact, can get 60 votes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FOREIGN AGENTS REGISTRATION MODERNIZATION AND ENFORCEMENT ACT

Mrs. SHAHEEN. Mr. President, last month I introduced bipartisan legislation with Senator TODD YOUNG of Indiana to create greater transparency about foreign individuals and organizations that are operating in the United States to advance the interests of foreign governments, including governments that are hostile to the United States.

In particular, our bill will give the Department of Justice new and necessary authority to investigate potential violations of the Foreign Agents Registration Act by RT America, the U.S. branch of RT News or Russia Today News.

The Foreign Agents Registration Act was passed back in the late 1930s in response to concerns about Nazi propaganda being disseminated in the United States without people knowing what it was. It is absolutely appropriate today for us to take a look at what Russia and other countries may be doing to our news.

RT America, which broadcasts from studios here in Washington and is available on cable TV across the United States and across the world, for that matter, is one of the most high-profile assets in Vladimir Putin's vast $1.4 billion propaganda machine. According to the U.S. intelligence community, the Kremlin selects the staff for RT and closely supervises RT's coverage, including disinformation and false news stories designed to undermine our democracy.

Here we have a photo that shows exactly what I believe seems to be happening with RT. This photo was taken from a declassified U.S. intelligence report, and it shows RT's editor-in-chief—and former Putin campaign staffer, by the way—Margarita Simonyan briefing Putin on RT's facilities. So clearly he is interested.

Well, I believe the American people have a right to know if a Russian Government entity is exploiting our first amendment freedoms to harm our country. It is galling that RT news has publicly—publicly—boasted that it can dodge our laws by claiming to be financed by a nonprofit organization and not the Russian Government.

Well, what my bill—our bill—would do is strengthen the Foreign Agents Registration Act by giving the Department of Justice authority to compel foreign organizations to produce documentation to confirm funding sources and foreign connections. This is investigative authority that has been recommended by the Department of Justice inspector general, the Government Accountability Office, and the Project on Government Oversight. Our bill would create transparency by giving Justice the authority it needs to investigate RT America and publicly expose its ties to the Kremlin.

The audacity of Russia's interference in Western democracies, including extensive meddling in our 2016 Presidential election, is deeply alarming, and we have learned that Russia's influence campaign reaches tens of millions of unsuspecting Americans. False news stories can end up on our Facebook timelines and our Twitter feeds. They shape the political conversations that we have with our friends at the supermarket and our colleagues at work.

These are just a few of the headlines from RT. This one is actually from Sputnik, which is another Russian news outlet. They show the extent to which these false news stories are being spread around. This one talks about how ''1,000s Turkish forces surround NATO's Incirlik air base for 'inspection' amid rumors of coup attempt,'' which suggests that we were involved in that coup attempt.

''FBI wiretapped Trump Tower in search of 'Russian mobster.' ''

''Spying on Trump: CIA Whistleblower Points Finger at Clapper, Brennan, Comey.''

''Ukrainian Su-25 fighter detected in close approach to MH17 before crash.'' You will remember that this was the plane crash over Ukraine—that the Russians shot down.

During our Presidential campaign in 2016, dozens of narratives and false news stories originated in Russia—for instance, this one, the baseless story that the Obama administration launched a coup against the Turkish Government from the U.S. airbase in that country.

Earlier, RT News ran numerous reports on supposed U.S. election fraud and voting machine vulnerabilities, claiming that the results of the U.S. elections could not be trusted and did not reflect the people's will.

Well, researchers have traced these and other stories to a common source: the Kremlin's sophisticated, multifaceted propaganda empire, which reaches some 600 million people across 130 countries and in 30 languages.

If you watch RT News, you will agree that it is not clear whether you are watching a U.S. news station or a Russian station because it has slick production values. It is arguably the jewel in the crown of this propaganda empire.

According to the U.S. intelligence community report declassified in January:

> The Kremlin has committed significant resources to expanding the [RT News'] reach, particularly its social media footprint. . . . RT America has positioned itself as a domestic US channel and has deliberately sought to obscure any legal ties to the Russian government.

A prime objective of this propaganda barrage is to influence U.S. and European public opinion, create confusion, and shape election outcomes.

The Associated Press has identified a building in Moscow where an estimated 400 internet trolls—fluent in English and well-versed in American politics—work 12-hour shifts, creating false narratives and fake news stories. These stories are then seeded on the internet, they get validated, and they get passed on by popular websites and eventually end up on our radios, TVs, and smartphone screens.

In an incident earlier this month, a discredited former CIA employee went on RT News to charge that President Obama had asked British intelligence to spy on Donald Trump. Well, this false news story was then spread by legal commentator Anthony Napolitano on the FOX News show ''Fox and Friends,'' which is regularly watched by the President. The claims were then cited by President Trump and White House Press Secretary Sean Spicer to defend the President's claims that his predecessor had wiretapped Trump Tower.

Well, we know that during testimony before Congress 2 weeks ago, the NSA Director, ADM Michael Rogers, agreed with our British allies that the original RT News story was utterly ridiculous.

At an Armed Services Committee hearing last month, Gen. Philip Breedlove, Retired, the former Supreme Allied Commander in Europe, told us that when Russian-backed forces shot down Malaysian Airlines Flight 17 over Ukraine in 2014, the Russians put out four stories within two news cycles placing the blame on the Ukrainian Government and others. This is the headline that we see from RT. The general said it took 2 years for

the West to finally debunk these false news stories.

We know that Russia interfered in our 2016 Presidential election. We know that a Russian influence campaign was one aspect of that interference. Our intelligence community has concluded that RT America is an arm of the Russian propaganda juggernaut, operating openly in our country and taking full advantage of our First Amendment freedoms.

I am sure we would all agree that everyone in the United States, in every organization, has a right to speak, write, and broadcast freely. That is what our First Amendment says. We are a resilient democracy. We are confident that our values and institutions will prevail in the free marketplace of ideas. Our Constitution protects the right of individuals and organizations to spread those Russian viewpoints, disinformation, and even outright lies, but the American people have a right to know if RT America is a Russian propaganda organ that takes its direction from the Kremlin. They have a right to know who is funding their operations.

RT has publicly boasted that it uses a shell nonprofit corporation to dodge U.S. laws. This legislation, the Foreign Agents Registration Modernization and Enforcement Act, would put an end to that charade. The legislation Senator YOUNG and I recently introduced would give the Department of Justice the authority it needs to request documentation from RT News on funding sources and foreign connections.

As we see here, clearly the legislation has hit a nerve because Kremlin spokesman Dmitry Peskov defended RT News, and Russia's State Duma is considering measures to retaliate.

What RT says about our legislation is that ''US senator wants to probe RT as a 'foreign agent' . . . What's next, public executions''? Well, that is ridiculous. The editor-in-chief at RT News has said that my legislation is a ''persecution of dissenting voices.'' As I said, that is just nonsense. I welcome dissenting voices. That is what our First Amendment and the United States are all about. But it is not reasonable or acceptable for an individual or organization working in the United States on behalf of a hostile foreign government to conceal funding and direction that it receives from that government.

Vladimir Putin is not going to stop us from enforcing our laws and protecting our country. We have a responsibility to expose RT News, RT America, and the entire panoply of tactics that Russia has used to interfere in our 2016 election and that they continue to currently use to sow confusion and distrust and spread around stories which pretend to be news but which are not accurate.

Make no mistake, the Kremlin's influence campaign is an ongoing enterprise, and to the extent that it is successful, that it can operate under the radar screen, it will become even more brazen and more aggressive in the future.

In testimony before the Senate Armed Services Committee last December, Dr. Robert Kagan of the Brookings Institution said that Russia's broader objective is to subvert Western democracies, and we see that going on now in Europe. He said: ''For the United States to ignore this Russian tactic, and particularly now that it has been deployed against the United States, is to cede to Moscow a powerful tool of modern geopolitical warfare.'' That was a direct quote.

This is a profound test for our country. Our democracy has been attacked and continues to be under attack from this kind of news that is being put out by a Kremlin-funded organization which is a hostile foreign power. We need to understand the Kremlin's tactics, and we need to expose this propaganda here in the United States, including RT America. To that end, I urge my colleagues to support the Foreign Agents Registration Modernization and Enforcement Act. Let's give the Department of Justice the tools it needs to investigate and expose RT America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

NOMINATION OF NEIL GORSUCH

Mr. DAINES. Mr. President, today I am joining my colleagues on the floor with a bit of confusion, a bit of disappointment, and, frankly, a lot of questions. I am referring to the confirmation of Neil Gorsuch as the next Supreme Court Justice.

As a Senator, one of the most consequential votes I will cast is a vote to confirm a U.S. Supreme Court nominee. It is a lifetime appointment to our Nation's highest Court.

I recently spoke with some students back in Montana, some FFA students. The average age 17, 18 years old. God willing, Neil Gorsuch may serve on the Court for 30 or more years. These FFA students' children and perhaps even grandchildren will be part of Neil Gorsuch's time on the Court, given that he likely will serve for three decades or more.

As it stands today, the Senate is on the precipice of confirming Neil Gorsuch to be our next U.S. Supreme Court Associate Justice. However, as the news has been reporting, as our Twitter feeds are overflowing with information, it looks as though my colleagues on the other side of the aisle are caving to the pressures of the far left, and they are set to unleash an unprecedented filibuster.

I have met with Judge Gorsuch. I watched his confirmation hearings. What I have seen and what most Americans agree—Judge Neil Gorsuch has been incredibly transparent, he has been accessible, and he is the right man for the position. He is mainstream. He is a westerner. He is committed to judicial independence. He has a brilliant legal mind—that is without dispute. He is exceptionally qualified. In fact, the American Bar Association unanimously rated Judge Gorsuch as ''well qualified.'' That is its highest rating.

He has met with nearly 80 Senators. Prior to his hearing, he provided the Judiciary Committee over 70 pages of written answers about his personal record. He provided 75,000-plus pages of documents, including speeches, case briefs, opinions, and written works going as far back as his college days. The White House archives produced over 180,000 pages of email and paper records related to Judge Gorsuch's time at the Department of Justice.

Judge Gorsuch sat for three rounds of questioning, totaling nearly 20 hours, in committee. As the American people watched Judge Gorsuch before that committee, they saw an exceptionally qualified nominee for the highest Court in the land, someone who was bright, who was kind. I would argue that Judge Gorsuch's mind, his intellectual capacity, is only exceeded by his heart. This is a kind and independent jurist.

When he came before the Judiciary Committee, this was the longest hearing of any 21st-century nominee. He answered nearly 1,200 questions during his hearing, which is nearly twice as many questions posed to Justices Sotomayor, Kagan, or Ginsburg. He was given 299 questions for the record by Democrats on the Senate Judiciary Committee—the most in recent history of any Supreme Court nominee. Judge Gorsuch did all of this with the utmost integrity and with transparency and humility. Yet here we are, with Democrats engaged in unprecedented obstruction, refusing to give Neil Gorsuch an up-or-down vote.

The Senate has only ever employed a cloture motion for a Supreme Court nominee four times in modern history. We voted on cloture when Justice Alito was nominated in 2006. We did the same in 1968, 1971, and 1986. In 1991, Clarence Thomas was confirmed on a 52-to-48 vote, and in 2006, Samuel Alito was confirmed on a 58-to-42 vote. In fact, when President Obama was in the White House, Republicans did not filibuster a nominee. This body confirmed Sonya Sotomayor in 2009 by a vote of 68-to-31 and confirmed Justice Kagan by a rollcall vote of 63-to-37 in 2010. We did not filibuster.

Let me remind folks that cloture is in place to stop debate, not to stop a vote. Cloture was put in place to speed the Senate up, end debate, and move to a vote, not to stop a vote. It was never intended to be a stall tactic or something to obstruct this body.

This bears repeating. Cloture was put in place to speed up the process, to prevent obstruction.

This Chamber has never had a partisan filibuster to a Supreme Court nominee. Let me say that again. This Chamber has never had a partisan filibuster to a Supreme Court nominee.

So here we are today, with no other option but to invoke this so-called nuclear option to put an eminently qualified individual on the U.S. Supreme Court. Judge Gorsuch is the definition of a mainstream judge. In more than 2,700 cases in which he has participated in the Tenth Circuit, 97 percent of them have been decided unanimously; in fact, he was in the majority 99 percent of the time. Yet Senate Democrats would rather play politics and place the demands of extreme liberal interests over ensuring regular order.

Let's talk about what we are and what we are not doing. We are in the Senate, a Chamber I am honored to serve in, representing more than 1 million Montanans. We operate on a set of Parliamentary criteria based on things that have happened before. Therefore, we are going to establish a new precedent; we aren't changing the rules. This isn't happening for the first time. Let us remember that in November of 2013, Senate majority leader Harry Reid established a new precedent of how many votes are necessary on executive branch nominees, with the exclusion of Supreme Court picks.

What is even more shocking to me is that over the past few weeks, through the hearing process, through the debate and discussions about Judge Gorsuch on the floor, and with support from across my State of Montana—let me just name some of those organizations and people in support of Judge Gorsuch: the Montana Chamber of Commerce; four of Montana's Tribes—the CSKT, the Crow Tribe, Fort Belknap and Fort Peck; the Montana Farm Bureau, Judge Russell Fagg of the 13th judicial district, Judge Jeffrey Langton of the 21st judicial district, Judge John Larson of the 4th judicial district, State senator Nels Swandal, retired judge of the 6th Judicial District; the Montana NRA members; the Montana Grain Growers Association and the Montana Wool Growers Association; the Montana Stockgrowers Association; our attorney general in Montana, our auditor in Montana, our speaker of the Montana House. This is a very mainstream group of Montanans, leaders back home who are in support of Judge Gorsuch. Yet my colleagues are rejecting the will of the American people, rejecting the will of Montanans, filibustering this nomination, and not even allowing for an up-or-down vote.

The American people deserve a Supreme Court Justice who upholds the rule of law and will follow the Constitution. The American people deserve a Supreme Court Justice who doesn't legislate from the bench. The American people deserve Judge Neil Gorsuch to serve on the U.S. Supreme Court.

Thank you, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. TESTER. Mr. President, I ask unanimous consent to be allowed to speak for up to 3 minutes.

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

INTERNET PRIVACY RIGHTS

Mr. TESTER. Mr. President, I rise today with a warning about S.J. Res. 34. This measure undermines the privacy of all Montanans and all Americans. It is a measure I strongly oppose because it takes the refs off the field, leaving consumers at the whim of internet service providers. It allows these companies to sell our data—to sell my data—and to snoop through your search history and to track the sites we visit. In other words, it allows internet companies to make a profit by invading your privacy. It gives them the ability to collect and sell your physical location, information about your children, your health, finances, Social Security number, and web browsing history. In fact, this legislation even extends to apps and your social media accounts.

Following the vote that we had here on this floor, a Republican State senator from Buffalo, MT, proposed an amendment to our State budget to push back against this irresponsible resolution. In my home State of Montana, folks on both sides of the aisle are deeply concerned about their right to privacy. Now folks you don't even know can have access to the websites you visit, and they can have this access without your consent.

This is another troubling step that folks in Congress have taken this year to violate the rights of privacy of law-abiding citizens. We already have a CIA Director who has advocated for the most intrusive acts of the PATRIOT Act. We have a Supreme Court nominee before us who supports the government's ability to reach into the private lives of law-abiding Americans. Now Congress is rolling out the red carpet for major corporations to collect and sell our personal online information.

Enough is enough. I am here today to provide a voice for all Montanans and all Americans who value their right to privacy, who expect their elected officials to defend civil liberties, to stand up for constitutional rights, and who do not want private information collected and shopped around like a used book on Amazon.

When the President decided to sign this resolution last night, he ushered in the latest significant threat to our right to privacy. Now it is the responsibility of service providers to protect our personal information online.

I think folks in Montana and across this country have the right to question the priorities of those who supported this resolution. Everyone has a fundamental right to privacy, and the government shouldn't be in the business of violating those individual rights, especially when doing the bidding of big companies looking to make more profits at the expense of people's privacy.

I want it to be known in this body that Montanans don't want anyone snooping around in their private lives, neither the government nor corporations. It is fundamental to our Montana values. Protecting online privacy is critical to the integrity of basic, fundamental freedom, of fundamental civil liberty. I urge all my colleagues to make their voices heard on this critical issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 826 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BARRASSO. I yield the floor.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Duke nomination?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER (Mr. CRUZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 14, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—85

Alexander	Flake	Perdue
Baldwin	Franken	Peters
Barrasso	Gardner	Portman
Bennet	Graham	Reed
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Brown	Hatch	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Sasse
Capito	Hirono	Schatz
Cardin	Hoeven	Schumer
Carper	Inhofe	Scott
Casey	Johnson	Shaheen
Cassidy	Kaine	Shelby
Cochran	Kennedy	Stabenow
Collins	King	Strange
Coons	Klobuchar	Sullivan
Corker	Lankford	Tester
Cornyn	Leahy	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Van Hollen
Daines	McCaskill	Warner
Donnelly	McConnell	Whitehouse
Durbin	Moran	Wicker
Enzi	Murkowski	Wyden
Ernst	Murray	Young
Feinstein	Nelson	
Fischer	Paul	

NAYS—14

Blumenthal	Harris	Murphy
Booker	Heinrich	Sanders
Cortez Masto	Markey	Udall
Duckworth	Menendez	Warren
Gillibrand	Merkley	

NOT VOTING—1

Isakson

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

RECESS

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

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

MOTION TO PROCEED TO EXECUTIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 33, the nomination of Neil Gorsuch to be Associate Justice of the Supreme Court of the United States, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 104 Leg.]

YEAS—55

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Bennet	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heitkamp	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McCain	Wicker
Donnelly	McConnell	Young
Enzi	Moran	
Ernst	Murkowski	

NAYS—44

Baldwin	Cardin	Duckworth
Blumenthal	Carper	Durbin
Booker	Casey	Feinstein
Brown	Coons	Franken
Cantwell	Cortez Masto	Gillibrand
Harris	Menendez	Shaheen
Hassan	Merkley	Stabenow
Heinrich	Murphy	Tester
Hirono	Murray	Udall
Kaine	Nelson	Van Hollen
King	Peters	Warner
Klobuchar	Reed	Warren
Leahy	Sanders	Whitehouse
Markey	Schatz	Wyden
McCaskill	Schumer	

NOT VOTING—1

Isakson

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, before I start, I ask unanimous consent that the debate time on the nomination of Judge Gorsuch during Tuesday's session of the Senate be divided as follows: the time until 3:30 p.m. be under the control of the chairman of the Judiciary Committee; the time from 3:30 p.m. until 4:30 p.m. be under the control of the minority; the time from 4:30 p.m. until 5:30 p.m. be under the control of the majority; the time from 5:30 p.m. until 6:30 p.m. be under the control of the minority; and finally, that the time from 6:30 p.m. until 6:45 p.m. be under the control of the majority.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today we will continue to debate the nomination of Judge Neil M. Gorsuch to serve as Associate Justice of the Supreme Court of the United States.

The Judiciary Committee held four full days of hearings last month. The judge testified for more than 20 hours. He answered more than 1,000 questions during his testimony and hundreds more questions for the record. We have had the opportunity to review the 2,700 cases he has heard, and we have had the opportunity to review the more than 180,000 pages of documents produced by the Bush Library and the Department of Justice. Now, after all of this, my Democratic colleagues unfortunately appear to remain committed to what they have been talking about for a long period of time: filibustering the nomination of this very well qualified jurist.

Even after all of this process, there is no attack against the judge that sticks. In fact, it has been clear since before the judge was nominated that some Members in the Democratic leadership would search desperately for a reason to oppose him.

As the minority leader said before the nomination: ''It's hard for me to imagine a nominee that Donald Trump would choose that would get Republican support that we could support.'' That is the end of the quote from the minority leader.

He said later, and I will continue to quote him: ''If the nominee is out of the mainstream, we'll do our best to hold the seat open.''

Then the President nominated Judge Gorsuch. This judge is eminently qualified to fill Justice Scalia's seat on the Supreme Court, and there is no denying that whatsoever.

Let me tell you some things about him. He is a graduate of Columbia University and Harvard Law School. He earned a doctorate in philosophy from Oxford University and served as a law clerk for two Supreme Court Justices.

During a decade in private practice, he earned a reputation as a distinguished trial and appellate lawyer. He served with distinction in the Department of Justice. He was confirmed to the Tenth Circuit Court of Appeals by a unanimous voice vote in this body.

The record he has built during his decade on the bench has earned him the universal respect of his colleagues both on the bench and the bar. This judge is eminently qualified to do what the President appointed him to do.

Faced with an unquestionably qualified nominee, my friends on the other side of the aisle, my Democratic colleagues, have continually moved the goalpost, setting test after test for this judge to meet. But do you know what? This judge has passed all of those tests, all with flying colors, so the people on the other side of the aisle—the Democrats in the minority—are left with a ''no'' vote in search of a reason.

Let's go through some of their arguments. First, the minority leader announced that the nominee must prove himself to be a mainstream judge. Is he a mainstream judge or not? Well, consider his record: Judge Gorsuch has heard 2,700 cases and written 240 published opinions. He has voted with the majority in 99 percent of the cases, and 97 percent of the cases he has heard have been decided unanimously. Only one of those 2,700 cases was ever reversed by the Supreme Court, and it happens that Judge Gorsuch did not write the opinion.

Then consider what others say about him. He has been endorsed by prominent Democratic members of the Supreme Court bar, including Neal Katyal, President Obama's Acting Solicitor General. This Acting Solicitor General wrote a New York Times op-ed entitled ''Why Liberals Should Back Neil Gorsuch.'' Mr. Katyal wrote: ''I have no doubt that if confirmed, Judge Gorsuch would help to restore confidence in the rule of law.''

He went on to write that the judge's record ''should give the American people confidence that he will not compromise principle to favor the President who appointed him.''

Likewise, another well-known person, David Frederick, a board member

of the liberal American Constitution Society, says we should ''applaud such independence of mind and spirit in Supreme Court nominees.''

So after hearing what people on both the right and the left have said about the judge, it is clear that he is ''mainstream,'' but the goalpost seems to move. Next we hear that the judge doesn't care about the ''little guy'' and, instead, rules for the ''big guy.''

First of all, that is a goofy argument. Just ask liberal law professor Noah Feldman. If you ask Professor Feldman, he says this criticism is a ''truly terrible idea'' because ''the rule of law isn't liberal or conservative—and it shouldn't be.''

The strategy on this point became clear during our hearing: Pore through 2,700 cases, cherry-pick a couple where sympathetic plaintiffs were on the losing end of the legal argument, then find a reason to attack the judge for that result, and then, because of that case or two, label him ''against'' the little guy. As silly as that argument is, the judge himself laid waste to that argument during the hearing when he rattled off a number of cases where the so-called little guy came out on the winning end of the legal argument of a case.

At any rate, as we discussed at length during his hearings, the judge applies the law neutrally to every party before him, and that is what you expect of judges.

I disagree with some of my colleagues who have argued that judging is not just a matter of applying neutral principles. I think that view is inconsistent with the role our judges play in our system and, more importantly, with regard to the oath they take. That oath requires them to do ''equal right to the poor and the rich'' and to apply the law ''without respect to persons.'' Naturally, this is what it means to live under the rule of law, and this is what our nominee has done during his decade on the bench of the Tenth Circuit Court of Appeals. So the judge applies the law ''without respect to persons,'' as he promised in his first oath he would, and he will repeat the oath when he goes on the Supreme Court.

Then, of course, as they move these goalposts, the judge has been criticized for the work he did on behalf of his former client, the U.S. Government, when he was at the Justice Department.

Of course, we have had a lot of nominees over many years who have worked as lawyers in the government. Most recently, Justice Kagan worked as Solicitor General. As we all know, she argued before the Supreme Court that the government could constitutionally ban pamphlet material. That is a fairly radical position for the U.S. Government to take. When asked about that argument during her hearing, she said that she was a government lawyer making an argument on behalf of her client, the U.S. Government, and it had nothing to do with her personal views on the subject. Now, there is a whole different standard for some people of this body. That answer is apparently no longer good enough. To hear the other side tell it, government lawyers are responsible for the positions their client, the U.S. Government, takes and the positions they have to argue. I respect my colleagues who are making this argument, but this argument does not hold water.

What, then, are my colleagues on the other side left with after moving these goalposts many times, after making all of these arguments that don't stick? What are they left with? Because they can't get any of their attacks on the judge to stick, all they are left with are complaints about the so-called dark money being spent by advocacy groups. Yes, that is where the goalpost took them—to dark money.

As I said yesterday, that speaks volumes about the nominee, that after reviewing 2,700 cases, roughly 180,000 pages of documents from the Department of Justice and the George W. Bush Library, thousands of pages of briefs, and over 20 hours of testimony before our committee and hundreds of questions both during and after the hearing, all his detractors are left with is an attack on the nominee's supporters—people out there whom the nominee probably doesn't even know. They raise money to tell people about him, which they have a constitutional right to do under the First Amendment freedom of speech.

The bottom line is that they don't have any substantive attacks on this nominee that will stick, so they shifted tactics, yet again moving the goalpost, and are now trying to intimidate and silence those who are speaking out and making their voices heard in regard to this nominee.

Here is the most interesting thing about this latest development: There are advocacy groups on every side of this nomination. There are people out there for him, raising money and spending the money for him, and there are people out there against him who are raising and spending money so people know why they disagree with this nominee. Of course, that is nothing new. That has been true of past nominations, and there is nothing wrong with citizens engaging in the First Amendment freedom of speech and in the process of being for or against and encouraging public debate on whether a person ought to be on the Supreme Court. It was certainly true when liberal groups favoring the Garland nomination poured money into Iowa to attack me last year for not holding a hearing. For that reason, I didn't hear a lot of my Democratic colleagues complain about that money that could well be called dark money as well.

There are groups on the left who are running ads in opposition to this nominee and threatening primaries. They are actually threatening primaries against Democrats who might not tow the line and might not help filibuster this nomination. For some reason, I am not hearing a lot of complaints about the money that is being raised to make some Democrats who might support this nominee look bad.

As I have said, there is nothing wrong with citizens engaging in the process and making their voices heard. This is one of the ways we are free to speak our minds in a democracy. It has been true for a long, long time.

As I said yesterday in the committee meeting, if you don't like outside groups getting involved, the remedy is not to intimidate and try to silence that message; the remedy you ought to follow is to support nominees who apply the law as it is written and then, in turn, leave the legislating to a body elected to make laws under our Constitution—the Senate and the House of Representatives.

Regardless of what you may think about advocacy groups, about their getting involved, there is certainly no reason that they should go to great lengths to talk about this in our committee or talk about it to the nominee because he can't control any of that.

The truth is, the Democrats have no principled reason to oppose this nomination, and those are words from David Frederick that I have quoted before. It is clear instead that much of the opposition to the nominee is pretextual. The merits and qualifications of the nominee apparently no longer matter.

The only conclusion we are left to draw is that the Democrats will refuse to confirm any nominee this Republican President may put forth. There is no reason to think the Democrats would confirm any other judge the President identified as a potential nominee or any judge he would nominate. In fact, we don't even need to speculate on that point because the minority leader has spoken that point and made his point very clear. Before the President made this nomination, he said: ''I can't imagine us supporting anyone from his list.'' So it was very clear from the very beginning that the minority leader was going to lead this unprecedented filibuster. The only question was what excuse he would manufacture to justify it. The nominee enjoys broad bipartisan support from those who know him, and he enjoys bipartisan support in the Senate.

I recognize that the minority leader is under very enormous pressure from special interest groups to take this abnormal step of filibustering a judge, because filibustering the Senate is not unusual but filibustering a Supreme Court Justice is very unusual. I know other Members of his caucus are operating under those very same pressures as well. In fact, yesterday, while the committee was debating the nomination, a whole host of liberal and progressive groups held a press conference outside of the Democratic Senatorial Campaign Committee, demanding that the campaign arm cut off campaign funds for any incumbent Democrat who

doesn't filibuster this nominee. Those groups argue that because the Democratic Senatorial Campaign Committee had already raised a lot of money off the minority leader's announcement that he was going to lead a filibuster, the committee shouldn't provide that money to any Member who refused to join this misguided effort.

Well, all I can say is that it would be truly unfortunate for Democrats to buckle to that pressure and engage in the first partisan filibuster of a Supreme Court Justice nominee in U.S. history—another way to say that is, the first partisan filibuster in the 228-year history of our country since 1789. If they regard this nominee as the first in our history worthy of a partisan filibuster, it is clear they would filibuster anyone.

I have stated since long before the election that the new President would nominate the next Justice and the Judiciary Committee would process that nomination. That is just what we have done through the committee, and now we are doing it on the floor. So I urge my colleagues not to engage in this unprecedented partisan demonstration. Everyone knows the nominee is a qualified, mainstream, independent judge of the very highest caliber. Republicans know it, Democrats know it, and the left-leaning editorial boards across the country prove that even the press knows it. I urge my colleagues on the other side to come to their senses and not engage in the first partisan filibuster in U.S. history and instead join me and vote in favor of Judge Gorsuch's confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Thank you, Mr. President, for the opportunity to come to the floor today in support of Judge Neil Gorsuch's confirmation to the Supreme Court. As a Coloradan, it gives me great honor to be here to talk about his nomination, the exceptional qualities of Judge Gorsuch, and how he will make us proud from the bench of the U.S. Supreme Court.

I also commend my colleague, Chairman CHUCK GRASSLEY, for his work on the Judiciary Committee presiding over a very fair series of hearings, giving members on both sides of the aisle time to learn about Judge Gorsuch, to question Judge Gorsuch, and the time to present their side of the argument depending on whatever side that was going to be. Because of the fairness of the hearings, because of the fairness with which Chairman GRASSLEY executed the hearings, it is quite obvious that this Chamber is faced with a very exceptional judge, a very exceptional nominee, and a nominee there is really no excuse to vote against.

Neil Gorsuch really is about the story of the West. He is a fourth-generation Coloradan. It is nice to stand here and talk about somebody who shares so much of our western experience and western heritage and somebody who serves on the Tenth Circuit Court in Denver—a circuit court that represents 20 percent of the land mass of the United States.

Neil Gorsuch's background and upbringing in Colorado represent the hard work of westerners. His maternal grandfather, Dr. Joseph McGill, began his adult life by working in Union Station, the main railway terminal in downtown Denver. Dr. McGill put himself through medical school and went on to become a prominent surgeon. His grandmother, Dorothy Jean, raised seven children, all of whom he gave a better life and put through college because of his work in Colorado.

Neil's paternal grandfather, John Gorsuch, was his legal inspiration. After serving in World War I, John Gorsuch put himself through undergrad and law school at the University of Denver by driving a trolley car back in the trolley car days of Denver. John, his grandfather, helped to build a private law practice that focused on real estate law. He made time to help Denver's welfare department and participated in Kiwanis and numerous other civic organizations, building a legendary law firm in Denver known as Gorsuch Kirgis.

This is the kind of upbringing that made Neil Gorsuch who he is. In his younger days, Neil moved furniture, shoveled snow, like so many of us in Colorado, mowed lawns. It was the kind of upbringing that brings grit and determination to any person who knows hard work. It is that work ethic, combined with his family's appreciation of higher education, that helped Neil consistently realize academic excellence. It has been debated on this floor numerous times, his academic credentials that he would bring to the Supreme Court—his background and education at Columbia, law school at Harvard, his Ph.D. at Oxford, and of course, most importantly, the summer he spent at the University of Colorado and the teaching he carries out at the University of Colorado School of Law.

This week, we are going to see a lot of finger-pointing and hear a lot of accusations. We are going to hear a lot of blame. The one thing we may not hear too much about is the person we are debating—Neil Gorsuch. That is because when it comes to Judge Gorsuch, people understand the highly qualified judge that he is. People understand the incredible legal mind he would bring to the Supreme Court. Instead of debating the merits of the nominee, they are going to debate how we got to the place we are today, and by the end of this week, architects of obstruction may force this Chamber to vote along partisan lines on something that should be a bipartisan effort.

In Colorado, if you go to downtown Denver, you will see an area known as Confluence Park. Confluence Park is a great place in Colorado where people go to spend an afternoon and perhaps a weekend on a hot summer's day. It is where two rivers join together. There at Confluence Park, Colorado's poet laureate, Thomas Hornsby Ferril, has a poem inscribed on a plaque, which reads:

> I wasn't here. Yet I remember them, the first night long ago, those wagon people who pushed aside enough of the cottonwoods to build our city where the blueness rested.

It is a poem that reminds us in Colorado that we are always looking up, that we are always looking toward the mountains and to that great blue sky. That is what Neil Gorsuch has done his entire life. He is somebody who is forward-thinking, somebody who understands the optimistic sense of Colorado, who understands the majesty of our West, and who understands the majesty of our form of government—a system that has three separate but equal branches of power. He has led a life that is dedicated to the majesty of our Constitution. He is somebody who understands the pillars of our government in that no one branch of government should gain an unfair advantage over the other. That is what we ought to be debating this week. Instead, we are going to live the consequences of decisions that were made over a decade ago.

It is interesting that Judge Gorsuch serves on the Tenth Circuit Court because one of his fellow judges on the Tenth Circuit Court was nominated by President George Bush in the early part of 2001, 2002, 2003. It was Tim Tymkovich who was nominated by President Bush and who was caught up in the very first round of filibusters that changed the way this Chamber worked on nominations.

It was a calculated determination by some in this Chamber to use a tool that had never been used before in such a lethal, partisan fashion that it would bring down judges and ultimately lead to a corrosion of Senate custom—a corrosion of over 200 years of Senate practice—when it comes to judges' confirmations. Ultimately, this week, we will see whether it leads to the disruption of how we confirm Supreme Court Justices.

Make no mistake about it, over the past 200 years, we have not seen this moment before—a successful partisan filibuster of a Supreme Court Justice. People are going to talk about this around the country as they read the news, as they listen to the radio, as they watch on TV what is happening in the Senate. Most will just wonder, is the nominee qualified? If the nominee is qualified, then why are we trying to have an argument about ''he said, she said'' 15 years ago, 16 years ago? Because the nominee is well qualified, he should be confirmed. Why are we going to change 200 years of Senate practice and custom if the nominee is highly qualified, has what it takes to serve on the Supreme Court? That is the choice Members of this Chamber will have to make over the next several days as we work to confirm Judge Gorsuch.

In 2006 when Judge Gorsuch was confirmed to serve on the Tenth Circuit

Court in Denver, this Chamber did so unanimously by voice vote. There are a dozen Members in this Chamber who served then and did not oppose his nomination, many of whom seem willing today to block his nomination to the Supreme Court.

One thing has changed in the intervening years; that is, who serves in the Presidency, who serves in the White House, who serves as President, and whether that nomination came from a Republican or a Democrat. The nomination, of course, in 2006 came from a Republican. Still, he was confirmed unanimously. Judge Gorsuch, now nominated to serve on the Supreme Court, was appointed by a Republican. Yet those very same people who supported him 11 years ago are now objecting to his service on the High Court after his exemplary decade of service on the Tenth Circuit Court.

It was service that showed Judge Gorsuch's joining in over 2,700 opinions, and with the majority the vast number of times. It was service in which he got to know the Colorado legal community. As we have discussed over the past several days and several weeks and the past month, the people who know Judge Gorsuch the best are the people who served with him and who worked with him at the Department of Justice, who practiced law with him, and who serve in the Colorado legal community. I thought it was important that we spend some time in talking about the people who know Judge Gorsuch the best because I think their opinions matter in this—those of the people of Colorado who want Judge Gorsuch confirmed.

Let me start with a series of quotes from Judge Gorsuch's supporters back home in Colorado—again, those people who know him the best.

This particular quote comes not from a Republican, not from a conservative; this quote comes from Steve Farber, who served in 2008 as the Democratic National Convention cochair. Again, he is not a conservative and he is not a Republican; he was the cochair of the 2008 Democratic National Convention.

> We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and a person.

Steve Farber continues:

> We all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. He deserves an up-or-down vote.

This is not MITCH MCCONNELL who is saying this. It is not CORY GARDNER, Republican Senator from Colorado, who is saying this. This is a very prominent figure in Colorado's legal community and somebody who served in the 2008 Democratic National Convention.

One of those 12 people who supported Judge Gorsuch in 2006 was then-Senator Barack Obama, who was seeking the nomination at Mile High Stadium, at this very convention of which Steve Farber was cochair. Steve Farber says we should confirm Judge Gorsuch with an up-or-down vote.

Norm Brownstein said that Judge Gorsuch deserves a fair shake in the confirmation process. He is another very prominent Democratic lawyer in Denver.

We have heard a lot of people talk about the cases—those 2,700 opinions—that he was a part of. We have heard Senator GRASSLEY talk about arguments against Judge Gorsuch, people who have said that Judge Gorsuch was always against the little guy and that he was siding with corporations.

Here is a quote from a Denver lawyer and Democrat on representing underdogs before Judge Gorsuch:

> [Judge Gorsuch] issued a decision that, most certainly, focused on the little guy.

Why did Marcy Glenn say this? Marcy Glenn said this because she knows that Judge Gorsuch voted with the majority of the court in 99 percent of the cases. In those 2,700 opinions, 99 percent of the time, Judge Gorsuch ruled with the majority. That is not trying to look out for the big guy or the little guy. That is about following the law. That is about a court that recognizes it is not in the business of focus groups or policy preferences, popularity contests or poll testing. It is about a judge who recognizes that the rule of law matters and that you take an opinion where the law leads you and takes you, not where your personal opinion takes you. It was 99 percent of the time that Judge Gorsuch voted to side with the majority on the court, and 97 percent of the time, those rulings were unanimous. Those decisions were unanimous. Of those 99 percent in which he sided with the majority, 97 percent of them were unanimously decided.

This is a judge who is as mainstream as we have seen. He is somebody who understands the obligation and the duty he has to the law. He is somebody who understands what it means to be a good judge.

I want to read a letter Senator BENNET and I received from the Colorado legal community:

> As members of the Colorado legal community, we are proud to support the nomination of Judge Neil Gorsuch to be our next Supreme Court Justice. We hold a diverse set of political views as Republicans, Democrats, and Independents.

That is bipartisan support back home from those people who know the judge the best.

What does Neil Gorsuch think it takes to be a good and faithful judge? I will just read from Judge Gorsuch:

> It seems to me that the separation of legislative and judicial powers isn't just a formality dictated by the Constitution. Neither is it just about ensuring that two institutions, with basically identical functions, are balanced one against the other. To the Founders, the legislative and judicial powers were distinct by nature, and their separation was among the most important liberty-protecting devices of the constitutional design—an independent right of people essential to the preservation of all of the rights later enumerated in the Constitution and its amendments.
>
> Now, consider, if we allow the judge to act like a legislator, unconstrained by the bicameralism and presentment hurdles of Article I, the judge would need only his own voice or those of just a few colleagues to revise the law, willy-nilly, in accordance with his preferences, and the task of legislating would become a relatively simple thing.
>
> Notice too how hard it would be to revise this so easily made judicial legislation to account for changes in the world or to fix mistakes. Being unable to throw judges out of office in regular elections, you would have to wait for them to die before you would have any chance of change. Even then, you would find the change difficult, for courts cannot so easily undo the errors given the weight that they afford to precedent.
>
> Notice, finally, how little voice the people would be left in a government in which life-appointed judges are free to legislate alongside elected representatives. The very idea of self-government would seem to wither to the point of pointlessness. Indeed, it seems that, for reasons just like these, Hamilton explained, that liberty can have nothing to fear from the judiciary alone but that it has everything to fear from the union of the judicial and legislative powers.

That is what Judge Gorsuch said makes a good and faithful judge.

Over the course of the next week or over the course of the next several days, we are going to flesh out in detail some of the decisions people may find they disagree with. We will flesh out in detail Judge Gorsuch's temperament and his performance at the committee hearings. Yet there is no doubt that Judge Gorsuch has the support of the American people, who believe he should be confirmed. There is no doubt that Judge Gorsuch has the support of people who cochaired the Democratic National Convention and of prominent attorneys who know him best from Colorado. There is no doubt that his is an upbringing from the West. It is the story of how we built the West.

I hope that over the course of the next few days, Republicans and Democrats alike will come to the conclusion that we will do this country a service. Instead of having partisan fights, we will have the bipartisanship support for a judge who will truly make this country proud, a judge who will truly represent the law, not personal opinion.

I thank the Presiding Officer for this opportunity today. I look forward to being here for the rest of the week as we talk about Judge Gorsuch's qualifications and as we talk about the nomination.

More than anything, let's make it clear that for 200-plus years, we have allowed judges to come to this floor for the Supreme Court and to be confirmed by a simple majority—no threshold, no 60-vote requirement. We have done so without partisan filibusters. I think that if we can maintain that custom, that practice, this country will be better served. There is no reason to change two centuries of practice in this body simply because they have decided they do not like the person who made the nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). Under the previous order, the

time until 4:30 p.m. will be controlled by the Democrats.

The Senator from Hawaii.

Ms. HIRONO. Mr. President, over the next hour, a number of my colleagues and I will join together to speak in opposition to the nomination of Judge Neil Gorsuch to be an Associate Justice of the U.S. Supreme Court. We are joining together today because this nomination is not just about the future of the Supreme Court. It is about the future of our country.

There is no question about Judge Gorsuch's credentials or about his intellect. He is a graduate of Columbia and Harvard and has been a judge on the Tenth Circuit Court for more than a decade. In fact, his credentials are in stark contrast to so many of the dangerously unqualified individuals President Trump appointed to his Cabinet.

Judge Gorsuch should not get a pass simply because we are relieved that President Trump didn't nominate a member of his family or a reality television personality for this job. Credentials cannot and should not be the only points we consider when evaluating a lifetime appointment to the Supreme Court. In fact, we should expect that anyone nominated to the Supreme Court will at least have impressive credentials.

By many accounts, Judge Gorsuch would be the most conservative Justice on the Court—even more conservative than Justice Thomas or Justice Scalia. Rightwing advocacy groups cheered his nomination and have spent over $10 million to support his nomination. They spent this money because they have high confidence that he will rule in their favor on so many of the tough cases that will come before the Supreme Court. These groups, including the Heritage Foundation and the Federalist Society, selected Judge Gorsuch because he meets their litmus test for how they think a Justice should rule. They selected him because they understood Judge Gorsuch clearly met the litmus test the President outlined during his campaign.

To paraphrase, Donald Trump wanted a judge who would prioritize the religious freedom of a corporation over the rights of its employees, uphold an expansive view of the Second Amendment, making it much tougher to enact sensible gun legislation to protect our communities, and who would overturn Roe v. Wade—as Donald Trump put it—automatically.

Judge Gorsuch's credentials are just a starting point. For the people who need justice most urgently, Judge Gorsuch's view of the law and his judicial philosophy will make a world of difference. The working families, women, differently abled, people of color, the LGBTQ community, immigrants, students, seniors, and our Native peoples are the people who will be impacted by the decisions a Justice Gorsuch would make.

Today, April 4, is Equal Pay Day, which means that it took women until today to make the same amount that men made in 2016. Women have had to work more than 3 months longer to catch up, on average, to men.

This significant pay disparity has existed for centuries, but it has been illegal in the United States since the passage of the Equal Pay Act in 1963. Proving illegal pay disparity under this law has been challenging, as we all know.

Nationally, women are paid only 79 cents for every dollar a man is paid. In Hawaii, women are paid only 82 cents for every dollar a man makes. That is a little better than the rest of the country, but it is in no way good enough.

At the median salary, that 82 cents translates into about $8,000 less per year in wages for a woman in Hawaii. That is a lot of money in my State, where the high cost of living makes it even more difficult for working families to get ahead—not to mention that many working families in Hawaii, as well as in other States, are headed by women. My immigrant family was headed by my mother.

As we mark Equal Pay Day, I am well aware of the tremendous impact a single Justice can have on the lives and rights of millions of Americans.

Under Chief Justice John Roberts, the Supreme Court has issued numerous 5-to-4 decisions that have favored corporate interests over the rights of individuals—cases like Shelby County, Citizens United, and Hobby Lobby.

One of the most deeply flawed of these 5-to-4 decisions was in a 2007 case called Ledbetter v. Goodyear Tire & Rubber Co. That decision had the effect of denying justice to a woman who had suffered pay discrimination for more than a decade. The Court said, in effect, that because Lilly Ledbetter didn't learn of the pay discrimination until it was too late, our justice system could not help her.

Put another way, under the ruling, employers could discriminate against women so long as the employers made sure the women didn't find out about it.

This will not be hard to do, as employers are not likely to announce that they are providing discriminatory pay to their female employees. This is what happened to Lilly Ledbetter. She didn't know.

This decision was deeply wrong and surprised many Court watchers. It undid years of judicial precedent.

I remember learning of this decision in Hawaii. I was serving on the House Education and Labor Committee of the U.S. House of Representatives at that time.

The Supreme Court decision interpreted a Federal law that fell within the jurisdiction of the committee on which I sat. George Miller, then chair of the committee, immediately announced that we would change the law to be interpreted the way it had been before the Court applied their own narrow and wrong interpretation.

We passed the Lilly Ledbetter Fair Pay Act with a Democratic Congress in 2009. Frankly, I doubt a Republican-controlled House and Senate would have done the same. It was the first bill President Obama signed into law. I was there for that bill signing.

Though we could not retroactively help Mrs. Ledbetter, this law reversed the Supreme Court's decision and assured that the injustice she endured did not happen to other women or to anyone else. Clearly, the composition of the Court and the identity of the fifth Justice matters a great deal in the real world—the real world of 5-to-4 decisions.

Yet, during this hearing, Judge Gorsuch refused to even acknowledge the role that judicial philosophy plays in the role of a Justice, and he downplayed the impact the law could have on people's lives, repeatedly saying he merely applied the law.

If Justices merely applied the law and the law was so clear, we wouldn't have so many 5-to-4 decisions in the most critical cases.

Judge Gorsuch told me during our meeting in February that the purpose of title III courts—these are the Federal courts—is to protect minority rights. But I found through examining his writings and decisions that Judge Gorsuch's view of the law lacks an understanding of people, their lives, and how the courts' decisions would impact them.

This was particularly true in examining his ruling in the Hobby Lobby decision, where Judge Gorsuch demonstrated a cavalier attitude about how his decision would impact the thousands of women working at the Hobby Lobby company.

In that case, Judge Gorsuch decided that a corporation with tens of thousands of employees—many of them women—has rights to the exercise of religion protected by the Religious Freedom Restoration Act, and that it could use those rights to deny to the thousands of women in its employ access to contraceptive coverage.

During the hearing, I pressed Judge Gorsuch on whether he considered what would happen to the thousands of women who worked at Hobby Lobby, many of them working paycheck to paycheck who would now be denied access to contraceptive coverage. He responded by saying: ''I gave every aspect of that case very close consideration.''

I fail to see what consideration Judge Gorsuch gave to those female employees. It is certainly not evident in the record.

Justice Ginsburg's dissent, when this case reached the Supreme Court in Hobby Lobby, which Justices Kagan, Sotomayor, and Breyer joined, did assess the real world impact this decision would have on women. Justice Ginsburg wrote: ''The exemption sought by Hobby Lobby and Conestoga would . . . deny legions of women who do not hold their employers' beliefs access to contraceptive coverage.''

In the Tenth Circuit's opinion, which Judge Gorsuch joined, and in his own

concurrence, Judge Gorsuch showed grave concern with the potential ''complicity'' of the Hobby Lobby's owners—these are the corporate owners—in violating their beliefs, but he gave little or no consideration to the compelling interest of these women and the thousands of female employees in having access to contraceptive care.

Judge Gorsuch failed to address our concerns during this hearing. Rather than recognizing the impact of his decision on thousands of women who work at Hobby Lobby and millions more who work at companies all across the country, Judge Gorsuch repeatedly said that if we didn't like what the Court was doing, or what he was doing, then Congress could change the law—as though that is such a simple thing.

This is not an academic exercise. This is about the real world impact, not just of the Hobby Lobby decision but of decisions a Justice Gorsuch would make for the next 25 years, from which there is no appeal.

Judge Gorsuch's nomination raises so many serious concerns for women across the country that I look forward to addressing over the next hour.

During his hearing, Judge Gorsuch told us time and again to focus on his whole record as a judge and not on certain cases or things he wrote in books, articles, or emails.

In fact, my Republican colleagues have suggested that we are being unfair when we try to look at the things he has said and written in order to discern how Judge Gorsuch would approach cases if confirmed. We wanted to get at his heart. We wanted to get at his judicial philosophy.

Some of my colleagues have even gone so far as to suggest that by raising legitimate questions about Judge Gorsuch's record as part of our advice and consent responsibility, we are attacking judges in the same way President Trump has done during his 2½ months in office. This is fundamentally wrong and deeply misleading. It is like comparing apples and oranges. That comparison doesn't begin to describe the difference.

Two weeks ago, in the middle of Judge Gorsuch's confirmation hearing, President Trump renewed his vicious and unwarranted attack on Judge Watson of Hawaii for blocking the President's unconstitutional Muslim ban.

Although I wasn't then in the Senate, I recall that during Justice Sotomayor's confirmation hearing, Republican after Republican ignored almost the entirety of her 25 years on the Federal bench. Instead, they focused, in question after question at her confirmation hearing, on a gross misreading of one speech—one speech—she gave to a group of young women about the value of diversity on the bench.

Republicans on the Judiciary Committee and in the Senate twisted her phrase ''wise Latina.'' That is a term she used in her speech. They twisted her use of the phrase ''wise Latina'' well beyond meaning.

Looking at that speech, it is clear she meant to instill confidence in young women and a sense that they, too, needed to participate in a life of the law; that the law was not—is not—a place that excludes them. Senate Republicans turned these words into a baseless attack to undermine Justice Sotomayor's well-earned reputation of fairly applying the law in thousands of cases that had appeared before her. She had been on the bench for 25 years, but they focused on two words in one speech she gave during that time. Many Republicans then cited that speech to justify their opposition to her nomination.

So when I hear my Republican colleagues touting their fairness toward President Obama's Supreme Court nominee, I recall not just their omitting any mention of Justice Merrick Garland—the well-credentialed, well-respected moderate whom they blocked from even having a hearing—I also remember Justice Sotomayor. I remember my Republican colleagues ignored her unanimously ''well qualified'' rating from the American Bar Association, her long record, and the tremendous chorus from the right and the left supporting her historic nomination.

If confirmed, Judge Gorsuch's decisions will have a profound impact on the country, not just during his time on the Court but for generations to come. This is particularly true for women whose constitutional right to an abortion will be threatened by a Justice Gorsuch. During the Presidential campaign, Donald Trump laid out his litmus test for nominating a Justice. He said, for example, that overturning Roe v. Wade ''will happen automatically, in my opinion, because I am putting pro-life justices on the court.'' That was Candidate Trump's well-articulated litmus test, which he followed through on in his nomination of Judge Gorsuch.

During his hearing, my colleagues and I tried to get a better sense of how and whether Judge Gorsuch would follow the President and uphold this constitutionally protected right. Based on his lack of response, I am skeptical that a Justice Gorsuch would uphold this critical right that generations of women fought to preserve.

In 1992, in Casey, the Supreme Court reaffirmed the core holding of Roe that the right to an abortion is constitutionally protected. The Court held that these decisions are protected because they are among ''the most intimate and personal choices a person makes in a lifetime.''

In his 2006 book on the future of assisted suicide, Judge Gorsuch argued that Casey should be read more as a decision based merely on respect for precedent rather than based on the recognition of constitutional protections for ''personal autonomy'' or for ''intimate or personal'' decisions. When I asked Judge Gorsuch about this, although he recognized that Roe and Casey are precedents of the Supreme Court, he did not go further and acknowledge that the Constitution itself protects the right to make intimate and personal decisions.

In the time since Casey, the Court has relied on the protection for intimate and personal choices to decide many nonabortion cases, such as the Obergefell case, which recognized the right to marriage equality. We need a Justice who understands and respects the importance of this right—that it is the Constitution that provides protections for intimate and personal decisions. Otherwise, I am concerned he will join the Court and chip away at those protections.

Judge Gorsuch said that the judicial robe changes a person. This was another way of telling us to ignore his own strongly held and frequently expressed personal views and, indeed, his judicial philosophy, which he continued to not discuss. Of course, if judicial philosophy didn't matter, Senate Republicans would not have engaged in the unprecedented act of blocking President Obama's nominee Merrick Garland, a well-credentialed, well-respected, moderate nominee, from even having a hearing. They held the seat open to be filled by the next President, preferably, a Republican one.

In Neil Gorsuch, the Republicans got a nominee selected by rightwing organizations that are counting on Judge Gorsuch to rule in accordance with their very conservative views, which put corporate interests over individual rights. That is why, to put it simply, who wears the judicial robe matters.

Just as the Federalist Society and the Heritage Foundation want Judge Gorsuch to wear the robe, the people who come before the bench—the millions of hard-working Americans whose lives will be affected by the Court's decisions—want a Justice who will protect their rights. They want a Justice who will wear the robe that protects their rights.

I note that I am joined by Senator DUCKWORTH of Illinois, and I yield time to her.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, today on Equal Pay Day, we are reminded of the fact that women across the country still make less money for the exact same work as their male counterparts, which is especially problematic for women of color, for whom the gap is even wider. We are also reminded of how vital our court system is to the future of equal opportunity for women in America and to the future of our working families.

The next Supreme Court Justice will enter the Court at a critical moment for women's rights—a moment which could change the course of reproductive rights, voting rights, disability rights, and civil liberties in our Nation for generations to come. So naturally, I, much like my colleagues on the Judiciary Committee, wanted to know how these critical issues fit in Judge

Gorsuch's judicial philosophy. I have serious concerns with his record of failing to protect women's health—granting corporations and healthcare providers leeway to undermine women's access to care. I am also troubled by his rulings on disability rights that would jeopardize access to public education for students with disabilities, which is particularly alarming for the 27 million women in America who live with a disability.

It is personal for me. As an American living with disabilities, my life isn't like those of many of my colleagues in Congress. Getting around can be difficult. I can't always get into restaurants or other public spaces, even here in the Capitol. I have to spend a lot of time planning how to get from one place to another.

I understand that not everyone thinks about these things, and for most of my adult life, I didn't either. But after I became injured in combat in Iraq, I learned how important the protections of laws like the Americans with Disabilities Act and Individuals with Disabilities Education Act are to ensuring that millions of Americans with disabilities can live and thrive with dignity. Without them, Americans like me wouldn't be able to get to work, go to school, hold a job, pay taxes, go shopping, or do any of the things most of us take for granted. That is why I am speaking out today, because it matters deeply to me that our next Supreme Court Justice understand just how vital these protections are for Americans living with a disability. It is not just a disabilities rights issue; it is a civil rights issue.

Similarly, a woman's access to healthcare is also a civil rights issue, and it is an issue that affects every single American. When a woman can't get the care she needs, her family suffers, and when her family suffers, her community suffers and our Nation suffers. That is why I find it so deeply troubling that Judge Gorsuch has time and again actively worked against reproductive justice. In a dissenting opinion, he argued in favor of defunding Planned Parenthood in Utah based on evidence that other judges deemed as false. In the Hobby Lobby case, he made it clear that he favors the religious beliefs of corporations over the rights of women to make their own choices about their bodies.

What is worse, that isn't the only time Judge Gorsuch ruled to put corporate rights over human rights. You may have heard about a case in my home State of Illinois in which Judge Gorsuch ruled in favor of the rights of a trucking company over the rights of an employee in grave danger through no fault of his own. That is deeply troubling to me. He also dissented from a ruling giving a female UPS driver just the opportunity—the opportunity—to prove sex discrimination, and then again on a decision to fine a company that failed to properly train a worker, resulting in that worker's death.

Judge Gorsuch's record makes it very clear that he is willing to elevate large corporations at the expense of everyday Americans, jeopardizing our civil rights. That is why it is so important to me that he explain his judicial philosophy, that he explain to me his view on so many of these critical issues.

But then, during 4 days of hearings before the Judiciary Committee, Judge Gorsuch had the chance to clarify the philosophy behind his past rulings—to explain how his rulings may reveal his judicial philosophy as a Supreme Court Justice. However, instead of addressing these concerns, he dodged these questions—questions on some of the most important issues of our time. He wouldn't even express clearly his views on Roe v. Wade. The American people simply deserve better than that.

Earning a lifetime appointment to the Supreme Court requires much more than a genial demeanor and an ability to artfully dodge questions. It requires honesty in answering even the toughest questions. That is why I cannot vote to confirm Judge Gorsuch.

I take seriously my constitutional responsibility as a U.S. Senator to offer the President my informed consent, and it is clear that Judge Gorsuch has not provided some of the most essential information needed to grant him a lifetime appointment to our Nation's highest Court. Therefore, I am voting no on his nomination and supporting continued debate on the subject because I can't vote for a nominee when so many questions are left unanswered.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I am joined by my colleague from California, Senator HARRIS.

The PRESIDING OFFICER. The Senator from California.

Ms. HARRIS. Mr. President, I thank the Senator from Illinois for her important remarks just now and for her leadership and her friendship to so many of us. She has been an extraordinary hero of mine, personally, and so many of us look to her leadership. So I thank her—and for her speaking on the nomination of Judge Gorsuch.

Across the street from this Chamber stands the U.S. Supreme Court. Above its doors are the words ''Equal Justice Under Law.'' As Senators, we have a solemn responsibility to ensure that every man and woman who sits on that Court upholds that ideal. As a U.S. Senator, I take that responsibility extremely seriously.

Almost two decades after the Supreme Court's landmark ruling in Brown v. Board of Education, I was part of only the second class to integrate the Berkeley, CA, public schools. If the Court had ruled differently, I likely would not have become a lawyer or a prosecutor or a district attorney or the Attorney General of California, and I certainly would not be standing here today as a U.S. Senator.

I know from personal experience just how profoundly the Court's decisions touch every aspect of Americans' lives, and for that reason, I rise to join my colleagues in strong opposition to the nomination of Judge Neil Gorsuch to the U.S. Supreme Court.

As we know, Judge Gorsuch went through 4 days of hearings in front of the Senate Judiciary Committee, and here is what we learned: We learned that Judge Gorsuch refused to answer the most basic of questions. He initially even refused to share his views on Brown v. Board of Education. We learned that Judge Gorsuch has a deeply conservative worldview. And we learned that Judge Gorsuch interprets the law in a theoretical bubble, completely detached from the real world—as he puts it, ''focusing backward, not forward.'' If Judge Gorsuch joins the U.S. Supreme Court, his narrow approach would do real harm to real people, especially the women of America.

America deserves a Supreme Court Justice who will protect a woman's right to make her own decisions about her own health. Judge Gorsuch will not. Judge Gorsuch carefully avoided speaking about abortion, but he has clearly demonstrated a hostility to women's access to healthcare.

Last year, when the court he sits on sided with Planned Parenthood, Judge Gorsuch took the highly unusual step of asking the court to hear the case again.

Judge Gorsuch determined that a 13,000-person, for-profit corporation was entitled to exercise the same religious beliefs as a person. That meant the company did not have to provide employees birth control coverage and could impose the company's religious beliefs on all of its female employees. I ask my colleagues, why does Judge Gorsuch seem to believe that corporations deserve full rights and protections but women don't?

As we mark Equal Pay Day today, Americans deserve a Supreme Court Justice who will protect the rights of women in the workplace. Judge Gorsuch won't. In employment discrimination cases, Judge Gorsuch has consistently sided with companies against their employees. These employees include women like Betty Pinkerton. The facts of the case were undisputed. Her boss repeatedly asked her about her sexual habits and breast size and invited her to his home—then fired her when she reported his sexual harassment. Judge Gorsuch ruled against Betty. Why? Well, part of his justification that he offered was that she waited 2 months before reporting the harassment.

Americans deserve a Supreme Court Justice who upholds the rights of all women, including transgender women. Judge Gorsuch won't. When a transgender inmate claimed that the prison's practice of starting and stopping her hormone treatment was a violation of her rights, Judge Gorsuch disagreed.

As the National Women's Law Center observed, his ''record reveals a troubling pattern of narrowly approaching the legal principles upon which everyday women across the Nation rely.'' They write that his appointment ''would mean a serious setback for women in this country and for generations to come.''

But judging by his record, if Judge Gorsuch becomes Justice Gorsuch, women won't be the only ones facing setbacks. Take Luke, a young boy with autism whose parents sought financial assistance after switching him from public school to a school specializing in autism education. Judge Gorsuch ruled that the minimal support Luke received in public school was good enough. People in the autism community were up in arms. And in the middle of a Senate hearing 2 weeks ago, the Supreme Court unanimously ruled that Judge Gorsuch was wrong on the law.

Consider Alphonse Maddin. Maddin was a trucker who got stuck on the road in subzero temperatures—minus 27 degrees, as he recalls—and abandoned his trailer to seek help and save his life. For leaving the trailer, he was fired. Judge Gorsuch wrote that the company was entitled to fire Maddin for not enduring the cold and for not staying in his freezing truck.

Then there is Grace Hwang, a professor diagnosed with cancer. She sued when her university refused to provide the medical leave her doctor recommended. Judge Gorsuch called the university's decision ''reasonable'' and rejected her lawsuit. Sadly, Grace died last summer.

Judge Gorsuch has Ivy League credentials, but his record shows he lacks sound judgment to uphold justice. He ignores the complexities of human beings—the humiliating sting of harassment, the fear of a cancer patient or a worker who feels his life is in danger. In short, his rulings lack a basic sense of empathy. Judge Gorsuch understands the text of the law, to be sure, but he has repeatedly failed to show that he fully understands those important words: ''equal justice under law.'' For the highest Court in the land, I say, let's find someone who does.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank my colleague from California, Senator HARRIS, for her eloquent and persuasive remarks.

I am now joined by my colleague, the Senator from Massachusetts. I yield to her.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Thank you to the Senator from Hawaii for calling us here together today.

Mr. President, it is clear that President Trump's nominee to the Supreme Court, Neil Gorsuch, does not have enough support in the Senate to be confirmed under our rules. When a Supreme Court nominee does not have enough support to be confirmed, the solution is to pick a new nominee, but Republicans in the Senate are threatening to pursue a different path. They are considering breaking the Senate rules to force the nominee onto the Supreme Court anyway.

I will be honest. I think it is crazy that we are considering confirming a lifetime Trump nominee to the Supreme Court at a moment when the President's campaign is under the cloud of an active, ongoing FBI counterintelligence investigation that could result in indictments and appeals, that will go all the way to the Supreme Court, so that Trump's nominee could be the deciding vote on whether Trump or his supporters broke the law and will be held accountable. That is nuts. I believe we should tap the brakes on any nominee until this investigation is concluded.

But even if none of that were happening, I would still oppose the confirmation of Neil Gorsuch. My objection is based on Judge Gorsuch's record, which I have reviewed in detail. Judge Gorsuch's nomination is the latest step in a long political campaign by rightwing groups and their billionaire backers to capture our courts.

Over the last 30 years, as the rich have gotten richer and working families have struggled to make ends meet, the scales of justice have been weighted further and further in favor of the wealthy and the powerful. Those powerful interests have invested vast sums of money into reshaping the judiciary, and their investment has paid off in spades. Recent Supreme Court decisions have made it easier for corporate giants that cheat their customers to avoid responsibility. Recent Supreme Court decisions have let those same corporations and their billionaire investors spend unlimited amounts of money to influence elections and manipulate the political process. Recent Supreme Court decisions have made it easier for businesses to abuse and discriminate against their workers.

Giant corporations and rightwing groups have notched a lot of big wins in the Supreme Court lately, but they know their luck depends on two things—first, stacking the courts with their allies, and second, stopping the confirmation of judges who don't sufficiently cater to their interests. That is part of the reason they launched an all-out attack on fair-minded mainstream judges—judges like Merrick Garland, a thoughtful, intelligent, fair judge to fill the open vacancy on the Supreme Court.

These very same corporate and rightwing groups handed Donald Trump a list of acceptable people to fill the Supreme Court vacancy, and as a Presidential candidate, he promised to pick a Justice from their list. Who made it onto that rightwing list? People who, unlike Judge Garland, displayed a sufficient allegiance to their corporate and rightwing interests. Judge Gorsuch was on that list, and his nomination is their reward.

Even before he became a Federal judge, Judge Gorsuch fully embraced rightwing, pro-corporate views. He argued that it should be harder, not easier, for shareholders who got cheated to bring fraud cases to court.

On the bench, Judge Gorsuch's extreme views meant giant corporations could run over their workers. In Hobby Lobby, when he had to choose between the rights of corporations and the rights of women, Judge Gorsuch chose corporations. In consumer protection cases, when he had to choose between the rights of corporations and the rights of the consumers they cheated, Judge Gorsuch chose corporations. In discrimination cases, when he had to choose between the rights of corporations and the rights of employees who had been discriminated against, Judge Gorsuch chose corporations. Time after time, in case after case, Judge Gorsuch showed a remarkable talent for creatively interpreting the law in ways that benefited large corporations and that harmed working Americans, women, children, and consumers.

When it comes to the rules that prevent giant corporations from polluting our air and our water, from poisoning our food, from cheating hard-working families, Judge Gorsuch believes that it should be easier, not harder, for judges to overturn those rules—a view that is even more extreme than that of the late Justice Scalia.

Republicans assert that Judge Gorsuch is a fair, mainstream judge, but rightwing groups and their wealthy, anonymous funders picked him for one reason: because they know he will be their ally. And that is not how our court system is supposed to work. Judges should be neutral arbiters, dispensing equal justice under law. They should not be people handpicked by wealthy insiders and giant corporations.

For the working families struggling to make ends meet, for people desperately in need of healthcare, for everyone fighting for their right to vote, for disabled students fighting for access to a quality education, for anyone who cares about our justice system, there is only one question that should guide us in evaluating a nominee to sit on any court: whether that person will defend equal justice for every single one of us. Judge Gorsuch's record answers that question with a loud no.

Republicans have a choice. They can tell President Trump to send a new nominee—a mainstream nominee who can earn broad support—or they can jam through this nominee. If they do jam through Judge Gorsuch, the Republicans will own the Gorsuch Court and every extreme 5-to-4 decision that comes out of it. Republicans will own every attack on a woman's right to choose, on voting rights, on LGBTQ rights, on secret spending in our political system, and on freedom of speech and religion. Republicans will be responsible for every 5-to-4 decision that

throws millions of Americans under the bus in order to favor the powerful, moneyed few who helped put Judge Gorsuch on the bench.

Right now, the Presidency is in the hands of someone who has shown contempt for our Constitution, contempt for our independent judiciary, contempt for our free press, and contempt for our moral, democratic principles. If ever we needed a strong, independent Supreme Court with broad public support—a Supreme Court that will stand up for the Constitution—it is now.

If ever there were a time to say that our courts should not be handed over to the highest bidder, it is now. And that is why Judge Gorsuch should not be confirmed to sit on the Supreme Court of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank my colleague from Massachusetts for her impassioned, well-reasoned, persuasive remarks.

All too often, Judge Gorsuch fixates on what we call the plain meaning of a word in the law and decides on his own meaning that he would give to that word. Sometimes he will resort to the Dictionary Act or Webster's dictionary to ascertain what he would consider the plain meaning of the law, but what he doesn't do time and again in very important cases that impact lots of lives is that he doesn't look to the context or the purpose of the law, to the point where sometimes his decisions are just bizarre and lack common sense.

There was a reference made to the TransAm Trucking case where the truckdriver was in freezing weather. The brakes on his truck were not working properly, so he faced the choice of freezing to death or doing something about it but then risking being fired. So he did something about it. He got fired.

Judge Gorsuch, in his reading—a very, very narrow reading of a word in the applicable provisions—deemed that his firing was correct. He was asked by Senator FRANKEN at the hearing: What would you have done if you had been in that situation? There you are, you are about to freeze to death, and you have a truck that is not operable in a safe way unless you unhook the attachment to it. What would you have done?

Judge Gorsuch basically said: I don't know what I would have done. I was not in his shoes.

What any of us would have said—of course we would have done what the truck driver did. But in his very narrow reading of the words of the applicable provision, he came to the decision he did. That is why he could not respond to Senator FRANKEN.

It is particularly important that Judge Gorsuch explain to us how he would approach these kinds of cases. It is particularly important in what I would describe as remedial legislation, such as the Individuals with Disabilities Education Act, better known as IDEA. This is remedial legislation that protects the educational rights of special needs children. That is the population for which this law was enacted.

Judge Gorsuch had a case before him, and it was referred to by my colleague from California. A young boy was not getting the kind of educational opportunities that he should have gotten under IDEA, but Judge Gorsuch read that remedial legislation, which should be broadly interpreted to protect the class and the group that the law was passed to help—he read it very, very narrowly.

He said that the school needed only to provide ''merely de minimus'' education for this child. He put in the words ''merely de minimus'' effort on the part of the school to provide this young boy with educational opportunities. That was bad enough, but Judge Gorsuch added the word ''merely.'' So during the time of his hearing, the Supreme Court, in a related—basically the same law, IDEA, was at issue—and the Supreme Court, while we were having the hearing on Judge Gorsuch's nomination, unanimously overturned Judge Gorsuch's standard of ''merely de minimus.'' Even the Roberts Court found Judge Gorsuch's standard of review too limiting and too narrow.

So the young boy in question—his father testified at the confirmation hearing. I asked him what he was thinking as the decision of Judge Gorsuch came down. He said he knew that this decision would negatively affect hundreds and hundreds of special needs children all across our country.

This is why I sought assurance from Judge Gorsuch that he would be the kind of Justice who understands, as he told me when I met with him, that the purpose of title III, which are the Federal courts, is to protect the rights of minorities. So I wanted reassurance from Judge Gorsuch during his hearing. I tried time and again to get a sense of his heart, what his judicial philosophy was. I was looking for the reassurance that he was the kind of judge who understands the importance of assuring that victims of discrimination cannot only ask for but can also receive protections from the courts and who demonstrates a commitment to the Constitutional principles that protect the rights of women to make the intimate and personal decisions of what to do with their own bodies.

Mr. President, I note that I am joined by my colleague from Washington State, Senator MURRAY. I yield to her.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President.

I thank my colleague from Hawaii for her really important statement on this. I come to the floor today to express my serious concerns, along with other women from the Senate, about the nomination of Judge Neil Gorsuch for the Supreme Court, particularly about what it would mean for women across the country today and for generations to come.

Like the overwhelming majority of my Democratic colleagues, I have decided to vote against Judge Gorsuch's nomination, and I will be opposing a cloture motion ending debate. Now, I don't take this decision lightly, but with the future of women's health and rights and opportunity at risk, it is a decision I must make.

The Trump administration has broken nearly every one of its promises, but one it has certainly kept is its promise to turn back the clock on women's progress. It is clear that Republicans in Congress are committed to doing the same. Last week, just a few days ago, Senate Republicans, with the help of Vice President PENCE, overturned a rule that prevents discrimination against family planning providers based on the kinds of services they provide to women. It was shameful and unprecedented.

Now, not missing a beat, Congressional Republicans are already gearing up to attach riders to our coming budget bills in order to cut off access to critical services at Planned Parenthood for millions of patients. There are similar attempts to undermine women's access to healthcare in cities and States nationwide, and more often than we would like, the Supreme Court is going to be the place of last resort for protecting women's hard-fought gains.

If the buck has to stop with the Supreme Court on women's health and rights, I do not want Judge Gorsuch anywhere near the bench. Time and again, Judge Gorsuch has sided with the extreme rightwing and against tens of millions of women and men who believe that in the 21st century, women should be able to make their own choices about their own bodies.

Let me just give you a few examples. When the Tenth Circuit ruled in the case of Burwell v. Hobby Lobby that a woman's boss could decide whether or not her insurance would include birth control, Judge Gorsuch did not just agree; he thought the ruling should have gone further. Judge Gorsuch has argued that birth control coverage included in the ACA as an essential part of women's healthcare—one that has, by the way, benefited 55 million women—is a ''clear burden'' on employers that would not long survive.

When it comes to Planned Parenthood, he has already weighed in on the side of defunding our Nation's largest provider of women's healthcare. What was his reasoning? Judge Gorsuch thought that in light of completely discredited sting videos taken by extreme conservatives, women in the State of Utah should have a harder time accessing the care they need. I should note that just last week, the makers of those false videos received 15 felony charges.

I also want to be clear, as well, about what Judge Gorsuch's nomination could mean for a woman's constitutionally protected right to safe, legal

abortion services under the historic ruling in Rowe v. Wade, which was just reaffirmed last summer by this Court. In his nomination hearings, Judge Gorsuch would not give a clear answer on whether he would uphold that ruling, which has meant so much to so many women and families over the last four decades.

Judge Gorsuch has donated repeatedly to politicians who are dead set on interfering with women's constitutionally protected healthcare decisions. He has even made deeply inaccurate comparisons between abortion and assisted suicide.

I remember the days before Rowe v. Wade very clearly. I have heard the stories of women faced with truly impossible choices during that time. Women from all across the country have shared those deeply personal experiences because they know what it would mean to go backward.

Lastly, attempts to control women's bodies are not always about reproductive rights. Sure enough, Judge Gorsuch is on the wrong side here as well. He concurred in a ruling against a transgender woman who was denied regular access to hormone therapy while she was in prison. This ruling rejected the idea that under our Constitution, denying healthcare services is cruel and unusual punishment. That is not the kind of judgment I want to see on the bench, and I think most families would agree.

Families who have already done so much to lead the resistance against this administration and its damaging, divisive agenda are fighting this nomination as hard as they can. They know the Trump Presidency will be damaging enough for 4 years, but Judge Gorsuch's nomination will roll back progress for women over a lifetime.

I am proud to stand with them and do everything I can to make sure they are heard loud and clear here in the Senate. I oppose Judge Gorsuch's nomination in light of everything it would mean for women.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I thank my colleague, Senator MURRAY, our assistant Democratic leader, for her continuing, longstanding leadership on behalf of women and families in our country.

Over the past hour, my colleagues and I have laid out a fair case against confirming Judge Gorsuch to the U.S. Supreme Court. As we approach a vote on his confirmation, I encourage my colleagues to scrutinize Judge Gorsuch's judicial philosophy, even as he refused to outline for us or describe for us what that philosophy is. But we have come to certain conclusions based on 4 days of hearings. During his hearing, Judge Gorsuch refused, as they say, time and again to answer our questions on his judicial philosophy or his approach to the law. He insisted that he was merely a judge, as if the use of the word ended any discussion or scrutiny of his record.

Judge Gorsuch painted a picture for us of the Court that is really straight out of a Norman Rockwell painting. He said during his hearing: ''One of the beautiful things about our system of justice is that any person can file a lawsuit about anything against anyone at any time . . . and a judge, a neutral and fair judge, will hear it.''

Norman Rockwell painting—it is a wonderful idea that anybody can file a claim to protect their rights or interests. It is also a wonderful idea to assume that those claims will be heard and ruled upon by neutral judges, apparently uninfluenced by their own strongly held and frequently expressed personal views and judicial philosophy.

Many of my Republican colleagues have echoed this view and argued that Judge Gorsuch's credentials should be enough—Columbia, Harvard. They argue that it is wrong or even unfair to question how Judge Gorsuch might approach the kinds of difficult issues that come before the Supreme Court.

Of course, if judicial philosophy did not matter, then the Republicans would not have engaged in the unprecedented act of blocking President Obama's nominee—as I mentioned, Merrick Garland, a well-credentialed, well-respected moderate nominee—from even having a hearing. In fact, many of the Republican Senators did not even extend the courtesy of meeting with Judge Garland. They would not have held the seat open to be filled by the appointee of a Republican President, one selected for him by rightwing organizations.

When my colleagues and I asked Judge Gorsuch about his judicial philosophy, he said that his words, his views, his writings, and his clearly expressed personal views had no relevance to what he would do as a Justice. He told us to look at his whole record, so I examined his whole record. I saw in that record too little regard for the real-world impact of his decisions. I saw a refusal to look beyond the words to the meaning and intent of the law, even when his decisions lacked common sense, as in the frozen truck driver case, and far too often, to the benefit of big corporations and against the side of the little guy.

The decisions of judges have real-world impacts for millions of people beyond the parties in a particular case. This is especially true of the Supreme Court, which issues decisions that don't just reach those in the case in front of them—the frozen trucker, the women who work at Hobby Lobby faced with a lack of critical healthcare, the special needs child entitled to educational opportunities under the IDEA. The Supreme Court does not just interpret laws; the Supreme Court shapes our society.

Will we be just? Will we be fair? Will America be a land of exclusivity for the few or land of opportunity for the many? Will we be the compassionate and tolerant America that embraced my mother, my brothers, and me so many decades ago when we immigrated to this country? These values seem too often absent from Judge Gorsuch's record and from his view of the law and the Court.

The central question for me in looking at Judge Gorsuch and his record and listening carefully through 4 days of hearings was whether he would be a Justice for all of us, not just one for some of us. I came to the conclusion that he would not be a Justice for all of us, so I oppose his nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). Under the previous order, the time until 5:30 p.m. will be controlled by the majority.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have several of my colleagues on this side of the aisle who want to speak, but I just want to take a minute and a half or so to clarify some things I have heard from the other side that need to be counteracted.

First of all, I don't know whether they mentioned the term ''Ginsburg rule,'' but we do have this Ginsburg rule that was set out a long time ago when Judge Ginsburg came before the Senate for her confirmation. She said that you can't comment on things that might come before the Court because obviously you would be violating judicial ethics. Then I will comment on some things people have said about Brown v. Board of Education.

The very fact that Judge Gorsuch has declined to offer his opinion on legal issues that are likely to come before the Supreme Court demonstrates what we should all expect of him: his judicial independence. That is what we expect of every judge. The judge's decision not to offer his opinion on issues that may come before him is consistent with judicial ethics rules and is consistent with what I have referred to already as the Ginsburg rule or the Ginsburg standard, which all Supreme Court nominees in recent memory have followed. As Justice Ginsburg said, commenting on these issues is not fair to parties who might come before the Court in future years. That is what Judge Gorsuch said as well.

Questions to this end are nothing more than an attempt to compromise the judge's independence, and he showed us that he wasn't going to have his independence compromised because he is going to do what judges should do: look at the facts of a case, look at the law, and make those decisions based only on that and send no signals whatsoever ahead of time of how he might view something.

Along these lines, my colleagues said that the judge should have announced that he agreed with the ruling in Brown v. Board of Education but didn't offer enough information about this opinion in an appropriate discussion of precedent.

I will quote our nominee. He said this: ''Senator, Brown v. Board of Education corrected an erroneous decision, a badly erroneous decision, and vindicated a dissent by the first Justice Harlan in Plessy v. Ferguson, where he correctly identified that separate to advantage one race can never be equal,'' end of the quote of our nominee. So the judge spoke about precedent very appropriately. He answered our questions in a manner consistent with his obligations and with past nominees.

One more point. I keep hearing complaints that the judge won't make a commitment to follow Roe v. Wade, but my colleagues' requests really boil down to a quest for a promise to reach results that they want. They demand adherence to Roe v. Wade on the one hand and a promise to overrule Citizens United on the other hand, as examples. Asking the judge to make commitments about precedent is inappropriate. I have said this so many times, and my colleagues will repeat it many times as well. It compromises the judge's independence.

Instead of being beholden to the President, my colleagues would have the judge be beholden to them. This nominee isn't going to be beholden to a President, and he is not going to be beholden to any Senator because if he did that, he would be compromising his views.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, 2 months ago, the President nominated Judge Neil Gorsuch, a judge on the Tenth Circuit Court of Appeals, to the Supreme Court. This week, we will be voting on his confirmation.

I want to say that I am grateful to my colleague, the senior Senator from Iowa, for his leadership during this process and for getting this nomination to the floor. We are fortunate to have him as chairman of the Judiciary Committee.

We have before us a supremely qualified candidate for the Supreme Court. Judge Gorsuch has a distinguished resume. He is widely regarded as a brilliant and thoughtful jurist. Most importantly, however, he is known for his impartiality and his absolute commitment to the rule of law. Judge Gorsuch understands that the job of a judge is to apply the law as it is written—and here is the fundamental thing—even when he disagrees with it.

''A judge who likes every outcome he reaches is very likely a bad judge.'' Judge Gorsuch has said that more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law. That is a problem because there is no such thing as equal protection or equal justice when judges make decisions based on their personal feelings about a case instead of based upon the law. A judge's job is to apply the law as it is written, whether he likes the result or not. Judge Gorsuch understands this.

A lot of people from across the political spectrum have spoken up in favor of Judge Gorsuch's nomination, and one thread that runs through their comments is their confidence that they can trust Judge Gorsuch to apply the law as it is written.

Here is what Neal Katyal, an Acting Solicitor General for President Obama, had to say about Judge Gorsuch:

> I have no doubt that if confirmed, Judge Gorsuch would help to restore confidence in the rule of law. His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the president who appointed him.

A former law partner and a friend of Judge Gorsuch's—a friend who describes himself as ''a longtime supporter of Democratic candidates and progressive causes''—had this to say about Judge Gorsuch:

> Gorsuch's approach to resolving legal problems as a lawyer and a judge embodies a reverence for our country's values and legal system. . . . I have no doubt that I will disagree with some decisions that Gorsuch might render as a Supreme Court justice. Yet, my hope is to have justices on the bench such as Gorsuch . . . who approach cases with fairness and intellectual rigor and who care about precedent and the limits of their roles as judges.''

Again, that is from a self-described ''longtime supporter of Democratic candidates and progressive causes.''

During his years on the bench, Judge Gorsuch has had a number of law clerks. On February 14, every one of Judge Gorsuch's former clerks, except for two who are currently clerking at the Supreme Court, sent a letter on his nomination to the chairman and ranking member of the Senate Judiciary Committee. Here is what they had to say:

> Our political views span the spectrum . . . but we are united in our view that Judge Gorsuch is an extraordinary judge. . . . Throughout his career, Judge Gorsuch has devoted himself to the rule of law. . . . As law clerks who have worked at his side, we know that Judge Gorsuch never resolves a case by the light of his personal view of what the law should be. Nor does he ever bend the law to reach a particular result that he desires.
>
> For Judge Gorsuch, a judge's task is not to usurp the legislature's role; it is to find and apply the law as written. That conviction, rooted in his respect for the separation of powers, makes him an exemplary candidate to serve on the nation's highest court.

Again, that is the unanimous opinion of 39 of Judge Gorsuch's former law clerks whose political views, in their own words, ''span the spectrum.''

E. Donald Elliott, an adjunct professor at Yale Law School, had this to say about Judge Gorsuch:

> Judge Gorsuch's judicial philosophy isn't mine . . . but among judicial conservatives, Judge Gorsuch is as good as it possibly gets. . . . Judge Gorsuch tries very hard to get the law right. He is not an ideologue, not the kind to always rule in favor of businesses or against the government. Instead, he follows the law as best he can wherever it might lead.

I could go on. The voices raised in support of Judge Gorsuch are numerous.

Unfortunately, no amount of testimony in favor of Judge Gorsuch seems to be enough for Democrats. Senate Democrats are apparently determined to oppose Judge Gorsuch despite the fact that they are struggling to find any good reason to justify their opposition.

The Senate minority leader came down to the floor on March 23 to announce his determination to vote against Judge Gorsuch, and he urged his colleagues to do the same. Why? Well, apparently the Senate minority leader is not convinced that Judge Gorsuch ''would be a mainstream justice who could rule free from the biases of politics and ideology.'' That is right. Despite the fact that everyone—liberal and conservative—seems to describe fairness as one of Judge Gorsuch's distinguishing characteristics, the Senate minority leader is not convinced the judge will be able to rule without bias. He is worried that Judge Gorsuch won't be a mainstream judge.

Well, over the course of 2,700 cases on the Tenth Circuit, Judge Gorsuch has been in the majority 99 percent of the time—99 percent. In 97 percent of those 2,700 cases, those opinions were unanimous. I would like the minority leader to explain how exactly a judge who is in the majority 99 percent of the time is out of the judicial mainstream. Is the minority leader trying to suggest that all of the judges on the Tenth Circuit, including the ones appointed by Democrats—which, I might add, is a majority on the circuit—are extremists?

The fact is, Democrat opposition to Judge Gorsuch has nothing to do with his qualifications. Let's just get it out there. I doubt that any of my colleagues on the other side of the aisle really think that Judge Gorsuch is out of the mainstream or that he lacks the qualifications of a Supreme Court Justice. No, the truth is that Democrats are opposing Judge Gorsuch because they are mad that it is not a Democratic President making the nomination. They can't accept that they lost the election, so they are going to oppose any nominee, no matter how qualified.

It is extremely disappointing that Democrats plan to upend a nearly 230-year tradition of approving Supreme Court nominees by a simple majority vote simply because they can't accept the results of an election.

Democrats have no plausible reason to offer for opposing this supremely qualified nominee. I hope that a sufficient number of Senate Democrats will think better of their opposition and vote—when we have that opportunity later this week—to confirm Judge Gorsuch to the Supreme Court.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, there are, of course, two issues before the Senate with respect to Judge Neil Gorsuch. The first issue is simply, should or should not Neil Gorsuch be confirmed as an Associate Justice to the U.S. Supreme Court? There is also a second issue, and the second issue is, Should the Senate even be allowed to vote?

Those two questions are both important and interrelated. I want to talk about the first one first.

I sit on the Judiciary Committee. We heard last week—2 weeks ago—about 20 hours of testimony from Judge Gorsuch. I think he answered about 200 questions in writing. One of the objections offered by our friends on the other side of the aisle, the Democratic Party, was that Judge Gorsuch refused to answer some of the questions. Now that is just not accurate.

Many of the questions that were asked of the judge by both Republicans and Democrats were fair questions—some of them, not so much.

Judge Gorsuch was asked, in effect: What is your position on abortion? How will you vote?

He was asked: How will you vote on gun control?

He was asked: How would you vote on cruel and unusual punishment, the Eighth Amendment?

He was asked how he would vote on questions dealing with the Tenth Amendment. He didn't answer those questions, and then he was criticized for not answering those questions. He didn't answer those questions because he couldn't. He is a sitting judge of the U.S. Court of Appeals for the Tenth Circuit. Let me read to you canon 3(a)(6) of the Code of Conduct for United States Judges. It states: ''A judge should not make public comment on the merits of a matter pending or impending in any court.''

Let me read you rule 2.10(B) of the American Bar Association Model Code of Judicial Conduct. It provides, and I quote: ''A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of the judicial office.''

Now, say what you want about Mr. Gorsuch, but don't criticize him for not violating the oath of his office and not making promises, pledges, or commitments, like a politician, on how he would vote on the U.S. Supreme Court, because Justices are supposed to decide the case on the merits.

As I mentioned, I watched Judge Gorsuch answer questions personally for over 20 hours. He was asked some other questions other than the ones I have referenced, and I was intrigued by some of the questions that Judge Gorsuch was asked. My friends in the Democratic Party kept trying to draw distinctions with Judge Gorsuch between the parties in cases that he had decided. My friends kept talking about the ''big guy,'' the ''little guy,'' the corporation, the consumer, the employer, the employee. The suggestion was made that Judge Gorsuch didn't vote enough for the little guy or little gal, for whatever that means. What struck me when he answered those questions was that we were supposed to be talking about the faithful application of justice. Now, I was taught in law school that Lady Justice is supposed to be blind, that neither the wealth nor the power nor the status of the parties should matter. That is why, in the picture that we see so often of Lady Justice, she is blindfolded. She isn't looking at the parties at all to see whether they are wealthy or not so wealthy. She isn't looking at the parties to see whether they are a corporation or a consumer or what race they are or what gender they are or what part of the country they are from. Lady Justice is supposed to be blind because we are a nation of laws, not men.

Of all the places in our country, an American court of law—and I am very proud of this—is supposed to be the place of last resort, where you can come and get a fair shake. That is how good judges operate. They give everybody a fair shake. A good judge is supposed to make his or her decisions based on the law, not the parties. Good judges are supposed to be impartial—to call it like they see it, to call the balls and strikes—and that is exactly what Neil Gorsuch has done throughout his entire career.

I can promise that, as I sit on the Judiciary Committee, if any President, whether he is a Republican or Democrat, ever brings a nomination before the Judiciary Committee when I am on that committee and that nominee starts talking about the wealth or the status or the power of the parties and how it will influence or not influence his decision, suggesting that will make a difference, I will vote against that nominee—I don't care who nominates him—every single time, because that is not American justice.

We talked about two cases in particular, and the Presiding Officer has probably heard them talked about here on the floor. On the surface they don't seem to be related. Judge Gorsuch ruled in both of these cases, but I think they interact in a very important way. They tell us that he doesn't play politics and he doesn't rule for the big guy just because he is a big guy or the little guy just because he is a little guy.

The first case we heard a lot about was a decision by Judge Gorsuch called TransAm Trucking. You are going to hear a lot about that case. In that case, Judge Gorsuch made a decision that was unfavorable to a trucker, and he ruled in favor of the trucking company—little guy versus big guy. Judge Gorsuch ruled for the big guy, and it is important to know why and to look at the reasoning in that case and not just the result.

During the discussion on the case, Judge Gorsuch made it very clear that he only made that decision because he believed that was what the statute controlling the facts of the case required—a statute that was passed by a legislative body duly authorized by the people that make the law. Unlike our courts, which are supposed to interpret the law, Judge Gorsuch did not decide the case the way he did because he didn't sympathize with the trucker. He decided that case the way he did because he was doing his best to accurately apply the law, as best he understood it, to the facts before him. Once again, that is what is called justice—blind to the parties.

Actually, Judge Gorsuch has explained himself and what he thinks about decisions such as this. He did it in another case that I will talk about in a moment. Judge Gorsuch said:

> Often enough the law can be ''a[n] ass—a[n] idiot''—
>
> Quoting, of course, Charles Dickens—
>
> and there is little we judges can do about it, for it is (or should be) emphatically our job to apply, not rewrite, the law enacted by the people's representatives. Indeed, every judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.

Now, that statement came from the second case I referenced. It was a case called A.M. Holmes. In A.M. Holmes, a 13-year-old seventh grader was arrested for fake burping repeatedly in class. The majority said it was OK for him to be arrested and that, when his family sued the police officer, the police officer enjoyed qualified immunity.

Judge Gorsuch dissented. This time he ruled for the little guy, literally and figuratively. Judge Gorsuch said: ''In my opinion, reading the statute passed by the legislature, this young man's family can file this lawsuit because disciplining a 13-year-old 7th grader for fake burping in class by arresting him instead of disciplining him is a bridge too far.''

Now, once again, we had a little guy versus the big guy. This time Judge Gorsuch ruled for the little guy. But again, we have to look beyond the result. Even though he ruled for someone we can all sympathize with, Judge Gorsuch didn't base his decision on that. He based his decision on a good-faith application of the statutes of the facts controlling the case. He applied the law as written by the legislature. That is what legislatures do, and that is what Congresses do. They make the law and judges interpret the law. To be blunt, that is what we want in a judge.

I want a judge. I don't want an ideologue. I am not interested in a judge who will use the judiciary to advance his own personal policy goals. I want a judge who will apply the law as written by the legislature or, in the case of the Constitution, as written by the Framers of the Constitution, as best that judge understands the law, not to try to reshape the law as he wishes it to be.

To just comment about the last question that I raised earlier, again, one

issue is whether or not we should confirm Judge Gorsuch to the Supreme Court, but the second issue is whether the Senate should even be allowed to vote at all. That is what this is all about when you distill it down to its basic essence.

We are going to hear a lot about cloture, and we are going to hear a lot about the nuclear option. But this is what it boils down to: Should we or should we not even be able to be allowed to vote?

Now I understand that reasonable people can disagree. I also understand that unreasonable people can disagree, and everybody in this body has a vote, and we all represent States. There are two Senators from every State—big States and little States—and everybody is entitled to be able to vote his or her conscience. But it is very, very important not only for the American judicial system but for American democracy that the Senate be allowed to vote on Judge Gorsuch.

So to my friends on the other side of the aisle, I would say: Please allow us to vote. You can vote for or against Judge Gorsuch. I will not second-guess your judgment if you act sincerely, and I believe many of my colleagues are sincere. They are wrong, but they are sincere. But please allow the Senate to vote on this nomination. That is why I was sent to Washington.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, this week the Senate will fulfill one of our most important responsibilities: advice and consent for a nominee to the Supreme Court. The stakes don't get much higher than a lifetime appointment to a court of final appeal, especially if the court has presumed over the last two generations to take more and more political and moral questions out of the hands of the people.

President Trump has nominated Judge Neil Gorsuch, a distinguished jurist who understands the critical but limited role of the Federal courts in our constitutional system. To my knowledge, no Senator genuinely disputes his eminent qualifications, his judicial temperament, and his outstanding record over the last decade on the Tenth Circuit Court of Appeals.

Indeed, Judge Gorsuch would appear headed toward an easy, noncontroversial confirmation based on the comments by Democratic Senators.

The senior Senator from Colorado introduced Judge Gorsuch at his confirmation hearings with this high praise:

> I have no doubt that . . . Judge Gorsuch has profound respect for an independent judiciary and the vital role it plays as a check on the executive and legislative branches. I may not always agree with his rulings, but I believe Judge Gorsuch is unquestionably committed to the rule of law.

The senior Senator from Indiana recently announced his support for Judge Gorsuch, saying:

> I believe that he is a qualified jurist who will base his decisions on his understanding of the law and is well respected among his peers.

The senior Senator from West Virginia has noted:

> [Judge Gorsuch] has been consistently rated as a well-qualified jurist, the highest rating a jurist can receive, and I have found him to be an honest and thoughtful man.

The junior Senator from North Dakota also praised Judge Gorsuch for his ''record as a balanced, meticulous, and well-respected jurist who understands the rule of law.''

Remember, these admiring statements all come from Democrats, and all of them support an up-or-down vote on confirming Judge Gorsuch.

Even those who oppose Judge Gorsuch used to sing a different tune about the standards for judicial confirmation.

For instance, the senior Senator from California put it best when she said:

> I think, when it comes to filibustering a Supreme Court appointment, you really have to have something out there, whether it's gross moral turpitude or something that comes to the surface.

Speaking of a previous Republican President's nominee, she further said:

> Now, I mean, this is a man I might disagree with. That doesn't mean he shouldn't be on the court.

In fact, President Obama filibustered a Supreme Court nomination while he was a Senator, yet later expressed regret over that decision. He said:

> I think that, historically, if you look at it, regardless of what votes particular Senators have taken, there's been a basic consensus, a basic understanding, that the Supreme Court is different. And each caucus may decide who's going to vote where and what but that basically you let the vote come up, and you make sure that a well-qualified candidate is able to join the bench even if you don't particularly agree with him.

Despite all of this, though, it appears that a radical Democratic minority intends to filibuster Judge Gorsuch's nomination. The minority leader is encouraging this extreme fringe, claiming, ''If Judge Gorsuch fails to earn 60 votes and fails to demonstrate he is mainstream enough to sit on the highest court, we should change the nominee, not the rules.''

I will return later to the minority leader's central and ironic role in all of this. For now, let's take a trip down memory lane so as to understand just how radical this partisan filibuster would be.

No Supreme Court nominee has ever failed because of a partisan filibuster—never, not once, ever—in the 228 years of our venerable Constitution. One nominee, Justice Abe Fortas—to be elevated to Chief Justice—lost one cloture vote in 1968 on a bipartisan basis. He then withdrew under an ethical cloud, but no Supreme Court nominee has ever been defeated by a partisan filibuster.

This historical standard has nothing to do with changes in the Senate rules. The filibuster has been permitted under Senate rules since early in the 19th century. It is not a recent or a novel power. The cloture rule was adopted 100 years ago. In other words, at any point in our history, a Senate minority could have attempted to filibuster a Supreme Court nominee. They had the tools. The rules permitted it. It would have only taken one Senator—just one. Yet it never happened for a simple reason: self-restraint. While written rules are important, sometimes the unwritten rules are even more so. Habits, customs, mores, standards, traditions, practices—these are the things that make the world go round, in the U.S. Senate no less than in the game of life. Our form of self-government depends critically on this form of self-government. Let's reconsider some recent nominees in light of these facts.

Justice Clarence Thomas was probably the most controversial nomination in my lifetime, perhaps ever. He was the subject of a vicious campaign of lies and partisan smears—a ''high-tech lynching'' in his words. He was confirmed in 1991 by a bare majority of 52-to-48. Yet Justice Thomas did not face a filibuster. Not a single Senator tried to block the up-or-down vote on his nomination—not Joe Biden, not Ted Kennedy, not Robert Byrd, not John Kerry—not one. Why? Any one Senator could have demanded a cloture vote, could have insisted on the so-called 60-vote standard and, perhaps, defeated Justice Thomas's nomination, but they did not because they respected two centuries of Senate tradition and custom.

It was likewise with Justice Sam Alito, whose nomination unquestionably shifted the Court's balance to the right in 2006. He, too, received fewer than 60 votes for confirmation—58 to be exact—but he received 72 votes for cloture. Here again, a large, bipartisan majority upheld the Senate tradition and custom against partisan filibusters of Supreme Court nominees. Even Judge Robert Bork, whose name is now used as a verb to mean the ''unfair partisan treatment of a judicial nominee,'' received an up-or-down vote in 1987. Yes, Judge Bork, who only received 42 votes for confirmation, did not face a partisan filibuster.

But let's not stop with Supreme Court nominations. Let's also consider other kinds of nominations so that we can understand just how radical is the Democratic minority's position.

To this day, there has never been a Cabinet nominee defeated by a partisan filibuster—never, not once, ever—in 228 years of Senate history. To this day, there has never been a trial court nominee defeated by a partisan filibuster—never, not once, ever—in 228 years of Senate history. Until 2003—just 14 years ago—there had never been an appellate court nominee defeated by a partisan filibuster.

That is just how strong the custom against filibusters was. It had never successfully happened in 214 years.

From our founding, through secession and civil war, through world wars, no matter how intense the feeling and how momentous the occasion, no matter how partisan the atmosphere, Senators always exercised self-restraint and allowed up-or-down votes on nominees for the Supreme Court, the court of appeals, the trial court, and the Cabinet.

But that changed in 2003, thanks in no small part to the senior Senator from New York, CHUCK SCHUMER, now the minority leader. With the help of leftwing law professors, he convinced extremists and the Democratic caucus to filibuster President Bush's appellate court nominees. For the first time in more than two centuries of the U.S. Senate, a radical minority defeated nominations with a partisan filibuster.

Why did the Senate start down this path? Some point to racial politics and Miguel Estrada, who was one of the most talented appellate litigators of his generation and President Bush's nominee to the DC Circuit. That court is often a proving ground for future Supreme Court nominees, and Mr. Estrada's confirmation might have enabled President Bush to nominate him, subsequently, to the Supreme Court. A Republican President appointing the first Hispanic Justice? Surely, the Democrats couldn't allow that.

Whatever the reason, there can be no doubt that the minority leader has set in motion a chain of events over the last 14 years and has brought us to the point he claims to deplore today. So the Democrats can spare me any handwringing about Senate traditions and customs.

The minority leader and like-minded extremists in the Democratic caucus can also spare us their exaggerated claims of the Republican obstruction of President Obama's judicial nominees. The Democrats, after all, were the ones who broke a 214-year-old tradition specifically to obstruct 10 of President Bush's nominees. Of course, the Republicans followed suit, though I would note that they have filibustered fewer judges over more years in their having been in the minority.

Put simply, the Democrats broke one of the Senate's oldest customs in 2003 so that they could filibuster Republican judges, and they subsequently filibustered more judges than did the Republicans. So it should come as no surprise that the Democrats took an even more radical step in 2013 when they used the so-called nuclear option to eliminate the filibuster for executive branch, trial court, and appellate court nominations. They broke the Senate rules by changing the Senate rules with a bare majority, not the effective two-thirds vote required under those rules.

The radical Democrats will accept no constraints on their will to power—when in power. Whatever it takes to pack the courts with liberal extremists or to block eminently qualified Republican nominees is exactly what they will do.

But don't take my word for it. Let's review what the Democrats were saying last year when they all believed they would be in power with Hillary Clinton as President and Democrats controlling the Senate. We did not hear much talk about the sacred 60-vote standard back then. On the contrary, the Democrats were promising to use the nuclear option again—this time to confirm a Democratic nominee to the Supreme Court.

Former Senate Minority Leader Harry Reid said:

> I have set the Senate so, when I leave, we're going to be able to get judges done with a majority. . . . If the Republicans try to filibuster another circuit court judge, but especially a Supreme Court Justice, I've told 'em how, and I've done it . . . in changing the rules of the Senate.

The junior Senator from Virginia, who would have been Vice President had Secretary Clinton won, said, quite frankly, about the Supreme Court vacancy:

> If these guys think they are going to stonewall the filling of that vacancy or other vacancies, then a Democratic Senate majority will say, ''We're not going to let you thwart the law.''

The junior Senator from Oregon warned ominously:

> If there's deep abuse, we're going to have to consider rules changes.

The senior Senator from New Mexico perhaps summed it up best of all when he said:

> The Constitution does not give me the right to block a qualified nominee no matter who is in the White House. . . . A minority in the Senate should not be able to block qualified nominees.

Do not think for a minute that the radical Democrats would not have made good on these threats. They have exercised little restraint on judicial nominations over the last 14 years. They have betrayed over 200 years of Senate tradition and custom. They would not start respecting those traditions now.

In reality, there were good reasons to respect and uphold the old Senate tradition against the filibusters of nominees before 2003.

First, our responsibility under the Constitution is not to choose but to advise and consent. A partisan filibuster would, essentially, encroach upon the President's power to nominate the person of his choice.

Second, nominations are not susceptible to negotiation. We cannot split someone down the middle, Solomon-like. We can vote yes or no. This is not the case with legislation, where differences can be split, compromises negotiated, and bipartisan consensus reached.

Third, when legislation fails to win 60 votes, it is not the end of the world; it can go back to the drawing board or be enacted through other legislative vehicles. But when nominations are long delayed or defeated, then real work is left undone, cases go unheard, disputes go unresolved, and the law remains unclear.

It would have been better for the Senate if the minority leader and the Democrats had recognized these things in 2003 and not started us down this path, the end of which we reach this week. It is rarely a good thing when an institution ignores or breaks its customs and traditions, its unwritten rules. They should have known better, and they should have acted better. But we have come to this point because the radical Democrats didn't act any better.

Now they propose to create a new standard never known to exist before: The Senate will not confirm a Republican President's nominees to the Supreme Court, because if the Democrats will filibuster Neil Gorsuch, then they will filibuster any Republican nominee. I will never accept this double standard, and neither will my colleagues. Republicans aren't going to be played for suckers and chumps.

After this week, the Senate will be back to where it always was and where it should have remained: Nominees brought to the floor ought to receive an up-or-down, simple-majority vote. And don't expect to hear regret from me about it.

There is no moral equivalence here between the two parties. To suggest any equivalence is to divorce action from its intent and aim. In 2003 and again at this moment, the radical Democrats overturned venerable Senate traditions. The Republicans are acting to restore them. Those who cannot see the difference, to borrow from Bill Buckley, would also see no difference between a man who pushes an old lady into the path of an oncoming bus and a man who pushes the old lady out of the path of the bus, because after all, both men push around old ladies.

So I am not regretful. I am not wracked with guilt. I am not anguished. I am really not even disappointed. There are no school yard taunts of ''you did it first.'' There are no charges of hypocrisy. There is no pox on both our houses. The Republicans are prepared to use a tool the Democrats first abused in 2013 to restore a 214-year-old tradition the Democrats first broke in 2003, and we are supposed to feel guilty? Please. The radical Democrats brought this all on themselves and on the Senate. The responsibility rests solely and squarely on their shoulders.

The minority leader is hoist with his own petard, the Senate is restored to a sensible, centuries-old tradition, and Judge Gorsuch is about to become Justice Gorsuch. Not a bad outcome. Not bad at all. Pretty good, in fact.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I come to the floor today to support the confirmation of Neil Gorsuch to serve as an Associate Justice on the Supreme Court of the United States. By any objective measure, Judge Gorsuch is impeccably qualified. He is a graduate of

Columbia University and the Harvard Law School and was awarded a doctorate from Oxford. He is a former law clerk for the legendary Justice Byron White, as well as for Justice Kennedy. He has been a respected Federal appellate judge for a decade. Judge Gorsuch has spent a lifetime in the law, and his record indicates he will make an exemplary Justice.

Just 2 weeks ago, Judge Gorsuch testified for 20 hours before the Senate Judiciary Committee. His conduct during the hearing only further confirmed what his record demonstrates: that Neil Gorsuch is a principled jurist and a good man. And I was glad for all of us to get that confirmation because Judge Gorsuch bears a heavy responsibility—he is being asked to fill the seat of Justice Antonin Scalia. In truth, I doubt anyone could truly fill Justice Scalia's shoes. Justice Scalia was one of a kind, and his enormous impact on the law and on the Court will impact this Nation for generations to come.

All of us miss him dearly, but I take solace in the knowledge that one of the ways in which I believe it will be easiest for Judge Gorsuch to imitate Scalia—perhaps the most important way—is judicial humility. Justice Scalia's greatest strength was not his amazing wit, his mighty pen, or his larger-than-life personality, as much as we loved those parts of him; rather, it was his consistent unwillingness to accumulate power to himself and to the courts. He refused to impose his own personal policy preferences on the law but instead understood that his role as a judge was simply to apply the law that the elected representatives of the people had enacted.

This type of judging doesn't take otherworldly talents, although Scalia had that in abundance; instead, it takes character, integrity, and humility. Judge Gorsuch's lengthy record and his hearing testimony demonstrate that he has those attributes as well. He understands that his role as a judge is to apply the words of the Constitution and the laws of the United States to the specific cases that come before him, and nothing more. This is critical in an era when the Supreme Court has come to be seen by many—for good reason—as an activist Court, as a superlegislature that seeks to impose its own will in the place of the written law.

It is this very humility that angers so many on the left. They don't want someone who humbly applies the law; rather, they demand nothing less than a person fully committed to enacting from the Supreme Court bench whatever policies the left is championing at that given moment, because they know their only refuge is the courts because the American people would reject the policies at the voting booth. Judge Gorsuch is clearly not that kind of person, so they have committed to opposing his confirmation by whatever means necessary, legitimate or not.

Indeed, if this were being decided on qualifications and record, Judge Gorsuch would be confirmed unanimously. We don't have to hypothesize about that because Judge Gorsuch has already been confirmed by this body a decade ago by voice vote, without recorded dissent. Not a single Senator objected—not Ted Kennedy, not Hillary Clinton, not Barack Obama, not Joe Biden, and not even Democratic Members who still serve in this Chamber, like CHUCK SCHUMER, DIANNE FEINSTEIN, PAT LEAHY, or DICK DURBIN. Not one of them spoke out against Gorsuch's nomination to the court of appeals—not one.

So what changed? The only thing that changed is that the radical left has become angry, extremely angry, and my Democratic colleagues are worried they will get opposed from their left in a primary. That is it. Their base demands total war, total obstruction, and they are begrudgingly bowing to this demand.

Unfortunately for them, it has proven difficult to invent attacks against an obviously well-qualified judge like Judge Gorsuch. My Democratic colleagues couldn't get any legitimate grievance to stick at the hearings last week, despite their best efforts, but it hasn't stopped them from repeating their outlandish attacks over and over again. If the stakes weren't so high, it might even be humorous, but it isn't really funny because the primary argument the Democrats have made is dangerous. Their attack on Neil Gorsuch is a direct attack on the rule of law itself.

Contrary to the very foundations of our government and legal system, my colleagues from across the aisle are arguing that Judge Gorsuch is unqualified to be a Justice because he allegedly failed to side with the ''little guy'' over the ''big guy.'' In their view, it is now the job of judges to reject equal protection, to take the blindfold off of Lady Justice, and instead judges should put their thumbs on the scales to actively discriminate against parties based on their identity.

This notion of partisan, results-oriented judging is directly contrary to the constitutional system we have in this country. My Democratic colleagues are openly calling for judges to enforce their own political preferences from the bench, and they want to use a person's willingness or unwillingness to do so as a litmus test for who gets on the Court. This isn't even a jurisprudential position, it is a political position. And it is difficult to imagine a more effective way to destroy our judicial system—the best in the world, despite its flaws—than to adopt this results-oriented approach.

Make no mistake, the Democrats' trumpeting of outcome-based judging will have consequences. Judges and potential judges nationwide will now have heard their siren call. You want smooth sailing in a confirmation hearing from the Democrats? Ignore the law, ignore the facts, and pick sides based upon whom you sympathize with—whoever is politically correct at that moment in time. My Democratic colleagues claim to detest attacks on the independent judiciary, but there aren't many attacks more dangerous and chilling of true independence and impartiality than the one they are making now.

The public—the people who appear in court seeking an honest tribunal—have also heard this open call for bias, for prejudice, for discrimination, and I doubt they will soon forget.

Luckily, Judge Gorsuch stood firm in his confirmation hearing. He reaffirmed what was clear from his record—that he will not legislate his own policy preferences from the bench and that he will respect the limited role a judge plays in our constitutional structure. He did all of this in the face of unrelenting opposition from my Democratic colleagues who demanded that he violate his judicial oath and swear to decide certain cases and political questions in a way that they would prefer. No recent nominee to the Supreme Court has ever made such pledges, and Judge Gorsuch rightfully refused to do so last week.

Their demands of Judge Gorsuch were particularly galling given that this was the most transparent process in history for selecting a Supreme Court Justice. During the campaign, Donald Trump promised the American people that, if elected, he would choose a Justice in the mold of Justice Scalia. He laid out a specific list of 21 potential nominees, including Judge Gorsuch. The voters were able to see precisely whom President Trump would nominate, and they were able to decide for themselves if that was the future they wanted for the Supreme Court.

Hillary Clinton, on the other hand, promised a very different kind of Justice. She promised a liberal judicial activist who would vote to undermine free speech, to undermine religious liberty, and to undermine the Second Amendment right to keep and bear arms.

In a very real sense, this election was a referendum on the Supreme Court. The American people could decide for themselves between a faithful originalist vision of the Constitution or a progressive, liberal, activist vision, and the voters chose.

Donald Trump is now President Trump, and he has kept his promise to the American people, selecting Judge Neil Gorsuch from that list of 21 judges. Judge Gorsuch is no ordinary nominee. Because of this unique and transparent process, unprecedented in our Nation's history, his nomination carries with it a kind of super-legitimacy in that it has been ratified by the American people at the voting booth. Neil Gorsuch is not simply the President's nominee. It is the direction chosen by the American people, and I urge my colleagues to confirm him.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise today to voice my opposition to the

nomination of Judge Neil Gorsuch to be an Associate Justice on the Supreme Court of the United States.

The nomination of an individual to serve on the Supreme Court is a matter of tremendous importance. Supreme Court justices have the opportunity to shape, literally, and even to define American history for decades to come. Even more importantly, they have the opportunity to affect the lives and livelihoods of everyday Americans, now and in generations yet unborn.

Few decisions in the Senate have a more profound consequence than the confirmation of a nominee for a lifetime seat on the highest Court in the land. I recognize that this is one of the most critical votes that I will take or that any Senator will cast.

After reviewing Judge Gorsuch's record, I have decided to uphold my constitutional duty of service to advise and consent by opposing Judge Gorsuch's nomination at all stages of the confirmation process, including a vote on cloture or an up-or-down vote. I didn't come to this decision lightly. I arrived at this conclusion because I believe the next Associate Justice to the Supreme Court must be someone who understands the importance of judicial restraint, someone who will adhere to precedent, someone who will respect and has respect for all coequal branches of government, someone who views the Constitution as a living—not a static—document, someone whose judicial views actually fall within the mainstream of judicial thought and jurisprudence, and someone who has a deep understanding of the law, the Constitution, and its applications. Critically, I believe the next Supreme Court justice must be someone who understands the gravity of their work—that their decisions will affect livelihoods, will affect lives, and will affect the liberties and the rights that we value—not just for those in places of privilege and power but for all American citizens, for all of the people, now and for decades to come.

The American people need the next Justice on the Nation's highest Court to be someone who will protect the rights for all—for everyone—and who will ensure that the words literally inscribed above the Supreme Court—''Equal Justice Under Law''—are made manifest in everyone's life.

After careful consideration of Judge Gorsuch's record, his judicial philosophy, and after meeting with the nominee and examining remarks and answers to questions in his confirmation hearing, I do not believe Judge Gorsuch meets this high standard, and I cannot support his nomination to be a Supreme Court Justice.

Judge Gorsuch is truly a well-credentialed jurist, but we must understand that a good resume is the beginning and not the end point of a standard by which we must measure nominees to serve on the Supreme Court. A good resume is necessary, but it is not sufficient to be on the highest Court of the land.

When it comes to the Supreme Court, the Senate's duty to advise and consent means more than merely measuring an aptitude or understanding of the law. It means more than just looking at someone's college and law school. It means more than just admiring: Does this person have an impressive resume? It necessitates an understanding of it. It actually necessitates an empathy for how these decisions will affect the lives of everyday Americans. Do they have the capacity to stand for all of us?

I take literally the way the Constitution began. It began with the words in the preamble to the Constitution. In many ways, it is a direct point at what is at stake when we nominate an individual to the Supreme Court. It is a critical way that we began. It begins by saying: ''We the People.'' The inclusion of these words at the start of one of our Nation's founding documents is actually no accident. It was the subject of consternation and even discussion and debate.

It is worth noting that the original draft of the preamble of the Constitution of the United States, as prepared by a man named Gouverneur Morris, had a different beginning. It said: We the people of the States of New Hampshire, Massachusetts, Rhode Island, and so forth. But Morris and other drafters of the Constitution made the conclusion—and, really, the conscious decision—to remove references to States, to bring it back to the people—that the power of government is derived by the people and that is the fundamental aspect of our society; that it is ''we the people''—not people of any one State, not people of any one religion, not people of any one race or class, but ''we the people''—all of the people.

In a debate about this change, it was James Madison who argued:

> In this particular respect the distinction between the existing and the proposed governments is very material. The existing system has been derived from the dependent derivative authority of the legislatures of the states; whereas, this is derived from the superior power of the people.

It is a deference and it is a reverence for the understanding of the power of the people—all people. It is no accident that this is how our Constitution began, and it is the spirit in our Nation which has helped us for centuries to expand upon this ideal of ''we the people.''

Understand this: Some of our greatest leaders fought to make sure that these ideals were far vaster, far more inclusive. I note, for instance, that Susan B. Anthony said it was ''we the people''—not we the White male citizens, not we the male citizens, but we the whole people who formed the Union. And we formed it not to give the blessings of liberty but to secure them, not to the half of ourselves and to the half of our prosperity but to the whole people—women and men. You see, this fundamental understanding of our Constitution expanded to be more inclusive, to include women and minorities and religious minorities. This conception of ''we the people'' is critical.

It is unfortunate that too often, even with the best intentions, our elected officials, Supreme Court Justices, and even Presidents have forgotten the precision of these words which were chosen. But despite this, because of heroes like Susan B. Anthony and others, the people of this Nation have remembered them, and our Nation has grown to be who we are now. We often actually take for granted the critical role the Supreme Court has played in focusing on the people—on all the people. This has been the power and majesty of the Supreme Court—this focusing of individual rights, the dignity, the worth, the value of all people.

In the Supreme Court case in Hammer v. Dagenhart, the Supreme Court ruled that Congress has the power to enact labor laws that protect children. They remembered ''we the people''—in this case, citizens against powerful corporations.

In West Coast Hotel Co. v. Parrish, the Supreme Court upheld the constitutionality of a State minimum wage law, again, focusing on the people—''we the people.''

In Mapp v. Ohio, when the Supreme Court decided about evidence obtained through the illegal search—the violation of individual privacy—they remembered, again, ''we the people.''

In New York Times Co. v. Sullivan, when the Supreme Court protected the rights of everyday citizens to criticize their government, they remembered that sovereignty, that power, that importance of ''we the people.''

In Baker v. Carr, when the Supreme Court established the principle of one person, one vote, they remembered ''we the people.''

There are so many of the rulings during the 1950s and 1960s governing issues of race in our Nation, to which so many of us in our Nation owe our very success, the opportunity that was expanded because the Supreme Court—against social mores, against laws of States—focused on ''we the people.''

Perhaps most famous of those is Brown v. Board of Education, when the Supreme Court asserted that separate but equal had no place in the education of our children, and they remembered ''we the people.''

In Loving v. Virginia, when the Supreme Court ruled unconstitutional the State laws that banned interracial marriage—that ideal of being able to join in union with someone you love, regardless of race—the Supreme Court remembered ''we the people.''

In Olmstead v. L.C., when the Supreme Court reinforced the right of people with developmental disabilities to live in the community and not be institutionalized, they saw a greater inclusion of all Americans. They remembered ''we the people.''

I stood on the Supreme Court steps and I sat in on the Supreme Court arguments in Obergefell v. Hodges, when

the Supreme Court ultimately ruled that State laws cannot stop you from marrying whom you love. They remembered. They saw the dignity and the worth of all of the people and ensured that equality. They remembered ''we the people.''

In each of these cases, so much was at stake—the rights of workers, the rights of children, the rights of people with disabilities, the rights of minorities, the rights of women, voting rights, civil rights, our rights—American rights. The Supreme Court, with jurists on the right and the left, jurists appointed by Republicans and Democrats, looked to people and affirmed dignity and worth and well-being.

But these are not just issues that were done in the past. The Supreme Court is going to be again confronted by historic and deeply consequential cases. There is still so much at stake, and that is why this decision before the Senate is so consequential. The right to gain access to birth control, the right to criticize your elected officials, the right to marry someone you love—that is still at stake.

I cannot vote in support of a nominee whom I don't trust to protect American individuals, to understand the expansive nature of that idea of ''we the people.'' Judge Gorsuch is someone who, in his own words, has said judges should try to ''apply the law as it is, focusing backward, not forward.'' Based on his record and his writing, it is clear to me that Judge Gorsuch's own judicial philosophy leaves out critically important elements of democratic governance.

Judge Gorsuch's evasive answers to questions during his confirmation hearing didn't do anything to allay my concerns. ''We the People'' are the first words of the Constitution. These words, I fear based on Judge Gorsuch's record, are not his greatest consideration. In fact, at times, when he issues his judicial opinions, they look as if those individuals that make up our society—''we the people''—are the least of his considerations.

Take for example, Alphonse Maddin, the man who was working through the night in the dead of winter as a truck-driver when his brakes unfortunately froze on him. Knowing the danger of continuing to drive with frozen brakes—the danger to himself and other motorists on the road—Alphonse pulled over to the side of the road and called for help.

As several of my colleagues have noted in Judge Gorsuch's confirmation hearing and on the floor, Alphonse waited over 2 hours in the freezing cold without heat, experiencing systems of hypothermia. After no help arrived, Alphonse feared for his life, and, ultimately, left his trailer to find help.

Less than a week after the incident, Alphonse was fired for abandoning his trailer. He filed a complaint with the Department of Labor and the case was brought to the Tenth Circuit Court of Appeals, where all but one of the judges ruled in favor of Alphonse—a guy who made a practical decision, an urgent decision, to save his own life and not risk the lives of others. But the judge who ruled against this individual, in favor of the corporation, was Judge Neil Gorsuch.

He chose to save his own life and protect the lives of others who had been put in harm's way if he chose another option, and he was fired for it. Every judge on the Tenth Circuit supported that decision except for Judge Gorsuch.

''We the people'' includes Luke, a student with a disability. He was diagnosed with autism at the age of 2. When Luke entered kindergarten, he began receiving specialized educational services from a school district as ensured by the Individuals with Disabilities Education Act, or IDEA. Congress debated and passed, with Republicans and Democrats, an act that says children with disabilities are entitled to receive a free and appropriate public education.

Between kindergarten and the second grade, Luke achieved many of the goals of his individualized education program. But when Luke's family moved to Colorado and he enrolled in a new public school, he had trouble adjusting, and Luke regressed in areas in which he had previously done well. To better suit Luke's needs, his parents, who tried to get him better care, eventually withdrew him from his local school and enrolled him in a private residential school for children with autism. His parents sought reimbursement for the costs of that private school, but the public school district refused to pay. By the time Luke's case reached the Tenth Circuit, a Federal judge and two administrative courts had agreed that the school district should pay because Luke did not receive the free and appropriate education to which he was entitled.

The question for Judge Gorsuch was, What constitutes an appropriate education? In that ruling, Judge Gorsuch wrote the opinion saying that the educational benefits mandated by IDEA must be ''merely more than de minimis.'' That was the standard that he set for one of our American children. Because the school district gave Luke a merely more than de minimis education, Judge Gorsuch ruled that Luke's parents were not entitled to reimbursement.

But just two weeks ago, the Supreme Court unanimously rejected Judge Gorsuch's ''merely more than de minimis'' standard. They unanimously rejected Judge Gorsuch's standard as contrary to the intent of Congress. In fact, at the very moment when Judge Gorsuch testified before the Judiciary Committee, Chief Justice Roberts wrote an opinion rejecting Gorsuch's IDEA standard, saying:

> When all is said and done, a student offered an educational program providing ''merely more than de minimis'' progress from year to year can hardly be said to have been offered an education at all.

Judge Gorsuch's misinterpretation of the law—depriving a child with a disability of the education he deserves—should be cause for concern to any of my colleagues as they are promoting him to the highest Court in the land. It is this idea that the powerless, who fight against these corporations or big institutions and turn to the court system as their avenue to get the equal justice under the law that will view them—whether it is a corporation, whether it is a government—as an equal under the law and give them their right to be heard.

This is what ''we the people'' is. It means people like Alphonse Maddin and Luke, whom Judge Gorsuch ruled against. It also means female workers who want access to contraceptive coverage but were denied by their employer, denied by a corporation. Judge Gorsuch ruled against the people and for the corporation.

''We the people'' means those millions of Americans who rely on Planned Parenthood centers for healthcare. Judge Gorsuch ruled against those people seeking what, in some counties, is their only access to contraceptive care. ''We the people'' means the people harmed by a medical device manufacturer's urging of unsafe, off-label uses. Judge Gorsuch ruled against the people injured and for the manufacturers, for the corporation.

''We the people'' means that a worker fatally electrocuted while on the job due to inadequate training, whose families sought justice—Judge Gorsuch ruled against the individual and for the corporation.

''We the people'' means the woman prevented from suing for sexual harassment, not because sexual harassment didn't exist but because she didn't report it quickly enough. Judge Gorsuch supported the corporation against the woman.

''We the people'' means a transgender woman who is denied access to a bathroom at work. Judge Gorsuch ruled against the individual in favor of the corporation.

''We the people'' means that every single American deserves to have their civil rights, deserves to have their equality protected by the judicial branch, which is often their last avenue toward justice. It is often their last hope against the powerful, against the wealthy. But Judge Gorsuch's record in everything—from workers' rights to women's rights, to civil rights, to the rights of children with disabilities, to the rights of a guy on the side of a highway to save his own life—suggests that he has forgotten perhaps the most important element of the Constitution: It exists to protect and serve the American people, not corporations, not lobbyists, not those rich enough to hire big, fancy law firms. It doesn't exist to serve a political ideology. It exists to serve ''we the people.''

I am not confident in Judge Gorsuch's ability as a Supreme Court

Justice to safeguard the rights and liberties of all Americans, to prioritize judicial restraint over judicial ideology, to ensure equal justice under the law, and to understand and act in a way that indicates that the lives of real people who are struggling against often seemingly insurmountable odds—that for them, everything is on the line. I am not sure that Judge Gorsuch on the Supreme Court can honor this tradition.

''We the people'' means an independent judiciary that will not close the courthouse doors on people, on our civil rights—that will not look at litigants as just pawns in the larger ideological context of ideas but will see the humanity of every American; that will have a courageous empathy to understand their circumstances and their struggles and put that in accordance with the values of a nation where we all swear an oath for liberty and justice for all the people.

Over 75 years ago, Justice Hugo Black encompassed the basic ideal of the role of Federal courts in protecting citizens' rights when he wrote these words:

> No higher duty, or more solemn responsibility, rests upon this Court, than that of translating into living law and maintaining this constitutional shield deliberately planned and inscribed for the benefit of every human being subject to our Constitution—of whatever race, creed or persuasion.

Yet Judge Gorsuch's own writings demonstrate a failure to grasp this understanding of the role of courts to protect all people—and I quote, again, Justice Black—''whatever race, creed, or persuasion.''

In an opinion article for the National Review, entitled ''Liberals and Lawsuits,'' Judge Gorsuch expressed his skepticism about civil rights litigation as merely a pursuit of a ''social agenda.'' He wrote:

> American liberals have become addicted to the courtroom, relying on judges and lawyers rather than elected leaders and the ballot box, as the primary means for effecting their social agenda on everything from gay marriage to assisted suicide to the use of vouchers for private-school education.
>
> This overweening addiction to the courtroom as a place to debate social policy is bad for the country and bad for the judiciary.

I wonder what Oliver Brown, plaintiff in the seminal case of Brown v. Board of Education would say to Judge Gorsuch? Was he ''addicted'' to the courtroom to advance his social agenda? Or was the courtroom his avenue to justice against profound oppression?

I wonder what James Obergefell would say to Judge Gorsuch. Was he ''addicted'' to the courtroom when he sought to be able to marry the person he loved? Or did Oliver just want to bring the truth to the idea that separate but equal was actually discriminatory, demeaning, and degrading, not just to the individuals who are discriminated against but demeaning to us as a people and a nation?

Judge Gorsuch's actions call into question whether he understands the proper role of the courts. Does he understand that Federal courts are the proper forum for constitutional disputes that protect American's basic rights? This is not about liberal or democrat; this is about individuals who are often fighting battles against powerful interests.

It was the journalist and editor William Allen White who said in 1936:

> Liberty . . . must be something more than a man's conception of his rights, much more than his desire to fight for his own rights. True liberty is founded upon a lively sense of the rights of others and a fighting conviction that the rights of others must be maintained.

I do not believe Judge Gorsuch possesses this ''fighting conviction'' that we need in a Supreme Court Justice to forcefully and fearlessly, without regard to politics or favor or privilege or wealth, protect the rights of others, to protect the rights of all Americans, to protect the rights of ''we the people.'' I do not believe that Judge Gorsuch will work to fiercely defend the rights of all Americans. I do not believe he possesses that fighting conviction that ''we the people'' must be committed above all else to one another.

Again, I do not take the decision to oppose Judge Gorsuch's nomination lightly. I understand what is at stake. I am fortunate to represent hard-working New Jerseyans in the U.S. Senate, and when I took the oath to support and defend the Constitution, I made a promise to my constituents and the American people not to only discharge my duties but at every opportunity to work across the aisle, to protect their rights and interests. That means a lot to me.

So many of my proudest moments in the Senate are from this bipartisan cooperation that I have found with so many of my colleagues. I do not stand here today to question their motives. I do not stand here today to impugn them in any way because when I go home, people are not concerned about the partisan politics. They are concerned about their lives, their livelihoods—about the issues that affect them and their families, their neighborhoods, their community. They want people in this body and in the courts across the street to protect the rights of Americans, protect consumers, protect our kids and our environment, but this is, in fact, what I believe the nominee we are all considering has shown that he will not do.

It is no secret that Judge Gorsuch's nomination comes at a very divisive time for this body and a challenging time for this country. We have experienced great times of turmoil and polarization before in this Nation and in this body. In the Federalist Papers, written over two centuries ago, James Madison warns in Federalist Paper No. 10 about what he calls the ''mischiefs of faction'' and its inevitability—that citizens of the Nation and their political parties will undoubtedly disagree and will possess competing interests. Madison asserted that the existence of the legislative branch would guard against some of the worst effects of this reality. He wrote that those elected to represent the American people in the legislature would be those ''whose wisdom may best discern the true interests of their country and whose patriotism and love of justice will be least likely to sacrifice it to a temporary or partial consideration.''

When this body is at its best, I believe that is true. I have seen that kind of partnership in this body. But I am afraid that we are indeed at a troubling time—a troubling time in history for the Senate where it seems that the reverse of Madison's hopes have become reflective of the truth we are experiencing because we are now facing a vote on a Supreme Court nominee whose confirmation, I believe, would be a sacrifice to temporary and partial considerations as opposed to the larger interests of our country.

In my short time in the body—just over 3½ years—I have come to this floor to speak on the nominations of two different Supreme Court Justices to serve here in the United States. The first was Judge Merrick Garland. He was not only well qualified, intelligent, and capable, he was moderate. President Obama even sought input from Republicans about choosing someone who was a mainstream jurist. He was more than qualified to sit on the Supreme Court, but he was actually someone who could bring folks together. His qualifications, his aptitude to serve, and his moderate philosophy were not reflected in how we dealt with that nomination.

I believe he deserved an up-or-down vote. Even if it was a 60-vote threshold, he deserved an up-or-down vote. More than that, he should have had the opportunity to meet with Senators, Republican and Democratic, like Gorsuch has met with Senators, Republican and Democratic. He deserved to have a committee hearing. He deserved to be voted on up or down in that committee, and he deserved to have his nomination come to the floor. Whether a 60-vote threshold or a 50-vote threshold, he deserved an up-or-down vote, but he did not get one.

The Garland nomination was the bookend to an era we have been experiencing, that I have been witnessing, of obstruction, and there has been finger-pointing on both sides. But let's be clear about what happened during the Obama administration. During President Obama's time in office, we saw historic obstruction like never before. Seventy-nine of President Obama's judicial nominees were blocked by the filibusters. Seventy-nine nominees were blocked at a time when the judiciary, an independent branch of government, was saying: We are in judicial crisis in many jurisdictions. Seventy-nine of Obama's judges were blocked, compared to 68 nominees obstructed under all Presidents combined. All of the obstruction from Democrats and

Republicans and other parties, and only 68 nominees were obstructed, compared to President Obama, where there were 79.

I do not possess the same view as those who last year believed this seat should remain vacant and took the obstruction during the Obama Presidency to a much higher level. I believe that seat should have been filled not by an extreme jurist but by someone who could have tempered the partisanship of our time, someone who could have brought us together. It was a wise choice at a divisive time in our country.

President Obama did not choose somebody from further left; he chose a moderate Justice who probably could have—if he had been given an up-or-down vote—commanded 60 votes. At this time, that is what President Trump should have done—put forward a nominee who could have brought this country together, a moderate nominee, someone within the judicial mainstream. But he hasn't.

I believe a 60-vote threshold right now is more than appropriate at this moment in history. There are Republican judicial nominees who could garner 60 votes in this Chamber. The 60-vote threshold exists because a person confirmed to serve on the Supreme Court at this time should be mainstream and independent enough to garner that two-thirds support.

The 60-vote threshold exists because confirmation of a Justice to the Supreme Court is one of the most important duties we perform, one of the most important positions in all of American Government. It is someone who will have an impact on our society, shaping it and forming it for generations to come.

This President should have sought real advice and consent from the entire Senate, but instead he turned to the judicial extreme.

Now more than ever, we need a threshold that can pull our nominees back to the mainstream, that can begin to heal the divisions. I do not believe it is in the best interests of my constituents or the American people to confirm someone so extreme on a 50-vote margin. It should be 60 votes.

I urge my colleagues to understand that this judge threatens those ideals we hold precious, those words at the very beginning of our Constitution, ''We the People.'' I urge people to understand that this is the time more than ever that we must continue to fight to defend the marginalized, the weak, the people who do not possess wealth, the people who are standing against powerful corporations, that we cannot reverse a tradition where our courts were the main societal avenue in which people could receive equal justice under the law. We cannot put someone in office who has shown throughout their judicial record to be contrary to that.

For the sake of this body, now more than ever, it is my hope that we can see a judicial nominee who will help to heal wounds and not create them, help to elevate the unity of us as a people, who will help to affirm the ideals of our Nation and the very conception that we are one people, we are one Nation, and we hold one destiny.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Virginia.

Mr. WARNER. Mr. President, first of all, let me thank my friend the Senator from New Jersey for his statement. I, too, share the belief that there was a better way to go about this judicial nomination process. I think as well that traditions such as a 60-vote margin should be maintained.

I think, frankly, neither party comes to this issue completely with clean hands, with the Democrats' action in 2013. But clearly our colleagues' actions of not even giving someone of such character as Merrick Garland the courtesy of meetings, a hearing, and then an up-or-down vote—for that and for many other reasons, I will be joining my friend from New Jersey in voting against Judge Gorsuch and making sure that we use all of our available tools. So I thank him for those comments.

TRIBUTE TO FEDERAL EMPLOYEES

KIRK YEAGER, DENNIS WAGNER, EDWARD GRACE, AND MARIELA MELERO

Mr. President, that sense of what we are dealing with now in our politics today is the subject that I want to speak about for a few minutes; that is, the incredibly important efforts made each and every day by our public servants.

We often forget that our public servants, our Federal employees, go to work every day with the sole mission to make the country a better and safer place. Day after day they go to work, receiving little recognition for the great work they do. Since 2010, I have come to the Senate floor to honor exemplary Federal employees—a tradition that was begun by my friend Senator Ted Kaufman. One of those Federal employees is actually sitting at the desk and has helped me and I know so many other Senators as we have tried to learn this job.

The reason I wanted to come back today was because today, in light of a governmentwide hiring freeze, the reinstatement of the so-called Holman rule, a proposed budget that would deeply cut our Federal workforce, and candidly, in these times, the targeting of career civil servants by certain conservative media outlets, this tradition of honoring those who serve, oftentimes without recognition, our Federal employees, feels even more important.

Our Federal employees—over 170,000 of them Virginians—serve their country dutifully regardless of the party in power. Not only do they carry out the mission of the administration they are serving, but they also provide countless benefits to the American public. It is my hope that my colleagues and the current administration will remember these facts and set aside ideology when considering actions that affect our Federal agencies and their workforce.

Today I want to take a couple of moments to recognize a few Virginians who are working behind the scenes to actually make our government more efficient and more effective.

First, I would like to recognize Kirk Yeager. Kirk is the Chief Explosives Scientist at the FBI. In this role, he both responds to crises and oversees the Bureau's efforts to better understand the explosives terrorists use. Having studied bomb-making for more than 20 years, Kirk works with both domestic and foreign law enforcement agencies and has developed and provided crucial training to every bomb squad in the United States and to many of our foreign allies. Through his work, Kirk has made U.S. civilian law enforcement personnel and those who serve our country in the military much safer.

Next, I would like to recognize Dennis Wagner. Dennis is the Director of the Quality Improvement and Innovation Group at the Centers for Medicare and Medicaid Services. As part of a team at CMS, Dennis contributed to the creation of the Partnership for Patients, a public-private partnership to increase patient safety and reduce readmissions to U.S. hospitals. Their work has produced outstanding results, including 2.1 million fewer patients harmed and $20 billion saved. That is a remarkable statistic, and obviously the work going on at CMS—an agency that does not get a lot of recognition; candidly, most people don't even know—a person like this gentleman, Dennis, has made our healthcare system better.

Third, I would like to recognize Edward Grace. Edward is the Deputy Chief in the Office of Law Enforcement at the U.S. Fish and Wildlife Service. In that role, Edward has been leading a nationwide law enforcement investigation known as Operation Crash, targeting those who smuggle and trade rhino horns and elephant ivory. In addition to assisting in the Department's efforts to preserve global biodiversity, Operation Crash has led to 41 arrests, 30 convictions, and the seizure of millions of dollars in smuggled goods—results that show that those seeking to engage in this kind of activity—there will be real legal consequences to their actions.

Finally, I would like to recognize Mariela Melero. Mariela is the Associate Director for the Customer Service and Public Engagement Directorate at the U.S. Citizenship and Immigration Services. Mariela and her team have been working to improve the way USCIS interacts with the millions of people who contact their office seeking citizenship, permanent residency, refugee status, or other assistance. Central to that mission are the innovative improvements Mariela has made to the myUSCIS website, as well as the launch of Emma, a virtual assistant that in a typical month answers nearly

500,000 questions with a success rate of nearly 90 percent.

To ensure that this resource was available to a wide range of customers, Mariela also oversaw the creation of a Spanish-speaking Emma that came online in 2016. These important improvements have been crucial to driving efficiency for the world's largest immigration system in the world.

Again, I hope my colleagues—as we think about budgets and numbers and when we hear people who oftentimes denigrate our Federal employees—will remember some of these individuals who, not for great reward or recognition, actually get up each and every day and go to work, trying to ensure that our government functions for the hundreds of millions of Americans who oftentimes don't acknowledge or recognize their services enough.

Mr. President, as I mentioned at the outset, I know this is a time when most of my colleagues are speaking on Judge Gorsuch. I will simply add, after a careful review of his record and my belief as well, that his unwillingness to really give truly straight answers in terms of comments—whether it was basic, decided legal opinions like Brown v. Board of Education or Roe v. Wade or Citizens United—and his failure to even answer those questions has unfortunately led me to join with so many of my other colleagues in voting against him.

I still hope that there is a way that we can avoid changing the rules of the Senate during this process. I know there are many colleagues who are working on those efforts. If they are successful, I look forward to joining them.

As we think about Judge Gorsuch, as we recognize the challenges we have ahead of us, let us also—those of us who serve in this body—continue to take a moment every day to say thanks to a Federal employee who, in one way or another, works tirelessly day in and day out to make our country a better place.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. CARPER. Mr. President, last week on this Senate floor, I made the case for Democrats and Republicans joining together to confirm one of the most qualified individuals ever nominated to the U.S. Supreme Court. I was referring, of course, to Chief Judge Merrick Garland.

I don't wish to belabor the point here this evening, but it bears repeating that Judge Garland brought with him more Federal judicial experience than any Supreme Court nominee in the history of the United States.

It bears repeating that Judge Garland is an extraordinary man, a good man, a brilliant man, a fair judge, and a consensus builder on the bench in a day and age when we need consensus builders on the Supreme Court and other courts across the country. Frankly, we also need them right here on this floor, in this body.

It bears repeating that the obstruction of Judge Garland's nomination was unprecedented in the history of the United States of America and in the history of the Senate.

Since the Senate Judiciary Committee began holding public hearings on Supreme Court nominations in 1916, no Supreme Court nominee had ever been denied a hearing and a vote—until Judge Garland. Many of our Republican colleagues refused to meet with him. When his nomination expired at noon on January 3, 2017, 293 days had passed—293 wasted days.

A good man was treated badly. I believe our Constitution was treated badly. I believe that the obstruction of Judge Garland's nomination was unprecedented. I believe it was shameful. From my view, we cannot pretend that this vacant seat on the Supreme Court—what I believe should be Judge Garland's seat—is anything other than blatant partisanship.

I believe that upholding my oath to protect the Constitution means finding agreement on moving Judge Garland's nomination forward at the same time—at the same time as that of Judge Neil Gorsuch, President Trump's Supreme Court nominee.

I have no choice but to oppose Judge Gorsuch's nomination this week because anything else would be a stamp of approval for what I believe is playing politics with Supreme Court nominees. I cannot support Judge Gorsuch's nomination because we cannot have one set of rules for Democratic Presidents and another set of rules for Republican Presidents.

Some of my colleagues and maybe some of the Americans listening at home tonight may be asking themselves: Well, Senator CARPER, didn't the Democrats change the rules for judges when they were in the majority? That is a fair question. To that, I would say yes. That is true for lower court nominees, nominees to Federal district courts and courts of appeals.

But it wasn't because Senator Harry Reid woke up one morning and decided that was the day to change the rules of the Senate. A decision of this magnitude didn't happen on a whim. It was because, by the time November 2013 had arrived, our Republican friends had attempted to block—get this—more nominations in the first 5 years of President Obama's tenure than all other Presidents combined. Let me say that again. It was because, by the time November 2013 had arrived, our Republican friends had attempted to block more nominations in the first 5 years of President Obama's tenure than all other Presidents combined.

It wasn't the unprecedented use of cloture motions—79 cloture motions—during those 5 years that precipitated Democrats' seeking a solution to restore the capability of the Senate to do its job. It was because our Republican friends refused to consider any nominee—any nominee—to the DC Circuit Court of Appeals, despite three critical vacancies on our Nation's second highest court.

So, yes, it is true that Democrats supported a change that allowed a vote on those nominees, but it was because our Republican friends took the unheard of position that no nominees—no nominees, no matter their qualifications—were entitled to a vote.

I should note that Democrats were careful to preserve the 60 votes for Supreme Court nominees.

Let me just say that, if there is any position in the Federal Government that should require at least 60 votes, my view is it should be the Supreme Court, and that is the rule under which we operate as of this moment.

One of the reasons why is because Supreme Court vacancies come around quite rarely. When they do, we need to ensure that debate is robust, we need to ensure that the nominee is from the judicial and the political mainstream, and we need to ensure that these lifetime appointments are held to the highest standards. In other words, I believe we need a nominee like Judge Merrick Garland.

Despite his own impressive resume, I have concerns with Judge Gorsuch's nomination beyond the treatment of Judge Garland, and I have concerns with the way that our debate has not been, frankly, robust. I have concerns that Judge Gorsuch's views are outside the judicial and political mainstream, and I have concerns about what others have termed ''evasiveness.'' His evasiveness before the Judiciary Committee does not meet the high standards that we should expect for those lifetime appointments.

I would be remiss if I did not mention what I referred to last week as the cloud that lingers still over President Trump's campaign. Like many Americans, I read the news related to Russia and the Trump campaign, and I come to the inescapable conclusion that the cloud is darkening and the forecast is a matter of grave concern for our Constitution.

FBI Director Jim Comey has testified under oath that there is an ongoing investigation to determine the links between the Trump campaign and Russia, an adversary that attacked our election and undermined a free and fair election to change the outcome of that election. From all appearances, they did.

To hastily move forward with Judge Gorsuch—who is 49 years old, who could serve on the Supreme Court well into the middle of this century—without first getting to the bottom of the suspicious and irregular actions of Trump campaign officials would be, in my view, a mistake.

For many Americans, this Supreme Court seat will always come with an asterisk attached to it. They believe and I believe that it was a stolen seat that belonged to Judge Merrick Garland.

Many Americans are wondering why we are rushing to fill a lifetime vacancy while President Trump's campaign remains under investigation and will for at least some while.

I believe we have some time. Judge Garland waited 293 days for a hearing and a vote that never came. Judge Gorsuch has waited 48 days for a hearing and many of our Republican friends would like to see him seated this week.

Again, I would say: Judge Merrick Garland waited 293 days for a hearing and a vote that never, never came.

What we face here today, I think, is a rush to judgment. I would just say that we have time. We ought to hit the pause button on this nomination.

The American people are watching us, and history will judge us. I fear that history may judge us poorly if anyone other than Merrick Garland is confirmed at this time. I fear that history may judge us poorly if we do not insist that the Trump campaign is first cleared of any wrongdoing before we move forward. We need to get this right. We have time to get this right.

The Senate has been through it all. The good men and women of the Senate have always disagreed—sometimes passionately, oftentimes loudly. I understand that this disagreement before us may seem irresolvable, but that is only if we seek to cut off debate and admit defeat. Personally speaking, I am not ready to do that today or this week.

I believe we have time. I believe we have the opportunity to right a historic wrong. We have not just an opportunity to right a historic wrong but also an obligation to get this right.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, it is pretty obvious, based on the announcement Senators have made, that we are experiencing the first partisan filibuster of a Supreme Court nominee in the history of the country.

We have had plenty of time to discuss Judge Gorsuch and his credentials both in committee and on the floor, and I think it is now important to move forward.

CLOTURE MOTION

Therefore, I send a cloture motion to the desk for the nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Mitch McConnell, Mike Crapo, John Kennedy, Jerry Moran, Mike Rounds, Chuck Grassley, Jeff Flake, Todd Young, John Cornyn, Cory Gardner, Thom Tillis, Marco Rubio, John Thune, Michael B. Enzi, Orrin G. Hatch, Shelley Moore Capito, Steve Daines.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO RICH RIMKUNAS

Mr. HATCH. Mr. President, I am pleased to pay tribute to a fine public servant and an incredible asset to the U.S. Congress.

Rich Rimkunas has had a career filled with outstanding achievement at the Congressional Research Service, CSR. After nearly 37 years of service, Rich will be retiring from CRS on Friday, April 28.

When Rich joined CRS in 1980, he was an analyst working on a broad array of social policy issues. Initially, he worked on issues like child nutrition, poverty, Social Security, social services for the aged, and unemployment insurance. Rich cocreated and coauthored a widely circulated CRS report on Federal social welfare spending. He was also a coauthor and contributor to several chapters in the House Ways and Means Committee print ''Children in Poverty,'' which provided a detailed look at the incidence and characteristics of child poverty in the United States.

Rich ultimately became heavily involved in providing research and analytical support to Congress on many health policy issues, including analyses of aggregate national health expenditures, the Medicare hospital prospective payment system, the Medicare Advantage program, and Medicare catastrophic drug costs. Additionally, he has worked on numerous issues related to Medicaid. He both directed a team of CRS analysts as well as contributed his own analysis to the Medicaid ''Yellow Book,'' a 1988 House Ways and Means Committee print that provided a comprehensive analysis of the Medicaid program as it existed at the time. Rich also managed the 1993 update of the ''Yellow Book.''

Rich's analyses have typically involved quantitative research methodologies, modeling techniques, and the use of complex databases. Rich has excelled at developing approaches for simulating the effects of potential changes to Federal benefits and grant allocation formulas.

In addition to the direct impact his research and analytical work has had on Federal policies, Rich has made equally important contributions within CRS in managerial roles. During his tenure at CRS, he has served as section research manager of the methodology section, the research development section, the research development and income support section, and the health insurance and financing section. During his tenure as an SRM, Rich helped manage CRS work on the 1996 welfare reform law and the 2003 overhaul of Medicare in the Medicare Prescription Drug, Improvement, and Modernization Act. Rich helped manage an interdisciplinary team numbering about 3 dozen CRS analysts that provided legislative support during the passage of the Affordable Care Act.

Throughout his career, Rich has served as a role model for the highest level of CRS service to Congress, upholding the Service's standards of authoritativeness, objectivity, and confidentiality. He is known within CRS for his attention to detail, methodological strength, and creative approaches toward conducting analyses. His input is sought on a great many research efforts spanning virtually all of the major domestic social policy issue areas that Congress deals with.

Rich is renowned for his tremendous work ethic and energizing presence. Those who have worked closely with him appreciate his ability to keep his sense of humor even during the most stressful times.

In recent years, Rich has served as the deputy assistant director of CRS's domestic social policy division. In that role, he has mentored and helped develop many of the division's managers, analysts, and research assistants. He has also played a central role in reviewing written work produced by the division, helping to ensure its accuracy, completeness, and quality. Moreover, in his work as a division manager, Rich has served on numerous advisory panels that have recommended organizational practices and policies for CRS, many of which have been adopted.

Rich's policy expertise has been broadly recognized. He is regularly sought for his expertise at professional meetings and conferences. He was nominated to the National Academy of Social Insurance in 2002 and has served on the steering committee of the National Health Forum. He has also been recognized with numerous Library of Congress special achievement awards.

Rich has devoted nearly his entire distinguished professional career to supporting the work of Congress and to helping build and strengthen CRS and advance its mission.

We will miss Rich, but we wish him and his family the best of luck moving forward.

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

Mr. LEAHY. Mr. President, I want to express my serious concerns with the budget for fiscal year 2018 recently proposed by President Trump. If adopted, this budget would have severe consequences on many Americans, but I am particularly concerned that it would be low-income families who are impacted the most. As vice chair of the Senate Appropriations Committee, I will do everything in my power to make sure that does not happen.

Among countless examples within a budget that is out of touch and that will drive more American families into poverty, the President's proposal to eliminate the Community Service Block Grant, the Low Income Home Energy Assistance Program, LIHEAP, and the Weatherization Assistance Program should be concerning to all of us. These are resources that are essential not only to Vermonters, but to millions of families throughout the country.

The Community Service Block Grant ensures that low-income families receive the support they need for basic food and housing assistance, financial planning tools, and fuel in winter months. LIHEAP and weatherization services ensure that families do not have to choose between food and heat. They ensure that families stay safe from harmful asbestos that may be in the walls of their old Vermont farmhouses or their inefficient mobile homes. In States like mine, home heating is a life-and-death matter.

We need to show compassion when drafting our budget and provide support for those programs that help hardworking families in need. We must see the faces behind these proposed budget cuts. Vulnerable people should never be at the whim of politically driven priorities.

We have to do better. I would like to begin by recognizing the crisis so many families will face in this country without the help of our community action agencies. Without them, families will go cold. They will choose not to eat so they can heat their homes. They will deny themselves healthcare and miss rent payments so that they can stay warm, so that they can stay alive.

Last month, I had the pleasure of seeing a longtime friend and fellow Vermonter Jan Demers, who serves as the executive director of the Champlain Valley Office of Economic Opportunity, CVOEO, Vermont's largest community action agency in Burlington. It was Jan who said it best, noting that, ''President Trump's budget is like one amputation after another. Not bringing health to the community but cut after cut—loss after loss.'' I am proud that CVOEO and the other community action agencies continue to meet the needs of these families and hope all Senators will continue to support them as I have during my time in the Senate.

In recognition of their leadership, I ask unanimous consent that a statement by Jan Demers be printed in the RECORD.

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

Good morning, my name is Jan Demers and I am the Executive Director of the Champlain Valley Office of Economic Opportunity. On behalf of the more than 23,000 Vermonters that CVOEO serves: Welcome. We are standing in CVOEOs Weatherization Warehouse. It is a fitting place to talk about President Trump's recently released budget. Thank you to Senator Leahy and your staff for organizing this press conference and for the leadership you provide for Vermont and the nation. Thank you to Jonathan Bond and our staff and for all the Community Action Agencies who carry on this good work. Thank you to Bobby Arnell, Sean Brown, Sarah Phillips and to our partners in the State of Vermont who uphold the values of care and wellness for all Vermonters. And thank you to Mr. Todd Alexander who typifies the strength of those we serve.

Community Action Agencies exist to support community well-being. We make sure that everyone can reach their potential and fully contribute to the total strength of our communities.

How does Mr. Trump's budget affect CVOEO? It zeros out the Community Service Block Grant—$990,687. This is the foundational grant that undergirds the majority of our programs. It zeros out the Low Income Home Energy Assistance Program (LIHEAP) that keeps Vermonters warm in the winter. It zeros out the Department of Energy's Weatherization Program. Thankfully the State of Vermont is our main source of Weatherization funding. However, this will mean that 30 Vermont homes will not be weatherized in our area. Just those 3 cuts amount to a total of $2,056,675.

On top of that there are the cuts to Head Start, Fair Housing, Housing assistance, Mobile Home, and Voices Against Violence. There isn't an area, program, staff person or any of the 23,000 people we served that won't be touched and experience devastation of services due to this budget.

We have heard over and over that the war on poverty didn't work. However, when the programs that created the War on Poverty in 1964 measured the percent of poverty it was at 20%. Seven years later the percentage of poverty was at 11%. It worked! Then the years of cutting started, cut after cut was enacted weakening the effort substantially. In 2012 the measured percent of poverty was 15%. Currently the percentage of poverty is 13.5%. To me that signifies that the measured efforts put into place during the Obama years are working.

There isn't a CVOEO Program that isn't decimated by this budget bringing great loss for the entire population of over 23,000 people that CVOEO served in FY 16. Community Action Agencies exist to support community well-being. Instead of health, this budget is like one amputation after another. Not bringing health to the community but cut after cut—loss after loss.

Our vision is bridging gaps and building futures for the people we serve. This budget widens the chasm and diminishes life.

This cannot be the last word in the Federal budget for FY 18.

Thank you, Senator Leahy for bringing us a better way.

PRESIDENT EL-SISI'S VISIT

Mr. LEAHY. Mr. President, this week, Egypt's President Abdel Fattah el-Sisi is in Washington where he is meeting with President Trump and other senior administration officials, as well as some Members of Congress.

President Trump has spoken glowingly of President el-Sisi, as he has of Russian President Putin and Philippine President Duterte. ''Strong leaders,'' he calls them, as if that is enough to justify our wholehearted support. Unfortunately, world history is replete with examples of strong, messianic leaders who abused their power in ways that caused immense hardship for their people and divisiveness and conflict in their countries.

Despite that, the White House has voiced its strong support for President el-Sisi, and for U.S.-Egyptian relations.

I have been to Egypt many times, and I have voted for billions of dollars in U.S. aid for Egypt to support economic and security programs in that country. I have recognized positive developments in Egypt when they occur, such as President el-Sisi's decision to undertake economic reforms, including by reducing some subsidies. Far more needs to be done, however, if Egypt's economy is to break free of decades of state control, endemic corruption, and gross mismanagement.

I am also aware of the security threats Egypt faces in Libya and in the Sinai, although I and others have expressed deep concern with the flawed tactics the Egyptian Government is using to combat those threats. The U.S. has an interest in helping Egypt confront these challenges by addressing the underlying causes in a manner that is effective and consistent with international law.

President Trump has called President el-Sisi a fantastic guy. Ironically, that says a lot more about President Trump than it does about President el-Sisi.

President el-Sisi, a former general who seized power by force, has ruled with an iron fist. He has effectively banned public criticism of his government since the removal of former President Morsi, enforcing what amounts to a prohibition on protests and arresting hundreds of people in connection with the ban, many preemptively.

President el-Sisi's government has engaged in one of the widest arrest campaigns in the country's modern history, targeting a broad spectrum of political opponents. Local civil society organizations estimate that between 40,000 and 60,000 people are detained on political grounds, such as for protesting or calling for a change in government. Police have accused many of having links to the Muslim Brotherhood, usually without evidence that they have advocated or engaged in violence. Many other detainees belong to other political organizations or have no party affiliation.

A systematic crackdown on Egypt's independent civil society has left it on the verge of collapse. According to human rights groups, nearly every prominent Egyptian human rights defender or civil society leader is banned

from leaving the country as part of a judicial investigation into the foreign funding of their organizations. A law signed by President el-Sisi in 2014 would allow prosecutors to seek 25-year sentences for illegally receiving foreign funding. Parliament has also proposed a new law regulating civil society organizations which, if adopted, would effectively outlaw independent human rights work in the country.

Despite repeated requests by U.S. officials, including some Republicans and Democrats in Congress, President el-Sisi's government has refused to release those detained for political reasons for months or years without charge or on trumped up charges like Egyptian-American citizen Aya Hijazi.

The media has also been targeted, with authorities threatening and jailing journalists who reported on political opposition. Some foreign journalists have been barred from the country after writing articles critical of the government. As of December 2016, Egypt was the third-highest jailer of journalists, according to the Committee to Protect Journalists. This pattern of harassment and arrests is not new. It has been happening for years, and, contrary to the representations of Egyptian officials, it is getting worse.

According to Human Rights Watch, members of the security forces, particularly the Interior Ministry's National Security Agency, routinely torture detainees to elicit confessions. This torture usually occurs during periods of enforced disappearance that can last for weeks or months. The widespread use of torture has also been reported by the State Department. Despite hundreds of reported cases of torture and enforced disappearance, since 2013, only a handful of police officers have reportedly been punished for violating the law.

According to information I have received, prison conditions remain deplorable, and political detainees are beaten, often deprived of contact with relatives and lawyers, and denied access to medical care.

The government's use of U.S. aircraft and other military equipment in its counterterrorism campaign against a local ISIS affiliate in the northern Sinai has not only resulted in indiscriminate attacks against civilians and other gross violations of human rights, it has made the terrorism situation worse. Requests by myself, as well as State and Defense Department officials and by independent journalists and representatives of human rights groups, for access to conflicted areas, have been denied.

While President Trump and other U.S. officials unabashedly praise President el-Sisi, I wonder how they reconcile their portrayal of him with his crackdown against civil society and brutal repression of dissent. In fact, it can't be reconciled, and it damages our own credibility as a strong defender of human rights and democratic principles.

I want to reiterate what I said in this Chamber on September 27, 2016, when I spoke about Aya Hijazi, the young Egyptian American social worker currently detained in Egypt. Ms. Hijazi, along with her Egyptian husband and five employees of their organization Belady, has been accused of salacious crimes that the government has yet to corroborate with any credible evidence; yet she has been jailed since May 21, 2014. Just last month, a decision in her case was inexplicably delayed until later this month. It is long past time for her ordeal to end.

The United States and Egypt have common interests in an increasingly troubled region. Egypt has acted to reduce the smuggling of weapons into Gaza, and it has helped to broker ceasefires with Hamas. Our support for Egypt is demonstrated by the fact that, over the past 70 years, U.S. taxpayers have provided more than $70 billion in economic and military aid to Egypt. I doubt that many Egyptians know that, as most have a decidedly unfavorable opinion of the United States.

After three decades of corrupt autocratic rule by former President Mubarak, Egypt once again has a former military officer as President who has chosen to rule by force. It is neither justified, nor is it necessary. If, on the contrary, President el-Sisi were to demonstrate that he has a credible plan for transforming Egypt's economy, for improving education and creating jobs, for respecting due process and other fundamental rights, and for addressing the discrimination and lack of economic opportunities that are at the root of the violence in the Sinai, the Egyptian people would support him. They would also have a brighter future. Instead, I fear that, by relying on repression, he is sowing the seeds of misery and civil unrest, which is in the interest of neither the Egyptian people nor the American people.

MONTENEGRO'S ACCESSION INTO NATO

Mr. INHOFE. Mr. President, I am pleased the U.S. Senate voted favorably to add Montenegro as a permanent member to the North Atlantic Treaty Organization, NATO, sending a strong signal of transatlantic unity. NATO plays a vital role in maintaining security and stability throughout Europe, and including Montenegro in this strategic alliance will strengthen NATO and encourage stability within the region.

Montenegro is a growing democracy that has repeatedly proven itself to be a valuable ally since joining NATO's Partnership for Peace Program in 2006. They are partnered with our Maine National Guard, and have been a strong ally in the fight in Afghanistan since 2010. Having visited Montenegro, I can say, without a doubt, that it has demonstrated a commitment to NATO, the United States, and regional stability. This vote sends clear message of support to our friends in Montenegro. It also sends a strong message to NATO and gives notice that the United States will stand up for Western democracies, despite continued pressure from the Kremlin. We must deter Russia's destabilizing actions in the region, including Moscow's annexation of Crimea in 2014 and its continued support for rebels in eastern Ukraine. Putin is learning lessons from these examples and will continue his quest to expand his influence as far as the world community will allow. This aggression by the Russian Federation undermines peace and stability not only in the Balkan region, but also in all of Europe, which constitutes a direct threat to U.S. security interests.

Montenegro's accession to NATO is in the best interest of the United States, NATO, and peace and stability in Europe. This vote by the U.S. Senate sends a clear message of our commitment to NATO, to the people of Montenegro, and to improving stability in the Balkan region. I look forward to Montenegro joining NATO as a full member.

ANNIVERSARY OF NATO

Mr. BROWN. Mr. President, nearly 70 years ago today, the United States and 11 other nations—in the face of Soviet aggression—joined together in mutual defense to form the North Atlantic Treaty Organization, NATO. Since its inception, NATO has expanded to 28 member nations. The breadth of its mission is impressive—from ensuring regional stability and combating terrorism to training partner countries and supporting humanitarian aid. While NATO was founded to ensure Western peace and stability in the face of the Cold War, its work has come to encompass all corners and peoples of the globe.

NATO is more important than ever today in deterring regional conflict The U.S. must stand by its ironclad commitment to NATO's security and solidarity as Russian President Vladimir Putin flouts international law and exerts Russian aggression around the world, from meddling in our own election to the illegal annexation of Crimea.

Our NATO allies need our support. I applaud Operation Atlantic Resolve, which coordinates the deployment of additional NATO troops to our allies in Eastern Europe. I also commend other U.S. efforts that support our NATO allies, like the European Reassurance Initiative. These play an essential role in bolstering our force readiness in the region to deter Russian aggression and demonstrate our commitment to the common cause and democratic principles that NATO embodies.

American support for NATO is and must remain steadfast. The nearly unanimous vote in the Senate ratifying Montenegro's accession to be a member state is evidence of this well-established, deeply founded support.

Ukraine's stated intention to achieve the criteria for joining NATO, too, is testament to the organization's renewed importance in our deterrence policy in the region.

While the sentiment of NATO's article 5—''an attack on one is an attack on all''—helped guide the U.S. stably through the Cold War, NATO has remained a relevant source of stength for the international community, beyond regional deterrence. Since 1999, when NATO identified the risk international terrorism posed for member nations, the organization has remained a steadfast resource in the fight against terrorism. In fact, the only instance in which article 5 was invoked was in the wake of the terrorist attacks of September 11, 2001. Since then, NATO has helped ensure freedom of navigation in waters plagued by piracy, helped train Iraqi security forces counter improvised explosive devices, commanded counterterrorism operations in Afghanistan for more than a decade, provided support for Global Coalition to Counter ISIL, and innumerable other contributions. As threats to member nations evolved in the 21st century, NATO demonstrated its ability to adapt.

NATO showed the power of strength through solidarity, not only for its member nations, but also for its dozens of partner nations around the globe. The power of NATO's partnerships lends strength to the global community as a whole, better equipping regions of the world to respond when disaster strikes. Programs like NATO's Centres of Excellence help partner countries fight corruption, piracy, and terrorism and collaborate to stem the spread of weapons of mass destruction and other arms. By serving as a resource for nonmember countries, NATO not only strengthens the resolve of the international community to strife and instability, but also serves as a beacon for democratic values like gender equality and rule of law.

Finally, NATO has long served as a force for human rights. It was central to ending the genocide in Bosnia and Herzegovina in 1995, and it helped bring an end to violence in Kosovo in 1999. NATO has served as a vital resource assisting with the waves of refugees escaping from violence and atrocity in Syria, and the organization has been at the frontlines to combat international human trafficking.

NATO plays a critical role in combatting increased Russian aggression, but its mission is much broader than that. The world is a safer place thanks to NATO, from stemming regional conflicts, to assisting partners around the world. It serves as an indispensable, indisputable resource for the international community. As we celebrate the anniversary of this pivotal organization today, we must remain committed to its successful future.

VAISAKHI

Mr. TOOMEY. Mr. President, I wish to honor and celebrate the holiday of Vaisakhi, a very significant day for those who practice Sikhism.

The world's fifth largest religion, Sikhism was founded over five centuries ago and was introduced to the United States in the 19th century. Today there are over 500,000 Sikh adherents in the United States.

Pennsylvania is the home of many proud Sikh Americans, who make a positive impact in their workplaces, communities, and to our country. They are an important part of the rich cultural fabric of the Commonwealth. There are many gurdwaras, or centers of worship, located across the State, which serve a vital role for both the Sikh community and people of other faiths.

This year, Vaisakhi will be celebrated on Friday, April 14. On this day in 1699, Guru Gobind Singh created the Khalsa, a fellowship of devout Sikhs. Vaisakhi is a festival that marks both this occasion and the spring harvest. This holiday, which is meant to promote service to others, reminds us of the valuable contributions Sikh Americans make in many of our communities.

The Sikh community around the world recognizes this important holiday with parades, dancing, singing, visits to gurdwaras, and other festivities. Celebrations also include performing ''seva,'' or selfless service, which can include providing free meals to others or volunteering for different service projects in their communities.

This year, the Sikh Coordination Committee East Coast has organized a National Sikh Day Parade here in Washington, DC, on April 8, 2017, to commemorate this occasion. Thousands of Sikhs from all over United States are participating in this parade, which will celebrate the Sikh identity and culture.

As a member of the American Sikh Congressional Caucus, I am honored to represent the Sikh community of Pennsylvania, and I wish the Sikh American community a joyous Vaisakhi. Thank you.

ADDITIONAL STATEMENTS

RECOGNIZING FLATHEAD VALLEY COMMUNITY COLLEGE

● Mr. DAINES. Mr. President, today I have the honor and privilege of recognizing the faculty, administrators, staff, and students of Flathead Valley Community College for their service to the people of northwest Montana—2017 marks the school's 50-year anniversary. FVCC serves thousands of students of every age and background. In its five decades of existence, the college and its faculty have won numerous awards for providing a high-quality and low-cost education in Kalispell, MT.

The college provides more than 50 career and technical programs, while also giving students a cheaper and more convenient option for their first 2 years of college. FVCC also has developed programs that can help high school students get a ''Running Start'' on their college careers. FVCC has given generations of students the tools they need to succeed. The college also serves a vital role in supplying the region's employers with a skilled workforce.

The idea for a community college in northwest Montana began in 1960 when Kalispell School Board chairman Owen Sowerwine noted a study that 80 percent of local high school graduates were receiving no higher education whatsoever. Sowerwine worked with other local educational leaders such as Bill McClaren, Thelma Hetland, Les Stirling, and Norm Beyer to create a new community college. The college opened its doors in 1967, and today we celebrate their legacy.

FVCC continues to grow and find new and better ways to serve the community. Its Kalispell campus has grown to eight buildings, with new on-campus housing opening this year. FVCC also has an extension campus in Libby, MT.

I look forward to seeing what the next 50 years will hold, and I congratulate all involved in the success of FVCC on reaching this milestone.●

TRIBUTE TO SERGEANT JOHN MASSICK

● Mrs. ERNST. Mr. President, today I wish to honor a living example of the American dream. At 101 years of age, Mr. John Massick of Davenport, IA, has spent a lifetime in service—as a husband, father, soldier, and hero of World War II.

John was born on Veterans Day 1915, which proved to be symbolic in his life to come. He enlisted in the Army in 1941 and rose to the rank of sergeant, leading soldiers in combat across Europe as a member of Patton's 3rd Army. On his 29th birthday, while securing a bridge in Thionville, France, his unit suffered a perilous German attack, but John survived. It is a day Sergeant Massick describes as ''a birthday he'll never forget.'' He continued to serve through the end of the war in Europe, earning the French Croix de Guerre, Presidential Unit Commendation, and two Bronze Star Medals, among other accolades.

After the war, John returned to Davenport, married his now-late wife, Velma, and raised two sons while working as a carpet salesman and installer. He finally retired just 6 years ago at the ripe age of 94.

Today Iowans who visit ''Popcorn Charley's'' in northwest Davenport will hear John tell stories from the war. Some recall the harsh realities of combat, others remind us of our humanity, like the one he tells of how he caught a pig to fry porkchops for his men, bringing a bit of Iowa to the battlefields of Europe. John's stories, like his life's experiences, seem to strike the right balance between honor, humility, and a sense of humor.

I ask my colleagues to join me as I proudly recognize the service and the

sacrifice of SGT John Massick, an American patriot who epitomizes what is rightly referred to as America's Greatest Generation.●

RECOGNIZING WORCESTER, MASSACHUSETTS

● Mr. MARKEY. Mr. President, Massachusetts has been the birthplace of revolutions for centuries, from sparking the American Revolution to leading the world in biotechnology, education, and medicine. It is a natural home for the next era of the technology revolution. I am proud that Worcester, MA was identified by TechNet and the Progressive Policy Institute as a ''Next in Tech'' city, with a thriving startup environment poised to drive innovation and job creation for years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:22 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 479. An act to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes.

ENROLLED JOINT RESOLUTIONS SIGNED

At 3:09 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolutions:

H.J. Res. 43. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients.

H.J. Res. 67. Joint resolution disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees.

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

MEASURES REFERRED

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

H.R. 479. An act to require a report on the designation of the Democratic People's Republic of Korea as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 254. A bill to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages (Rept. No. 115–23).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.

*Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2021.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 807. A bill to provide anti-retaliation protections for antitrust whistleblowers; to the Committee on the Judiciary.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. BOOZMAN, Mr. GRASSLEY, Mr. COTTON, Mr. WICKER, Mr. ROUNDS, Ms. MURKOWSKI, Mrs. CAPITO, Mr. MANCHIN, and Mrs. ERNST):

S. 808. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. WARREN):

S. 809. A bill to require the Secretary of the Treasury to study the feasibility of providing certain taxpayers with an optional, pre-prepared tax return, and for other purposes; to the Committee on Finance.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. 810. A bill to facilitate construction of a bridge on certain property in Christian County, Missouri, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. LANKFORD, Mr. LEE, Mr. CORNYN, Mr. RISCH, Mr. INHOFE, Mr. COTTON, Mr. RUBIO, and Mr. SASSE):

S. 811. A bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. WHITEHOUSE):

S. 812. A bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 813. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. DUCKWORTH:

S. 814. A bill to require that States receiving Byrne JAG funds to require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 815. A bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BURR, and Mr. VAN HOLLEN):

S. 816. A bill to amend the Internal Revenue Code of 1986 to allow rollovers from 529 programs to ABLE accounts; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BURR, and Mr. VAN HOLLEN):

S. 817. A bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs; to the Committee on Finance.

By Mr. BURR (for himself, Mr. CASEY, Mr. VAN HOLLEN, and Mr. MORAN):

S. 818. A bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. DURBIN, Mr. MENENDEZ, Mr. COONS, Mr. BROWN, Mr. UDALL, Mr. CASEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mrs. SHAHEEN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MARKEY, Ms. HIRONO, Mrs. FEINSTEIN, Mr. MANCHIN, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. LEAHY, Mr. BOOKER, Mr. REED, Mr. SANDERS, Ms. WARREN, Ms. STABENOW, Mr. CARPER, Mr. WHITEHOUSE, Mrs. MCCASKILL, Ms. CANTWELL, Mr. FRANKEN, Mr. WARNER, Ms. HARRIS, Mr. MURPHY, Mr. NELSON, Mr. WYDEN, Mr. KAINE, Ms. HASSAN, Mr. MERKLEY, Mr. TESTER, Ms. DUCKWORTH, and Mr. BENNET):

S. 819. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. BENNET, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. BOOKER, Mr. FRANKEN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. WYDEN, Mr. WHITEHOUSE, Mr. PETERS, Ms. BALDWIN, Mrs. SHAHEEN, Ms. STABENOW, Mr. CARDIN, Mr. UDALL, Mr. MERKLEY, Mr. CASEY, Mr. HEINRICH, Mr. LEAHY, Mr. MURPHY, Mr. TESTER, Mr. DURBIN, Mr. SANDERS, Ms. DUCKWORTH, Mr. REED, Ms. WARREN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. NELSON, Ms. HASSAN, Mr. CARPER, Mrs. FEINSTEIN, Ms. CORTEZ

MASTO, Ms. HIRONO, Mr. BROWN, Ms. HARRIS, and Mr. MENENDEZ):

S. 820. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

By Mr. RUBIO (for himself and Ms. BALDWIN):

S. 821. A bill to promote access for United States officials, journalists, and other citizens to Tibetans areas of the People's Republic of China, and for other purposes; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. MARKEY, Mr. ROUNDS, Mr. BOOKER, and Mr. CRAPO):

S. 822. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself and Mr. PAUL):

S. 823. A bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United States are adequately protected at the border, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCOTT (for himself, Mr. BROWN, Mr. ISAKSON, and Mr. WARNER):

S. 824. A bill to amend title 31, United States Code, to prohibit the Internal Revenue Service from carrying out seizures relating to a structuring transaction unless the property to be seized derived from an illegal source or the funds were structured for the purpose of concealing the violation of another criminal law or regulation, to require notice and a post-seizure hearing for such seizures, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 825. A bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes; to the Committee on Indian Affairs.

By Mr. BARRASSO (for himself, Mr. CARPER, Mr. INHOFE, Mr. BOOKER, Mr. BOOZMAN, and Mr. WHITEHOUSE):

S. 826. A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PAUL (for himself and Mr. COONS):

S. Res. 109. A resolution encouraging the Government of Pakistan to release Aasiya Noreen, internationally known as Asia Bibi, and reform its religiously intolerant laws regarding blasphemy; to the Committee on Foreign Relations.

By Mr. BENNET (for himself and Mr. GARDNER):

S. Res. 110. A resolution relating to proceedings of the Senate in the event of a partial or full shutdown of the Federal Government; to the Committee on Rules and Administration.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. Res. 111. A resolution celebrating the 150th anniversary of the Alaska Purchase; considered and agreed to.

By Mr. BURR (for himself, Mr. MANCHIN, Mr. HELLER, and Mr. INHOFE):

S. Res. 112. A resolution designating April 5, 2017, as ''Gold Star Wives Day'' ; considered and agreed to.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 113. A resolution recognizing and celebrating the 50th anniversary of the Center on Human Development and Disability at the University of Washington in Seattle, Washington; considered and agreed to.

By Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, and Mr. DAINES):

S. Con. Res. 12. A concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 27, a bill to establish an independent commission to examine and report on the facts regarding the extent of Russian official and unofficial cyber operations and other attempts to interfere in the 2016 United States national election, and for other purposes.

S. 179

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 179, a bill to expand the use of E–Verify, to hold employers accountable, and for other purposes.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 205

At the request of Mr. THUNE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 253

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 294

At the request of Mr. NELSON, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 294, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 324

At the request of Mr. HATCH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 339

At the request of Mr. NELSON, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 366

At the request of Mr. ROUNDS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 374

At the request of Mr. BLUNT, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 393

At the request of Mr. SCOTT, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 393, a bill to amend the Internal Revenue Code of 1986 to allow

employers a credit against income tax for employees who participate in qualified apprenticeship programs.

S. 407

At the request of Mr. CRAPO, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Delaware (Mr. CARPER), the Senator from Michigan (Ms. STABENOW), and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 534

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 534, a bill to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, and for other purposes.

S. 563

At the request of Mr. HELLER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 563, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 604

At the request of Mr. HATCH, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 604, a bill to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes.

S. 630

At the request of Mrs. SHAHEEN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 630, a bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes.

S. 701

At the request of Mrs. GILLIBRAND, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 701, a bill to improve the competitiveness of United States manufacturing by designating and supporting manufacturing communities.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mr. CORNYN), and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 722

At the request of Mr. CORKER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 763

At the request of Mr. THUNE, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mr. BLUNT), the Senator from Washington (Ms. CANTWELL), and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 763, a bill to improve surface and maritime transportation security.

S. 766

At the request of Mr. MANCHIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 766, a bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use, status, and benefits of military technicians (dual status), and for other purposes.

S. 770

At the request of Mr. SCHATZ, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 770, a bill to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes.

S. 774

At the request of Ms. HEITKAMP, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 774, a bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes.

S. 786

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 786, a bill to establish a grant program relating to the prevention of student and student athlete opioid misuse.

S. 800

At the request of Ms. CANTWELL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 800, a bill to protect taxpayers from liability associated with the reclamation of surface coal mining operations, and for other purposes.

S.J. RES. 5

At the request of Mr. CARDIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S.J. Res. 5, a joint resolution removing the deadline for the ratification of the equal rights amendment.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. PAUL):

S. 823. A bill to ensure the digital contents of electronic equipment and online accounts belonging to or in the possession of United States persons entering or exiting the United States are adequately protected at the border, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. WYDEN. Mr. President, today I, along with my colleague Senator PAUL from Kentucky, am introducing the Protecting Data at the Border Act, a bill that protects Americans and U.S. Permanent Residents from warrantless searches of their electronic devices at the border.

1n 2014, the Supreme Court established in California v. Riley that law enforcement agencies must obtain a probable cause search warrant before they can search someone's phone or laptop during a ''search incident to arrest.'' Prior to that decision, law enforcement agencies around the country routinely engaged in warrantless searches of phones and other electronic devices. The Supreme Court rightly recognized that we need new, stronger rules to protect digital information.

Although the warrant protections from Riley have been the law of the land for the last three years, a significant loophole has remained: the border. The Riley decision left unresolved the question of whether or not U.S. Customs can search the smartphones and laptops of U.S. persons as they leave the country and return home. This is not a theoretical concern. According to recent statistics provided by Customs and Border Protection, searches of cellphones by border agents has exploded, growing fivefold in just one

year, from fewer than 5,000 in 2015 to nearly 25,000 in 2016. Five-thousand devices were searched this last February alone, more than in all of 2015.

My colleague, Senator PAUL and I intend to close this loophole, ensuring that U.S. persons crossing the border do not have lesser digital privacy rights than individuals who are arrested inside the United States.

This bill has four main components.

First, it requires that law enforcement agencies obtain a probable cause warrant before they can search the laptop, smartphone or other electronic device belonging to a U.S. person at the border. The bill includes an emergency exception to this warrant requirement, modeled after USA Freedom Act section 102, which became law in 2015.

Second, it requires informed, written consent before the government may request and obtain voluntary assistance from a U.S. person accessing data on a locked device or account, such as by disclosing their password or otherwise providing access. The bill also prohibits the government from delaying or denying entry to a U.S. person if he or she refuses to provide such assistance.

Third, it requires that the government obtain a warrant before it can copy and retain a U.S. person's data, even if the data has been collected without a warrant, during an emergency.

Fourth, it requires that the government create and publish statistics on the electronic border searches they conduct.

Passage of this bill would ensure that the important privacy rights recognized by the Supreme Court in Riley also apply at the border, while still enabling law enforcement agencies continue to do the important work of keeping our country safe.

I thank my colleague Senator PAUL for his efforts on this bill, and I hope the Senate will consider our proposal quickly.

By Mr. BARRASSO (for himself, Mr. CARPER, Mr. INHOFE, Mr. BOOKER, Mr. BOOZMAN, and Mr. WHITEHOUSE):

S. 826. A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the manaement of invasive species, and the protection of endangered species, and for other purposes; to the Committee on Environment and Public Works.

Mr. BARRASSO. Mr. President, I rise to speak about bipartisan legislation that I have introduced to promote innovative solutions to better manage invasive species, conserve wildlife, and eliminate poaching. I have introduced this in a bipartisan way as the chairman of the Environment and Public Works Committee, along with Senator TOM CARPER, who is the ranking member of that committee, and along with Senator JIM INHOFE, who is a former chairman of that committee.

This legislation is called the Wildlife Innovation and Longevity Driver Act, WILD for short. I am a supporter of both conserving wildlife and technological innovation that we have before us.

My home State of Wyoming is truly one of the most beautiful places in the world. The people of Wyoming have an incredible appreciation for our wildlife. We applaud the efforts of innovators to help us conserve and manage species much more effectively and at a lower cost. Our State wildlife managers grapple with many challenges that innovators can help us solve.

For example, poaching has been a major issue in Wyoming. Hundreds of animals are taken illegally in the State. That is what I hear from the Wyoming Game & Fish Department. Poaching is a problem across the country. It is not just the case in Wyoming; it has become pandemic overseas. International poachers seeking to cash in on the ivory trade have reduced the population of African elephants by 75 percent over the last 10 years. It is tragic.

Invasive species also present a threat to native wildlife, to water resources, and to our landscape. Invasive species clog pipes and fuel catastrophic fires. In fact, invasive species have a role in 42 percent of the listings under the Endangered Species Act. It is invasive species that are causing other species to become endangered.

We need creative solutions to these threats to our wildlife. Our Nation's innovators are developing cutting-edge technologies to help us more effectively fight poaching, manage wildlife, and control invasive species.

A 2015 National Geographic article outlined a number of innovative technologies that are being used today to promote conservation of many of the world's most endangered species. That includes DNA analysis to identify the origin of illicit ivory supplies, using thermal imaging around protected areas to notify authorities of poachers, and using apps to assist wildlife enforcement in carrying out their duties.

In December, the National Invasive Species Council cohosted a summit, which highlighted innovations that combat invasive species. A few examples are a fish passage that automatically extracts invasive fish from streams, DNA technologies to provide early detection of invasive species, and the use of drones to gain spatially accurate, high resolution images that could be used to detect and monitor specific invasive species. Innovations like these are why we have introduced in a bipartisan way the WILD Act.

This act provides technological and financial assistance to private landowners to improve fish and wildlife habitats. The legislation does this by reauthorizing the Partners for Fish and Wildlife Program. The WILD Act requires Federal agencies to implement strategic programs to control invasive species. It also reauthorizes important laws to protect endangered and valuable species around the world, such as the African elephant, the Asian elephant, the rhinoceros, the great ape, and the marine turtle.

Finally, this act creates incentives for new conservation innovation. The legislation establishes four separate cash prizes for technological innovation in the prevention of wildlife poaching and trafficking, in the promotion of wildlife conservation, in the management of invasive species, and in the protection of endangered species. The Department of the Interior will administer the prizes, and a panel of relevant experts will award each prize.

Innovation is one of the best tools in conserving endangered species and keeping invasive species under control. The WILD Act will help stimulate that innovation.

I thank Senator CARPER and Senator INHOFE for cosponsoring this important piece of legislation.

Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 109—ENCOURAGING THE GOVERNMENT OF PAKISTAN TO RELEASE AASIYA NOREEN, INTERNATIONALLY KNOWN AS ASIA BIBI, AND REFORM ITS RELIGIOUSLY INTOLERANT LAWS REGARDING BLASPHEMY

Mr. PAUL (for himself and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 109

Whereas, in June 2009, Asia Bibi allegedly insulted the Muslim faith during a confrontation with Muslim neighbors and drank from a water source shared by these Muslim neighbors;

Whereas, in November 2010, Asia Bibi, a Pakistani Christian woman, was sentenced to death by hanging after being convicted of blasphemy by a Pakistani District Court under Article 295–C of Pakistan's penal code;

Whereas, according to the United States Commission on International Religious Freedom, Pakistan's blasphemy laws set severe punishments, including death or life in prison, and have been levied against religious minorities, including Christians, Hindus, and Ahmadiyya and Shi'a Muslims, as well as Sunni Muslims;

Whereas a petition calling for the immediate release of Asia Bibi has generated over 690,000 signatures, and 250,000 of the signatures, roughly a third of the total amount, were made by petitioners from the United States;

Whereas, in January 2011, Pakistani politician Salmaan Taseer, the governor of Punjab province, who campaigned for Asia Bibi's release and called for reform to Pakistan's blasphemy codes, outraged religious conservatives and was assassinated by his security guard, Mumtaz Qadri;

Whereas, in March 2011, Federal Minister for Minority Affairs Shahbaz Bhatti was assassinated in Islamabad, Pakistan, after receiving death threats for his support of reforming Pakistan's blasphemy codes and calling for the release of Asia Bibi;

Whereas, in October 2014, the Lahore High Court of Appeals upheld the death sentence of Asia Bibi;

Whereas the execution of Mumtaz Qadri in February 2016 resulted in street protests that called for the death of Asia Bibi;

Whereas, in Pakistan, mere accusations of blasphemy, even by private individuals, often lead to violence against those accused by private actors;

Whereas Pakistan's human rights problems include poor prison conditions, arbitrary detention, lengthy pretrial detention, a weak criminal justice system, lack of judicial independence in the lower courts, and governmental infringement on citizens' privacy rights;

Whereas Asia Bibi is at risk of extrajudicial murder even if she is released;

Whereas, in Pakistan, violence, abuse, and social and religious intolerance by militant organizations and other nongovernmental actors contribute to a culture of lawlessness in some parts of the country; and

Whereas there is great concern for Asia Bibi's safety during her incarceration due to reports that prisoners who are members of religious minorities face a heightened risk of mistreatment, torture, or murder: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Government of Pakistan to immediately and unconditionally release Asia Bibi and ensure that she, her family, and her legal counsel are afforded all necessary measures to ensure their safety; and

(2) urges the Government of Pakistan to reform its laws to reflect democratic norms and ideals and work to promote tolerance of religious minorities, whether Muslim, Christian, Hindu, or other ostracized, so that no one is in danger of persecution from the government or their neighbors for exercising their right to free speech and practicing their religion.

SENATE RESOLUTION 110—RELATING TO PROCEEDINGS OF THE SENATE IN THE EVENT OF A PARTIAL OR FULL SHUTDOWN OF THE FEDERAL GOVERNMENT

Mr. BENNET (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 110

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the ''Shutdown Accountability Resolution''.

SEC. 2. PROCEEDINGS OF THE SENATE DURING A FULL OR PARTIAL GOVERNMENT SHUTDOWN.

(a) DEFINITION.—In this section, the term ''Government shutdown'' means a lapse in appropriations for 1 or more agencies of the Federal Government.

(b) CONVENING OF THE SENATE.—

(1) IN GENERAL.—Notwithstanding any rule or order of the Senate, during the period of a Government shutdown—

(A) the Senate shall convene at 8:00 a.m. each day, unless the body is in continuous session; and

(B) it shall not be in order to ask for, and the Presiding Officer shall not entertain a request for, unanimous consent to change the hour or day on which the Senate shall convene under subparagraph (A).

(2) SENATE NOT IN SESSION.—If the Senate is not in session on the first calendar day of a Government shutdown, the majority leader, after consultation with the minority leader, shall notify Members of the Senate that, pursuant to this standing order, the Senate shall convene at 8:00 a.m. on the next calendar day of the Government shutdown.

(c) PRESENCE OF A QUORUM.—

(1) IN GENERAL.—During the period of a Government shutdown, and notwithstanding any provision of the Standing Rules of the Senate—

(A) immediately after the Presiding Officer takes the chair in accordance with rule IV of the Standing Rules of the Senate, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum; and

(B) 1 hour after the presence of a quorum has last been demonstrated, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum.

(2) LACK OF QUORUM.—

(A) IN GENERAL.—If, upon a calling of the roll under paragraph (1), it shall be ascertained that a quorum is not present—

(i) the Presiding Officer shall direct the Clerk to call the names of any absent Senators; and

(ii) following the calling of the names under clause (i), the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yea-and-nay vote the question: ''Shall the Sergeant-at-Arms be directed to request the attendance of absent Senators?''.

(B) DIRECTION TO COMPEL ATTENDANCE.—If a quorum is not present 15 minutes after the time at which the vote on a question submitted under subparagraph (A)(ii) starts, the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a yea-and-nay vote the question: ''Shall the Sergeant-at-Arms be directed to compel the attendance of absent Senators?''.

(C) ARREST OF ABSENT SENATORS.—Effective 1 hour after the Sergeant-at-Arms is directed to compel the attendance of absent Senators under subparagraph (B), if any Senator not excused under rule XII of the Standing Rules of the Senate is not in attendance, the Senate shall be deemed to have agreed an order that reads as follows: ''Ordered, That the Sergeant-at-Arms be directed to arrest absent Senators; that warrants for the arrests of all Senators not sick nor excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay.''.

(D) REPORTS.—Not less frequently than once per hour during proceedings to compel the attendance of absent Senators, the Sergeant-at-Arms shall submit to the Senate a report on absent Senators, which shall—

(i) be laid before the Senate;

(ii) identify each Senator whose absence is excused;

(iii) identify each Senator who is absent without excuse; and

(iv) for each Senator identified under clause (iii), provide information on the current location of the Senator.

(3) REGAINING THE FLOOR.—If a Senator had been recognized to speak at the time a call of the roll to ascertain the presence of a quorum was initiated under paragraph (2)(A), and if the presence of a quorum is established, that Senator shall be entitled to be recognized to speak.

(d) ADJOURNING AND RECESSING.—During the period of a Government shutdown—

(1) a motion to adjourn or to recess the Senate shall be decided by a yea-or-nay vote;

(2) if a quorum is present, the Presiding Officer shall not entertain a request to adjourn or recess the Senate by unanimous consent or to vitiate the yeas and nays on such a motion by unanimous consent;

(3) a motion to adjourn or a motion to recess made during the period beginning at 8:00 a.m. and ending at 11:59 p.m., shall only be agreed to upon an affirmative vote of two-thirds of the Senators present and voting, a quorum being present; and

(4) if the Senate must adjourn due to the absence of a quorum, the Senate shall reconvene 2 hours after the time at which it adjourns and ascertain the presence of a quorum in accordance with subsection (c)(1).

(e) NO SUSPENSION OF REQUIREMENTS.—The Presiding Officer may not entertain a request to suspend the operation of this standing order by unanimous consent or motion.

(f) CONSISTENCY WITH SENATE EMERGENCY PROCEDURES AND PRACTICES.—Nothing in this standing order shall be construed in a manner that is inconsistent with S. Res. 296 (108th Congress) or any other emergency procedures or practices of the Senate.

(g) STANDING ORDER.—This section shall be a standing order of the Senate.

SENATE RESOLUTION 111—CELEBRATING THE 150TH ANNIVERSARY OF THE ALASKA PURCHASE

Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 111

Whereas Secretary of State William H. Seward agreed to purchase Alaska from Russia on March 30, 1867, for approximately 2 cents per acre;

Whereas the Senate ratified the treaty with Russia regarding the purchase of Alaska on April 9, 1867, and the House of Representatives approved the fund appropriation for that purchase on July 14, 1868;

Whereas, on August 1, 1868, the Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of all the Russias acknowledged that $7,200,000 had been received from the United States Treasury as payment in full for the cession of Alaska;

Whereas New Archangel, later Sitka, served as—

(1) the capital of the territory of Alaska from the time of Russian rule until 1906; and

(2) the location for the signing of the Alaska Purchase on October 18, 1867;

Whereas Alaska is home to—

(1) the highest mountain peak in North America, Denali, which rises 20,310 feet above sea level;

(2) the northernmost, easternmost, and westernmost points of the United States;

(3) more active glaciers and ice fields than in the rest of the inhabited world;

(4) a variety of animal species, including—

(A) the largest concentration of American Bald Eagles and the largest species of brown bear in the United States; and

(B) 90 percent of the sea otters in the world;

(5) 24 national parks, including the 5 largest national parks in the United States, Wrangell–St. Elias National Park, the Gates of the Arctic National Park and Preserve, Denali National Park and Preserve, Katmai National Park and Preserve, and Glacier Bay National Park, which, together, are larger than the 8 smallest States combined;

(6) the 2 largest national forests in the United States, the Tongass and Chugach National Forests, spanning more than 37,000 square miles;

(7) more than 38 percent of the shoreline and nearly 54 percent of the coastline of the United States; and

(8) more Federal land than there is total land in the States of Texas and Nebraska combined;

Whereas, in 1913, the first act of the first Territorial Legislature of Alaska was to grant women suffrage;

Whereas there are 229 federally recognized tribes in Alaska and 20 Alaska Native languages are spoken in the State;

Whereas, on December 18, 1971, the landmark Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) was signed into law, which established 13 Alaska Native Regional Corporations and more than 200 Alaska Native Village Corporations;

Whereas more than 44,000,000 acres of land in Alaska are under Alaska Native ownership;

Whereas the 3 most diverse census tracts in the United States are located in the Municipality of Anchorage;

Whereas, during World War II, the Imperial Japanese Navy invaded and occupied portions of the Aleutian Islands of Alaska;

Whereas Alaska has—

(1) 12 major military bases and stations that are home to honorable men and women who serve the United States in the Armed Forces; and

(2) the highest number of veterans in the United States per capita;

Whereas some of the highest producing oil and natural gas fields in the United States are on the North Slope in Alaska;

Whereas more crude oil has been produced from State lands on the North Slope in Alaska than from Federal lands in the Central Gulf of Mexico;

Whereas the ports of Alaska consistently process the highest volume of commercial seafood that lands in the United States;

Whereas Alaska has vast reserves of minerals and the Red Dog Mine is one of the largest zinc mines in the world;

Whereas Alaska has produced world record-breaking agricultural products, such as the heaviest cabbage at 138.25 pounds and the heaviest broccoli at 35 pounds;

Whereas the Aurora Borealis is visible from Fairbanks an average of 243 days each year;

Whereas Girdwood was recognized by National Geographic as the world's best ski town;

Whereas, in the northernmost town in Alaska, the sun does not set for approximately 80 days in the summer and does not rise for approximately 60 days in the heart of winter;

Whereas President Dwight D. Eisenhower signed the proclamation admitting Alaska to the United States on January 3, 1959; and

Whereas Alaska is the largest State in the United States in land area at more than 586,000 square miles and constitutes almost ⅕ the size of the contiguous United States: Now, therefore, be it

Resolved, That the Senate commends the State of Alaska on, and joins with the people of the State of Alaska in celebrating, the 150th anniversary of the Alaska Purchase.

SENATE RESOLUTION 112—DESIGNATING APRIL 5, 2017, AS ''GOLD STAR WIVES DAY''

Mr. BURR (for himself, Mr. MANCHIN, Mr. HELLER, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 112

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2017, marks the 72nd anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2017, as ''Gold Star Wives Day'';

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role that Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

SENATE RESOLUTION 113—RECOGNIZING AND CELEBRATING THE 50TH ANNIVERSARY OF THE CENTER ON HUMAN DEVELOPMENT AND DISABILITY AT THE UNIVERSITY OF WASHINGTON IN SEATTLE, WASHINGTON

Mrs. MURRAY (for herself and Ms. CANTWELL) submitted the following resolution; which was considered and agreed to:

S. RES. 113

Whereas the Center on Human Development and Disability (referred to in this preamble as ''CHDD'') is one of the largest and most comprehensive interdisciplinary centers in the United States that focuses on improving the lives of individuals with developmental disabilities;

Whereas, each year, hundreds of University of Washington faculty, staff, and students contribute to the lives of people with developmental disabilities and their families by providing—

(1) model clinical services;

(2) basic and translational research;

(3) interdisciplinary clinical and research training; and

(4) technical assistance and outreach to community practitioners and agencies;

Whereas CHDD is a recognized University Center for Excellence in Developmental Disabilities, a national network authorized under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.);

Whereas, as a member of the network of 67 University Centers for Excellence in Developmental Disabilities located in every State and territory, CHDD provides services to individuals with developmental disabilities and their families in 11 different CHDD-based clinics at the University of Washington;

Whereas CHDD scientists and clinicians conduct research to generate knowledge and disseminate information to improve the lives of individuals with developmental disabilities through the Eunice Kennedy Shriver Intellectual and Developmental Disabilities Research Center;

Whereas CHDD dynamically prepares graduate students and community professionals in health, education, behavioral, and other related fields to develop greater knowledge and skills to meet the unique needs of individuals with developmental disabilities and their families;

Whereas CHDD partners with premier national and State disability organizations and resources, such as the Washington State Developmental Disabilities Council and Disability Rights Washington, to improve the lives of individuals with developmental disabilities and their families; and

Whereas CHDD promotes the quality of life of individuals with developmental disabilities by improving—

(1) community access, support, and inclusion in education, housing options, continuing education opportunities, employment, quality health care, and wellness programs; and

(2) opportunities to build and grow friendships: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and celebrates the history and contributions of the Center on Human Development and Disability at the University of Washington in Seattle, Washington; and

(2) commends the Center on Human Development and Disability for—

(A) creating more welcoming and supportive communities; and

(B) improving the lives of individuals with disabilities and their families.

SENATE CONCURRENT RESOLUTION 12—EXPRESSING THE SENSE OF CONGRESS THAT THOSE WHO SERVED IN THE BAYS, HARBORS, AND TERRITORIAL SEAS OF THE REPUBLIC OF VIETNAM DURING THE PERIOD BEGINNING ON JANUARY 9, 1962, AND ENDING ON MAY 7, 1975, SHOULD BE PRESUMED TO HAVE SERVED IN THE REPUBLIC OF VIETNAM FOR ALL PURPOSES UNDER THE AGENT ORANGE ACT OF 1991

Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, and Mr. DAINES) submitted the following concurrent resolution; which was referred to the Committee on Veterans' Affairs:

S. CON. RES. 12

Whereas section 1116(f) of title 38, United States Code, states that ''For the purposes of establishing service connection for a disability or death resulting from exposure to a herbicide agent, including a presumption of service-connection under this section, a veteran who, during active military, naval, or air service, served in the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, shall be presumed to have been exposed during such service to an herbicide agent containing dioxin or 2,4-dichlorophenoxyacetic acid, and may be presumed to have been exposed during such service to any other chemical compound in an herbicide agent, unless there is

affirmative evidence to establish that the veteran was not exposed to any such agent during that service.'';

Whereas the international definition and United States-recognized borders of the Republic of Vietnam includes the bays, harbors, and territorial seas of that Republic;

Whereas multiple scientific and medical sources, including studies done by the Government of Australia, have shown evidence of exposure to herbicide agents such as Agent Orange by those serving in the bays, harbors, and territorial seas of the Republic of Vietnam;

Whereas veterans who served in the Armed Forces in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, were exposed to this toxin through their ships' distillation processes, air and water currents, and the use of exposed water from inland sources, such as water from near heavily sprayed Monkey Mountain, delivered by exposed water barges;

Whereas such veterans experience a significantly higher percentage of medical conditions associated with Agent Orange exposure compared to those in the regular populace;

Whereas when passing the Agent Orange Act of 1991 (Public Law 102–4), Congress did not differentiate between those who served on the inland waterways and on land versus those who served in the bays, harbors, and territorial seas of that Republic;

Whereas the purpose behind providing presumptive coverage for medical conditions associated with exposure to Agent Orange is because proving such exposure decades after its occurrence is not scientifically or medically possible; and

Whereas thousands of veterans who served in the Armed Forces in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, die at increasing rates every year: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the intent of the Agent Orange Act of 1991 (Public Law 102–4) included the presumption that those veterans who served in the Armed Forces in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991;

(2) intends for those veterans who served in the Armed Forces during the period beginning on January 9, 1962, and ending on May 7, 1975, in the bays, harbors, territorial seas, inland waterways, on the ground in the Republic of Vietnam, and other areas exposed to Agent Orange, and having been diagnosed with connected medical conditions to be equally recognized for such exposure through equitable benefits and coverage as those who served in the inland rivers and on the Vietnamese land mass; and

(3) calls on the Secretary of Veterans Affairs to review the policy of the Department of Veterans Affairs that excludes presumptive coverage for exposure to Agent Orange to veterans described in paragraph (1).

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 4, 2017, at 9:30 a.m., in open session, to receive testimony on United States Strategic Command Programs.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, April 4, 2017 at 10 a.m. to vote on the nomination of Mr. Jay Clayton.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, April 4, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, April 4, 2017 at 10:15 a.m., to hold a hearing entitled ''The European Union as a Partner Against Russian Aggression: Sanctions, Security, Democratic Institutions, and the Way Forward.''

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, to conduct a hearing entitled ''FDA User Fee Agreements: Improving Medical Product Regulation and Innovation for Patients, Part II'' on Tuesday, April 4, 2017, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, April 4, 2017, at 9:30 a.m. in order to conduct a hearing titled ''Fencing Along the Southwest Border.''

SELECT COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, April 4, 2017 from 2:15 p.m. in room SH–219 of the Senate Hart Office Building.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 4, 2017, at 2:30 p.m.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY AND SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, April 4, 2017, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold Subcommittee Hearing on ''Keeping Goods a Moving: Continuing to Enhance Multimodal Freight Policy and Infrastructure.''

NATIONAL READ ALOUD MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 94.

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

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 94) designating March 2017 as ''National Read Aloud Month.''

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 94) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 23, 2017, under ''Submitted Resolutions.'')

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following resolutions, which were submitted earlier today: S. Res. 111, S. Res. 112, and S. Res. 113.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the debate time on the nomination of Judge Gorsuch during Wednesday's session of the Senate be divided as follows: that following leader remarks the time until 11 a.m. be equally divided; that the time from 11 a.m. until 12 noon be under the control of the majority; that the time from 12 noon until 1 p.m. be

under the control of the minority; further, that the debate time until 9 p.m. on Wednesday be divided in 1-hour alternating blocks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, APRIL 5, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, April 5; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume executive session to consider the nomination of Neil Gorsuch as under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators RUBIO and MERKLEY.

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

The Senator from Florida.

EGYPT

Mr. RUBIO. Mr. President, I come to the floor today to discuss the issue of human rights as part of my office's ongoing effort on what we call the Expression Not Oppression Campaign, where we highlight human rights abuses around the world and tell the stories of political prisoners and other brave leaders who are being repressed, jailed, beaten, or even worse, simply for criticizing the government of a nation in which they live.

This is an important week for human rights. Two nations with concerning records regarding human rights—Egypt and China—have sent their heads of state to meet with our President. And I will have, I hope, a chance later on this week to discuss the issues we confront in China, and they are many.

Today, I want to discuss the state of human rights and our general relationship with Egypt.

Over the past 2 days, the President of Egypt, President Elsisi, has been visiting our Nation's Capital. He had the opportunity to meet with the President and other officials in the administration. Earlier today, I had the opportunity to visit with him as part of a meeting with members of the Senate Foreign Relations Committee.

Before entering my remarks, I want to make abundantly clear that we are incredibly impressed and grateful and supportive of the efforts that President Elsisi and Egypt are undertaking in battling radicalism and in particular ISIS. They are undertaking this effort, for example, in the Sinai, and it is quite a challenge.

I also understand that the ongoing ability to defeat radicalism in the world depends on the stability of our partners internally. That is why the human rights situation in Egypt is concerning. I believe it is fair to say it is at its worst in decades, and that is saying something. It is important.

Some may ask ''Why does America care about that?'' beyond, obviously, our moral calling to defend the rights of all people. It is that it is counterproductive behavior. These abuses—the conditions that exist in Egypt and in other places around the world—are actually conducive to jihadi ideology, which is the ability to recruit people who feel vulnerable, who feel oppressed. They become more vulnerable to those campaigns when they feel they are being mistreated.

The current Government of Egypt, under the leadership of President Elsisi, has cracked down on civil society. On that, there can be no debate. They have jailed thousands of political prisoners, including, sadly, some Americans, and it has responded with brute force to those who oppose that government.

Again, I reiterate that a strong U.S.-Egypt relationship is important to America—to advancing our interests in the Middle East. I am here to speak on behalf of American interests and why this is so important in our relationship with Egypt and in the stability of the region, but I must do so by describing the situation on the ground.

In the national interest of our country, we cannot turn a blind eye to the ongoing repression of Egyptian citizens by their government. It weakens our moral standing in the world, and, as I have already said numerous times, it makes Egypt less secure. If Egypt is less secure, ultimately America will be less secure. Today, I said that to President Elsisi.

Over the last decades, the American people have provided Egypt with more than $77 billion in foreign aid. This includes what is currently $1.3 billion per year in military aid. But as the human rights situation in Egypt continues to deteriorate and the government refuses to take the serious and necessary steps of reform and respecting the rule of law, then this Congress, on behalf of the American people—who are giving $1.3 billion of their hard-earned taxpayer money—must continue to pursue the reform of our assistance to Egypt to make sure that not only is it allowing them to confront the challenges that are posed by radicalism today but that it also promotes progress in a way that does not leave Egypt unstable and ultimately vulnerable in the future.

It is in the interest of both our country and Egypt and the Egyptian people to implement reforms and to release all of its jailed political prisoners, including all jailed Americans. Nations cannot thrive and they cannot prosper if their citizens are oppressed or are unable to express themselves freely without fear of being jailed, tortured, or killed.

Inevitably, if these conditions continue, there will be a street uprising in Egypt once again, and it could very well be led by radical elements who seek to overthrow the government and create a space for terrorism.

Human rights abuses in Egypt take on many forms. An example is the lack of press freedom. In 2016, Egypt joined other nations in rising to the top of the rankings as the world's third highest jailer of journalists. According to the Reporters Without Borders' 2016 World Press Freedom Index, Egypt currently ranks 159th out of 180 countries in terms of press freedom. The media, including journalists, bloggers, and those active on social media, are regularly harassed and arrested. There are currently 24 journalists who are jailed on trumped-up and politically motivated charges. Their ''crimes'' have included publishing false information and inciting terrorism. Censorship has grown as they continue to interfere in the publication and circulation of news—although, by the way, a lot of Egyptian news coverage is very anti-American. These are just a few examples of the ongoing repression of press freedom in Egypt.

There are also human rights abuses the Egyptian Government continues to commit with regard to freedom of association and of assembly. In November of 2016, the Egyptian Parliament passed a draconian law that, if signed by President Elsisi, would ban nongovernmental organizations from operating freely in Egypt. The law would essentially eliminate all independent human rights groups. It would make it nearly impossible for charities to function by imposing strict regulations and registration processes. Individuals who violate this law could face jail time simply for speaking out and fighting to defend human rights. Passing laws like these has a chilling effect on dissent.

Here is the good news: President Elsisi has not signed it over 4 months later, and I truly hope it is because he is having second thoughts about it, because he recognizes the terrible impact it will have on his country's future, on their perception around the world, on their ability to make progress and reform, and ultimately because he also recognizes the impact it will have on free nations, like the United States, which desires to work with Egypt on many issues of common interest. I strongly encourage President Elsisi to reject that anti-NGO law.

There is the issue of political prisoners. According to the Project on Middle East Democracy, since 2013 at least 60,000 political prisoners have been arrested in Egypt and 1,800 people have received death sentences in what many

organizations have described as being politically motivated sentences.

In 2014, President Elsisi issued a decree that expanded the jurisdiction of military courts over civilians. According to Human Rights Watch, since the decree was issued, the military courts have tried over 7,400 Egyptian civilians.

Additionally, individuals who have been victims of enforced disappearances in Egypt have claimed that they were tortured and subjected to other forms of abuse when they were taken. There has been little accountability for this excessive use of force.

Egypt's repression is not limited to its own citizens. There are currently a number of Americans who are jailed in Egypt. There is one American in particular whom I would like to raise: the case of American-Egyptian citizen Aya Hijazi.

Aya was arrested in May of 2014, along with her husband and other members of her organization, which is called the Belady Foundation, which works with abandoned and homeless youth and rescues these young children off the streets. Three years ago, she was arrested and charged with ridiculous allegations, including sexual abuse and paying the children to participate in demonstrations against the government. To date, no evidence has been provided to back these horrible allegations. Almost 3 years later, this American citizen remains in prison.

Throughout that time, I and others here in the Senate have been calling for her release, and it is time that the charges against her be dropped and her husband and the other workers be released immediately because her case and many others like it are an obstacle to better relations.

The Egyptian people deserve better than the brutal treatment they are receiving at the hands of their government. All human beings do. It is incumbent upon us, the elected representatives of the American people, to make clear to friends, allies, partners, and foes alike that no matter what issues we are working with you on, negotiating a resolution to, or dealing with you on in some other way, we are not going to look the other way when human rights are being abused. We are going to encourage you to reform because in the long run, that is in your interest and ours.

We have seen in recent history the consequences when governments do not respect their citizens. It creates instability in those countries. Instability is the breeding ground of terrorists and radical elements around the world. Ultimately, those terrorists train their sights on us.

As I told President Elsisi today, Egypt is a nation rich in culture and history and has made extraordinary contributions to the world. It has played a leading role in fostering peace with Israel. But it faces a dangerous future if it does not create the conditions within the country in which its people can live peacefully and securely without fear. Otherwise, Egypt remains vulnerable to the kind of instability we have seen in Syria, Libya, and other countries. That is why it should matter to the American people.

I am disappointed that this issue of human rights did not come up publicly when the President met with the President of Egypt. I hope that will change in the weeks and days and months to come, for it is in our national interest to further these goals. Otherwise, sadly, we could very well have yet another and perhaps the most important country in the region destabilized and ultimately left vulnerable to becoming a breeding ground for terrorism that ultimately targets our people and our Nation.

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate resume executive session and then resume legislative session following the remarks of the Senator from Oregon, Mr. MERKLEY.

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

Mr. RUBIO. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise to address the nomination of Neil Gorsuch. I will start by noting that just moments ago the majority leader was on the floor and did something that has never before been done in U.S. history; that is, on the first day—indeed, in the first hours of debate on a Supreme Court Justice on this floor, the majority leader filed a petition, called a cloture petition, to close debate. So here we are on the first day, just hours into the debate, and the majority leader has said: Enough. We do not want to hear any more about this topic. We are going to shut down debate.

The rules provide some protection for this, and that is that it cannot be voted on until Thursday. So there is time between now and Thursday for us to air our views. Historically, often debates went on for a substantial amount of time—a week, some for many weeks—with no cloture petition being filed, with no closing of the debate. Certainly, never before has the majority leader shut down debate, filed that petition on day one in his trying to ram this nomination through.

This is just a continuation of firsts—first events that do absolutely no credit to this institution, no credit to the Supreme Court, no credit to our Nation. In fact, they pose a substantial danger.

It was February 13, a little over a year ago, that Supreme Court Justice Scalia died. Almost immediately, the majority leader indicated that when the nomination came down from President Obama, this Chamber would not exercise its responsibility of advice and consent under the Constitution in that it would not provide an opportunity for Merrick Garland to be able to appear before a committee and answer the questions of the committee members, the questions of Republicans and the questions of Democrats, so that they could assess whether that individual was appropriate to serve in a Supreme Court seat.

The majority leader made it clear that there would be no committee hearing and no committee vote and no opportunity to come here directly to the floor, bypassing the committee. In other words, he closed off every opportunity for the President's nominee to be considered. This is the first time—this is the only time that has happened in our Nation's history when there was a vacancy in an election year.

What is the essence of this extraordinary and unusual action when this Chamber fails to exercise its advice and consent responsibility under the Constitution? Were we at a time of war, like the Civil War, in which the Capitol at times was under assault? Were we at a moment in which the building was aflame and we had to flee or there was some other significant threat to the functioning of this body? Was there some extraordinary set of circumstances—perhaps a massive storm headed for the Nation's Capital—that led the Senate for the first time in U.S. history to say that it could not take the time to exercise its constitutional advice and consent responsibility? There was no storm. There was no fire. There was no threat. There was no earthquake. There was nothing that would have prevented this Chamber from doing its responsibility.

The President has a responsibility under the Constitution when there is an open seat, and that is to nominate. He proceeded to consult with Members on both sides of the aisle, and he nominated an individual, Merrick Garland, who had an extraordinary reputation and who essentially was considered to come straight down the Main Street of judicial thought, with opinions that were neither labeled ''progressive'' nor ''conservative.'' They were straight down the middle.

The President made that nomination on March 16, which was a month and 3 days after the seat became vacant, but that was the last action to occur, the last action this Chamber took. A few individuals did courtesy interviews, knowing that it would lead to no committee hearing and no committee vote because the majority team in this Chamber decided to steal a Supreme Court seat. Again, such a theft never, ever has happened in the history of our Nation.

There have been a substantial number of seats that have come open during an election year—16. There have been a substantial number of individuals who were confirmed to those 16

seats, and there were individuals who were turned down by this Chamber. Yet, in all of the 15 cases that preceded the death of Justice Scalia, the Senate acted. The Senate exercised its responsibility.

But this time was different. This time, the majority said: We intend to pack the Court of the United States of America—not by adding seats to it; that would not work under a Democratic President who could then nominate more individuals—to pack the Court by taking a seat, failing to exercise the responsibility that each of us has under our oath of office of advice and consent, and send it in a time capsule into the next administration, hoping that time capsule would be opened by a conservative President who would nominate someone who was very conservative, indeed, to create a 5-to-4 bias. What was that bias the majority was looking for? It was not a bias toward ''we the people''; it was a bias toward the powerful and the privileged.

If you take a look at our Constitution, that initial opening of our Constitution, it does not say ''we the privileged'' and ''we the powerful.'' It lays out a vision of a form of government with checks and balances to be designed to function of, by, and for the people. The majority was afraid that Merrick Garland would be just that kind of judge, one who would call the balls and strikes under the Constitution in support of the constitutional vision of ''we the people.'' They did not want a judge who would call the balls and strikes under our Constitution; they wanted someone who would find a way to twist a case in favor of the privileged and the powerful.

Tonight, I will lay out a lot of how they knew that was important both from the perspective of the decisions of the 5-to-4 Court that preceded the death of Justice Scalia and also Merrick Garland's writings and decisions, who found every opportunity to take a case and find some word, find some phrase, find some idea—''to operate is not to operate,'' ''to drive is not to drive,'' which is just language from one case—in order to find some way to find in favor of the powerful over the people. Merrick Garland's nomination lasted 293 days. That is the longest time in Supreme Court history.

Now I am going to turn and go through the election-year vacancies because I do not want folks to take my word for the case that the Senate has always done its job. For more than 200 years, it has done its job—until now. Let's take a look at those vacancies.

There were a couple of cases—three cases in which there was an election-year nominee and the vacancy occurred after the general election. This happened when President Adams was in office, when President Grant was in office, and when President Hayes was in office. So there was very little time left in the Presidents' terms. In a number of these cases—all three—the President did not change office until March of the following year, but the Senate did not even need those extra 2 months that it had before we amended the Constitution.

President Adams nominated John Jay. He nominated him 3 days after the vacancy occurred in the year 1800, and the Senate confirmed the nominee. Here is an interesting twist: The nominee then declined the position. You do not see that very often in the history of the Supreme Court.

Then you go to 1872 when President Grant was President. He had a vacancy occur on November 28, which was just a month before the end of the year and a few months before the Presidency would turn over. It was following the election. He nominated Ward Hunt. The Senate acted in a little more than a week, and they confirmed him. They vetted him. They exercised their advice and consent responsibility, and they said: Yes, this individual is appropriate to serve on the Court.

Then there was President Hayes. A vacancy occurred in December 1880, and he nominated William Woods. Here we have a nominee being put forward very shortly afterwards and confirmed.

Those were the first three. That is the set of cases in which the vacancies occurred after the November elections in election years.

Let's look at the next set of vacancies. In these cases, the vacancy occurred before the elections, but the nominees were not nominated by the Presidents until after the elections. So, again, the Senate had a relatively short period of time in which to act.

We have the August 25 vacancy of 1828 with President Adams. He nominated quite a few months later—almost 4 months later—John Crittenden. In this case, the Senate acted, but they acted to table the nomination, so he was turned down.

Then we have President Buchanan in 1861, who nominated Jeremiah Black. This is a little strange to us because we think of the Presidency as changing in January, but the Presidency did not change until March. The nomination occurred in February, and the motion to proceed was rejected by the entire body. So that nominee was rejected.

Then we turn to President Lincoln. The vacancy occurred in the month preceding the election. President Lincoln nominated Salmon Chase just after the election, and the Senate said: There is plenty of time. We will review that. And he was confirmed.

Then we can turn to Eisenhower. Once again, the vacancy occurred in the month before the election, just 3 weeks before the election. Eisenhower didn't put a nomination to the Senate until January, but the Senate said: We have a responsibility of advice and consent. We will review it, we will vet the nominee, and we will vote. And they voted to confirm.

That is the second set of nominations. Those are 7 of the 16 nominations, so there are still 9 to go. Let's take a look at those.

In this case, the Senate had more time to act. The vacancy occurred before the general election. The nomination occurred before the general election.

Before I go through them, let me just note that of these nine, the Senate acted to confirm in 1804, to table in 1844, to table in 1852, to confirm in 1888, to confirm in 1892, to confirm in 1916, to confirm again 6 months later—still before the election; two in the same year—and then finally, in 1932, the Senate confirmed a nomination made in February. On February 15, the Senate acted.

Of these nine individuals, we have six who were confirmed and two were tabled. But I have left one out. There is one more nomination that occurred in an election year—just one more—and that happened last year. President Obama—we go back to Antonin Scalia dying on February 13 and Merrick Garland being nominated on March 16. So of those 16 we have looked at, the previous 15, the Senate acted each and every time because they had taken an oath of office to uphold the Constitution that has a requirement that the Senate participate in advice and consent. But this time, no action. No action. No committee hearing, not a set of committee hearings, not even one. No vote in committee. No effort or acceptance of moving the nomination to the committee of the whole, which would be here on the Senate floor. For the first time in U.S. history, the Senate stole a seat from one President in order to pack the Court.

I have to tell my colleagues that it isn't just a clever new tactic. It isn't just an excessive exercise of partisanship. This is a crime against our Constitution and the responsibilities of this body. This effort to pack the Court is a major assault on the integrity of the Court.

For every 5-to-4 decision that we see in the future, everybody is going to look and say: Five-four. How would that be different? And it will always be different if the stolen seat and the judge who fills it is on the right side because that side would otherwise have lost. The tie goes to the lower court's decision.

So what this does is not only change the trajectory of our Constitution from one where it is designed for ''we the people'' to a different vision of government by and for the people—it doesn't just change that trajectory, but it draws into question everything the Court does in the future.

Wouldn't it have been incredible if President Trump's nominee—knowing the constitutional responsibility for the Senate to act, knowing that the Senate seat had been stolen from a previous President, knowing that it would bias all the outcomes of the Court in the future—had stood up and said ''I will not participate in this crime against the Constitution'' and declined the nomination? Wouldn't that have been an act of integrity? Well, we

didn't get that act of integrity from President Trump's nominee, so here we are today, on the first day of the Senate deliberation on this nominee, and just moments ago was the first time in U.S. history that the majority has exercised a petition to close debate on the first day of a Senate debate on a Supreme Court Justice. Why is the majority in such a rush? Why is the Senate majority determined to push this through so quickly, in contravention of the tradition of due deliberation on this floor?

I know that if the circumstances were reversed and the Democrats had participated in stealing a seat from a Republican President, my colleagues would be screaming on this floor, and they would be fully justified. I am proud that my colleagues on this side of the aisle have never participated in such an assault on our Constitution or a failure to exercise our responsibilities under our oath of office or a theft of a Supreme Court seat or an effort to pack the Court, but if we had, my colleagues across the aisle would absolutely be standing and saying what I am saying tonight—that this is wrong, this is destructive, this is damaging, and we should stop and rethink this.

There is really only one nominee who would be a legitimate nominee for President Trump to make—only one way to heal this massive wound, this massive tear and rip in the heart of our Constitution, this massive failure of this Senate body to do its job. There is only one way to heal that, and that is for President Trump to nominate Merrick Garland and for him to get that committee hearing, for him to get that committee vote, for him to get that deliberation here on the floor. Maybe he would be approved and maybe he wouldn't, because that is what we see every time the Senate has acted. It has not always been to confirm a nominee, but it has acted and deliberated and voted and decided, as the Constitution calls upon it to do. That would be a healing of the wound. It would be a healing of the wound if the Senators were to vote the same way they would have voted last year had there been a completely legitimate, ordinary consideration. Then we could go forward without this damage.

So I call upon my colleagues, who I know have—each and every one of them—considered that it is their responsibility to build up and strengthen our institutions of government, not to tear them down. Therefore, I call upon them to reverse this deed before the dark act is completed of stealing a seat and packing the Court.

I wish to turn to consider another piece of this puzzle. If the seat had not been stolen and we were simply considering President Trump's nominee under ordinary circumstances, what would we find? We would find a far-rightwing judge completely outside of the mainstream.

Why is it that throughout its history, this body has honored the rule of having a supermajority needed to close debate on a Supreme Court Justice? It has been to send a message to the President that you must nominate someone who is in the judicial mainstream, not way out in one direction or another, with bizarre findings that would undermine the integrity of the Court, not a pattern of attempting to twist the law so that we the people lose and we the powerful win time after time after time—no, someone in the middle of the judicial mainstream.

Well, that is certainly where Merrick Garland was, but that is not where Neil Gorsuch is. He is a lifelong conservative activist, rewriting the law to make it something that was never intended to be. A Washington Post analysis of his decisions that have been considered by the Supreme Court found that he would be, by far, the most conservative member of the Court—not where Scalia was, not where Justice Thomas is, not where Justice Alito is; he would be the most conservative member of the Court, to the right of Justices Alito, Thomas, and Scalia.

Quote:

> The magnitude of the gap between Gorsuch and Thomas is roughly the same as the gap between Justice Sotomayor and Justice Kennedy. In fact, our results suggest that Gorsuch and Scalia would be as far apart as Justice Breyer and Justice Roberts.

That is the Washington Post. It is a pretty big gap, way to the right.

Let's take a look at some of the cases that lead to this conclusion. There is a case known simply as the frozen trucker case. Alphonse Maddin, the trucker, was fired for refusing to freeze to death. After waiting more than 3 hours with a disabled trailer on the side of the road, he unhooked the trailer and he started up the cab and he went to get warm before he could return to meet the repairman for the truck. Now, why couldn't he just carry the trailer with him? The brakes were frozen. Why was he himself freezing? Because the heater on the truck was broken. He fell asleep for some hours, woke up, and his body was numb. He became concerned about his life, so he unhooked the trailer, went to get warm, and came back to meet the repairman.

The Labor Department determined that under the Surface Transportation Assistance Act, he was wrongly fired because that act is designed to say that if you refuse to operate a truck in a fashion that is unsafe for you, the driver, or unsafe for others, you can't be fired for that. Safety comes first. The whole message of the act: Safety comes first. But in this case, Neil Gorsuch dissented. He wasn't writing the majority opinion. He went out of his way to write the minority opinion.

The Tenth Circuit upheld the fact that he was correctly operating the truck, leaving the trailer behind. You could ask, Was he operating the full truck or part of the truck? The point is that the Tenth Circuit said yes; the firing was wrong. They upheld the Labor Department under the surface transportation act, and said: He did exactly what the act had intended. You have to restore his job. The Tenth Circuit said yes, absolutely. But Judge Gorsuch went out of his way to write a dissent, saying no. It is completely taking words out of context and twisting them. I encourage others to read it for themselves because it is truly a bizarre opinion, an effort to find a way—some way, some path—to find for the company instead of the trucker, who was protected by the laws written and passed in this Chamber and the House and signed by the President. That is how far out of common sense and theory of the law Neil Gorsuch is.

Let's turn to a case often referred to as the autism case, Thompson R2–J School District v. Luke P. This case says a great deal because in this case Judge Gorsuch tried to rewrite a law referred to as the IDEA law—Individuals with Disabilities Education Act—to effectively invalidate the law. The law written here was to ensure that individuals with disabilities were provided an education by the school district, not babysitting but an education. Neil Gorsuch rewrote that law to say that babysitting is OK.

Despite years of special education in a public school, Luke P. wasn't showing any progress at home. His parents enrolled him in a private school that specializes in autistic children, where he made advances—because the school district was only babysitting him. They fought to get the school district to reimburse them. Gorsuch ruled in favor of the school district. The standard he put forward was the standard that babysitting is OK, even though the law was written to do the opposite.

This decision that Gorsuch wrote is so far out of the mainstream, it is so far out of common sense, it is so contrary to the law written here in this Chamber that the Supreme Court—yes, our Supreme Court, our eight-member Supreme Court—proceeded to say, 8 to 0: That is absurd and wrong, Neil Gorsuch. And they reversed him.

When have we had a nominee reversed 8 to 0? When have we had cases like the frozen trucker case and the autistic child case, where he went to great lengths to find for the powerful over the individual?

We can turn to the Utah en banc request in a case called Planned Parenthood Association of Utah v. Herbert. ''En banc'' means that the entire bench hears a case. Neil Gorsuch was such an activist, so committed to undermining an organization—Planned Parenthood—that he took the extreme step of initiating, himself, an en banc review of a decision to block a Utah defunding effort. Governor Herbert of that State had used the cover of false and misleading videos to strip Utah's clinics of their funding. The Governor later made clear in testimony that he was in fact punishing Planned Parenthood for its constitutionally protected advocacy and services and that the organization had not done anything wrong.

The Tenth Circuit granted a preliminary injunction against Utah for violating the organization's—Planned Parenthood's—constitutional rights. The Tenth Circuit decided this, but Neil Gorsuch—ever the activist judge, rewriting law to make it say the opposite of what was intended—sought to have a review by the entire bench. Let me explain, that is not normal. Other people may call for an en banc review because they don't like the outcome, but to have a participating judge on the Tenth Circuit initiate it is unusual. It is a message to the world: Everyone, pay attention to me. I am an activist, far-right judge, and if you like that—someone who is going to find for the powerful and the privileged over ordinary people—pay attention. That is who I am. It is kind of like trying out for a future Supreme Court opening.

Gorsuch's entire adult life has been a mission to revoke a lot of the norms we have come to embrace in our pursuit of the transitions in our society and in our government as we pursue that constitutional vision of equality under the law, protections to vulnerable populations, to workers and to kids and to women and to minorities. But Neil Gorsuch doesn't like that arc of seeking to provide the protections our constitutional vision laid out. As far back as college, he was an ideological warrior who championed a severely reactionary worldview.

In a conservative newspaper article, he characterized efforts to fight racism as ''more a demand for the overthrow of American society than a forum for the peaceable and rational discussion of these people and events.'' That is a very strange way to characterize efforts to fight racism. Racism, discrimination, is to slam the door of opportunity on American citizens because of their gender, because of their race, because of their ethnicity, because of their sexual identity—slam the door and disrupt that opportunity for each and every citizen to be treated equally under the law.

He also used the opportunity to advocate for social inequality, saying that ''men . . . of different abilities and talents to distinguish themselves as they wish, without devaluing their innate human worth as members of society,'' and arguing that a responsible system required a governing class of men of exceptional political ability to make the big decisions for society. Well, there is not much equality and opportunity in that statement.

As a judge, in case after case, he finds expansive rights for corporations at the expense of their employees, consumers, and the public interest. We have talked about the frozen trucker case and the autistic child case. There is also the electrocuted mine construction worker case. A worker started at a project a week after it begun and wasn't trained on how this should be done. It was a training that was really required because of the highly dangerous circumstances. When you are operating equipment near power lines, that is just a setting that everyone in the construction industry knows is extraordinarily dangerous. If you connect that equipment to the power line, perhaps somebody has their hand on the side of the equipment, and the next thing you know, they are electrocuted. The worker mistakenly brought a piece of equipment too close to that overhead power line, and it was the worker himself who was electrocuted and killed. The Occupational Safety and Health Review Commission fined the employer for not properly training the worker under these dangerous circumstances. The Tenth Circuit took a look at it and said: Yes, the company failed to do the proper training, and the result was that someone lost their life. But Judge Gorsuch dissented. He said that there was no evidence the company had been negligent. Really? Failure to train in a highly dangerous situation that results in loss of life—there is no problem there. Why should we require companies to train people in dangerous circumstances? Again, there was a complete lack of common sense, a determination to overturn what a review board had found, what the circuit court had found.

We can turn to the Hobby Lobby case. In this case, Neil Gorsuch found that closely held, for-profit corporations have the right to choose the contraception coverage, or lack thereof, for their employees if doing so conflicted with the corporation's religious beliefs. Now, we didn't actually have corporations—in the sense that we have them now—when our Nation was founded. There were some charters, but not the modern corporation in the sense that we have. Yet Neil Gorsuch said: We will just give this corporation personhood, and we will let the corporation exercise religious beliefs that overrule the religious beliefs of the individuals. But it was the individuals the Constitution was written to defend. It was the individuals' religious beliefs the Constitution and the Bill of Rights were laid out to protect—not a corporation. But in a never-ending quest to find for the corporation, to find for the powerful, to find for the privileged, Neil Gorsuch twisted the law, found that path, and laid it out.

In writing a brief as a lawyer in 2005, Neil Gorsuch urged the court to ignore the statutory and legislative history of the Securities Exchange Act, advocating that the court limit the ability of those defrauded by corporations to band together to seek redress. This really goes to the difference between ''we the people'' and ''we the powerful.''

We have a nominee before us right now who doesn't like the idea of individuals being able to operate with a class action suit against the predatory actions of a powerful corporation. In an article about the case, he launched into an attack on the lawyers for providing the ability for individuals to challenge the very powerful corporation, and he said these are frivolous claims—frivolous claims—that take an enormous toll on the economy. They put a burden on every public corporation in America. I will quote: ''frivolous claims that impose an enormous toll on the economy, affecting virtually every public corporation in America at one time or another and costing business billions of dollars in settlements every year.'' He didn't like this burden on corporations to respond when they were challenged for predatory practices.

Often, the transactions between a company and an individual are quite small. Maybe they involve a monthly fee to access telecommunications services. Maybe they involve a purchase of a single consumer item that costs $50. But the corporation misrepresented what that item was or didn't disclose that it had dangerous paint on it or some other feature. The only way that ordinary people, ''we the people,'' can challenge the predatory practice of a powerful corporation is to put their cases together in a class action suit so that everybody—the thousands of people who bought that $50 item—can say: You are doing something wrong. You are selling something dangerous and not telling us. You are selling something our children will choke on and not telling us. You are defrauding us in any of a whole series of possibilities. Perhaps it is in stock cases or other financial transactions. Perhaps it is the way mortgages are constructed. But the individual couldn't possibly take on the powerful companies' roomful of top-notch lawyers to reclaim that $50 or that small modest sum, so a class action is the tool through which the people, ''we the people,'' proceed to take on the powerful, and Neil Gorsuch doesn't like that.

He doesn't like workers having the chance to confront corporations on the issues of sexual harassment.

In Pinkerton v. Colorado Department of Transportation, Judge Gorsuch joined an opinion discounting Pinkerton's evidence of discrimination and concluding that Pinkerton's performance—not discrimination—resulted in her termination. Judge Gorsuch dissented from an opinion—by its very nature saying dissent—where the majority found a different path, holding that Pinkerton provided ample evidence that she was regularly outperforming her male colleagues yet was treated less favorably than them. The list goes on and on—removing Federal Government protections in a variety of cases.

But there is a third big problem with the fact that we are here tonight considering this nomination. The first big problem was that the seat was stolen by the Republican majority. That is the first time a theft like that has happened in the history of our Nation in an effort to pack the Court. That is a big deal. The second is that Trump nominated somebody completely outside the judicial mainstream. The third is something that should give every American pause, and that is that at this very moment, investigations are taking place into the conversations, into the meetings between the Trump campaign and the Russians.

Now, we know it is very public that the Russians conspired to affect the outcome of our Presidential election. We know the tactics they used. They wrote false news stories. They proceeded to have a building with hundreds—I am told a thousand people in a

building—doing social media commentating to try to have people in America see those comments and go: Oh, my goodness, isn't that Democratic nominee terrible? Look at what happened. It was an effort to give, in other words, some sort of validation to the false news stories that they were creating and to spread those false news stories via social media.

We know that Russia used a series of bots—basically, computers—around the world designed to reply automatically on social media and Facebook and to do so in order to make it look like there were more than a thousand—millions of people out there—commenting on how terrible the Democratic nominee was.

So they amplified this message with the goal of causing the algorithms used by companies like Facebook—affecting those algorithms so Facebook would start streaming the false news on their Facebook site. You see that and go: Oh, my goodness, it must be true; it is on Facebook. That was the core strategy the Russians used.

I am not sharing with you anything that is classified. I am also on the Intelligence Committee. All of this is in the public realm, the FBI is investigating not whether all that took place—they continue to look to see what else there is and the details of that—but whether there was coordination or collusion with the Trump campaign in how they did this.

Let's be clear. The investigation is not concluded. We don't know the answer. We don't know if the Trump campaign coordinated with the Russians. But let's also be clear about this: Anyone on that campaign who collaborated with the Russians to affect the outcome of the U.S. elections has committed a treasonous act.

So we have this cloud of this investigation over us right now. We find out in a few weeks if there were treasonous acts that completely delegitimize the election that put Donald Trump in the Oval Office. Will we find that? We don't know. We don't know the answer to that.

What we do know is that we have a risk of being in a situation where a swing vote on the Supreme Court is coming from a team that is being investigated. Let's get to the bottom of that and, therefore, know whether there is an issue of illegitimacy before we complete this conversation about filling this Supreme Court seat.

There is an enormous amount of evidence that the Trump campaign was familiar with the efforts of a foreign power to alter the outcome of the election. The names have come up with the press. Paul Manafort, Michael Flynn, Roger Stone, and other figures in the Trump orbit are under scrutiny for that—several of them. The communications have been articulated where and how, and that cloud is very real.

We had the unusual event a week ago Monday in which the Director of the FBI came here to Capitol Hill to talk to the House and to say that it is not normal to confirm that our investigations are under way but that he thought, under this circumstance, it was appropriate that he do so.

So those are the three big issues that we are facing. It is why every Senator who values this institution, each Senator who has pondered their responsibility under advice and consent and the theft of the Supreme Court seat last year recognizes that the administration is under a big cloud and that cloud has not been resolved in terms of the legitimacy of the election or whether there was collusion with a foreign power.

I said that if there was collusion, it was a traitorous act. Here is why. Attacking the integrity of our elections, as Russia did, is an act of war on the United States of America. It is attacking the fundamental institutions of our democracy, of our democratic Republic. We must never let this happen again. We must work with other democratic republics to make sure that Russia isn't able to do it in other countries, which we know they are attempting to do in other elections. But we should absolutely get to the bottom of it before this Chamber takes a vote on whether to close this debate or before it takes a vote on whether to confirm the Justice.

So that is the very broad presentation of the three big reasons we should pull the plug on this nomination or at least put it in deep freeze until such a time as the Russia investigation is completed. And we have already considered Merrick Garland. That is what we should do.

I am going to spend considerable time going into more detail about these three issues because in my time in the Senate, there has not been an issue that has had such grave consequences for the integrity of our Nation, the integrity of our Senate, the integrity of the Supreme Court, and, quite frankly, the integrity of the Presidency, as well. It affects all three branches because this crime of stealing a seat couldn't be completed without the direct involvement of the executive branch's nominating Neil Gorsuch. So I will go back over each of these in much greater detail.

I was pondering why I feel so strongly about this—apart from the reasons I have already laid out—and it is that for generations to come, this Chamber will be compromised. For generations to come, the Supreme Court will be compromised. If we act together, if we hit the pause button, perhaps we can prevent that.

So I feel more compelled to be here, to raise my voice, and to call for those who care about our Nation to stop the insanity of this judicial nomination discussion here on the floor of the Senate. That is why I am going to go on for some time exploring this.

I think back to when I came here in 2009. When I came to the Senate, my memories were of the Senate from the 1970's and 1980's, which now makes me really an old guy. I was able to come here as a 19-year-old, as an intern for Senator Hatfield. At that point in time, there wasn't a camera on the floor of the Senate and there wasn't email, and it wasn't easy to get a document across Capitol Hill in a short time. Interns were put to work running paperwork around the Hill. But I will tell you that the institution was in a very different place.

So I came here. I was the third of three interns to arrive that summer of 1976, our bicentennial summer. The most recent intern is put to work opening the mail each morning.

So I came in early. We had about 100 letters in envelopes. You would run them through a machine that sliced the envelopes opened. You would stack up all the letters, start going through them, and say: This one is on this topic, and this goes to this legislative correspondent. This one is on this topic, and it goes to that legislative correspondent. I think there were three or four in the office of Senator Hatfield. You would go through those 100 letters and put them on the desk of the legislative correspondent.

Those correspondents had the newly developed electronic memory typewriters. They had written paragraphs to respond to different topics, and they would mark on the letter the different paragraphs that should go here. This is the introductory paragraph we will use. We need to address this issue in this letter and use paragraph 56 from the memory bank, and we use number 84 to address another issue.

Then, those letters, all marked up, would go to the typing team that would run those memory typewriters, and get responses out before the day was over. I saw a lot of it that summer. It was possible to actually get mail to come directly in because we didn't worry about white powder being inside the envelopes.

Now if you write an actual physical letter to a Senator in this Chamber, it goes through a warehouse. It goes through a warehouse where they have to examine it and check it for poisons before it can be delivered to Capitol Hill. It will take weeks. People knowing this often choose to write by email. So a lot of the mail—most of the mail—comes in electronically.

But that summer, one of the legislative assistants was leaving for an extended period for a vacation in South America. He was looking to have someone take over the Tax Reform Act of 1976. I was asked to take over working on that act. So what that involved was that you would look at all the mail that came in on that tax topic. You would research those issues and you would draft responses. Those draft responses would go up and be approved or modified by the legislative director and by the Senator. Then you would make sure those got into the database and people got their questions answered.

I learned a lot about taxes that summer of 1976. I must say, when I was

first asked to work on taxes, I was kind of disappointed because I thought: Well, it will be really interesting to work on education; it will be really interesting to work on healthcare; it will be really interesting to work on the environment; it will be really interesting to work on jobs policy. Taxes? Not so interesting.

So the next few days, as I threw myself into responding, drafting responses to these issues being raised in letters, I was transformed in my opinion about working on tax issues because the taxes affect everything in our body of law. Taxes have environmental consequences, or they may be an environmental incentive, such as the provisions we have in the Tax Code to encourage people to insulate their homes or to drive a non-fossil-fuel burning car. They affect health, such as the provisions we have in the Tax Code that proceed to say that if your employer provides health insurance, it is not considered taxable income. It affects job incentives. It affects everything.

There were farmers writing in about tax issues that were being raised. There were teachers writing in. The teachers were concerned that there was a home office deduction that was on the chopping block. What this means is if you used a bedroom in your home or a study in your home as your office to work as an elementary teacher or a high school teacher, you could deduct the cost or the value of that portion of your house as a work expense.

Well, often, when there is an opportunity like that, some people expand the definition of the office to a point in which it is ridiculous, and there were some individuals who were saying: Well, now my entire home is my office. I will deduct the entire cost of my home, which was never the intention.

But teachers were concerned that, in the course of correcting that, that they might lose the deduction that was a legitimate work expense. There are dozens and dozens of these things. So the bill happened to come up on the floor of the Senate, in this Chamber right here. Because I was working that bill, I was assigned to come over and follow the debate. I was up in the seats up above. We considered amendment after amendment after amendment. Now, there was no negotiation between the two sides over what amendment would come up next.

Once one amendment was finished, there would be a group of Senators trying to get the attention of the Presiding Officer. Whoever got that attention first, whoever was fastest or loudest and was called on, their amendment was next. They presented it, and the staff hovered around following it and tried to get a copy of it and tried to analyze it. Then we would run down when the vote was called and meet our respective Senators coming out of those elevators that are just through those doors right there—those beautiful double doors of the Senate.

I would stand there, and out would come Senator Church, and out would come Senator Goldwater, and out would come Senator Humphrey, and out would come Senator Kennedy and Senator Inouye, and then my Senator could come out. I would say: OK, here is the story. Here is the amendment. Here is what it does. Here is what people have said about it. He would come in here and vote.

That was a very lucky set of circumstances that I had, but it allowed me to sit up in the Chamber and watch this Senate. You did not have a cloture petition on anything—a cloture petition meaning a petition to close debate. Now, there was mutual respect. There was a determination of this body to give people a chance to say what they wanted to say, but very rarely did people go on at length, and more rare than that would be a case where a petition was filed to shut down debate.

You know, the principle, the idea that originated with our original Senate, was that there is time for everyone to make their views known to each other so we can benefit from their insights, so that we can benefit from their life experience, and then we can make the decision. So it was a mutual courtesy among Senators at the very start of our democratic Republic. I saw that courtesy here on the floor as an intern 41 years ago.

What a difference it is today, where today, for the first time in U.S. history, the majority filed a petition to shut down debate on the first day of a debate over a U.S. Supreme Court seat, under circumstances that are more complex and more disturbing than virtually any circumstances we have seen in more than 200 years over the nomination of a Supreme Court justice.

It is the first time in U.S. history that a nominee in an election year was not accorded any consideration, the first time a seat was stolen, perhaps the first time that a cloud hung over a nominating President—President Trump and his team—because of the way the campaign was conducted and the possible collaboration with Russians. Certainly, it one of the first times.

Since the analysts have found that the views of Neil Gorsuch are to the extraordinary far right, that too adds a certain change from the tradition of the supermajority of the President nominating from the judicial mainstream.

So we have these complex sets of circumstances that should be thoroughly vetted. This should be a situation where no Member of this Chamber would even think about filing a petition to close debate and would not even consider the possibility of trying to cut off debate.

Debate has gone on for Supreme Court folks for weeks and weeks and weeks without a petition being filed. Sometimes, that nominee was confirmed and sometimes the nomination was withdrawn, and in the course of it, the American people learned a great deal, and they were riveted to that conversation.

But this time, the majority said that 200 years of history—that 200 years of developed comity here in the Senate Chamber, the traditions that were still here when I was an intern 4 decades ago—we are going to wipe that away. Well, that is a great concern. After I was here for a summer, I was very intrigued by the beauty of what we do on Capitol Hill, the profoundness of what we do on Capitol Hill.

We can make a policy that can destroy home ownership for literally millions of families, or we can make a policy that creates the opportunity of fair home ownership for millions of families. That is the power of the discussions that take place on this floor of the Senate, of this Chamber, and the Chamber on the other side of Capitol Hill.

So, during that summer, I was wrestling with a question, and that question was: My talents are in math and science. But is there a way to pursue a career dedicated to making the world a better place? Is there a way to actually pursue public policy as a career? I didn't know the answer to that question. I went back to college for 1 trimester out in California.

At the end of that trimester, President Carter was going to be inaugurated in January of 1977. I thought: You know, it will be very interesting to see what a new President does. Let's see what policies he puts forward, how he builds his Executive team, how he delivers his ideas to Capitol Hill, how he works with Capitol Hill.

So in January, I took a Greyhound bus across the Nation. I arrived here and proceeded to work on a variety of internships while also waiting tables and washing dishes. I worked as a hotel desk clerk up on 14th Street on Thomas Circle. I worked washing dishes and waiting tables for a Lums Restaurant, which is kind of a sit-down hamburger joint.

But it was all so I could be here and see the magic of public policy and the work done that could affect millions of lives here in this Chamber, the work done on the far side of Capitol Hill that would affect millions of families—to the better or to the worse. In the course of that year, I interned for a group called New Directions. It was an environmental nonprofit working on the Law of the Sea.

There was a question on the outside of our territorial boundaries: Will the nations cooperate so that we don't destroy the resources in the international space of the oceans? How far should our national space extend? How do we write those rules so that our Continental Shelf is clearly under our control? These are the sorts of questions considered. That treaty, the Law of the Sea Treaty, has never made it here to Capitol Hill. Every time there is a new Presidency coming in, someone says: Hey, remember that treaty

from four decades ago? It might really strengthen U.S. control of our offshore areas, and maybe we should bring it up for discussion. It still hasn't been discussed here.

But I also went door to door for a group called Virginia Consumer Congress. They were working to create attention to consumer protection issues in the State capitol in Virginia. They would go door to door. They would have a team go door to door. You would proceed to explain the issue that you were working on—the bill you were working on, that the organization was working on—and ask ordinary citizens to sign a petition in support of that bill being considered at the State capitol.

You would ask: Would you like to support the work of this organization so we can keep doing it? If they made a donation, that helped strengthen the organization. This was the model that became the Public Interest Research Group model, or the PIRG model.

Specifically, the issue we were working on as we went door to door was to say: We can save consumers a huge amount of money if we can simply implement peak-load pricing.

Now, what is peak-load pricing? What it means is that you have a meter so that when there is a huge demand for electricity, it charges a higher price. By so doing, it alerts the consumer: Hey, don't use electricity now; use it at another time.

Now, why would that save consumers millions of dollars? Well, here is why. The electric power company wanted to build a nuclear powerplant to meet just the peak load. So they wanted to build a very, very expensive nuclear powerplant, which they would then charge all the utility customers for, and a lot of utilities—it is kind of written in the law—receive an automatic 8-percent return on whatever they invest. So there is an incentive for them to invest more. The more they invest, the bigger their revenue stream is. That revenue stream is paid for by the citizens who buy electricity.

So few could convince the utility, instead of building a nuclear powerplant, to put in meters that would tell people: Hey, don't use your dryer now because it is more expensive, and shift that peak load. Then everybody benefitted. You did not have to have the risk of a nuclear powerplant.

At that point we had a lot of concerns. We had had a lot of difficulties in some of our plants with near meltdowns. The idea that you could have a radioactive cloud or a China syndrome occur somewhere near a metropolitan area was a very scary thing. So you simultaneously greatly improved public safety while saving people a huge amount of money.

So that is what we were petitioning people for door to door. It was my first introduction to a legislative process that was happening outside the national legislative process. I must say, when you go to door to door, you have so many interesting experiences. You never know what is going to happen when you walk through that door and start to explain to people what you are fighting for and they start sharing their stories.

The president of the board of VEPCO, Virginia Electric Power Company—I went to his and his wife's house. I did not know it was their house at the time—a huge, huge house in suburban Virginia. The wife greeted me. She talked with me about these issues. She said: You know, my husband is president of the board of VEPCO, but, as to the issues you are raising, I never hear them raising those issues, and these are good points you are making. So I want to buy the Virginia Consumer Congress newsletter. It was a $15 donation. That was the biggest donation at the door I ever had while I was working there. There were many, many other conversations.

But the reason I came back to be here for those first 9 months of the Carter administration was to continue to see: How does Capitol Hill work? How do nonprofit advocacy groups work? How does a new administration work? How does the Senate work? The Senate was so near and dear to my heart after the internship with Senator Hatfield.

In the course of that year, I came to believe that there was a path to work on public policy. Specifically, I decided to work on third-world economic development. Part of the reason that I choose that area was that, when I was in high school, I had a chance to be an AFS exchange student in Ghana, West Africa. There were only six exchange students sent to Africa outside of apartheid South Africa.

Of those six, five went to cities and one went to a modest town with a family of very modest means. I was the student who was sent to that very modest town to the family of modest means. The experience was such that I was surrounded by people barely able to afford to eat or sometimes not able to afford to eat.

My host family was middle class. My host father was a schoolteacher, and my host mother was also a schoolteacher. One was in a public school, and one was in a private school. Because of the connection to the public school, my host father, who, if I recall right, had a sixth grade or ninth grade education—that was enough to be a teacher because they didn't have enough people who were high school graduates or college graduates.

He was afforded a government-built house that had three concrete rooms and screens over the windows to keep out the mosquitoes. There was electricity in the house, an outlet. The family had one appliance, and that appliance was an iron to iron clothes. Every night, my host father would take the clothing that had been washed that day and he would iron the clothing. Nobody else could touch that iron because that was an incredibly valued appliance.

They had one other thing that was considered a real amazing thing for a family to have, and that was a bicycle. They had a bicycle. I wanted to borrow the bicycle to go outside this town and visit some very tiny villages. My host father was so afraid that I was going to break this bicycle, that I wasn't going to be careful, that I was going to go through potholes, that I was going to dent the rim, because it was such a valued commodity to the family.

I decided in college, after my time here in 1976 and 1977, that I would work on economic development overseas because I had seen the families who surrounded my host family often earning just a dollar a day and trying to feed a family of six or seven. The children couldn't go to school because they had to go down to the main street, running through town to try to sell things through the windows. The only way for the family to eat was for every child to be working.

(Mr. ROUNDS assumed the Chair.)

Well, I tell you this because it is all tied in to how I view the sanctity of this room, this Senate Chamber, because the events that were to transpire unexpectedly brought me back to Capitol Hill after graduate school.

I pursued that path of working on third-world economic development, and I thought I was going to spend my life overseas. When I graduated from college, I was hired for a job to work for the United Nations in the Philippines. My job was going to be going throughout the region to evaluate U.N. development projects. What a perfect position, to be able to be in multiple countries—it would have been in Malaysia, the Philippines, Vietnam, a whole host of nations—to evaluate projects on the ground, giving reports on what was working and what was not working and why. It was a 2-year post. I was so excited about doing this. It just seemed like all life had come together. I was going to have a job after I got out of college, and I could start repaying those student loans. I felt like I was landing on my feet.

I went down to the organization, the nonprofit at my university that would set up these jobs. The individual who ran it said: Jeff, come here. I have a letter for you to read.

The letter said: The United Nations has just eliminated the position to evaluate those projects in the Philippines. So suddenly, before I ever got on the plane, my job was gone. I didn't get to go. Again, I was very worried. Well, what am I going to do after I graduate?

I proceeded to go down to Mexico and work in a village with the American Friends Service Committee. Then I went to New York and worked an internship with the Carnegie Endowment for International Peace. I worked on a variety of international issues. Then I decided to join a friend, and we went and bought the cheapest bus available from California to Costa Rica. We proceeded to go through country after

country—Mexico and Guatemala, Honduras. We bypassed El Salvador. We got off the Pan-American Highway because in Salvador, in 1980, people were being pulled off of the buses and shot. The other nations were in turmoil. It was the year after the Sandinista Revolution in Nicaragua.

In Guatemala, there was an army group who was going from village to village killing the young men. There was a war between one group and another group. There was a lot of chaos there. But we went all the way through to Costa Rica. Then I worked in a village again on an environmental project. I had a chance to work in India.

I expected the whole time that I was going to be going overseas for my life. You never know what door is going to close and what door is going to open.

After I got out of graduate school and was ready to go fulfill this vision that I developed back in 1977 when I extended my stay here in DC and was doing these internships, I was at the World Bank. I was hired at the World Bank, but I didn't want to be at the World Bank for long doing mathematical modeling. I was doing the shadow pricing of petroleum products.

If that doesn't sound very interesting, well, it kind of is, actually, if you love how numbers can give you a vision of what is going on and how the imports and exports of oil products were right or wrong and expensive. By understanding shadow pricing, you could understand the challenges various developing nations faced. Still, it was working with mathematical formulas and data here in DC, and I wanted to be in the field. So I was preparing to go to southern Africa, where I had not been. In that preparation, I was also applying for a Presidential fellowship in foreign relations. One of those openings was at the Office of the Secretary of Defense.

Each year, the Office of the Secretary of Defense would have 5 openings for Presidential management fellows, and there were 12 finalists for this. They called us in, and they had this big kind of arc of the high-ranking folks, civilian and uniform, from the team of the Secretary of Defense. Then they had a chair in kind of the middle of that arc. I just remember thinking it felt like we were going to be interrogated, and it was kind of an interrogation.

This is the first question I was asked: We see here that you interned for Senator Hatfield, and he votes against all of the defense appropriations. You worked for the American Friends Service Committee. They are an arm of the Quaker Church, and the Quaker Church has a peace testimony. Why would we ever hire you here in the Office of the Secretary of Defense?

I thought that was a very good question. I was kind of surprised that I was a finalist for a position, but I responded that national security is so much broader than simply military money, that it involves an understanding of culture, an understanding of history, an understanding of economic dynamics, an understanding of the things that trigger dissent and how it might be responded to, an understanding of alliances, and that all these things put together enable us to have a foreign policy that is part and parcel of our national security. Well, I probably said a more complex version of that, but that was the gist of it, and they hired me.

The reason I took that job rather than heading off to Africa was because at that moment, the biggest threat to the world was nuclear power—not nuclear power electricity but nuclear weaponry, atom bombs. The fact is that we were concerned that there might be a nuclear war that would destroy the planet as we knew it—certainly destroy the Soviet Union and the United States. Since that was the biggest threat to the world, I felt compelled to pivot from third-world poverty to work on nuclear weapon policy, and I did that through the 1980s, first for the Secretary of Defense and then for Congress, which now completes why I was telling you that story, because that brought me back to be in regular contact with this Senate, with this Chamber, with the folks who work here, who are trying to figure their way through a series of difficult issues involving nuclear weapons.

Outside of this Chamber, in the path walking between the Russell Office Building, a curved path, and coming into the outside doors that are outside of these double Senate doors, there is a tree. That tree is known as the peace tree. It is directly connected to the work that was being done in this Chamber on nuclear weapon policy.

Senator Hatfield and Senator Kennedy were working together. A Republican and a Democrat were working together to try to address the risk of nuclear weapons. Well, in 1985, there was an intern walking with Senator Hatfield. He liked to walk outside on that curved path back to the Russell Office Building. It is a path on which I have had the chance to walk with him a number of times. He talked about the different trees along the way. I remember in particular his lecture on the ginkgo tree. There are several ginkgo trees out there between here and the Russell Office Building.

I was relaying this to a 1985 intern of Senator Hatfield's named Sean O'Hollaren. Sean said: You know, I had those same walks with Senator Hatfield, and he gave me the same stories about the tree. He was interested in that.

Sean O'Hollaren said to Senator Hatfield—Sean O'Hollaren obviously was much quicker to seize the moment. It never even occurred to me. He said: Senator Hatfield, you love these trees so much, why don't you plant one?

Senator Hatfield said: Sean, that will be your intern project.

So Sean worked on that.

Senator Hatfield wanted to plant a tree that doesn't fit the Olmsted plan for the landscaping of the Capitol. The problem is that the Olmsteds, who had designed Central Park and Forest Park in Oregon and much of the DC landscape here on the Capitol grounds, had in mind broadleaf trees, not the type of tree Senator Hatfield wanted to plant.

What did he want to plant? There is a very interesting story here because in the Pacific Northwest—of course Oregon is part of the Pacific Northwest—there used to grow millions and millions of a cousin of the grand sequoia and the coastal redwoods. This cousin was different in that it lost its needles during the winter. It went extinct. It was out-competed by the cedars and the Douglas firs and the regular redwoods and so on and so forth. It went extinct, but its fossils are everywhere in the Northwest.

How could Senator Hatfield plant this tree when it had been extinct for millions of years in North America? He could plant it because in the late 1940s, a small grove was found in China of this particular tree—the only place on the planet where it still existed. So he arranged to get one of those trees. He was going to plant it there.

At that moment, as they were getting ready to plant, his team saw Senator Kennedy's team and said: Senator Kennedy, you should come out and join Senator Hatfield.

They went out by this walkway between here and Russell. Senator Kennedy said: In honor of the work we are doing together, this bipartisan work on nuclear weapons, this should be known as the peace tree.

They were working on the zero option, the nuclear freeze movement—let's not add any more nuclear weapons to the world; they are already dangerous enough. They did a lot of work on nuclear weapons, and I must say I was reminded of it.

When I came here, John Kerry and Dick Lugar—a Republican and a Democrat—were working on New START together. They considered that treaty here on the floor of the Senate, but it became much more difficult now than then to have this sort of bipartisanship work.

At any rate, please take a walk, if you are here in DC and on the grounds of the Capitol, and take a look at that peace tree. That peace tree is just on the verge of becoming the tallest tree on the grounds. It is now 32 years old. Let's hope that as it becomes the tallest tree, it will have kind of a Biblical influence and bring more peace to a world in desperate need of it.

We need more of that peace tree influence here in this Chamber. That influence is sorely lacking. The type of cooperation between Democrats and Republicans that existed doesn't exist today, and we are here at this very moment on a tragic course to destroy the centuries-old tradition of a 60-vote, bipartisan majority to proceed to approve a nominee to the Supreme Court.

That tradition ensures that Presidents don't nominate extremists and hopefully ensures that the folks who serve will serve the Constitution, the ''We the People'' Constitution, not some ideological extreme to the right or to the left.

So I want to go back to the core premises of why I am here tonight talking to the Chamber, sharing these thoughts with all those who are watching the Chamber, and that is we must recapture the type of cooperation and bipartisanship that made this Chamber able to address the problems facing America. Mahatma Gandhi said that to simply operate by the premise of an ''eye for an eye only . . . [makes] the whole world blind.'' Well, if we operate on the premise of the Senate that we are never going to work together to solve problems because we are of different parties or a different party than the President, and we want to make sure the President doesn't get any credit for having helped improve a situation, then all of us suffer from the broken existing policies, the dysfunction of existing policies, the poison of the superpartisanship.

Let's go back to the basic premises that we need to address—the three premises. The first is that this seat is a stolen seat—and if we could put up the chart with the nine Justices. Here is the story in a nutshell: 16 times in our history there was an open seat during an election year, 15 times the Senate acted, 12 of those times they confirmed the Justice, and 3 of those they rejected the Justice. But the point is, in 15 out of 15 times before Antonin Scalia died and Merrick Garland was nominated by President Obama, the Senate acted. Here are nine of those. These are the nominations that occurred, like Merrick Garland's, in which the vacancy and the nominations occurred before the election. So they are most similar to the situation of Merrick Garland.

Then there were another seven under more difficult circumstances where the nomination did not occur until after the election, and the Senate had very little time in which to vet and make a decision, but they did make a decision in each and every case until last year, when the majority said: We will not consider the President's nominee. We will not hold a hearing, we will not hold a vote, we will discourage folks from even talking to him, and we will not exercise our advice and consent responsibility. That is the first big issue.

The second big issue is that the nominee himself is from the extreme right. There is a chart that shows—and we don't have it with us; maybe we will have it later tonight. There is a chart that shows the distribution of decisions, and it has basically two curves with a big kind of bell curve with a big gap in between. So it goes up, it comes down, and it goes up and it comes down, and it reflects the ideological division of the Court from decisions they have made. On this chart the folks analyzing these decisions said: Where would Neil Gorsuch be? Would he be in the ''we the people'' bell curve of decision making? Would he be in the ''we the privileged and powerful'' bell curve? They found that not only would he be in the ''we the powerful'' bell curve, but his position on the curve would be to the far right of the curve.

I mentioned earlier the analysis by the Washington Post. This is an individual who was rated by the professional analysts as being more conservative than anyone who serves on the Court. I went through a series of cases, and I will be going through them again as the night wears on, in which he twisted the law to find for the powerful over the individual time and time and time again. Someone who is way outside the judicial mainstream and who twists the law to find for the powerful over the people doesn't belong in the Supreme Court of America. So that is the second big problem.

The third big problem is that the President's team is under investigation for collaborating with the Russians interfering in our November general election. This is a very serious question. There is a very dark cloud over the legitimacy of the election and therefore the legitimacy of this President. If President Trump worked to conspire with the Russians or his team conspired with the Russians at his direction or his knowledge, that is traitorous conduct because the Russians attacked the fundamental institutions of our country. Trying to delegitimize and change the outcome of our election and conspiring with a foreign power to attack the foundation of our Democratic Republic—that is traitorous conduct. We have to get to the bottom of it, and we shouldn't be considering on this floor a nominee under that set of circumstances. Let's complete the investigation, find out what went on, and if the cloud clears, then we can proceed.

So those are the three substantial issues for why we should not be here considering this nominee.

The stories I was sharing with you about how I first came to the Senate as an intern for Senator Hatfield and then came back to Capitol Hill working for a think tank sponsored by Congress, the Congressional Budget Office—my responsibility was to analyze the impacts of various potential strategies in the development and deployment of our strategic triad, our nuclear triad. We have air-delivered and ballistic missiles, land-based ballistic missile delivered weapons, and marine weapons—that is the triad. That was my job, to consider the implications of the path we might go to. What were the budgetary implications, what were the performance implications, what were the implications for deterrence or the circumstances that might trigger a nuclear war. So I was back here on Capitol Hill in that capacity. What I saw was a Senate fundamentally different than the one we have today.

I was reminded of this when, back in 2013, I was working to bring a bill to the floor called the Employment Nondiscrimination Act. This is an act that Senator Ted Kennedy had sponsored, and if I recall right, it was first sponsored in 1994. Then, 2 years later—I believe it was in 1996—it was considered on the floor of the Senate, and it lost by one vote. It lost 50 to 49. The Senator who was missing, it was believed, would have voted for it, and the Vice President breaking the tie would have voted for it, but people felt, well, it will be back up before the Senate soon enough.

The point here is that the vote was a simple majority in that setting, and the filibuster was reserved for very rare circumstances. This happened to be a bill related to ending discrimination for our LGBT community in employment, and anything involving what some may construe as a social issue is one that many people have politicized greatly. This was simply an issue of fairness in employment, but nobody required a simple majority to close debate. They reserved the simple majority for profound principles. It was so that this body can function because it was primarily a simple-majority organization.

When I was covering the Tax Act of 1976, the issues on these amendments came up one after another—what seemed like every hour—were simple-majority votes with a lot of bipartisan cooperation. We have become so polarized, we have become so divided, and this nomination and this hearing right now are going to reverberate through the decades to come as the lowest point, the biggest failure of this institution. We do have the power to prevent that from happening because we haven't yet voted on closing debate. Yet we have just a short period of time to set this nomination aside.

Set it aside. Tell the President we need to heal this institution and the Court by nominating Merrick Garland. Set it aside because the nominee, Neil Gorsuch, is from the radical rightwing fringe, out of the tradition of having mainstream Justices. Set it aside because there is an enormous cloud over President Trump as to whether he is a legitimate President, given the investigations into the conspiracy with Russia. For all those reasons, set it aside.

Also set it aside because never before has a majority leader tried to shut down this debate with a petition to close debate on the very first day. It takes 2 days for that petition to ripen. There are folks who have said that almost never is a Supreme Court nominee filibustered. Well, it gets a little confusing because what does filibuster mean? Does it mean deliberation at length? In this case, we have had a lot of nominees filibustered because they have been deliberated at length. Does it mean that we vote on a petition to close debate? Well, that really changes the analysis because we have rarely had a petition to close debate on a Supreme Court nominee, and we have never had a petition to close debate filed on the first day of debate because

of the mutual respect that all the voices would be heard, and with someone who was controversial enough for people to want to talk for days and days and days, this body heard them out. The American people heard that conversation and responded to it, and trends developed. People said: Do you know what? No, this person really is suitable. And they were confirmed. Sometimes they were withdrawn by a President. The point is, in rare cases was a petition filed to close debate. Yet here we have for the first time in U.S. history—it just happened a couple hours ago—shutting down the debate as fast as they can. That is the opposite of a deliberative body.

When I was back here as an intern, we had that age-old saying about the Senate being the world's greatest deliberative body. I saw that body. I saw people here on the floor talking to each other, listening to each other, holding a debate, voting on amendments and immediately going to the next amendment.

I remember on one occasion—I mentioned that once an amendment was done, there wasn't another one negotiated between the Democrats and Republicans, so there were long periods of silence, the way we operate now. No, it was the next person recognized by the Chair, and the Chair heard a lot of people at once, probably working to send one amendment to the left side of the Chamber and one to the right side of the Chamber, one to a senior Member, maybe one to a more junior Member, but eventually, because of the expeditious consideration, everyone got to have their idea considered and pretty much voted on by a simple majority.

How different that is from what is happening right now at this moment in this Chamber when we are at the very peak of pointed partisanship coming from my colleagues across the aisle. They have stolen a seat for the first time in U.S. history. They have proceeded to put it on the floor and, for the first time in history, they have filed immediately a petition to close debate. Every 5-to-4 vote from here on until who knows when—our children's children—will be looked at, and people will ask: Is this a decision because of the stolen seat? Would this have been a ''we the people'' decision rather than a ''we the powerful'' if not for that stolen seat? That is a huge erosion of the legitimacy of the Court.

Do Members of this Chamber really want to do that kind of profound damage? They will do that profound damage if the current direction continues over the next couple of days, and that is a place in which I do not want us to be. Therefore, this is kind of my own, personal protest of where we have come, and it is my own request that we change direction. I plan to keep speaking for quite a while longer, as long as I am able. That will, hopefully, be, at least, a couple of more hours. I am going to go into more depth about these issues that I have laid out, and I am going to start by going through each piece in a lot more detail.

Where do we start?

This journey began with Justice Scalia's death on February 13, which was a little over a year ago. Then it was a month later that the President fulfilled his responsibility under the Constitution and nominated Merrick Garland. There were still 10 months left in the administration at that time.

Earlier, I heard the majority leader say that no one has ever filibustered a Supreme Court nominee. That is not quite true. There have been some filibusters, more or less, if I can find them. Yet what happened last year was a 293-day filibuster of Merrick Garland by my Republican colleagues. It was not just an ordinary filibuster but a special sort of failure to exercise their constitutional responsibility of advice and consent. It was the first time in our history that a nominee was not acted on when the nominee was being considered for a seat that came open during an election year.

There are a few of my colleagues who like to say that the former Vice President, Joe Biden, gave a speech and said—it was theoretical because there was not an open seat—if a seat comes open in the summer of an election year, maybe we should not consider it until the intensity of the campaign has passed, meaning after the election.

We saw earlier, when we put up the chart—and I will put it up again—that there were seats that opened up before an election. On these seats here—these four seats—the vacancies were before the elections. They were in August, May, October, and October. The nominations did not come until after the November elections—in December and February or in December and January. Yet the Senate acted in those situations.

No matter how you slice it, 15 times there have been open seats. Some occurred after the elections, and the Senate acted on the nominees. Some occurred before the elections, but the nominations did not occur until after the elections. The Senate acted in these cases. Then there were another nine cases in which the nominations opened up before the elections.

Biden made the simple point that, if the seat opens in the heat of the summer, before the November election, maybe it would make sense to hold off considering the nominee until after the election. That is completely consistent with our history. My colleagues tried to twist it into something else—as an argument that we should not consider a nominee during an election year. Of course, that is not what Biden said at all. It was not even close.

Let me tell you, when you have to try to find one sentence from 20 years ago from one of the people who has served in the Senate and when that is the only evidence you can find to back up your case, you are not just on thin ice. You have fallen through the ice and into the pond. Your argument is that weak and that terrible. Whenever you hear my colleagues ask: Didn't the Vice President, when he was a Senator, suggest a theory that we should not consider a nominee during the heat of the campaign right before an election? Yes, he said you should wait until after the heat of the campaign. It was one sentence, 20 years ago, from one Senator. If your argument is that weak, please try to find some better argument to make.

We are not here considering something of small importance. We are here, considering an issue that has profound consequences for the integrity of the Senate because it is the first time in U.S. history that a Supreme Court seat has been stolen. It has a huge impact on the integrity of the Supreme Court because this is a court-packing scheme. If the Court is packed, it delegitimizes its decisions. Let's not pack the Court. That is why I am here, speaking tonight.

On February 13, the very same day that Antonin Scalia passed away, the majority leader came to the floor and released a statement that read, essentially: We intend to steal this seat.

Here is what Majority Leader MCCONNELL said:

> The American people should have a voice in the selection of their next Supreme Court Justice. Therefore, this vacancy should not be filled until after we have a new President.

He reiterated opposition to any Obama nominee on the day that President Obama fulfilled his constitutional responsibility by standing in the Rose Garden and nominating Merrick Garland. When our majority leader reiterated his opposition, what did he quote? He quoted the one passage that was taken out of context from Biden's speech from 20 years ago.

That was the foundation on which he based a proposition to forgo our responsibility as a Senate to provide advice and consent under the Constitution—one sentence out of context. He turned the meaning on its head of a former Senator from 20 years ago. That is how weak the case was that the majority leader presented for failing to perform our constitutional responsibility. That was how weak the case was that he presented for stealing a Supreme Court seat in a court-packing scheme.

He said to give the people a voice. The American people voted overwhelmingly for Hillary Clinton. She won by more than 3 million votes. She would have won by a lot more if it were not for voter suppression. We have one party that generally believes in voter empowerment—that the foundation is ''we the people'' and that part of citizenship is to vote. We have one party that has resorted to trying to prevent people from voting—voter suppression, gerrymandering, changing the shape of a district to deprive people of having a voice here in Congress, changing the dates in which early voting can occur so that people have less of an opportunity to vote, changing the locations of precincts, which is where your voting takes place.

Some of the voter suppression tactics involve things that are just misinformation—false information—and telling people that the vote has already occurred or the location has been moved when it has not or that the votes are going to close earlier than they are actually scheduled to close—or a whole host of things.

The majority leader said to give the people a voice. The people voted overwhelmingly for Hillary Clinton. So it would follow that the majority leader would come to this floor and say: The people voted overwhelmingly, by 3 million votes, and it would have been a lot more. So we will now consider Merrick Garland because he was the nominee from a Democratic President—the seat he stole. The people have spoken. The majority has said that we do not want the Republican, that we want the Democrat. So we will go ahead and hear the Democratic nominee, and we will vet and vote on Merrick Garland.

But it is a funny thing in that that did not happen because the goal was not to give people a voice. The goal was to steal the seat and deliver it to a Republican President who would nominate someone from the extreme right and pack the Court, undermining ''we the people'' in favor of ''we the powerful and the privileged.''

The Democrats did not politicize the Court. The Republicans politicized the Court. The American people did have a voice in Garland's nomination. They had a voice by their voting twice for President Obama. Throughout our entire history, the Senate has considered the nominee from the President in power, when the vacancy occurs—even when it is an election year—because that is what the Constitution tells us to do—not to steal the seat, not to pack the Court.

This politicization, this gamesmanship, this hypocrisy is so extreme and so dangerous. I heard that some of my colleagues were asked if they would want their election year rule to apply to President Trump—that he could not fill a seat that would come open in the fourth year of his Presidency. That was the principle they advocated for last year. Their answer was no because there was no principle to the position. It was a warfare tactic of partisanship to pack the Court. It was the end justifies the means even if the means violates the core premise of the Constitution and does deep damage to the Senate and does deep damage to the Court.

Just this past Sunday, while speaking to Chuck Todd on ''Meet the Press,'' the majority leader began to walk back his past statements that a Supreme Court vacancy should not be filled in an election year.

Todd asked:

Should that be the policy going forward? Are you prepared to pass a resolution that says: In election years, any Supreme Court vacancy will not be filled, and let it be a sense of the Senate resolution that no Supreme Court nominations will be considered in an even numbered year?

The majority leader responded:

That is an absurd question.

Why is it an absurd question given that it is the principle that election year nominations should go to the next President? I will tell you why it is absurd. It is absurd because it is contrary to the Constitution.

MITCH MCCONNELL, the majority leader—my majority leader, the majority leader of the Senate, the top person in charge—was right when he said it was absurd because, of course, we should not abandon our constitutional responsibilities. It is an absurd argument to make today, and it was an absurd argument when he made it last year. If it were only absurd and not deeply damaging, then we could all perhaps not be so deeply, deeply concerned about the situation.

Merrick Garland's record. Judge Garland had more Federal judiciary experience than any Supreme Court nominee in our Nation's history. So the nominee put forward by President Obama had more Federal judiciary experience than any nominee in our Nation's history. He graduated summa cum laude and valedictorian from Harvard College.

After graduating, he clerked for Judge Henry J. Friendly in the U.S. Court of Appeals for the Second Circuit. He clerked for Justice William Brennan, Jr., in the U.S. Supreme Court. He was in private practice at Arnold & Porter, focusing on litigation and pro bono representation of disadvantaged Americans. He left his partnership for a low-level prosecutor position in the administration of George H.W. Bush.

In 1993, Merrick Garland went to the Justice Department as Deputy Assistant Attorney General in the criminal division, and that is where he oversaw prosecutions in the Oklahoma City bombing, helping bring Timothy McVeigh to justice. He helped oversee prosecutions in the case against Ted Kaczynski, the Unabomber, and the Olympics bombing committed by Eric Robert Rudolph that killed 1 person and injured 111.

He made a name for himself in these cases by being a strictly by-the-book prosecutor. He insisted on obtaining subpoenas, even when companies volunteered to hand over evidence. He insisted on keeping victims and relatives informed as the cases developed. He served for 19 years on the DC Circuit Court.

That is a lot of experience. And all that happened before he was nominated by President Bill Clinton in 1995 for the DC Circuit Court.

He received a confirmation hearing in the Senate Judiciary Committee in December of that year, but Republicans did not schedule a floor vote on his confirmation because of a dispute over whether to fill the seat. So President Clinton renominated Merrick Garland for the circuit court on January 7, 1997, and he was confirmed on the Senate floor by a vote of 76 to 23 that year, in March.

At the time of the consideration of Merrick Garland on the floor, my colleague from Utah, Senator HATCH, had very flattering things to say about Merrick Garland. He said:

To my knowledge, no one, absolutely no one, disputes the following: Merrick B. Garland is highly qualified to sit on the D.C. circuit. His intelligence and his scholarship cannot be questioned.

He continued:

I do not think there is a legitimate argument against Mr. Garland's nomination, and I hope our colleagues will vote to confirm him today.

Then he said:

In all honesty, I would like to see one person come to this floor and say one reason why Merrick Garland doesn't deserve this position.

The Senator went on to suggest that his colleagues who were blocking the confirmation vote were trying to obstruct his confirmation and were ''playing politics with judges.''

I so respect the statement that my colleague from Utah made in 1995, admonishing his colleagues to quit playing politics with judges.

But what has happened between 1995 and 2017, over these last 22 years? A huge amplification of playing politics to the point that when Merrick Garland came back before this body, only a couple of Republicans were willing to stand up and say: Let's quit playing politics. And they were quickly silenced.

During his 2005 confirmation hearing, Chief Justice John Roberts remarked about serving on the Circuit Court with Merrick Garland: ''Any time Judge Garland disagrees, you know you are in a difficult area.''

So here is the Chief Justice, considered one of the conservatives on the Court, who is saying that if you disagree with Merrick Garland, you are in a difficult area. You have to go and figure out why you would disagree because he is so good at working his way through the law and coming to a position of calling the balls and strikes.

That is the type of respect there was for Merrick Garland. And this respect and admiration continued right up to his official nomination on March 11, 2016. Five days before his nomination, my Senate colleague—my colleague from Utah—told a reporter that if President Obama named Judge Garland, ''who is a fine man,'' to fill Scalia's seat, he would be a ''consensus nominee,'' and there would be no question of his receiving a bipartisan confirmation—five days before the President nominated Merrick Garland.

The President recognized that the Senate was controlled by the Republican majority. He consulted on both sides of the aisle. He chose a nominee admired on both sides of the aisle.

Standing in the Rose Garden on March 16 of last year, President Obama officially nominated Judge Garland to replace the late Justice Antonin Scalia, and President Obama called Merrick Garland the right man for the job: He deserves to be confirmed.

His nomination had endorsements from a broad range of organizations and individuals. The American Bar Association, the Hispanic National Bar Association, eight former Solicitors General, including Neal Katyal, Gregory Garre, Paul Clement, Theodore Olson, Seth Waxman, Walter Dellinger, Drew Days, and Kenneth Starr. You recognize some of those names. Some come from the right side of the spectrum, some from the left. The point was that eight former Solicitors General—Ken Starr, 1989 through 1993, and Drew Days who followed him, and Dellinger, who followed Days, and Waxman, who followed Dellinger, and Olson, who served from 2001 to 2004, and Clement, who followed Olson, and Garre, who followed Clement, and then Neal Katyal, who served in 2010 and 2011.

Endorsement from the American Bar Association Standing Committee on the Federal Judiciary rated him ''well qualified'' as a Supreme Court nominee, the highest rating they can give, and their evaluation of his record stated that Judge Garland ''meets the very highest standards of integrity, professional competence, and judicial temperament.''

So there we have our President, President Obama, last year consulting in a bipartisan fashion, choosing a nominee who had been highly complimented by Senators on both sides of the aisle, seeking to find someone straight down the judicial mainstream, and what was the response of the majority leader of our body, our assembly here? His response was: We are going to steal this seat. It doesn't matter that this nominee is highly qualified. It doesn't matter that Democratic and Republican Senators have complimented him highly and have high respect for him. It doesn't matter that the Chief Justice has enormous respect for his judicial thinking. We are going to steal this seat in hopes of being able to pack the Court. That is what happened later in the day, after Merrick Garland was nominated.

The Senate has always functioned by cooperation, with a big element of tradition thrown in. A defining feature of the Senate is a commitment to the traditions of fair play, allowing us to continue functioning to solve America's problems in politicized circumstances. This is enormously important to the success of this Chamber.

I had heard when I was running for the Senate in 2007 and 2008 that something terrible had happened with this Chamber in the years that I had been back in Oregon and that a group had decided that they would use this Chamber as a weapon against any Democratic President rather than as a forum to solve America's problems. I didn't believe it. I didn't believe that the Senate I saw as an intern in 1976; that I saw when I was volunteering for organizations and working here in DC, washing dishes and waiting tables in 1977; that the Senate I saw when I was a Presidential fellow with a Republican Defense Secretary, Caspar Weinberger; that the Senate I saw when I worked for Congress in a think tank on strategic nuclear weapon policy for the Congressional Budget Office—I couldn't believe that a group of Senators had decided to use this Chamber as a weapon against the executive branch, if the executive branch happened to be from the other party. I didn't believe it. I dismissed the commentary I was hearing about what was occurring in this Chamber.

Then I arrived in 2009, and I quickly saw that I was wrong; that the stories about this Chamber being taken over by an urge to use it as a weapon against Democratic Presidents had, in fact, been true. We all were nearly knocked over when the majority leader announced that his goal was to make sure—his top goal, his determining vision—was to use this Chamber to prevent President Obama from being reelected. And we are sitting here going: Let's work together on healthcare policy. Let's work together to make a fair tax system. Let's work together to develop the infrastructure that is so needed because the infrastructure our parents built is wearing out. Let's work to develop that infrastructure because we have new demands of a different economy. We need better bridges and better railways and better ports and better electric transmission lines, and we certainly need better broadband, or at least broadband of some kind, as a starting point in rural America. Those are the challenges we face. Let's work together.

And then I watched as a key issue was turned into a political weapon against the President, rather than working to solve problems here in America, and that issue was healthcare.

In April 2009, I was handed a brief written by Frank Luntz, who was a strategist for the Republican team, and that brief said, Whatever ideas that the Democrats work to pursue on healthcare, here is our strategy: Don't cooperate; call it a government takeover—whatever they do.

I came to the floor of the Senate, and I gave a floor speech in 2009. I waved around the Frank Luntz memo, and I said: This is what is wrong with America. We have millions and millions of people without access to healthcare in America, and instead of working together, the Republican strategist is saying, Whatever ideas to improve the healthcare system they come up with, oppose them and call it a government takeover.

Democrats said: You need bipartisan cooperation to get a healthcare bill through here. So they held 5 weeks of hearing in the HELP Committee—Health, Education, Labor, and Pensions Committee. I was assigned to that committee. Senator Ted Kennedy had assigned me to be on that committee, in partnership with Majority Leader Harry Reid. I was so happy to be on that committee. For 5 weeks around a square table, I saw idea after idea presented as amendments were discussed, debated, and voted on. Approximately 150 Republican amendments were adopted. Imagine a committee adopting today, under the control of the Senate, 150 Democratic amendments on a major bill—adopting, not just considering. Democrats went through every title, with television there and all of America watching for 5 weeks.

That was just for the HELP Committee. Then there was a whole other process with the Finance Committee in which Senator Baucus led a group with Senator GRASSLEY, if I am not mistaken. They had three Democrats and three Republicans, and they worked on the finance side to come to a bipartisan conclusion. But eventually Frank Luntz's vision won out: Whatever is suggested, oppose it and call it a government takeover. That would do the most damage to the President. That was the strategy.

Democrats said: Well, it looks like we are going to have to take the Republican healthcare plan.

What was the Republican healthcare plan? The Republican healthcare plan was to use a marketplace in which private companies would offer their insurance. Compare the insurance, one policy to the other, to find out which one best suited your family, and then based on income, you could get tax credits to be able to afford to acquire that insurance policy, so that essentially we would have a pathway to healthcare for every American citizen, for the millions and millions of people who didn't have that pathway. That was the Republican plan. It came out of the American Enterprise Institute as the marketplace solution for healthcare. It wasn't a public option. It wasn't, let's lower the age of Medicare. It wasn't single buyer. It was the Republican marketplace plan. It was already one that had been tested by a Republican Governor in Massachusetts. It was known as RomneyCare. So it was a Republican think tank plan and a Republican Governor-tested plan.

Democrats said: OK, let's go that way. We think there are better pathways, but we will go with that because we need to be able to bring this Chamber together.

But my colleagues across the aisle, under this vision of using the Senate as a weapon against a Democratic President, decided they were going to oppose it just like Frank Luntz laid out in those first few months of 2009.

We see that same profound partisanship in this first-ever theft of a Supreme Court seat. We see that same profound partisanship in the strategy behind that theft, which is to pack the Court. We see that same profound strategy in the action that happened a couple hours ago. That was the first time in U.S. history a motion to close debate was filed on the first day of a Senate debate.

So turn the clock back to those first 13 States and 26 Senators trying to figure out how the Senate would operate. They weren't really planning on it being a public forum, but they did have this sense that it would be wrong to close debate before every Senator had shared from their experience. So they had a rule. In their initial rules of the Senate, they had a rule to close debate. They never used it. They never used it, as far as we know, not once, because they wanted to give everyone the chance to be heard. Of course, the Senate was only a quarter of the size—26 Senators instead of 100 Senators.

When they rewrote the rules of the Senate, they said: We don't need to have a rule for closing debate by simple majority called to question, if you will. We don't have to have it because we are going to hear everybody out before we vote. So that kind of launched that tradition of hearing each other out.

Later, when the Senate restored a rule in which a supermajority could close debate, it took a supermajority. At another point, the Senate said: We need to have a little smaller supermajority.

The reason that triggered, going back to having a strategy for closing debate—and I know historians will correct me if I have this wrong—in World War I, the President wanted to put military defenses on some of the commercial ships to fend off the threat from the Germans. There were Senators who said: This will draw us into war. We are not in the war yet. This will draw us into war by weaponizing our commercial ships.

There was a date set for the Senate to adjourn. They proceeded to keep talking until that time arrived so the Senate could not act to pass that law, which the vast majority of the Senate thought was appropriate.

They said: Well, we can't have just a small group, which basically would be the tail that wags the dog. That denies our ability to make decisions. So we will have to have a strategy for closing debate.

So they established that strategy. The general principle behind it was most of the time you hear people out here in the Senate rather than closing debate. But what we saw tonight for the first time in U.S. history—a cloture petition filed on the very first day.

James Madison, speaking to the Constitutional Convention, remarked that the Senate was a necessary fence to protect the people from the transient impressions into which they themselves might be led. It was a reason for the longer terms for the Senate. They have 2 years in the House; we have 6 years in the Senate. The Senate rotates so a third are elected every 2 years for 6-year terms.

There is a saying attributed to President Washington—as far as we know, he never said it, but still it was clever enough that it has reverberated on down through the centuries—that the Senate would be the cooling saucer, so that you had your tea and it was too hot, and you poured it into the cooling saucer until it was just right. You don't act impulsively because you have 6-year—longer—terms and a smaller body who can ponder the issues more carefully.

So here is the Senate, intended to be the cooling saucer, but what do we have right now? We have the stove turned up to the highest possible temperature. There is no stepping back from this course of undermining the integrity of the Senate and the integrity of the Court. It is full steam ahead. File the petition on the first day of debate so we can close this debate and have this vote done by Friday, the majority leader said. Vote on Thursday. Somehow we are going to maybe change the rules and vote on Friday if there are not enough votes to close debate.

Back in 2013, there was an enormous blockade using the advice and consent power to obstruct both executive branch nominees and judicial nominees. This enormous blockade was used by colleagues across the aisle as a weapon against the judiciary and executive branch.

When the conversation occurred back among the Founders, they said: Advice and consent power won't have to be used very often to turn down a Presidential nominee because just the very fact that the Senate can serve as a check on a Presidential nomination will cause a President to make wise appointments.

They had actually wrestled with how to construct this situation. How do you construct this check and balance?

Some said: The executive branch—why don't we have the President head it but have the positions filled by Congress?

Others said: That is not such a good idea because one Senator's friend will be nominated for this position in exchange for another Senator's friend being nominated for that position, and the people will never really know who, where, why. There is no accountability.

That is what it came down to.

So we will have a single person—the President—nominate for the executive branch. Plus, that way the President can nominate people to help fulfill the vision the President campaigned on, which makes a lot of sense. The people didn't just elect a name; they elected a vision for the country. And the person responsible for helping to implement that—the executive branch—the President, should have a team who can go forward with that vision.

Then the crafters of the Constitution said: But what if the President goes off track and starts nominating people who don't actually have the skills to fill the positions to which they are nominated? What if the President nominates people because they have done some favor for the President in the past, so that there is a conflict of interest? What if the President nominates someone of poor character? Shouldn't there be a way to put a check on a deeply misguided nomination?

The founders said: Yes. We will create an advice and consent power for the U.S. Senate to be a check on misguided nominations.

So here we are looking at that original philosophy of the Senate and the responsibility to stop misguided nominations through advice and consent, and we have had two profound betrayals of that responsibility last year and this year. The betrayal last year was that the Senate refused to exercise its responsibility at all. It stalled the seat. It sought to pack the Court. Now we have a deeply misguided nomination before us, an individual who is from the extraordinary right, not from the mainstream, who has twisted the law time and time again to find for the powerful and the privileged over ''we the people,'' and yet that nomination is here on the floor, not a single vote in the Judiciary Committee from across the aisle.

This chart reflects the distribution of Federal judge ideology. If we had been putting up this chart decades ago, we would have probably seen a single bell curve. There would be folks on the right and folks on the left. But now we have the twin peaks chart of judicial decisionmaking. So the decisions are falling more and more into a ''we the people'' camp that says ''Let's fulfill the vision of our Constitution'' and a ''we the powerful'' camp that says ''Let's turn the Constitution upside down and run this country by and for the powerful.'' Where does this nominee fall? Not into the ''we the people'' vision of our Constitution and not even within the left side of that ''we the powerful'' twin peak but to the right side of it. That is where we are.

The supermajority to close debate—commonly referred to as the filibuster—is a power we have sustained in order to have nominees who are not from the ideological extremes. But now we have one. We have one who, when a trucker was protected by the law—because of his personal safety, and he was freezing in subzero temperatures and had to go get warm and come back, and the law protected him from getting fired—he got fired. The court said: Absolutely, you can't fire someone for protecting their safety or others. Judge Gorsuch found a way to turn that on its head.

When we wrote a law to say that you have to provide an education to disabled children, Judge Gorsuch said that babysitting is fine, as long as there is basically—not exact words, kind of mere fringe of advancement—something that was essentially equivalent to babysitting. And the Supreme Court, all eight Justices occupying both of those peaks, said that was absurd, and they overturned Judge Gorsuch, 8 to 0.

We have this role from our Founders of being the cooling saucer. We have

this role of being a check on the abuse of or misguided Presidential nominations, and we failed it last year by not doing our job. We fail it this year by considering anyone other than Merrick Garland. And we certainly fail it in the context of closing—considering the possibility of closing debate. That is the conversation that the majority leader has been invested in—that if this judge is so extreme as to not to get the 60 votes to close debate, we will change the rules.

Well, how about we change the nominee? How about we save the integrity of the Senate? How about we save the integrity of the Supreme Court? Change the nominee. Ideally, put Merrick Garland up, because that way we solve the problem of the stolen seat—this enormous court-packing plan that is unfolding right before our eyes. And if the schedule on which the majority leader has said he wants to complete this court-packing occurs by Friday, it will be too late. We will have done the damage.

George Washington shared his view of the Senate's role. The story goes that Thomas Jefferson returned from France to take on the duties as our first Secretary of State. He was having breakfast with President Washington and called for the President to account for having supported an unnecessary legislative Chamber in the Senate of having this conversation. That is when that conversation came up. We believe it to be apocryphal, but still the response, as written down at some later point in time, was that Washington asked: Why did you now pour that coffee into your saucer before drinking?

Jefferson responded: To cool it. My throat is not made of brass.

Washington said: Even so, we pour our legislation into the Senatorial saucer to cool.

Is there a way that we can avoid what is unfolding now, this tragic miscarriage of the Senate's responsibilities?

Whether that conversation took place, as I mentioned, is not actually known, but the fact that the story is still here means that it had some power behind it, whether it took place or not. And that was that for 200 years and counting, the government has counted on the Senate to pause, to not give acceleration to the momentum of the day, but to pause and be thoughtful in considering the integrity of our institutions. And that integrity, that moment when we need to be the cooling saucer, is now.

Unanimous consent has been a tool that the Senate has used. Many times, if you are watching the Senate, you will hear ''unanimous consent'' to do this or that. Earlier, the majority leader came and spoke. He said: ''I ask unanimous consent,'' and he laid out a plan for tomorrow about how this debate would proceed. That unanimous consent—each and every one of those represents a form of cooperation, often the last vestige of cooperation. It also goes to this observation that the Senate is about hearing each other and working together.

Robert C. Byrd once remarked:

> That is what the Senate is about. It's the last bastion of minority rights, where the minority can be heard, where a minority can stand on its feet. One individual, if necessary, can speak until he falls.

Well, you can't keep speaking if a cloture petition has been filed. So come Thursday, the phrase is the ''petition ripens,'' which means that it will be voted on, and generally it is 1 hour after we convene after an intervening day. So tomorrow, Wednesday, is the intervening day, and the vote will occur on Thursday. That is the opposite of what Senator Byrd was referring to because at that point, anyone who wants to be heard, can't be heard.

The tradition of having weeks and weeks of conversation about a nomination that creates complexities or has complexities behind it—that is being destroyed. That comity permeated many controversial debates the Senate has had over time. That willingness to hear each other and to vote is something that was embedded in the Senate as I saw it four decades ago and later in my life when I was working for Congress.

There is no denying that the Supreme Court nominations have always been subject to a certain level of politics, but there has also been a certain level of cordiality to the process. Daniel Patrick Moynihan, in a debate on the nomination of Ruth Bader Ginsburg back in 1993, said:

> [The Senate] is perhaps most acutely attentive to its duty when it considers a nominee to the Supreme Court. That this is so reflects not only the importance of our Nation's highest tribunal but also our recognition that while Members of the Congress and Presidents come and go . . . the tenure of a Supreme Court Justice can span generations.

We are not here on the floor debating who will serve in some office in the executive branch for the next couple of years. We are here debating the nomination for the highest Court that could ''span generations,'' in the words of Daniel Patrick Moynihan.

So what else would we consider more important than a Supreme Court nomination to adhere to the traditions of the Senate and to honor the 60-vote requirement in our rules? We don't always like the nominee the other side has selected. We question them vigorously in confirmation hearings, and we end up voting against them. But until the situation last year with the death of Antonin Scalia, every vacancy in an election year for which a President proposed a Justice who has made a nomination—every time, the Senate did its job. It confirmed most. It rejected a few, but it did its job.

Over the course of our Nation's history, there have been a total of 164 Supreme Court nominations; 124 of those were confirmed, roughly 3 out of 4, including elevating current Justices to Chief Justice. There have been 112 individuals who have served on the Supreme Court, and 39 Presidents to date have appointed at least one Supreme Court Justice. But only once—last year—has the majority conspired to reject its responsibility to consider a nominee for a position that opened in an election year. Only once has the majority conspired to steal an election-year Senate seat and send it to the next President and pack the Court.

The action last year is different from anything that has occurred before. There were some individuals—some colleagues across the aisle—who advocated for the Senate fulfilling its constitutional duty in the case of Merrick Garland and for continuing the traditions of this great institution.

One of my colleagues told a townhall audience last year—one of my Republican colleagues said:

> I can't imagine the President has or will nominate somebody that meets my criteria, but I have a job to do. I think the process ought to go forward.

Another colleague sat down and met with Judge Garland, even knowing that the Republican leadership was saying that he would not get a hearing. That colleague declared, and I quote, that colleague was ''more convinced than ever that the process should proceed. The next step, in my view, should be public hearings before the Judiciary Committee.''

So I pause to thank my Republican colleagues who worked to stand up for the integrity of the Court and the integrity of the Senate and for due deliberation on a Presidential nomination during an election year. Thank you to my colleague from Kansas. Thank you to my colleague from Maine.

There may have been others I didn't hear about, and I imagine there were because I think Members of this body take their responsibility extremely seriously. They take their oath of office seriously, and they were put in an impossible position when their leadership asked them not to exercise their advice and consent responsibility under the Constitution. That is where we were last year.

Here we are, on the brink of doing devastating damage to the Court. Shouldn't we pause and be the cooling saucer? Shouldn't we send this nomination back to the President and ask for him to put forward Merrick Garland or someone who basically is on the same path that Merrick Garland was on—the path that was so honored and complimented by Senators on both sides of the aisle?

Shouldn't we address this before we set the precedent of a stolen seat? Think about what this precedent means going forward. A few years from now, there may well be another vacancy, and this vacancy may be under a Republican President, and maybe the Democrats control this Chamber. At that point, do they say: We are going to rectify the wrong in the past and restore the integrity of the Court by taking that seat and forwarding it to the next President, hoping that it will be a

Democratic President, and there will be a nominee who will restore the integrity of the Court because there will be a nominee more like Merrick Garland? Or will there be future leadership that says: Hey, their team stole a seat that occurred—an opening that occurred in January of election year. Let's steal one that happens in October the year before the election to balance it out. If you can steal it for 12 months, why not steal it for a few more? Where does that end? What good does that do to our institution? What honor does that give to the 5-to-4 decisions of the future?

That is where we are headed. We are headed to a place that is breaking two centuries' worth of tradition and establishing a precedent that will do enormous damage to the Senate and to the Presidency and to the Court. That is why I am here addressing it at length tonight. I did find that when the majority leader didn't want to put into a resolution that the same rule he advocated for last year should apply to this President, it was clear—as clear as you could possibly make it—that what happened last year had no principle in it; it was an issue of partisan tactics to amplify the strength of one party and one vision—that of government by and for the powerful—at the expense of the other vision. Don't we owe more in our role as Senators, especially on something as important as the Supreme Court and the integrity of the Court, than just another partisan strategy?

I will tell you, I think about why it is that we are at this place right now. There are a couple of things that are very, very different from the Senate I first saw four decades ago and the America of four decades ago. One of those is that Senators four decades ago lived here with their families. They had a Monday-to-Friday workweek. They had evenings to build relationships, and they had weekends to do things with other colleagues across the aisle. They took a lot of bipartisan congressional delegations. They all knew each other well as friends.

But now the Senate comes in on Monday night for a vote at 5:30 p.m. and we leave after a vote at roughly 3:30 p.m. on Thursday. So it is 3 days—Monday afternoon to Thursday afternoon. We don't have the time in the evenings because of that compressed schedule. We don't have the time on the weekends because we are back in our home States or traveling somewhere else. So we don't have the relationships. We just don't have the common activities.

There used to be lunches where the Democrats and Republicans ate together. Now there is a partisan Republican lunch, three out of three lunches and two out of three for the Democrats. We don't have that meal together to get to know each other, so you have to work extraordinarily hard to set up a meeting to try to work with a colleague on a topic. If it is something larger than you can discuss here during the middle of a vote, it can take a month to get a 20-minute meeting to ponder with a colleague how we might work together on a problem.

So that is a change in this Chamber, but there is another big change. That second big change is related to the role of the media. We had big issues in our country decades ago, but we also had community newspapers, and we had three network television stations that essentially provided a foundation of information. We might have had different views about that information and different views about what we should do in the future, but we had a common foundation of information. Now we don't have a common foundation of information. Information flows in every possible direction, much of it made up.

I was very struck when—I hold a lot of townhalls. My first summer as a Senator—2009—I was out holding townhalls. I do one in every county every year. Folks said: You know, why are you supporting this Senate healthcare bill that has a death panel in it? That was one of those false news stories.

What was the real story? The real story is that a Republican Senator from Georgia had proposed—a Republican Senator had proposed that we pay doctors for the time they spend with their patients informing them about how to do a living will so that if they were incapacitated in the future, their desires would be followed, not someone else's desires—not a death panel, their desires would be followed. That is as American as apple pie.

We were going to make sure that we could control, each of us, our own future. It was a Republican proposal, a good proposal, a proposal that made a lot of sense so that people could have control over their future medical decisions if they were incapacitated. But for partisan political reasons, a candidate had twisted that into a death panel and turned it on its head, that someone else would make the decisions instead of you making the decisions for yourself, which is what it was all about.

So I was at this townhall, and a constituent, an Oregon citizen, raised this issue.

I said: You will be happy to know that they don't exist. You will be happy to know that the idea from which the false news story began was about empowering you to make your own decisions. Don't you feel better now knowing that the conversation in the Senate was about you controlling your own destiny?

The woman said to me: I don't believe you.

I said: Well, you don't have to believe me; I have the text right here that was proposed.

I had heard about this issue, and so I wanted to make sure that people knew about it and that I could answer if asked. So I shared the text with her.

She said: Well, I don't believe you. Who am I going to believe—a U.S. Senator or a television policy analyst?

She meant Glenn Beck. Glenn Beck and others were simply making stuff up and putting it on their television show or their radio show, designed to infuriate people by setting up this false story—this false story that there was a government takeover and this false story that there was a death panel.

If you want to understand what happened 2 weeks ago in the House when the House failed to pass a healthcare bill to replace ObamaCare, it is a story about false news. It is a story about partisanship over policy. It is a story about a year-plus of bipartisanship being trumped by Frank Luntz's vision of whatever is proposed, call it a government takeover. Even if—his memo didn't say this, but as it turned out, even if it was the Republican strategy of having a marketplace for people to get their health insurance, call it a government takeover.

So when the Republicans said they were going to replace ObamaCare, the problem was that ObamaCare was the Republican plan, so they did not have anywhere to go. They could either tear down healthcare completely and put 24 million people on the ice—that is, out of reach of healthcare—by the way, not just individuals but rural healthcare institutions because the rural clinics were powerfully strengthened through the Affordable Care Act. The rural hospitals were powerfully strengthened through the Affordable Care Act. There was so much uncompensated care previously that hospitals and clinics had to give away for free, and now they were getting paid because people had insurance, so they were much stronger. So it was about 24 million people, but it was also about a vast healthcare infrastructure in rural America that the Republican plan would destroy.

But they could not propose their own plan because their own plan had been adopted in 2009—marketplaces with private companies competing against each other, tax subsidies, tax credits so people could afford to buy those policies. That was the American Enterprise Institute plan. That was the Republican Governor's plan. That was RomneyCare. So where do you go if your plan has already been enacted into law? If 150 of your amendments were accepted as part of that process, where do you go when you have used a false story, a false commentary to the American people year after year after year saying that something is some terrible thing that it is not? Well, where you go is the process blew up. That is where it went because it was based on a false foundation, the entire 8 years of attack on the Affordable Care Act—a false premise just like Sarah Palin's death panels were a false attack.

We can't keep going through this extreme partisanship and save the Senate at the same time.

Another challenge we have—in addition to the fact that the friendships that cemented the Senate together are not as developed as they were decades

ago because we are not here and we don't spend enough time with each other—another problem is that we have all of these false stories being generated continuously to make people angry with each other. Those are certainly problems, but we have another big problem, and that problem is the concentration of campaign money, the dark money, the Citizens United money that is corrupting our political system.

I can't convey how much damage this has done. Let's just review the biggest example of this strategy. The Koch brothers decided in 2013 that they wanted to have a legislature that would support their extraction and burning of fossil fuels. There was this pesky little problem threatening the entire planet called global warming in which the burning of those fossil fuels was polluting the air, raising the temperature of the Earth, and having profound consequences.

So people were talking about, how do we transition off of fossil fuels?

The Koch brothers said: Well, that is our business. We can't let that happen. We have to have control of the House and Senate.

So the story with the Senate is they decided to spend a vast sum of money on the campaigns of 2014. The result was that they influenced the elections and had a positive outcome, from their point of view, in Louisiana, Arkansas, North Carolina, in Iowa, Colorado, and Alaska. There were a few other States that they came to that year, including Oregon, my home State. So they won most of those campaigns. They put the Republican majority into office so they would have a Senate that would not be discussing the biggest threat to our planet—carbon pollution and global warming—and instead would have one that would sustain tax breaks to accelerate the extraction and burning—the profitability of extracting and burning fossil fuels.

Then they did something that should be recorded as a significant moment in U.S. history. In January, as the Senate was coming in with this new Republican majority, they did not say: Well, that is great. We have a Republican majority, and now we have folks who will support our fossil fuel extraction and combustion. We will make a lot of money. They will keep the tax breaks in place for us.

No, they didn't say that. They said: Pay attention.

This was January 2015, 2 months after the election, and we were just coming in. The Republican majority was just coming in.

The Koch brothers said: Pay attention. We are committing to spend the better part of $1 billion in the next election 2 years from now.

I don't know that such a statement has ever been made by a body in the United States, a similar statement. Next election—we had just had this election—next election we are going to spend almost $1 billion.

They wanted everyone in this new Republican-majority Senate to know who was in charge. The Koch brothers are in charge. They paid for the third-party ads that put your election in the victory column.

You will pay attention—at your own risk if you don't.

A number of my colleagues shared that this was a very real threat, that the Koch brothers would be happy to find a primary opponent and not just undermine them in the general election or fail to fund them in a general election—and the first bill up was one of the Koch brothers' top priorities, the Keystone Pipeline. So we now have a body about which, at least, you can say that a very significant behind-the-scenes force of this body is the Koch brothers. Well, how does this tie in with what happened in 2016 when Antonin Scalia died and there was an open Senate seat?

Here is how it ties in: You had a 5-to-4 Supreme Court that had decided that it was OK for groups like the Koch brothers to spend billions of dollars in dark money, third-party campaigns, eviscerating the opponents on the other side of the issue.

Four Justices had said no. In our ''we the people'' Republic, having that concentration of power is a corrupting force. It is an attack on the very design of our country, but you had five others who said: No, no, no, it is OK.

That makes me think about a letter that Jefferson wrote. Jefferson was writing to a friend, and he said: There is a mother principle, a mother principle in our design of the government. He said: That is that decisions will only be made in the interest of the people if each person carries an equal voice.

He recognized in using the term ''voice,'' something broader, more powerful than just a vote. That is why I said ''voice.''

What has happened with Citizens United, with respect to the five Justices, is that it is OK to have some individuals who have a voice in our campaign that is equal to thousands or tens of thousands or even 100,000 other citizens.

We didn't have such a way to amplify one's voice—not anything close to that amplification when the Founders designed our government. Yes, you could put an article in the newspaper. Yes, you could hand out pamphlets. But with the growth of radio and television and now the internet and all the strategies through social media and internet advertising, through all of that, money can amplify one's voice. You can have the equivalent of a stadium sound system that drowns out the voice of the people. That is the opposite of Jefferson's mother principle, Jefferson's principle that we will only be a government that pursues the will of the people if each citizen has an equal voice.

Now, granted, we all know that vision was flawed. Women weren't given the vote. Many minorities were excluded. But we have worked overtime toward that vision of inclusion, opportunity, and equality, and we have come a long way. But in one case, we have gone in the opposite direction, and that is the Citizens United concentration of money corrupting our elections, undermining the legitimacy of this Chamber and undermining the legitimacy of the House Chamber. Instead of being elected to do government of, by, and for the people, it is the product of an enormous concentration of power by and for the few. You can see it in the policies that are pursued.

Three decades after World War II, we had an economy that worked really well for working America. American workers participated in the wealth that they were creating, and the result was that families had a leap forward.

My parents have lived under humble circumstances. I had a grandmother who at one point had lived in a railroad car. I had a grandfather who put all the children into a car and drove from Kansas to Arizona with all of the individuals in the family and their possessions in a single car, going west, trying to find work and find a future. Those were incredibly hard times. Folks were living in shacks.

Then, after World War II, we had these three decades when we had this big leap forward in the standard of living, as workers shared in the wealth they were creating.

From about the time I got out of high school, which was 1974, in the middle of that decade—let's call it 1975—and in the next four decades, virtually all of the new income in America has gone to the top 10 percent, which means that 9 out of 10 Americans have been left behind in this economy.

I live in a blue collar community, the same community I have lived in since third grade. I was there from third grade through graduating from high school. I moved back into that community the year my son Jonathan was born 20 years ago.

It is a blue collar community. It has changed over time. It has become much more of a diverse community. There are many ethnicities from all over the world, and a lot of languages are spoken in the school. It is a blue collar, working community.

Folks there say: My parents were able to buy a house in this community, but the only way I am going to own a house in this community is to be able to inherit it from my parents because of the disappearance of living-wage jobs.

That is what has been going on in this economy. We provide these enormous, enormous tax breaks for the best off in our society.

Well, there is a concept referred to as the Buffett rule. Warren Buffett said: Why should I, a billionaire, be taxed at a lower rate than my secretary? Why does my secretary pay a higher rate than I do?

So every now and then, we have had on the floor of the Senate an effort to

correct that and say: Hey, a billionaire should pay at least the same tax rate as the secretary or the janitor. But we haven't corrected it because the vast influence of funds in this Chamber are working on behalf of the privileged and the powerful.

So here we are, trying to figure out why last year we had, for the very first time, a majority leader who engineered the theft of a Supreme Court seat from the Obama administration to another administration. It was the first time in U.S. history. To understand 2016, you have to understand 2014, when the Koch brothers invested this vast sum in all the campaigns so they could control the Senate. You have to understand that in January 2015, the Koch brothers sent a message that you had better pay attention. You have to understand that the Koch brothers' strategy is based on the dark money, third-party campaigns that Merrick Garland might possibly have voted against—a 5-to-4 Citizens United decision that Merrick Garland might have found 5-to-4 in the other direction. We don't actually know where he stood on this.

He was so square down the middle and so complimented by people on the right as well as the left. We don't know how he would have voted on that. But in order to ensure that the dark money could continue, in order to ensure that decisions would be made by and for the powerful, to ensure that the fossil fuel companies could be swept clear of regulations that would diminish the amount of fossil fuels they could extract out of the ground and sell for combustion, in order to ensure the profits of the Koch brothers, that drove this unique case of the theft of the Supreme Court seat last year.

There was that effort to pack the Court by sending that seat to the next President in the hopes that it would be a conservative President and then to have that nominee say: I will only nominate somebody who comes off a list from two conservative groups on the far right—boy. That was exactly the vision. It has unfolded exactly as—I guess you could say—those in that powerful group wanted it to unfold.

We have a different responsibility. We don't have a responsibility to a ''we the powerful'' vision. We don't have a responsibility to a ''we the privileged'' vision. We have a ''we the people'' Constitution.

We have Jefferson's mother principle that says: We should be in a situation, if we want the will of the people to be enacted, in which people have an equal voice. There is this third-party, dark money that is corrupting America, our fundamental institutions, our election institutions. It is corrupting this institution—both sides, the House and the Senate. That is why I hope there is a Supreme Court that eventually says this is wrong; this is out of sync with our constitutional vision.

The Court said: We think transparency will do the job. They kind of assumed that there would be transparency in where the money came from and where it went.

It used to be that colleagues on the right side of this Chamber would say: Oh, we love transparency. Transparency will be the sunlight that disinfects the potential corruption of campaign donations. We love transparency.

Many of those who opposed McCain-Feingold caps on donations said: We love transparency, the sunlight, the disinfectant. Won't that be wonderful.

Then, we had a transparency bill on the floor and said: People have to know where every donation comes from so there is not this dark money, unidentified money surging through the veins of the American campaign system, surging through the arteries. Suddenly they say: Oh, wait; we don't like transparency so much because that might hurt the prospects for the powerful folks who got us elected.

So then you have the picture of why this unique circumstance occurred and why we are where we are and how much damage it is going to do and how it undermines the legitimacy of the Court.

Merrick Garland's treatment is unprecedented in the history of Supreme Court nominations. There was a hastily fabricated pretext that we shouldn't do a normal process under our advice and consent responsibilities in the final year of a Presidency or the fourth year of a Presidency.

Now, you can read the Constitution from one end to another, but you won't find that principle in the Constitution—that suddenly we can ignore our responsibility in the fourth year of a Presidency.

The responsibility to be here in the Senate Chamber doesn't end in a fourth year. No other responsibility ends.

The responsibility of the President to nominate for empty positions doesn't end, but that pretext was one which was so quickly concocted. The foundation was so quickly destroyed, and it was just revealed for the destructive partisan tactic that it was—this Court-packing tactic.

One colleague said: We have 80 years of precedent of not confirming Supreme Court Justices in an election year. That is an exact quote.

One colleague came to the floor—a colleague, by the way, who ran for President—and said: We have 80 years of precedent not confirming a Supreme Court Justice in an election year. Wrong. There have been 15 vacancies in an election year, and 15 times the Senate acted, and in most of those cases, it was to confirm the Justice. We could even look at the fact that there were some vacancies that occurred before an election year and were confirmed in an election year, just like the nomination of Anthony Kennedy—who sits on the Supreme Court today—in 1988.

To my colleague who said we have 80 years of precedent of not confirming a Supreme Court Justice in an election year—that is his exact quote—not only is that not true, if you look at history, at every single nomination vacancy that occurred in an election year—and most were confirmed, but the Senate always acted—it is simply not true, if you look at Justice Anthony Kennedy, who sits on the Court a few yards from here, who confirmed just a few years ago—in 1988—within the memory of most Members who serve in this Chamber.

If you go back just one more election—let me put it differently. Until Merrick Garland's nomination last year, we hadn't had an election-year vacancy for a sizeable period of time. That is why I am going to have these three charts put back up. If we look at these charts here in this situation, these are some vacancies that occurred in an election year.

Look at this group here—in 1928, 1860, 1864, and 1956. Well, 1956 was a good period of time ago. That was about 60 years ago, 61 years ago. That is quite a while.

Let's look at the next chart. Well, vacancies in an election year—year 1800, year 1872, year 1880. They happened a long time ago.

How about the last chart of nine. Again we see a lot of 1800s—1804, 1844, 1852, 1888, 1892, in 1916 twice, and 1932. The point is taken that it has been quite a long time since we have had a vacancy in an election year.

So if you concoct a premise within an hour or two of a Supreme Court Justice dying and get it wrong—but then there is also a colleague who had the time to look up the facts who got it wrong as well.

In the 1932 election between Franklin Roosevelt and Herbert Hoover, we did have an election of a Supreme Court nominee. Hoover nominated Benjamin Cardozo to succeed Oliver Wendell Holmes. On February 24, 9 days later, the Senate confirmed Cardozo. That was the last time we had a Supreme Court seat open up in an election year, except for the Eisenhower occasion.

Why don't we go back to Eisenhower. The seat opened up 1956, an election year, and it was the following January that he was confirmed.

So we can look to the fact that the Senate acted on all 15 of the 15 election-year vacancies, confirming most of them. Here we see two out of the four confirmed, and of these eight before Merrick Garland, we see six of the eight confirmed. Then the other group of three were the folks where the vacancy occurred after the general election, but the Senate still confirmed all three, whether up or down.

So if you look to history, my colleague who said that we were in a situation where we had been in the tradition of not confirming people during an election year, 80 years of precedent not confirming a Supreme Court Justice in an election year, well, that is a phony, phony, incorrect, fallacious—insert your own adjective here—argument because in our entire history, every single seat that became vacant in an election year was actually done by the

Senate before the next President took office.

Three vacancies occurred after the general election. We saw the three in this chart here. John Jay in 1800, with the Adams administration, was nominated to be Chief Justice on December 18 after Chief Justice Oliver Ellsworth retired. Jay was the first Chief Justice but retired in 1795 to serve as the second Governor of New York for two terms. After that, Jay's nomination was confirmed in the Senate, and he ended up declining the position and retiring from public life instead.

For those of you who are thinking about political trivia, who was the election-year nominee confirmed by the Senate? The vacancy occurred late in December. He was confirmed 3 days later and declined it. Now you know the answer. It is the nominee John Jay, who had served as Governor of New York for two terms.

Adams was more successful when his second choice, John C. Marshall, was confirmed on January 27. That confirmation happened after the term.

In 1872 Ward Hunt was nominated by Ulysses Grant a month after easily winning reelection, on December 3, 1872, to replace the retiring Justice Samuel Nelson. Hunt was confirmed by the Senate 8 days after being nominated.

William Woods was nominated by Rutherford Hayes in 1880. He was nominated to replace William Strong, who was stepping down while still in good health at the age of 72. That set an example for several infirm colleagues who refused to do the same. I hope his influence was substantial because that is one of the challenges of having a lifetime appointment—sometimes the Justices stay in office beyond their ability to exercise clear reasoning. It is a good example that William Strong set.

As a member of the U.S. circuit court, Justice Woods was easily confirmed by the Senate 39 to 8 on December 21, 1880. He was the first person to be named to the Supreme Court from a former Confederate State. So there is another little bit of Supreme Court trivia.

There were four vacancies that occurred before the general election but the nomination didn't occur until afterward. Why did Presidents delay until afterward? This probably is a different story in each case.

We see basically a four-month delay with J.Q. Adams. We see it delayed another 9 months with President Buchanan. There was a delay of a couple months by Lincoln and 3 months by Eisenhower. One reason might have been to clear from the heat of the election season. That would be interesting because that is essentially what Biden referred to when he said if a vacancy occurred in the heat of the election season in the summer, we should perhaps wait to act on it until after the election season is over, until after the election.

John Crittenden was nominated in 1828 by John Quincy Adams. In 1828, a month after losing his bid for reelection, President Adams nominated Mr. Crittenden to replace Justice Robert Trimble, who had died in August from malignant bilious fever. On February 12, the Senate voted to table his nomination, but they acted. They acted in their advice and consent role, unlike what happened last year. Although President Adams' nominee was not confirmed, he did receive a fair shot when the Senate voted on his nomination on the Senate floor.

Jeremiah Black was nominated in 1961 by President Buchanan. On February 5, 1861, President Buchanan nominated his Secretary of State, Jeremiah Black, to fill the seat of Justice Peter Daniel, who had passed away at the end of May. On February 21, 16 days later, the Senate rejected Mr. Black's nomination, and they rejected it by a single vote. They did so not by tabling the nomination but by rejecting the motion to proceed to the nomination.

There has been a change in Senate rules in regard to that motion to proceed to a nomination. But again, even though his nomination was rejected by a single vote, Jeremiah Black still received the treatment of the Senate. The Senate acted. They considered and they acted.

Salmon Chase in the Lincoln administration, 1864. Chief Justice Roger Taney passed away October 12, 1864, and 2 months later, on December 6, 1864, after winning his reelection in a landslide, President Lincoln nominated his Treasury Secretary, Salmon Chase, to fill Chief Justice Taney's seat. Well, in this case, on the same day he was nominated, December 6, 1864, the Senate confirmed him and confirmed him by a voice vote. Well, I don't think we are going to see another Senate or another Supreme Court nominee confirmed by a voice vote for a very long time to come.

William Brennan, Jr., was nominated by President Eisenhower in 1956. On October 15, just 2 weeks before the general election, Justice Sherman Minton stepped down because of his declining health. On that very same day, Eisenhower named William Brennan, Jr., as his nominee. Then on January 14, the recently reelected Eisenhower officially nominated Justice Brennan to the Supreme Court. First he was nominated as a recess appointment—another interesting piece of Supreme Court trivia—but then in January he was renominated as a regular nominee to be considered by the Senate. The Senate was back in session, and his nomination—that is, the President's nomination—did face opposition from the national news. They were worried that, as a Catholic, he might rely more on religious beliefs than on the Constitution. That is an interesting conversation that is hard for us to identify with today.

Justice Brennan was opposed by Senator Joseph McCarthy because he made a speech decrying the overzealous Communist investigations as ''witch hunts.'' But on March 1957, Justice Brennan was confirmed by the Senate almost unanimously. The only ''no'' vote was Senator McCarthy.

Let's take another look at those vacancies that occurred before the general election where the nomination also occurred before the general election.

We have William Johnson in 1804, who was nominated by President Jefferson. On January 26, Justice Alfred Moore had stepped down because of declining health, and 2 months later, President Jefferson nominated William Johnson. Two days after that nomination, he was confirmed to the Senate by a voice vote.

Then we turn to a couple of nominations the Senate considered, but they rejected them through votes to table the nomination. President Tyler nominated Edward King in 1844. Justice Henry Baldwin passed away on April 21, and on June 5, President Tyler nominated Edward King to fill the seat. But the Senate did deliberate on that nomination and decided to reject it. They tabled it. Later that year, Tyler renominated King to fill the vacancy, but the Senate again voted to table the nomination. They said: What was said before still goes.

Mr. King did not make it to the Supreme Court, but he did have the opportunity to present his case and have the Senate act on his nomination, not once but twice.

In 1852 Edward Bradford was nominated by the Fillmore administration. Edward Bradford was nominated on August 16, about a month after Justice John McKinley passed away. He too had his nomination tabled by Members of the Senate—by the full Senate—voting and saying no, but they did act. They did vote—Melville Fuller under Cleveland. Now we get into a whole series in which the Senate said yes, not only in reacting but in ''we think you are qualified to serve on the Court.'' They made it not just from the advice stage but to the consent stage.

(Mr. SCOTT assumed the chair.)

Justice Morrison Waite passed away in March of 1888, and President Grover Cleveland nominated Melville Fuller to fill the vacancy on April 30. Over the course of his nomination, Fuller faced opposition because he had avoided military service during the Civil War, and he had tried to block wartime legislation as a member of the Illinois House of Representatives.

Those were the flaws that the Senate found as they vetted his nomination. He did not receive every vote in the Senate, but the Senate did act. The Senate voted, and they voted 41 to 20, by a 2-to-1 margin. The Senate looked at his record and said: Yes, it has flaws, but on balance, it is qualified and appropriate. And they confirmed him.

President Harrison nominated George Shiras in 1892. Earlier in the year, in January, Justice Joseph Bradley had died, but it was not until July

19 that Harrison nominated George Shiras to fill that seat, which was still before the election. In spite of the 6-month period between the vacancy and the nomination, Shiras was confirmed, yet again, by a voice vote in the Senate one week after being nominated.

Now we turn to the 20th century, the 1900s. President Wilson nominated Brandeis. This seat was open because, in January, Justice Joseph Lamar had died. Because Brandeis' nomination was bitterly contested, it became the first time in American history that the Senate Judiciary Committee had held a public nomination hearing. Today, we think of the fact that nominations have always gone to the Judiciary Committee when, in fact, the Senate used to serve as a Committee of the Whole. The nomination came to the floor and was considered by the entire Senate—debated by the entire Senate—without there being a previous committee action, committee hearing. Brandeis was the first for whom the Judiciary Committee held a hearing. He was denounced by a number of folks because they argued that he was unfit to serve. There was, by many people's estimations, a heavy dose of anti-Semitism at work. Despite that, Justice Brandeis was confirmed by the Senate by a vote of 47 to 22.

Then we turn to John Clark—also in 1916. Justice Charles Hughes had resigned from the Court in June of that year in order to run for President against the sitting President, Woodrow Wilson. He is the only Supreme Court Justice ever to resign from the Court and run against a sitting President. In fact, as far as I know, he is, perhaps, the only one to resign from the Court and run for President at all. A month later, on July 14, Wilson nominated John Clark to fill the open seat. On July 24, 10 days later, the Senate confirmed him.

This brings us to Benjamin Cardozo in 1932. Benjamin, prior to Scalia's dying, was the last of this group of nominees who had the vacancy occur before the election and the nomination occur before the election. Benjamin Cardozo was nominated on February 15 by President Herbert Hoover to replace retiring Justice Oliver Wendell Holmes. Because he was a Democrat who was appointed by a Republican President, his nomination is considered to be one of the few Supreme Court appointments in which one could find no trace of partisanship. On February 24, 9 days after the nomination, Justice Cardozo received a unanimous voice vote by the Senate.

So there are the 15 times that there has been a vacancy in an election year, and in all 15 times, there was action by the Senate until last year. That brings us to 2016 when the vacancy occurred, the nomination was made, and the Senate chose not to act.

We certainly have entered new territory with this decision to amp up partisan tactics to pack the Court by stealing a Supreme Court seat. No one in this Chamber should be comfortable with that. For any of my colleagues who are feeling comfortable with it, just pause for a moment and ask yourself: Would you feel comfortable if the parties were reversed? If this were a Democratic majority stealing a Supreme Court seat from a Republican President, I ask you: Would you feel comfortable if the tables were reversed?

I think, probably, every Member on the Republican side of the aisle would say it would be outrageous if the Democratic majority stole a seat—a tactic never before used in our history—to deliver it to a future Democratic President. That would be unacceptable. That is the ability to walk in someone else's shoes and to look at an issue from the viewpoint of our obligation to the institution rather than from simply advancing the desires of the short-term political rewards, if you will.

For 293 days, no action was taken on the nomination. It was a complete break with Senate tradition, with Senate precedent, with U.S. history. There were 16 nominations to fill a Supreme Court seat that became vacant in an election year, and only one seat was stolen—the seat that opened up when Antonin Scalia died and Merrick Garland was nominated.

Among the hastily crafted pretexts for stealing this seat—and I mentioned this earlier, but I will mention it again—some raised the so-called ''Biden rule.'' There is no such rule in our rules, and there is no such speech that presented a rule. There was a speech in which Vice President Biden said that if there is an open seat, the Senate might be wise in an election year not to consider it in the heat of the election. That is simply a statement of respect for the Senate's ability to be the cooling saucer, to have thoughtful dialogue that maybe could not take place in the final months of a Presidential campaign.

I think most of us would say, if we had a nomination and we were coming together in September or October of an election year to consider it, maybe it would be better to wait until after the election in November to be able to have that thoughtful dialogue then. That is really merited by the importance of a Supreme Court vacancy and nomination.

Virtually everyone here would agree with the comment that Senator Biden made, but recognize this: His comment was in the abstract. There was no open seat. His comment was in the context of a speech in which he went on to say shortly thereafter, with regard to his theoretical situation in which he would consult with both sides of the aisle, if the President were to nominate somebody in the mainstream, he would probably win his vote, which was conveniently left out by my colleagues who referred to this.

The idea that we try to depoliticize and thoughtfully consider, which was the gist of Biden's comment, is one we should all respect. If you have to go back to a comment that was made in a speech many, many years ago by one Senator in order to justify the stealing of a Supreme Court seat and if you ignore history, ignore precedent, and ignore the Constitution in order to do so, you really know that your argument is not just on shaky ground, but it has no grounds.

I will read a little bit of what this was all about. These are the remarks I have that were given back then.

It begins:

> Given the unusual rancor that prevailed in the (Clarence) Thomas nomination, the need for some serious reevaluation of the nomination and confirmation process and the overall level of bitterness that sadly affects our political system and this Presidential campaign already, it is my view that the prospects for anything but conflagration with respect to a Supreme Court nomination are remote.
>
> In my view, politics have played far too large a role in the Reagan-Bush nominations to date. One can only imagine that role become overarching if choices were made this year, assuming a Justice announced tomorrow that he or she was stepping down.
>
> Should a Justice resign this summer . . . actions that will occur just days before the Democratic Presidential Convention and weeks before the Republican Convention, it is a process already in doubt in the minds of many and would be become distrusted by all. Senate consideration of a nominee under these circumstances is not fair to the president, to the nominee, or to the Senate, itself.

There it is. Depoliticize the debate that we are to have. Move that debate outside of the context of the heat of a campaign.

He went on to say:

> President Bush should consider following the practice of [some] predecessors and not . . . name a nominee until after the November election is completed.

Get the nominee out of the heat of the political campaign. That was actually something that we saw in a couple of these nominees. These are cases in which the vacancies occurred before the elections, and the Presidents waited until after the elections to name the nominees. That is the essence of what Biden was referring to: Get the nomination out of the heat of the campaign.

I do think that you have such an imbalance in this argument to anyone who opens his eyes to the conversation. You have, on the one side, our history of 15 vacancies during an election year, when the Senate acted on all 15 before Antonin Scalia died. On that same side of the scale, you have our constitutional responsibility to provide advice and consent. On the other side of the scale, you have a comment by former Senator Biden, then Vice President Biden, who was saying, actually, take a nomination out of the heat of political passion for it to be considered, which is completely consistent with our history.

It is the Constitution and our history versus an out-of-context comment made by a former Senator, in a theoretical situation, but he actually did

not say what folks said he said. It is clear where the weight of this argument lies. That is what makes it such a transparent transgression against our Constitution, a transparent transgression against the integrity of the Senate because the majority leader asked the Senators not to do their constitutional responsibility to provide advice and consent, a transgression against the Supreme Court because we now have a stolen seat and a precedent that will haunt the legitimacy of the Supreme Court for decades to come should we proceed down this route, should we continue with this conversation, should we have a vote, and should we—and I so hope we do not conclude with this theft being fully accomplished this week. It is such significant damage to everything—our institutions, the credibility of the Court, our responsibilities.

Well, some have said: Why filibuster? Every time I say ''filibuster'' it gets very confusing because it is hard for people to think—what does ''filibuster'' mean? Is it speaking at length? Well, yes, it is. In some historical context, speaking at length has delayed action. It was the set of speeches when Woodrow Wilson wanted to arm commercial ships before World War I that prevented the Senate from acting to approve that. Those speeches were around the clock.

By the way, the term ''filibuster,'' where does it come from? What does it mean? Well, it is, I guess, an evolution of the word ''freebooter.'' A freebooter was a pirate, so I guess you could say piracy. The folks who spoke at length to stop consideration of putting arms on our commercial ships took over the Senate and didn't let it act. But that is one way to view it.

Another way of viewing it is that we had the courtesy of hearing everyone in the original Senate. The Senate got rid of the direct motion to close debate because they didn't need it, because they wanted to hear from everyone. It is a tradition of letting everyone be heard and protecting that tradition.

So now that we have restored this motion to close debate, where the Senate rules require a supermajority, they were basically saying most of the time we are going to hear everybody out. It will take the large bulk of the Senators to close debate. That was used in a very few circumstances—almost never on a motion to proceed, almost never on an amendment, and rarely on final passage of a bill because it was considered that the Senate needs to act. It is a legislative body. On the other hand, we don't want to have this place be paralyzed.

To use the analogy of George Washington's cooling saucer, he said the Senate should be a cooling saucer, not a deep freeze. But too often, the abuse has resulted in the Senate being unable and paralyzed to act.

So here we stand with this concept that it is hard to put your hands around, and many of us are saying we should not close the debate on this nominee, if such a debate—if such a vote is held on Thursday, we should vote against closing debate. In the modern Senate rules, that is what a filibuster is; you are voting against closing debate. It comes down to this: 60 Senators have to be supportive for someone to be on the Supreme Court. That is to protect the integrity of the Court so that you don't have nominees from the extreme edges. The President, knowing that the Senate might not have 60 votes for someone from extremes, is thereby encouraged to produce a nominee that is someone from the mainstream. That is the power of the supermajority. And having people from the mainstream of judicial thought sustains the integrity of the Court in the eyes of the citizens. That is why many of us believe that we should vote against closing debate.

If we close debate on Thursday—and let me repeat again that this is the first time in U.S. history that the majority leader has filed a petition to close debate on the very first day of debate, the first time another of this stream of incredibly partisan tactics designed to pack the Court—the first time in U.S. history.

It takes two days before the vote can actually be held. The majority leader announced to file the petition earlier today, and the vote cannot be held until Thursday. When that vote is held, there will be at least 41 Senators who say we should not close debate. In other words, there will not be a supermajority of 60 necessary to close debate. That is what I am predicting. That is what my crystal ball says.

Why do I believe that there will not be 60 Senators to vote to close debate? Well, I will tell you now that I can say that is very likely because at least 41 Senators have announced that they will vote against cloture. They have made their announcements.

Turn the clock back to when I first stood up and said: This seat is stolen, and we should not vote to close debate. We must filibuster, which means the same thing under the rules of the Senate. I said this in order to stop the theft of Supreme Court seat-stealing. If this theft is successful, it will damage the Court forever, and it will result in not just the integrity of the Court being damaged, but the different decisions—a different set of decisions because, while we don't know exactly how Merrick Garland and Neil Gorsuch would vote on any individual case, we know from their records that one is straight down the middle and the other is on the very, very far right from a list vetted by two rightwing Republican organizations.

So we can ask: Did the President ask the nominee how they would vote on this case or that case?

Take, for example, the right of a woman to reproductive health that she feels is correct, keeping the politicians out of the exam room. Well, what we know is that the nominee before us at this moment came through a process of rightwing vetting through two organizations before being put on a list that was sent to the President. So we have a pretty good idea of how the nominee is going to vote on this issue.

The nominee wouldn't answer any questions before the Judiciary Committee. It was pretty much what you would call a farce: a question asked, a question not answered; a question asked, a question not answered; a question asked, a question not answered.

A number of my colleagues went into that Judiciary Committee hearing feeling they were really open to hearing the judicial thought and seeing if this nominee was really as far off the charts as everything else indicated. And the fact that he refused to answer a question over a week of hearings basically said to them, yes, now we know; now we know the answer.

So it is to protect the integrity of the Court that we must not close this debate on Thursday. That is why we want to insist on keeping the 60-vote standard. That is why the 60-vote standard exists.

There are some who have said: Hey, maybe we should try to figure out a way that we can preserve the 60-vote standard by not really using it as a tool for this particular nominee, and by not making it an issue, we have a tool for their future. It is kind of like coming into a confrontation and a person has a confrontation and they pull out their swords, and then say: I am going to lay down this sword and let you have your way until next time because that way I will still have my sword when I come back again. So you come back again next time: Oh, I have to lay down my sword again.

What are they confronting? Why are they saying we should perhaps consider not honoring the tradition of utilizing the 60 votes when there is a cloud over a nominee—not utilize the filibuster? There is this goal of saying: Well, that way maybe we keep the rule as it is. And why are they worried about that? Because the majority has said that they will consider changing the rule.

Well, many of us have a message for the majority—a message based on the way the Senate has acted over hundreds of years. If you don't have the votes, change the nominee, not the rule. That is the way it has been done time after time after time. On those 15 occasions when there was an open seat prior to Antonin Scalia passing away, the Senate didn't approve every nominee; they rejected several of them, but they considered every single one. And when they were rejected, they didn't change the rule; the President changed the nominee. That is what should happen in this case.

Some have said: Well, we have seen such disrespect for the Constitution. We have seen the urging of the majority leadership to not exercise our advice and consent responsibility under the Senate last year, and they made it happen. They enforced it. We have seen

the first-ever filing of a cloture petition to close debate on a Supreme Court nominee on the first day of a Senate debate; it has never happened before, to ram this through in a way never seen before in U.S. history. And is it too much to imagine that the Senate majority would also, instead of following Senate tradition when a nominee doesn't have the votes and telling the President to change the nominee, would instead change the rules? Yes, it is possible, when you look at that. But that is a decision that we can't control on our side.

When we looked at the tremendous obstruction that was being used for executive nominations and lower court nominations, we had to find a way to quit having advice and consent being used as a tool of legislative destruction against the other branches of government.

Our whole Constitution was founded on three coequal branches of government, but you can't have three coequal branches if one branch wields a tool—a tool that was intended to be used very rarely—of rejecting nominees when nominees weren't suitable, using it as a wholesale power to destroy the executive branch and undermine the judiciary. So we addressed that in 2013, but we left in place the supermajority for the Supreme Court. In some ways, you can think of the fact that, well, we tolerate a wide range of positions coming out of the lower courts. There is a check and balance there. It is called the Supreme Court. But there is no check to the Supreme Court. They are the final decision maker. That is why you leave in place the supermajority requirement to tell a President: Do not nominate from the extremes.

We have a President who likes to, well, I would say run counter to tradition. So that is maybe part of the appeal and why he is in the office. He looked at the power of the Senate, and we don't know if he even actually understood any of the background as to why we had a supermajority to close debate, why we had a 60-vote requirement. He said that he didn't care; he was going to nominate from the extreme anyway. And having nominated from the extreme, now the same groups that want extreme rulings for the powerful and the privileged are pushing tremendously hard, just as they did last year, for the majority to steal the seat in the first place.

But aren't we 100 individuals who could possibly set aside those tremendous pressures from those powerful dark-money interests and actually do the right thing for the Constitution and the Senate and the Supreme Court? Don't we have the ability, the soul, the insight to defend this institution at this moment? What everyone here must understand is that when people look back—if the decision this week is to destroy the 60-vote requirement that tempers the nominations to the final decider about what our Constitution needs—this is stripping away a key element in protecting the integrity of the Court, and it will be looked on as a very, very dark moment in which the Senate failed in its responsibility.

Let us not fail. Let's have some Senators who will remember that they stood up on that podium and they took an oath of office, and that had to do with advice and consent which was violated last year. Embedded in that was the responsibility to protect this institution and the rest of the other two branches of government, so they could function in a way our Founders intended them to.

I know that come Thursday, if there is a motion to change the interpretation of the rule—the way this works is that the majority won't actually change the rule. They will change the interpretation of the rule. For all practical purposes, it is basically the same thing. At that moment, we are going to be put to the test.

The reason it is called the nuclear option is because changing a rule—a basic function of the Senate, designed to protect the integrity of the Supreme Court—and undermining and damaging the integrity is like blowing up the institution. That is why it is nuclear. It is the big bomb. It is the most destructive weapon known in the legislative arsenal.

There will be some Members, I know, who will hesitate, some from the viewpoint that they have a responsibility to protect the institution. There will be others who will hesitate from political expediency. They will say: Yes, this is a pretty good deal to get the justice in place that our backers want. But on the other hand, the shoe might be on the other foot in 4 years. There may be a Democratic President, and maybe that President gets three nominations. If we blow up this rule, there will be nothing to temper the type of appointment made by that future President. That is something I am sure people will consider.

Apart from the out-of-context, standing-on-its-head example from Vice President Biden's speech, the other argument was: Well, let's let the American citizens decide. That was the second excuse for stealing the seat. Well, the people did speak. They spoke when they elected Barack Obama in the first election, and they spoke again when they elected him for the second election. They didn't elect him to serve 3 years out of 4, but to serve 4 years out of 4. They didn't elect him to execute his constitutional responsibilities 3 years out of 4. They elected him to serve his responsibilities, including nomination responsibilities, for 4 out of 4. He won that second term by a margin of over 5 million votes. That is a big margin. President Trump lost the citizens' vote by a margin of over 3 million votes. That is a pretty big disparity. It is an 8 million vote disparity between Obama's victory and Trump's loss of the citizen vote. So if we want to have the people have a voice, they have weighed clearly and President Obama considered his nominee. As to the fact that they wanted the people to weigh in, they weighed in and said they trusted Hillary Clinton more than Donald Trump to execute the responsibilities of office. That is the citizen vote by more than 3 million.

When the President campaigned, he said: I am going to drain the swamp, I am going to take on Wall Street, and I am going to help out workers. We have seen quite the opposite. The very first action he made—the very first action—was to make it $500 a year more expensive for families of modest means to buy a house. How does that possibly fit with fighting for working Americans? How does that possibly fit with that?

Then he put forward a plan on healthcare—TrumpCare—in partnership with Ryan. Ryan wants it to be called TrumpCare; Trump wants it to be called RyanCare. Neither one wants their name on it because it takes away healthcare from 24 million Americans. It makes healthcare out of reach for working Americans. That certainly wasn't fighting for working Americans, stripping healthcare. It is, basically, a weapon that hurts in two ways: If you don't have access to healthcare, you are worried that your loved one won't get the care they need. Then you are worried that if you do find access by basically paying much higher rates than anyone with insurance has, you will be bankrupt, and America had this vast number of bankruptcies.

So Trump, who campaigned on helping workers, said: I am going to strip away your healthcare. I am going to take away your peace of mind that your loved one will get care. We are going to return to a world where, if you do find care, you will be bankrupt. How do you like that plate of potatoes? Working America didn't like it. They called Capitol Hill and said: Stop this diabolical plan to undermine healthcare. Stop this plan. They said it on phone calls, they said it on emails, they said it at the townhalls, and the House abandoned the plan due to the outcry of workers across America who had finally—finally—found access to healthcare, thanks to the Affordable Care Act.

Then President Trump sends his anti-worker budget—what they called the skinny budget, the outline of the budget—over here to Capitol Hill. I was out doing townhalls in rural Oregon, and I think I got much the same reaction that probably everyone else did across the Nation. This wasn't America first. This was rural America last, including rural workers—especially rural workers.

The President campaigned for workers. He makes buying a home more expensive. He tries to strip away their healthcare, and, then, he hits them with a budget in rural America that will devastate their communities. You have a challenge with affordable housing? I am going to take away a good share of the housing grants used as a

flexible tool. You have other challenges in your community that you use community development block grants for. We are going to strip those as well.

Your rural county has a lot of Federal land? This is probably more true in the West, where I come from, than in many other States. Your rural county has a lot of Federal land so you are compensated through Payment in Lieu of Taxes, the PILT Program? I am going to devastate that program.

Your rural community has essential air service? Well, we don't need that. Let's take that away. We don't need air service in rural America.

It made me think about the airport in Klamath Falls, in my home State. Klamath Falls is not on an interstate. I–5 goes down through Medford and goes through Ashland. So it travels further west, on into California, not through Klamath Falls.

We have some very substantial manufacturing capability in Klamath Falls. We have an F–15 base. Both of those are essential to the community. But to keep that manufacturing there, to keep those companies there, to keep that airbase there, we have to have a functioning airport. The company that was servicing that town stopped, moved their assets somewhere else, and left that town stranded.

I immediately called the mayor and called the House Member representing that district and said: We have to get air service back. The managers of the manufacturing capability in doors and windows are not going to want to have their operation in a place they can't fly into. Flying into Medford and driving a dangerous, winding mountain road for well over an hour—often impassable or very dangerous in winter—is not going to cut it. We have to restore that air service. We went to work and we teamed up. We teamed up with colleagues across the aisle. Why did we undertake this? Because air service was essential to that economy. So here is President Trump, sending a ''rural America last'' budget which devastates rural air.

Let's talk about the Coast Guard. Oregon is a coastal State. My colleague presiding is from a coastal State. Our Coast Guard is pretty important to our States. But President Trump said: Let's savage the Coast Guard. Here is the thing. The Coast Guard actually stops a lot of bad things from happening along our coastlines. They save lives, and they stop drug traffickers. Ere is Trump's anti-worker budget: Let's take away the wall along the ocean—the Coast Guard—which stops drugs and other bad things from happening, and rescues people, and spend it on a wall on the southern border. What? I thought, Mr. President, you said the wall on the southern border was going to be paid for by some other country—that country on the southern side of the border, not the American taxpayers. You are going to essentially take away that virtual wall of defense along our coastlines in order to build this wall on the southern border?

I went down on a congressional delegation to meet with Mexican officials in Mexico City. We met with the Attorney General. We met with the head of their economic policy. We met with a whole group of Mexican senators, and we heard a lot. But what I found even more interesting was going to the border on the American side and talking to the American experts on the border. We asked them: How do drugs come across the border?

They said: Well, they come through freight. There is so much freight moving. You can tuck drugs into a freight truck. We find some of them but not most of them.

They said: Second of all, it comes across in tunnels. The tunnels are very expensive to build. They are often very long, well-engineered, and very expensive. You don't use them for people because they would be easily detected then and shut down and you would lose your investment. You use them to bring drugs into the country.

The point the border experts made is that the wall will be useless against stopping drugs from coming into our country because the drugs come through freight and they come through tunnels, but they don't come through backpacks. OK. That was interesting for the President to argue that was something he was going to address, to stop this massive inflow of people coming from Mexico to the United States. We looked at statistics, and it turns out that over the last 8 years, the net flow has been out of our country to Mexico, not into our country from Mexico—by a million people.

So that is really a situation where you have the triple threat against workers that President Trump is applying—making home ownership more expensive, proceeding to take healthcare away from millions of American families, and putting forward a budget that savages rural America in method after method after method. I am sure my colleagues will work on both sides of the aisle to stop the savaging of rural America, but clearly that is the President's vision. That was the worker part.

Then you had the ''I am going to take on Wall Street'' part. What did he do? He put the economy under the control of Wall Street. He had attacked a colleague here in the Senate from Texas during the primary campaign for his ties to Goldman Sachs. He attacked his general election opponent, Hillary Clinton, for ties to Goldman Sachs. Then he puts Goldman Sachs in charge of our economy, Treasury Secretary, strategic adviser. The list goes on and on. So much for taking on Wall Street.

Then there is the ''drain the swamp'' proposition. Well, big, powerful, fabulously rich folks deeply connected to those interests—that is the Cabinet. So you have Big Oil and big banks and billionaires. That is the Cabinet. That is the swamp Cabinet.

So all three promises the President made, after he lost by 3 million votes, he has gone on to devastate over the last few months. That is the foundation for saying ''Let the people speak''? The people spoke against—they voted majority against this President. They voted vastly for the election of Barack Obama, and the vacancy occurred on Obama's watch. This is a seat stolen from one Presidency and shipped to another with the packing the Court and a flimsy excuse from a quote from Biden taken out of context, a flimsy excuse of ''Let the people speak.'' When the people spoke, they supported President Obama by this vast number of popular vote. And Trump lost. So I guess the people did speak, but they spoke to the opposite side. So much for the foundation for this crime against our Constitution.

Speaking of the President, it is unacceptable that we are considering this nomination at this moment. At this moment, when the Trump campaign is under investigation—an investigation being conducted by the FBI, another investigation by the House Intelligence Committee, and another investigation by the Senate Intelligence Committee—it is unacceptable that we are considering this nomination at this moment when there is a cloud over the Presidency because of the conduct during the campaign.

We know some things, and we don't know others. We know that Russia sought to influence the U.S. election. We know they used an extraordinarily intense, carefully crafted strategy to influence the American election. What we don't know is the full extent of the conversations between the Trump campaign and the Russians who sought to get Trump elected. We don't know that. That is why we are having investigations.

If those investigations find that there was collaboration between the Trump campaign and the Russian Government, that is traitorous conduct—conspiring with an enemy to attack the institution at the foundation of our democratic republic, our elections. That is a very big deal, and that is why this debate should not be here on the Senate floor until that issue is fully addressed. We should not have the sitting President's nominee debated with the potential of being put on the Supreme Court when many questions remain about whether they conspired with a foreign government to undermine and tip the election we held in November.

Then there is the fact that the nominee is an extreme far-right nominee, even further right than Justice Scalia or Justice Thomas.

Analyzing the opinions of the Tenth Circuit since Judge Gorsuch joined in 2006, the Washington Post found that Gorsuch's actual voting behavior suggests that he is to the right of both Alito and Thomas, and by a substantial margin. The magnitude of the gap between Gorsuch and Thomas is roughly the same as the gap between Justice Sotomayor and Justice Kennedy during

the same time. In fact, our results suggest that Gorsuch and Justice Scalia would be as far apart as Justices Breyer and Chief Justice Roberts.

Gorsuch has advocated far-right conservative positions—not ''we the people'' positions, ''we the powerful'' over the people positions—positions even Scalia has opposed.

This nomination matters. Are we going to have decisions that reflect our Constitution, ''we the people'' decisions, or decisions that turn our Constitution on its head and create a government of, by, and for the powerful? We have a 4–4 split—the analysis of decisions to concede the twin peaks. Decades ago, we would have probably seen a single bell curve, not twin peaks, but what used to be here has migrated. Half of the Court migrated over there, as the Court has gotten further and further away from the fundamental vision of the five-vote majority. The Court now, without Scalia, is split 4 to 4, so this nominee will change the balance of the Court.

There is certainly an opportunity to put in somebody who is straight down the middle. We didn't really know exactly where Justice Merrick Garland would end up, and by all counts, it was anticipated he would be right down the middle. We know something different about Neil Gorsuch. The Court is split 4 to 4 now, and this nomination will change that balance. That is a very important reason that accentuates why this nomination should be set aside until we know if the President's team conspired with the Russians. We should clear up that cloud first.

I am going to go back and review some of the cases that give us substantial concern. I am going to try to locate more details. Meanwhile, I will just share a little bit about the record of 5-to-4 decisions.

Senator WHITEHOUSE has proceeded to do an analysis—or shared an analysis done by others—to look at 5-to-4 decisions of the Court and what has happened in recent memory. Were those decisions designed to accentuate the ability of powerful special interests that changed the makeup of the body? Was it that sort of interference? Was it interference that favored corporations or decisions that favored corporations over people? If I can get the details, I will go through it in detail.

What this analysis found was that the previous decisions of the Court with Scalia on it made campaign finance decisions and other decisions related to things like the Voting Rights Act that made it harder to have the elections that really reflected the voice of the people.

Let me give some context. The Voting Rights Act was passed in 1965. It was passed because different groups around America were messing with the elections to try to keep people from voting. There were elements of this that went way back in our history. There were tests that were applied, constitutional tests. African Americans might try to seek to register to vote and would be given a test that was an impossible question to answer. The same test would be given to White voters. There were all sorts of strategies to try to bias the election process.

So it was a big deal in 1965, and the Senate and the House said: No, we are not going to allow these types of tactics to be developed and utilized because they are an attack on the rights of Americans—the fundamental right to vote, to have a voice, and to help direct the direction of our country by campaigning and voting for those who have a better vision of where we are going to go.

So Congress acted and did so by saying: If you have new strategies for how you are going to control the elections, you are going to have to get those strategies preapproved because the record in your particular State has been that you abused those strategies to suppress the fundamental right of individuals to vote.

So one of those decisions was to say by a 5-to-4 decision: We are going to take away the power of the Voting Rights Act—which is almost unexplainable. The argument was more or less a version of, we don't need this anymore. We moved past that. We don't have the same problem. So we should have the same rules for all the States.

But what we immediately saw with the lifting of the Voting Rights Act was that those States that were under the Voting Rights Act immediately started working to do voter-suppression tactics—efforts to prevent individuals from voting in all kinds of ways—phony ID strategies, all sorts of manipulation of the precincts.

(Mr. CRAPO assumed the Chair.)

So it matters. The fifth seat on the Court matters a great deal. We have six decisions that have flooded the elections with special interest money and affected access to the ballot. In these 5-to-4 decisions, the people have lost in all six cases. So I am going to share those. Then there are 16 cases in which there have been 5-to-4 decisions. In all 16, the 5-to-4 Court ruled in favor of the corporations over the people. So in terms of campaign shenanigans, we have lost in 5-to-4 decisions 6 to 0. When I say ''we,'' I am talking about the American people who care about the integrity of elections have lost all six times under the Court that Scalia was on. On corporations over people, we have lost 16 to 0. I will start sharing these cases to show how much this matters.

Let's look at the issue of unleashing corporate spending. Citizens United v. the FEC in 2010. Under the First Amendment, donations and political contributions are considered free speech. The government does not have the right to keep corporations from spending money on political candidates. Money may not be given directly to candidates but instead may be spent on any other means necessary to persuade the public.

The decision held that political speech is crucial to a democracy and that it is equally as important when coming from corporations. So it essentially said: Look, if we translate that, what that means is that you have a group who was designed to take small amounts of investments from many, many people and combine them together to create the ability to take on larger commercial enterprises. That is a corporation. They sell shares. People provide funds through those shares. They provide those funds to the corporation by buying the shares, and the corporation can take on the big projects.

Out of those sometimes hundreds of thousands of shareholders, there is a small group, a board who decides how that money is spent. So you don't have the shareholders deciding how that money is spent; you have the small board. They aren't spending their own money; they are spending other people's money without asking their permission.

Are you kidding me? This entity didn't exist in this form. The Constitution didn't say that corporations are people and that these entities that really didn't even exist then have the same rights of ''free speech.'' The Constitution didn't say money is speech. No. Remember Jefferson's mother principle, which was that we will only make decisions and be successful as a democratic republic if each citizen has its equal voice. Citizens United is the opposite. It says: Those who sit on the board of gazillion-dollar corporations get a voice that is a gazillion times larger than the voice of an ordinary citizen. It is a complete contravention of the Constitution, and it is deeply corrupting and damaging our Nation. That is the 5-to-4 Citizens United case.

Then there was the American Tradition Partnership v. Bullock case in 2012. That overturned a Montana Supreme Court decision that banned corporations from spending money on political candidates and campaigns and found that political speech is protected regardless of the source, even when it comes from a corporation. In other words, Citizens United applies to this case as well.

The four dissenting judges did not believe that the Court was ready to review the same issues as discussed in Citizens United in spite of the fact that Montana's Supreme Court had noted the extreme power of corporations in politics.

OK, what is the story behind this? Montana was controlled by the copper kings. Back about 100 years ago, the people said: Enough. We want Montana to be controlled by the people of Montana, not by this vast concentration of special interest money that is making all the decisions.

So they passed a law, and they kept corporate money out of their elections to restore the integrity of elections. The Supreme Court turned a deaf ear on that case.

How about McCutcheon v. Federal Election Commission in 2014, which eliminated aggregate campaign limits. The decision found that aggregate campaign limits are invalid under the First Amendment because they restrict political expression. Aggregate limits do not further the government's interest in preventing the appearance of corruption—one of the main goals under the Bipartisan Campaign Reform Act.

They also found that corporations cannot be limited in the number of political candidates they donate to, as this restricts the influence of the corporations which they were equating to free speech.

So this was another erosion of the effort to have the vision Jefferson spoke to, the mother's principle that the government would express the will of the people. That is the same basic idea that Lincoln had when he phrased it in his famous address and said ''government of the people, by the people, for the people.'' But if you allow this vast concentration of money to be spent on campaigns to corrupt those campaigns, it is not government of, by, and for the people. It is like the copper kings. It is the fossil fuel kings. It is the Koch brothers running it.

In the Copper King case in the State of Montana, which Montana shrugged off and reclaimed and restored their government—versus the situation we have at the national level now with a similar parallel—the fossil fuel kings, the coal kings, the oil kings putting vast sums in—to Citizens United.

There was a case that had to do with whether laws were OK that restricted judicial candidates from directly soliciting donations for their campaign. My memory is that the Court said: You know what, it is OK to restrict judges who are directly soliciting donations because that would affect and bias their decisions and it would create the appearance of bias. So there was the reality of bias and the perception of bias. In other words, it would corrupt the courts.

So on an issue involving Justices, that ''we the powerful'' group—Roberts, Alito, Thomas, Scalia, Kennedy—that group said: Do you know what? No. No, we can't let money corrupt the election of judges.

But none of them have served in the Senate or the House, and they couldn't translate the fact that they wanted to defend the integrity of judges and that that was important under the Constitution and allow restrictions on how campaigns were done—they couldn't translate that to the bias and the corruption of what happens here.

I mean, anyone looking at the United States can see that a few years ago, we had a whole host of Republican environmentalists who cared about the next generation and the generation after and fought for clean air and fought for clean water. It was President Nixon who put forward the Clean Air Act and the Clean Water Act. It was President Nixon and the Republicans who proceeded to create the Environmental Protection Agency.

But what happened when the fossil fuel money fueled the campaigns that created the new Republican majority in the Senate? All concern for the environment was gone. That is corruption, plain and simple.

The Supreme Court—five Justices—proceeded to rubberstamp that it is OK to have that corruption—the complete opposite of the vision of our Constitution. They understood it when it was for judges, but they found for the powerful and the privileged and supported the corruption when it came to this body and the House.

Then there is the suppression of access to the ballot box. The Shelby County v. Holder decision of 2013 struck down section 4 of the Voting Rights Act, which included a suspension on many of the prerequisites or tests to vote. The Court held that this part of the Voting Rights Act no longer reflects the current conditions of voting. The formulae for determining whether a State can change its voting laws should no longer be federally reviewed, the Court said.

The decision declares that this section puts undue burden on local government during elections. Really? We saw how the fundamental right of citizens to vote was savaged in these States before the Voting Rights Act, and we have seen how those practices have returned after the Supreme Court struck down section 4 of the Voting Rights Act. That is why it matters.

Let's take a look at Bartlett v. Strickland in 2009, a case that affirmed the North Carolina Supreme Court decision that the State's redistricting plan does not violate the Voting Rights Act section 2. State officials do not have to ensure that minority voters have the opportunity to join with crossover voters to elect a minority candidate.

In this case, the Court found that the vote would not be diluted because the minority was comprised of less than 50 percent of the voting population. Due to the fact that the African-American minority was only 39 percent on the voting population, State officials had no requirement to redraw district lines.

What are we talking about here in real terms? Is gerrymandering OK to change the outcome of the congressional delegation? And the Court said it is OK.

Then there was Vieth v. Jubelirer—redistricting of a Pennsylvania congressional delegation from a Republican-controlled State legislature to favor Republican congressional elections. The Pennsylvania General Assembly was challenged by Vieth—that is the name of the challenger—that the redrawing of the lines was political gerrymandering, violating Article I and the equal protection clause in the 14th Amendment.

The opinion of the lower courts was affirmed, and Scalia wrote the four-member plurality which dismissed the case due to the fact that the Justices could not agree on an appropriate remedy for political gerrymandering. Scalia wrote the four-member plurality. Kennedy wrote a concurring opinion—so it is 5-to-4—but sought a narrow ruling so that the Court would still seek a solution.

Well, the bottom line is that in a 5-to-4 Court, that fifth vote matters. In these six cases, the decisions were all in favor of undoing the vision of voter empowerment and supporting the strategy of voter suppression, undoing the restrictions on gerrymandering to change the makeup of the congressional delegation or the makeup of State delegations and supporting such bias being written into the system.

These 5-to-4 decisions were all about allowing the most powerful, richest people to have a voice equivalent to a stadium sound system that drowns out the people in a position completely contrary to the equal-voice premise that Jefferson called the mother's provision, the foundation for whether or not our government would be able to make decisions that reflected the will of the people.

Then there is a set of decisions 5-to-4 opinions that were relevant to corporations over individual rights, and some of those overlap: Citizens United, McCutcheon, the American Tradition Partnership v. Bullock that we have already covered. Let's look at some of the others.

How about Burwell v. Hobby Lobby. Fighting to require corporations to provide female employees free access to contraceptives violates the Religious Freedom Restoration Act. The Court held that Congress intended RFRA to be applied to corporations. Corporations face a significant burden if they are forced to fund an action that goes against the corporation's religious beliefs. So let's give corporations a soul that has a religious belief. So not only has the Court extended the vision to corporations that they are somehow the equivalent to a super-rich bazillionaire individual, but they also have a soul and a religious belief. So concentrating this fantastic concentration of power and realizing that if the corporation made the decisions on the basis of the stockholders, with all of them having, essentially, input—but they don't because that is not the way a corporation works. You have a very difficult time trying to influence the thinking of a board of directors. You can make efforts. Rarely you might have a successful vote by a group of shareholders who take something to the annual meeting. But in general, that board operates in a world all its own, and they are spending the money—not their own money; they are spending the money of the stockholders without disclosing it to them. They actually steal the political speech by using the money in political speech without disclosing what it is. But that was the decision in Burwell

which gave a corporation the ability to follow its religious choices—that is, the board's religious choices—over the workers' religious choices in an area as sensitive as women's access to reproductive birth control.

Let's turn to Walmart v. Duke in 2011, a class action lawsuit brought by six women against Walmart claiming that Walmart policies resulted in lower pay and longer time for women to acquire a promotion—lower pay and longer time to get a promotion.

The Supreme Court found that the six women who were applying could not represent a class of the 1.5 million women employed by Walmart. They found that the employment decisions for this large number of people did not have enough commonality to be represented in one case—a 5-to-4 decision.

In a class action lawsuit, you have principals, and they represent a class of folks who have been treated similarly. Certainly this is an example of where in general you would expect that the experience these women had could represent the experience that women were getting at Walmart as employees, but the Court turned them down 5-to-4. Four said these women and other like-treated individuals deserve a hearing, and the majority of five said: No, no, no, let's protect Walmart.

Let's look at American Express Company v. Italian Colors Restaurant. Several merchants of the American Express credit card company brought individual cases alleging that the company's card acceptance agreements violate antitrust laws. The Supreme Court found that the American Express clause prohibiting class action lawsuits is enforceable. The high cost of bringing cases forward on an individual basis, which is impossible for an individual to do, was not a sufficient reason for the Court to override the company. Federal antitrust law does not guarantee a cost-effective process.

So here you have a 5-to-4 decision in which, again, you have individuals who have been on the receiving end of bad practices or at least alleged bad practices by a financial company saying: We were shorted a few dollars or maybe a few hundred dollars, but we can't possibly take on this powerful company's enormous office building full of lawyers unless we have a class action where we have everyone who has been similarly affected able to bring their case at one time, with one set of representatives, so that maybe there will be a little bit of a fair playing field.

You can't hire lawyers. It will cost you $1 million to hire lawyers to pursue a $100 issue. So unless there is a class action, there is no justice. It is justice denied and a green path for predatory practices by the large and powerful. Five-to-four decisions matter.

Comcast Corporation v. Behrend. SCOTUS ruled that a district court is not allowed to certify a class action lawsuit without acceptable evidence that the damages can be measured on a class-wide basis. They found that the lower court failed to properly establish the impact of the damages on all of the plaintiffs. Courts must find that the model to prove damages are class-wide and quantifiable.

Let's translate this. What does this mean? The Court, on a 5-to-4 basis, is setting very high standards for establishing the legitimacy of a class action lawsuit. You have to be able to prove that the entire class is affected, not just probably, and it is quantifiable. So they are making it very difficult.

Four Justices said: No, that is ridiculous. That is absurd. That is a standard that makes no sense. But the five ruling for the powerful and privileged said: OK, we can tighten this up and make it harder to challenge predatory actions by large corporations.

We have AT&T v. Concepcion. Customers of AT&T brought a class action claiming that the company's offer of a free phone was a scam because they were still charged the sales tax on the new phone. It wasn't free; they had to pay a tax.

SCOTUS found that the Federal Arbitration Act displaces State law stopping companies from offering contracts that do not allow class action lawsuits. Therefore States cannot make laws that allow companies to prohibit their customers from bringing forward class actions. But the bottom line is that the way this was framed, it had an impact of a 5-to-4 decision with corporations over people.

Janus Capital Group v. First Derivative Traders in 2011.

Most folks didn't even know there were these many cases affecting powerful corporations and their predatory practices and the ability of ordinary people to take them on, but here they are one after another.

Janus Capital Group created Janus Capital Management as a separate entity from Janus Capital. The plaintiffs claimed that JCG should be held liable for misleading statements by JCM regarding various funds, most notably the market timing of the fund's practice of rapidly trading in and out of a mutual fund to take advantage of inefficiency in the way the funds are valued.

This was not permitted. The Fourth Circuit Court found in favor of the plaintiffs because the investors would have inferred that even if JCM had not itself written the alleged statements, JCM must have approved the statements. After all, JCM was created by JCG. But SCOTUS reversed the circuit court's finding that the false statements were made.

So each of these cases involved efforts to tighten or narrow the channel through which ordinary people can challenge the conduct of the powerful. The powerful can use a series of strategies—in this case, creating a subsidiary—to bypass responsibility for misleading statements.

Ashcroft v. Iqbal in 2009. The case concerns the arrest and subsequent treatment of Javaid Iqbal at the Metropolitan Detention Center in Brooklyn, NY. Iqbal and several thousand other Arab Muslim men were arrested as a part of the investigation into the then recent September 11 terrorist attacks. Upon his release, Iqbal brought suit alleging discrimination and 21 constitutional rights violations by the Department of Justice, Bureau of Prisons, and FBI. The defendant argued that their official government roles protected them from suit.

The U.S. district court denied the defendants' motion to dismiss—that is, protected the ability of the suit to be brought—and supported their qualified immunity defense. The U.S. Court of Appeals for the Second Circuit affirmed the district court's ruling with one exception: They ruled that under the defendant's qualified immunity defense, it was not a violation of due process given the context of the terrorist attacks' unique circumstances. The Supreme Court then upheld the finding of the Second Circuit.

Again, each case is a narrowing and a finding of individual against a corporation or a larger entity in a 5-to-4 decision.

These cases—I don't think I will go through all of these remaining six cases, but I think you get the general idea. The bottom line: In 5-to-4 opinions, corporations won 16 times and ordinary people won zero times.

So I want to go back to the fact that Gorsuch himself is an extreme judge, and I think it is important to talk about the cases he was involved in directly. What I have just been laying out is that a 5-to-4 Court makes an enormous difference. Is the Court going to look for every possible way to deny the opportunity for ordinary citizens to take on the powerful and the powerful to get away with predatory practices, or are they going to honor the vision of government of, by, and for the people? That is the fundamental question in a 5-to-4 Court. And Gorsuch fits right into that because the vision of honoring the ability of people to take on the powerful in a system of justice versus a system that perpetrates injustice by allowing the powerful to get away with predatory practices against ordinary people and constrains the right of individuals and expands the rights of corporations—that turns corporations into predator superhumans with more money than any one individual and more power than any one individual and more campaign cash than any one individual. In fact, a corporation will often have more cash to be spent in a campaign than the rest of America—perhaps the entire rest of America put together.

When the Koch brothers said in January 2015 that they were going to spend nearly $1 billion in the next election, do you think there were many Americans who said: Well, well, I can do that. No. That would represent the political spending by virtually all the rest of America. That is the challenge of the concentration of power in our country.

We have seen that there are a whole series of cases that allow gerrymandering and voter suppression and campaign spending and dark money designed to corrupt the ''we the people'' elections, the foundation of our democratic Republic. We saw a whole series of cases that involve finding for the powerful corporations in restricting the rights of people to band together to challenge them through class action lawsuits. That is the difference between these two parts of the judicial decisions, and Neil Gorsuch is way to the right.

So let's look at the preamble to our Constitution: ''We the People of the United States, in order to form a more perfect union, establish justice''—those are the next words, ''establish justice.'' What kind of justice is there if the Court continuously allows the corruption of our elections? What kind of justice is there if the Court continually restricts the power of ordinary people to bring a case against a predatory practice of a powerful institution? That is the question.

Our Constitution that starts out with those three beautiful words that I quoted many times tonight, ''We the People,'' also has a vision of establishing justice. How is it that this group of Justices has forgotten that our Constitution was about establishing justice? Well, that is a big concern.

However, what we find is that Neil Gorsuch is coming to his court decisions and to his writing from a viewpoint of how to arrange the details to help the powerful come out on top.

(Mr. STRANGE assumed the Chair.)

Let's look at the frozen trucker case. Anphonse Maddin was transporting cargo through Illinois when the brakes on his trailer froze because of subzero temperatures. Maddin did the responsible thing: He didn't move the trailer anymore because without brakes, he would have been endangering the lives of everyone on the road. So to protect others, he refused to operate the truck. After reporting the problem to the company, he waited 3 hours in freezing temperatures for a repair truck to arrive. He could not even wait in the cab of his truck to keep warm because the auxiliary power unit was broken.

After waiting 3 hours in subzero temperatures, his torso went numb, and he began having difficulty breathing. He could not feel his feet. He felt his life was at risk. He unhitched the disabled trailer with its frozen brakes because he thought it was absolutely dangerous to drive with a full load without brakes, and he drove the cab to a place where he could get warm.

Even as he was driving away, even after he had reported his numbness and difficulty breathing, the company was still radioing Alphonse Maddin to wait in the dangerous, frigid condition or to drive with a full load and frozen brakes. The company wanted him to drive with frozen brakes. The company wanted him to drive in those temperatures, with ice on the road, and with a full load. Help arrived about 15 minutes after Maddin made the decision to leave. As soon as he heard that, he turned around, and he returned to the trailer, but TransAm Trucking fired him for leaving the trailer unattended.

The argument that TransAm Trucking had used for firing Alphonse Maddin was, instead of remaining in the dangerous, freezing conditions and refusing to drive because of there being a disabled trailer, he drove away without the disabled trailer. In the company's mind, Maddin had two choices: one, freeze to death or, two, drive the disabled vehicle with the frozen brakes and trailer attached, putting other people's lives at risk. He had two choices: Put his own life at risk or put everyone's life at risk.

The Department of Labor looked at this and said that the truckdriver was fired in violation of the Surface Transportation Act's protections and that he should be reinstated with back pay.

The case made its way up to the Tenth Circuit. The Tenth Circuit said: Absolutely, the law is written so that truckdrivers will not operate under dangerous conditions in order to protect their safety and the safety of the public. That is the way the law is set. The Tenth Circuit said: Yes, that is the way the law is set. That is what is written in the law.

Judge Gorsuch wrote a dissent. He twisted and strained the statute. He wanted to find ways to minimize the word ''health'' and the word ''safety'' and stated that the finding for the driver was improper because it used the law as a springboard to combat all perceived evils, which is a quote: ''as a sort of springboard to combat all perceived evils.''

No, the law was designed to protect against a specific evil, which is people operating vehicles in a manner that endanger themselves or others. You cannot be fired as a truckdriver for operating a vehicle in order to protect the lives of others. The truckdriver, who was operating responsibly—Alphonse Maddin, who was operating responsibly—said: I am not going to endanger others.

He was fired for it. The Department of Labor said: No, you cannot fire him. That is why the law is written that way. The Tenth Circuit said: No, you cannot fire him. That is why the law is written that way. Yet Neil Gorsuch found some way of twisting the words to say: Huh, let's find a way to make this work for the corporation rather than the individual.

Even the law says that you are protected from being fired for refusing to operate a truck that endangers yourself or others. Even the law says that. Let's find a way to go the other direction and find on the side of the company.

Gorsuch wrote that his employer gave him the very option the statute it must. Once he voiced safety concerns, TransAm expressly permitted him to sit right where he was and wait for help. They gave him two choices: Sit and freeze in the cab, even though his torso had gone numb and at his own risk to his own health, or drive the trailer and endanger everybody's life—a lose-lose proposition. Gorsuch ignored the side of the statute that involved the safety of the driver as well as of the people.

He dismissed the Department of Labor's view in saying that there is simply no law that anyone has pointed to us giving employees the right to operate their vehicles in ways their employers forbid.

Yes, there is. The law says that you cannot fire someone for driving or for refusing to operate a vehicle in a manner that endangers other people's lives.

The majority of the court that supported the Labor Department's reasoning called Gorsuch's reasoning ''curious.'' That is the polite way of saying that we have no idea how he could possibly have twisted the law in this fashion. If Gorsuch had gotten his way, there would have been no justice for Alphonse Maddin—a pure decision of the frozen trucker, a decision devoid of common sense, totally detached from the law as written. That is the frozen trucker case.

Let's look at the autistic child case of Thompson R2–J School District v. Luke P. Because he is a youngster, his last name was not used. It was a 2008 case.

Luke P., a young child with autism, began receiving special education services in kindergarten at his public school. He had an education plan that was specific to his needs as was required by the Individuals with Disabilities Education Act, or IDEA.

In early grades, he had made progress in skills related to communication, self-care, independence, motor skills, social interactions, and academic functioning, but he was not making progress in generalizing his skills and applying skills learned in school to other environments, such as his home life.

Despite the situation at school, there were a lot of problems in his conduct, and the public school's inability to meaningfully improve Luke's ability to generalize basic life skills beyond the walls of the school posed significant limitations on his future.

The basic story is this: The school was failing to provide the type of education that was necessary for Luke to gain the ability to operate in life. They found a school that could provide that ability. They said: To save our child, we will transfer him to that residential school near Boston that specializes in serving children with autism. It was a great opportunity for him to learn, and he got in and began to flourish—a huge change.

Luke's parents, in their knowing that IDEA entitles children with disabilities to a free education, applied to the school district for reimbursement of the tuition. The school district refused.

The long and short of it is that, at a State-level hearing, Luke's parents prevailed. The case went to the Federal district court, and his parents prevailed under the Individuals with Disabilities Education Act. At each level, a hearing officer or judge determined that Luke was not getting the help he needed at his public school. They concluded that the school district had failed to provide him the free and appropriate education that was entitled to him under the law.

You have decisions made at multiple levels that the school district was not meeting the standard of the law. Each declared that only a residential school could provide Luke with the education he needed. Therefore, the reimbursement of the tuition to the family was necessary and appropriate under the law.

The school district appealed all the way up to Judge Gorsuch on the Tenth Circuit Court. In writing the opinion for the majority, Judge Gorsuch—and they reversed the lower court's ruling—stated that the educational benefit that was mandated by IDEA must be ''merely more than de minimis.''

Here is the new judge's—Neil Gorsuch's—law. He is rewriting the trucker law so that truckers can be fired for protecting their safety and the safety of others. He is rewriting Individuals with Disabilities Education Act so that, instead of having an education that is appropriate to the student, in fact, all that is required is ''merely more than de minimis.''

''De minimis'' means the minimum—like nothing, like babysitting. Gorsuch said that the benefit provided to Luke—essentially, the babysitting—satisfied that standard. In effect, Judge Gorsuch argued that, under IDEA, all the school system had to do was to provide disabled children with the bare minimum, which is an incredibly low bar.

I will tell you that the whole intent of IDEA—the whole debate held here in the Senate, the whole debate held in the House, the signing, the whole framework for this act—was that we have to do right by our disabled children. Therefore, schools were mandated to provide appropriate education. The whole of Gorsuch's finding was to say: No, I am rewriting the law—minimal, babysitting, ''merely more than de minimis.'' It is merely more than nothing when translated.

What would be enough? It is as if the whole debate had never occurred over the vision of requiring schools to provide an appropriate education to students.

This is not just an example of some narrow reading of the law. This is judicial activism—rewriting the law to a completely different thing than it was intended to say.

How could Judge Gorsuch argue putting disabled children like Luke in a room and giving him nothing other than merely more than nothing after having met the standards of a substantial act of Congress that was fully designed to give an appropriate education for disabled children? How do those things even come close to equating? ''Merely more than nothing'' versus ''you must provide an appropriate education''—how do you square those two things? How do you have a judge completely rewrite the law and say that he is qualified to sit on the Supreme Court?

We can tell you that the High Court disagreed completely with Judge Gorsuch. We can tell you this because, just this year—just a few days ago—the Supreme Court ruled on this case, and they overturned Judge Gorsuch. They did so not by 5 to 3; they did so by 8 to nothing—8 to zero.

Eight Justices—four conservative, four liberal—looked at this and said that the law says ''appropriate education.'' Judge Gorsuch said ''merely more than nothing.'' That is not the law as written. That is rewriting the law to find on behalf of the powerful, the larger—in this case, the school district—over the individual. It is a pattern we see in his rulings time and time and time again.

That is why, if you do nothing about the fact that this seat was stolen for the first time in U.S. history—a seat stolen for the Supreme Court from one administration and sent forward in an effort to pack the Court—and if you did not know anything about that and if all you knew was this set of decisions, you would ask: How can we possibly put on the Supreme Court an individual who rewrites the law to mean the opposite of what it is written to say—that black is white and white is black; that ''do something significant'' means ''do nothing'' or ''merely nothing''; that protecting those drivers who operate in safety for themselves or safety for the people on the road—Judge Gorsuch says to strip away that protection.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF THE TREASURY

SIGAL MANDELKER, OF NEW YORK, TO BE UNDER SECRETARY FOR TERRORISM AND FINANCIAL CRIMES, VICE DAVID S. COHEN, RESIGNED.

HEATH P. TARBERT, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MARISA LAGO.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

PATRICK M. ALBRITTON
MONA E. ALEXANDER
JEFFREY T. ALLISON
CLARK L. ALLRED
KEVIN D. ALLRED
JUAN A. ALVAREZ
JEREMY S. ANDERSON
NEIL E. ANDERSON
STEVEN C. ANDERSON
TANYA J. ANDERSON
SHAWN E. ANGER
RICHARD L. APPLE
CLAUDE M. ARCHAMBAULT
MICHAEL C. ARNDT
MICHAEL J. ARTELLI
JACK R. ARTHAUD
JON C. AUTREY
JASON B. AVRAM
LISLE H. BABCOCK
JOHN E. BAQUET
MARK E. BARAN
CHRISTOPHER T. BARBER
KATHARINE G. BARBER
CLAYTON B. BARTELS
JOHN V. BARTOLI
ROBERT C. BEARDEN
KEVIN R. BEEKER
TIMOTHY E. BEERS
CASSIUS T. BENTLEY III
WILLIAM A. BERCK
CHRISTOPHER C. BERG
SCOTT D. BERNDT
WILLIAM L. BERNHARD
WILLIAM B. BLAUSER
DEREK S. BLOUGH
THOMAS T. BODNAR
ELIZABETH C. BOEHM
JOHN M. BOEHM
KENNETH R. BOILLOT
SEAN P. BOLES
ERNEST L. BONNER
RONALD K. BOOKER
RALPH E. BORDNER III
CHRIS E. BORING
RICHARD L. BOURQUIN
MATTHEW J. BRADLEY
WARREN B. BRAINARD
MAXIMILIAN K. BREMER
ROBERT T. BRIDGES
JOEL L. BRISKE
SCOTT D. BRODEUR
CARLOS J. BROWN
RICHARD K. BROWN, JR.
DONALD R. BRUNK
CHRISTOPHER M. BUDDE
LANCE C. BURNETT
KELLY D. BURT
WALTER A. BUSTELO
MATTHEW J. BUTLER
EDWARD P. BYRNE
MICHAEL R. CABRAL
CHARLES B. CAIN
MAURIZIO D. CALABRESE
JASON A. CAMILLETTI
JOHN T. CARANTA III
STEPHEN V. CAROCCI
ALLAN A. CARREIRO
IVORY D. CARTER
JASON S. CHANDLER
RAJA J. CHARI
KEITH N. CHAURET
JENNY M. CHRISTIAN
WILLIAM V. CHUDKO
CHRISTOPHER STEPHEN CHURCH
WILLIAM R. CHURCH
AARON W. CLARK
CHRISTOPHER R. CLARK
WILL CLARK
DANIEL C. CLAYTON
DOMINIC P. CLEMENTZ
SARAH U. CLEVELAND
TRAVIS J. CLOVIS
ERIN C. CLUFF
THOMAS F. COAKLEY
MARK D. COGGINS
CAROLYN C. COLEMAN
MICHAEL J. COLVARD
THEODORE E. CONKLIN, JR.
RYAN C. CONNER
DANIEL E. COOK
HEATHER A. COOK
JASIN R. COOLEY
PHILIP J. COOPER
SEAN J. COSDEN
KAREN M. COSGROVE
SHAWN C. COVAULT
WILLIAM J. CREEDEN
JOHN B. CREEL
RYAN L. CROCKETTE
CHRISTOPHER L. CRUISE
WILLIAM M. CURLIN
MACK W. CURRY II
MICHAEL D. CURRY
MARTIN T. DAACK, JR.
KENNETH J. DANIELS
TIMOTHY S. DANIELSON
RUSSELL O. DAVIS
BRANDON W. J. DEACON
SARA B. DEAVER
JOEL R. DEBOER
EDUARDO DEFENDINI
JASON R. DELAMATER
BRIAN A. DENARO
DOUGLAS J. DISTASO
MARK C. DMYTRYSZYN
THANG T. DOAN
DANIEL A. DOBBELS
MICHAEL R. DONAGHY
JAMES L. DONELSON, JR.
MATTHEW A. DOUGLAS
JONATHAN G. DOWNING
BRADLEY C. DOWNS
JEFFREY J. DOWNS
LINDSAY C. DROZ
MASON R. DULA
RONALD E. DUNLAP III
TODD R. DYER
HARRY R. DYSON
BRYAN T. EBERHARDT
MICHAEL T. EBNER
JASON A. ECKBERG
MICHAEL C. EDWARDS
TRAVIS L. EDWARDS
GARY J. EILERS
CHAD R. ELLSWORTH

THOMAS P. ESSER
ALDWIN V. ESTRELLADO
NICHOLAS B. EVANS
ERIC S. FAJARDO
MICHAEL J. FELLONA
KEVIN A. FERCHAK
DAVID L. FERRIS
JASON R. FICK
BRIAN A. FILLER
STEVEN A. FINO
DAVID B. FISHER
GREGORY G. FRANA
JESSE J. FRIEDEL
LEAH R. FRY
WILLIAM J. FRY
CHAD A. GALLAGHER
DOUGLAS S. GARAVANTA
BRIAN W. GARINO
TOMMY M. GATES III
ALLEN A. GEIST
JAY S. GIBSON
TY S. GILBERT
CRAIG M. GILES
TED D. GLASCO
MICHAEL L. GOERINGER
JOSEPH R. GOLEMBIEWSKI
ANTONIO J. GONZALEZ
DAVID J. GORDON
LOREN R. GRAHAM
SETH W. GRAHAM
GEORGE R. GRANHOLM
MARION GRANT
MARC E. GREENE
JUSTIN T. GRIEVE
TERRENCE R. GRIMM
JEFFREY A. GUIMARIN
RYAN J. GULDEN
JAMES B. HALL
CHRISTOPHER B. HAMMOND
GRANT M. HARGROVE
PAUL K. HARMER
MATTHEW T. HARNLY
BRETT W. HARRY
SCOTT A. HARTMAN
LESLIE F. HAUCK III
JEFFERSON G. HAWKINS
JOHN W. HAWKINS, JR.
DOUGLAS P. HAYES
DARIN D. HEESCH
KURT C. HELPHINSTINE
TIAA E. HENDERSON
DAVID A. HENSHAW
KENNETH B. HERNDON
CHAD L. HEYEN
TAMMY S. HINSKTON
JENNIFER P. HLAVATY
DARIN L. HOENLE
JEFFREY A. HOGAN
JAMES M. HOLDER
JEFFRY A. HOLLMAN
RONALD A. HOPKINS
ROBERT A. HORTON
ERIC D. HRESKO
MERNA H. H. HSU
MICHAEL G. HUNSBERGER
DON R. HUNT
TRACY N. HUNTER
MATTHEW S. HUSEMANN
JARED J. HUTCHINSON
TIMOTHY L. HYER
ANN M. IGL
CHADWICK D. IGL
RYAN J. INMAN
NATHAN L. IVEN
ABRAHAM L. JACKSON
WILLIAM B. JACKSON
GENE A. JACOBUS
JEFFREY C. JARRY
ANDREW M. JETT
MARK D. JOHNSON
CAREY J. JONES
MATTHEW E. JONES
BENJAMIN R. JONSSON
ERIC L. JURGENSEN
DON C. KEEN
ROBERT H. KELLY
SEAN C. G. KERN
CHRISTOPHER J. KING
JONATHAN D. KING
LUTHER L. KING
PAUL H. KIRK
CARYN L. KIRKPATRICK
ANTHONY A. KLEIGER
TRICIA H. KOBBERDAHL
KYLE F. KOLSTI
VINCENT M. KREPPS
JENNIFER M. KROLIKOWSKI
MAFWA M. KUVIBIDILA
JEFFREY D. KWOK
STEPHEN R. LACH
GYORGY LACZKO
CHRISTOPHER M. LANIER
MIKKO R. LAVALLEY
PHILLIP A. LEGG
TRAVIS K. LEIGHTON
JONATHAN B. LESLIE
STEVEN C. LINDMARK
RYAN A. LINK
GRAHAM K. LITTLE
SCOTT W. LOGAN
GEOFFREY E. LOHMILLER
PATRICK V. LONG
JASON J. LOSCHINSKEY
KRISTI LOWENTHAL
DEVEN J. LOWMAN
JOHN R. LUDINGTON III
CRISTINA FEKKES LUSSIER
WILLIAM J. LYNCH
ROBERT P. LYONS III
ERIC G. MACK
BETH LEAH MAKROS
KEVIN R. MANTOVANI
EDWARD E. MARSHALL
RAY P. MATHERNE
STEPHEN B. MATTHEWS
CHRISTOPHER J. MAY
MATTHEW L. MAY
SCOTT H. MAYTAN
CHRISTOPHER J. MCCARTHY
DAVID L. MCCLEESE
TIMOTHY S. MCDONALD
JAMES C. MCFARLAND
THOMAS C. MCINTYRE
WILBURN B. MCLAMB
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ARGIE S. MOORE
SHAWN D. MORGENSTERN
SCOTT A. MORRISON
DAVID R. MORROW
RYAN D. MUELLER
ANTHONY J. MULLINAX
JOSEPH A. MUSACCHIA
KEVIN R. NALETTE
MONROE NEAL, JR.
ROBERT S. NEIPER
ERIC B. NELSON
CHRISTOPHER J. NEMETH
JENNIFER L. NEVIUS
JULIE S. NEWLIN
MATTHEW J. NICHOLSON
DANIEL S. NIELSEN, JR.
TERI R. NOFFSINGER
PETER M. NORTON
TRAVIS L. NORTON
DAVID B. NOVY
LESTER N. OBERG III
PATRICK J. OBRUBA
PETER F. OLSEN
SCOTT A. OMALLEY
ARVID E. OPRY
ENRIQUE A. OTI
KRISTIN L. PANZENHAGEN
CHARLES N. PARADA
KEVIN L. PARKER
WILLIAM M. PARKER
JARED B. PATRICK
DAVID D. PEREZ
BRIAN K. PHILLIPPY
EDWARD P. PHILLIPS
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JASON R. RUSCO
BRIAN DARNELL SALLEY
ASSAD SAMAD
GINO SARCOMO
TYLER R. SCHAFF
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JONATHAN J. SORBET
BRETT D. SOWELL
MACKJAN H. SPENCER
CORBAN D. SPRAKER
JOSHUA L. STAHL
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THOMAS R. STEMARIE
JULIAN D. STEPHENS
KATRINA C. STEPHENS
KELLEY C. STEVENS
JASON B. STINCHCOMB
CHRISTOPHER M. STOPPEL
JOYCE R. STORM
DEREK S. STUART
BRIAN M. STUMPE
DIANE C. SULLIVAN
WILLIAM P. SURREY
BRIAN M. SWYT
RASHONE J. TATE
RALPH E. TAYLOR, JR.
JASON B. TERRY
SCOTT J. THOMPSON
KASANDRA T. TRAWEEK
JOHN H. TRAXLER
DEVIN S. TRAYNOR
HENRY H. TRIPLETT III
CONSTANTINE TSOUKATOS
JAMES A. TURNER
JOBIE S. TURNER
JOSEPH C. TURNHAM
DONALD G. VANDENBUSSCHE
CHRISTOPHER L. VANHOOF
ENRICO W. VENDITTI, JR.
SHANE S. VESELY
JEREMY S. VICKERS
JAMES T. VINSON
BRIAN D. VLAUN
GEORGE N. VOGEL
SCOTT W. WALKER
JAMES W. WALL
LAUREL V. WALSH
MICHAEL O. WALTERS
JAMES T. WANDMACHER
MICHAEL S. WARNER
TIFFANY J. WARNKE
DALIAN WASHINGTON
DAVID S. WESTOVER, JR.
GREG D. WHITAKER
TARA E. WHITE
SCOTT M. WIEDERHOLT
DAMIAN O. WILBORNE
TIMOTHY W. WILCOX
BRANDON L. WILKERSON
CHRISTINA L. WILLARD
ADRIENNE L. WILLIAMS
DARIN C. WILLIAMS
PATRICK C. WILLIAMS
TREVOR L. WILLIAMS
RUSSELL S. WILLIFORD
DANIELLE L. WILLIS
DAVID J. WINEBRENER
MARK R. WISHER
JASON K. WOOD
JOSHUA T. WOOD
TODD A. WYDRA
GERALD T. YAP
BART P. YATES
MATTHEW W. YOCUM
SHAYNE R. YORTON
BRIAN G. YOUNG
CONSTANCE H. YOUNG
JAMES G. YOUNG
JEREMY P. ZADEL
JONATHAN E. ZALL
JAMES M. ZICK
DEBORAH L. P. ZUNIGA
RAY A. ZUNIGA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOHN J. BOTTORFF

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

EUGENE L. THOMAS III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN T. BLEIGH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

JEFFREY D. BUCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MICHAEL W. PRECZEWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be lieutenant colonel

CANDY BOPARAI
LINCOLN F. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CHARLES J. HASELBY
JASON T. RAMSPOTT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ALEXANDER M. WILLARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

CHRISTOPHER K. BERTHOLD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

PRESTON H. LEONARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

NICOLE E. USSERY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MICHAEL D. BAKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRIDGET V. KMETZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

VEDNER BELLOT
JAMES ROBINSON, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be colonel

ANGELA L. FUNARO
CHAD HACKLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

BRIAN R. HARKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JONATHAN L. BOURIAQUE
PETER M. DUBININ
HOWARD M. FIELDS
EPHRAIM GARCIA
GRAHAM C. HARBMAN
ANDREW R. HAREWOOD
WILLIAM T. HEISTERMAN
DAVID A. LANGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY L. BAER
GLENN H. FINCH
DOUGLAS V. HEDMAN
THEODORE J. MCGOVERN
JESSE S. STAUNTON
GERALD R. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JAMES V. CRAWFORD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

MOHAMMED S. AZIZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SETH C. LYDEM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHRISTOPHER C. OSTBY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CALVIN E. FISH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

AARON E. LANE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAMIEN BOFFARDI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

RANDY D. DORSEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

BENJAMIN R. SMITH
STALIN R. SUBRAMANIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK W. HOPKINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

THOMAS R. MATELSKI
RAPHAEL B. MONTGOMERY
MATTHEW P. NEUMEYER
MICHAEL A. REYBURN
MICHAEL A. STINNETT
ERIC B. TOWNS
JOSHUA H. WALKER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK B. HOWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JULIO COLONGONZALEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JASON N. BULLOCK
RYAN C. CAGLE
GERALD A. NUNZIATO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER R. DESENA

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

JORGE R. BALARES, JR.
RAYMOND T. BALL, JR.
MATTHEW P. BENNETT
GEOFFREY S. BIEGEL
MATHEW J. BIRD
NICHOLAS B. BONA
DANIEL O. BRAUER
MICHAEL E. BUCK
ROBERT J. CAMPBELLMARTIN
ASHLEY H. CARLINE
TODD W. S. CARLSON
JEROD L. COLE
BETTINA J. CORY
JARRETT R. CROSSGROVE
ADAM J. DAMBRA
MICHAEL K. DELOACH
MATTHEW R. FELTON
DAVID W. FITZGERALD
JENNIFER S. FLEMING
RICHARD A. FRAENKEL
BRIAN M. GUDKNECHT
MORRIS E. HAMPTON
DANIEL R. HAWTHORNE
MICHAEL E. HEATHERLY
CHRISTOPHER M. HIRONAGA
JOSEPH C. INNERST
MARVIN L. JOSEPH
IAN G. KILPATRICK
MATTHEW R. KLEINE
SCOTT C. KNUTTON
CHARLES J. LASPE
SCOTT M. LESCENSKI
PRECIOUS S. W. MCQUADE
MATTHEW D. METZ
MATTHEW K. MILLS
JEREMIAH J. NELSON
SEAN R. NORTON
THOMAS A. NOWREY IV
WARD F. ODENWALD IV
CRAIG T. POTTHAST
THOMAS H. PRINSEN
JASON L. RICHESIN
SEAN L. ROCHA
MATHEW R. ROCKWELL
SARAH M. SMITH
MATTHEW L. SNYDER
CHRISTOPHER J. STEFENACK
BRIAN E. SULLIVAN, JR.
COLEMAN A. WARD
RYAN J. WORRELL
BRANDON M. ZOSS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

MARY E. LINNELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SPENCER M. BURK
MICHAEL P. DOWNES II
MATTHEW H. LEE
JOSHUA L. LONG
DAVID A. NISSAN
JOSHUA R. OKWORI
INGRID A. PARRINGTON
TIFFANY L. PERRY
JEFFREY P. RADABAUGH
SCOTT L. SHIELDS
ANTEA C. SINGLETON
JENNY L. SMITH
RYAN P. SMITHERMAN
SAMUEL S. TRAVIS
BRIANNA S. WHITTEMORE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KIRK J. HIPPENSTEEL
CORY F. JANNEY
ARTHUR T. JOHNSON IV
NATHANIEL R. JONES
JOHN M. RUGGERO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

KENNETH L. DEMICK, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

EVITA M. SALLES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL C. BRATLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN P. H. RUE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DANIEL E. ALGER, JR.
ANDREW D. BLACKWELL
RICH T. FARNSWORTH
YVES N. GEOFFREY
ADAM D. HARRISON
MICAH P. HUDSON
JAMES F. JACOBS
TROY M. MACDONALD
KYLE E. MATTOX
JOSEPH M. MAURO
COREY J. MECHE
JAMES P. PURTELL
OSCAR J. SANCHEZ

LYNN M. STOW
SARA E. SUNDBERG
MICHAEL A. SZAMPRUCH
JESSICA M. WALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ANIS A. ABUZEID
LEVI M. ADAM
JEREMIAH R. ADAMS
PAUL J. ADDINGTON
LUKE D. ADKINS
BRIDGET L. AJINGA
JONATHON C. AJINGA
MICAH P. AKIN
CHAD D. ALLEN
JARROD D. ALLEN
NICHOLAS S. ALLEN
STACY M. ALLEN
LUTHER J. ALMAND IV
BRYON D. ALMEDA
JOHN P. ALSPACH
MATTHEW D. ALVIS
FRANK K. ANDERSON III
CHRISTOPHER J. ANDREWS
MABEL B. ANNUNZIATA
ANTHONY M. ANSLEY II
TYRONE G. ANUB, JR.
WILLIAM R. APPLEBY
KENT W. ARNOLD
JACOB A. ASHBOLT
GEORGE J. AUBIN
JAY E. AUSTIN
ADAM J. AYRISS
COREY R. BAFFORD
MATTHEW P. BAGLEY
MADEHANIA BAHETA
PAUL G. BAILEY
DYLAN C. BAKER
PETER M. BALAWENDER
MICHAEL G. BALINSKY
NICHOLAS T. BALK
STEVEN M. BANCROFT
RYAN D. BANKHEAD
MARGARET T. BARIKBIN
MEHRDAD BARIKBIN
SEAN F. BARRETT
TYRONE A. BARRION
ZACHARY M. BASKARA
ANTOINE BATES
DAVID J. BAUMAN
CORY M. BAXTER
BRIAN R. BAYLEY
JOHN H. BEATTIE
NATHAN D. BEDLE
DAVID M. BEEHLER
ERIC A. BENJAMIN
PATRICK D. BERGMAN
ANDREW D. BERKELEY
MICHAEL D. BISHOFF, JR.
CLARISSA N. BLAIR
CAROLYN J. BLAKENEY
JONATHAN R. BLANKENSHIP
SCOTT C. BLYLEVEN
BENJAMIN M. BOERA
JONATHAN L. BOERSMA
RYAN M. BOLLES
MITCHELL E. BORLEY
JOSHUA M. BOSWORTH
BRANDON M. BOWMAN
CHASE A. BRADFORD
JONATHAN D. BRANDON
BRADLEY D. BRECHER
TROY D. BREITMAIER
MATTHEW I. BRIDE
MISTY N. BRIMM
TORREY C. BRISSETTE
CHRISTOPHER S. BROCK
JORDAN M. BROCK
JASON C. BROOKS
JUSTIN R. BROWN
MICHAEL S. BROWN
MATTHEW M. BROWNING
NICOLA BRUNETTILIHACH
MICHAEL D. BRYANT
MANUEL A. BUENO
TIMOTHY D. BURCHETT
DANIEL J. BURTON
RICHARD F. BUSCH III
PATRICK C. BUTLER
GRANT W. CALLAHAN
SEAN M. CALLISON
JOHN E. CAMPBELL
KEVIN G. CANNING
JEFFREY T. CARLTON
NATHAN C. CARPENTER
JASON M. CARTER
TERRY A. CARTER, JR.
JEFFREY C. CASTIGLIONE
BENJAMIN L. CATHER IV
JOSEPH M. CHECK
KELVIN T. CHEW
RAUL L. CHIRIBOGA III
CHRISTOPHER M. CHISOM
JONATHAN A. CHRISANT
ANDREW R. CHRIST
ROBERT A. CHRISTIAN
ADAM G. CHRISTIANSON
GABRIEL I. CHRISTIANSON
ASHLEY B. CHRISTMAN
LORNE M. CHRISTOPHER
JONATHAN A. CHUNN
PETER M. CIASTON
CHRISTOPHER A. CICHY
PATRICK N. COFFMAN
CHRISTOPHER G. COLE
FRANK M. COLPO
LUIS A. CONCEPCION
SHERIDAN J. CONKLIN
SHAWN P. CONNOR
JOSHUA W. CONNORS
DAVID R. COOGAN
WILLIAM T. COX III
ADAM B. CRAIG
CANDICE D. CREECY
WARREN Z. CRITTENDEN
JOEL E. CROSKEY
STEVEN M. CROSS
ADAM G. CUCCI
JOSEPH P. CULL
MICHAEL P. CULLEN
MICHAEL D. CULLIGAN
NICHOLAS M. CULVER
JOHN B. CUMBIE
WALTER C. CUNNINGHAM III
BRANDON N. CURRIE
JASON A. CUTTER
DAVID J. CYBULSKI
RONALD J. DAGENHART
RODNEY D. DANIELS
JEREMIAH J. DAVIS
JUSTIN D. DAVIS
STEPHEN T. DAVIS
SHANEN E. DAWSON
SEAN P. DAY
ROBERT G. DEGEORGE
LOUIS DELAIR III
FREDERICK J. DELLAGALA, JR.
DAVID DELVALLE
ERIN K. DEMCHKO
QUAY D. DEPRIEST
ADAM R. DESY
JOHN M. DEXTER
DANIEL O. DIAZ
LUIS D. DIAZ
JOHN DICK
JOSHUA S. DIDDAMS
BRADLEY T. DIDUCA
RANDY E. DIGGINS
MARK J. DION
ADAM T. DISNEY
STEVEN A. DIXON
DUSTIN J. DODGE
KEVIN J. DOHERTY
JOUSSEF J. DONADO
CAROLINA G. DORRIS
MICHAEL N. DOSS
ROBERT A. DOSS III
STEPHEN L. DRAPER
JOSEPH D. DREAGER
MICHAEL L. DROZD
WILLIAM F. DUFRESNE, JR.
DENNIS A. DUNBAR
AUSTIN M. DUNCAN
NICHOLAS D. DUNN
MATTHEW G. DUPRE
DANIEL F. DYNYS
RONALD J. EAVERS II
DEREK J. ECKERLY
DENVER M. EDICK
ALEJANDRO G. ELIZALDE
KYLE V. ELLIS
DAVID A. ELSTON, JR.
NICHOLAS S. EMIG
GORDON W. EMMANUEL
TRENT T. ERICKSON
JACOB B. ESKEW
JAMES K. EVERETT
MATTHEW C. FALLON
JARED P. FANGUE
JONATHAN P. FARRAR
JOSHUA E. FAUCETT
RYAN C. FIELDING
ZACHARY A. FINCH
CHAD T. FITZGERALD
PETER J. FLATEGRAFF
LIAM E. FLEMMING
GABRIEL A. FLORES
PATRICK J. FLORES
PADRAIG S. FLYNN
JOSEPH A. FONTANETTA
DANIEL L. FORD
DAVID A. FOWLER
NATHAN S. FRAME
CORY M. FREDERICK
BRIAN V. FREDO
JOSHUA D. FREEDMAN
ROBERT J. FREITAS
MICHAEL A. FRENCH
MICHAEL C. FURR
MICHAEL J. GAGNON
PHILIPLOUI Y. GALLON
MICHAEL E. GANGEMELLA, JR.
LINDLEY J. GARCIA
ROBERT R. GARCIA
TIMMY J. GARCIA
STANTON L. GARDENHIRE
GILBERT C. GARLIT
JASON J. GATES
WADE R. GAUTHIER
JOHN M. GERLACH
IAN L. GERMAN
CASSANDRA M. GESECKI
SAMUEL J. GILDNER
JENNIFER F. GILES
CASEY D. GILLIAM
THOMAS R. GIRALDI
JENNIFER L. GLADEM
MICHAEL J. GOCKE
JACOB R. GODBY
MARK M. GOEBEL, JR.
WILLIAM W. GOETZ
MICHAEL D. GOLCHERT
MICHAEL N. GOLIKE
JOSEPH R. GOLL
HUGO A. GONZALEZ, JR.
RAMON D. GONZALEZ
IVAN O. GOUDYREV
CHRISTOPHER M. GOWGIEL
ROQUE D. GRACIANI
JASON D. GRAUL
SAMANTHA A. GRAVES
JUSTIN P. GRAY
JOSH E. GREB
TRAVIS C. GRELL
BENJAMIN J. GRODI
MICHAEL W. GUARD
MITCHELL G. GUARD
DANIEL R. GUTKNECHT
JOSEPH P. HAAS
LEE D. HAIGHT
SCOTT C. HAMBLEY
JEFFREY R. HAMILTON
DAVID A. HANKLE
CHARLES J. HANSEN
WILLIAM E. HARLEY
NATHAN T. HARMON
DAVID M. HARRIS, JR.
DAVID W. HARRIS
MARK S. HARRIS
MATTHEW M. HARRIS
MICHAEL J. HARRIS
PAUL G. HARRIS, JR.
CHRISTOPHER N. HART
MATTHEW R. HART
ZACHARY P. HARTNETT
NICHOLAS C. HARWOOD
MATTHEW T. HAWKINS
KELLY P. HAYCOCK
CHRISTOPHER R. HAYES
PATRICK H. HECOX
JORDAN S. HEDGES
PATRICK J. HEINY
DEREK R. HEINZ
JOHN C. HENDERSON
BENJAMIN Z. HENRY
RORY M. HERMANN, JR.
STEVEN R. HERRERA
COLE J. HERRON
KEITH L. HIBBERT
ORLANDO L. HIGGINS
AUSTIN M. HILL
DAVID A. HIRT
ERIC T. HOFFMAN
MATTHEW B. HOLCOMB
CLAYTON S. HOLLAND
KYLE A. HOLSEY
ROBERT M. HOLT
SCOTT G. HOLUB
SAMUEL K. HONG
AARON K. HOOD
DANIEL R. HOOD
CHRISTOPHER W. HOOVER
BENJAMIN M. HOPKINS
ZACHARIAS B. HORNBAKER
DANIEL T. HOUGH
JARED H. HOUSAND
DANA R. HOWE
TODD A. HOYT
RUSSELL W. HROMADKA
MATTHEW L. HUBBARD
JONATHAN D. HUDSON
BRAD L. HULL
TOUSSAINT J. JACKSON
BRYAN J. JADRO
CALISCHARA JAMES
JULIE E. JAMES
JOHN S. JARRED
CASEY B. JENKINS
SCOTT C. JENNINGS
DANIEL V. JERNIGAN
DEVIN M. JEWELL
RICHARD J. JINDRICH
DEVIN D. JOHNSON
REESE H. JOHNSON
ROBERT A. JOHNSON
IAN M. JOHNSTON
NATHANIEL R. JONES
CHARLES D. JORDAN
LINDSEY D. JORGENSEN
KEVIN R. JULIAN
SEAN R. KAISER
CHRISTOPHER J. KAKAS
LOUIS G. KALMAR, JR.
JOSHUA N. KAPP
AIDEN S. KATZ
DANIEL B. KATZMAN
BETHANY R. KAUFFMAN
JAMES J. KAVANAGH
PAUL C. KEELEY
TIMOTHY D. KEITHLEY
BRANDON D. KELLY
DONALD P. KELLY
PAUL B. KELLY
PAUL R. KEMPF
TYLER C. KESTERSON
ANDREW P. KETTNER
SUNDRI K. KHALSA
REGAN R. KING
JUSTIN R. KIRK
SARA N. KIRSTEIN
JESSE T. KNIGHT
DUSTIN B. KOSAR
SHAWN C. KOSS
DANIEL T. KOVATCH
JEREMY E. KRIDER
KANE J. KUKOWSKI
TYLER P. KURTZ

CHARLES A. LAMB
ENRICOLEO L. LANDAS
MICHAEL V. LANGSTON
CHRISTOPHER P. LARREUR
KARA B. LARSEN
ROBERT W. LATTA
IVAN D. LAWING
TERENCE A. LEACH
SEAN P. LEAHY
IAN S. LEARMONTH
JOHN W. LEFEBVRE
LEARLIN J. LEJEUNE III
CHANDLER R. LENOIR
NICHOLAS G. LEWIS
RYAN Q. LIGHT
JOHN J. LIM
JIMMY W. LINDEMANN
DAVID J. LIPKIN
WILLIAM F. LIPSTREU
JAMES R. LOMSDALE
WILLIAM E. LONG
SERGIO F. LOPEZ
JUSTIN R. LOUCKS
MICHAEL P. LOWERY
ALEXANDER T. LUEDTKE
GLORIA C. LUEDTKE
CHRISTOPHER D. LUGER
ANDREW V. LUNDSKOW
BRIAN J. LUSCZYNSKI
NICHOLAS S. LYBECK
GREGORY E. LYNCH
PHILIP R. LYON
ADAM M. MACKOWIAK
JOSEPH S. MADREN
STEPHANIE A. MAFRICI
PATRICK M. MAGUIRE
JOHN M. MAHLER
MICHAEL A. MAHONEY, JR.
JOSHUA C. MALLOW
RODNEY D. MALONE
MICHAEL B. MANNA
MICHAEL L. MARRON, JR.
JEFFREY C. MARSTON
DEANSLEN J. MARTIN
MICHAEL B. MARTIN
MICHAEL T. MARTIN
PATRICK B. MARTIN
RYAN O. MARTIN
TIMOTHY T. MARTIN
OSCAR A. MARTINEZ
JAMES P. MASTROM, JR.
LAMBERTO E. MATHURIN
STEPHANIE J. MAXWELL
KYLE L. MAY
JOSEPH A. MAYHUGH
JOSEPH J. MCCAFFREY
RYAN A. MCCLELLAND
CRAIG H. MCCLURE
TIMOTHY G. MCCORMICK
PATRICK D. MCCREARY
BRITTANY S. MCCULLOUGH
GEORGE F. MCDONNELL, JR.
DOUGLAS S. MCDONOUGH
STEVEN M. MCGETTRICK
RYAN D. MCGONIGLE
MARYANN N. MCGUIRE
VALERIE A. MCGUIRE
JACK L. MCKINNON
ADAM A. MCLAURIN
JAMES P. MCMENAMIN
NIKLAS J. MCMURRAY
TIMOTHY A. MCWHORTER
BRIAN W. MEADE
JUSTIN M. MEDEIROS
ERIK L. MELANSON
JORDAN L. MEREDITH
ALEX S. METCALF
ANDREW J. METTLER
PAXTON L. MILLER
BENJAMIN A. MILLS
JOSHUA D. MILLS
KIRBY W. MILLS
JUSTIN C. MINICK
JOSEPH E. MOELLER
BRANDON P. MOKRIS
CHRISTOPHER D. MOLLET
JOHN J. MOONEY IV
ERIC R. MOOS
DANIEL V. MORA
NICHOLAS M. MORALES
BARRY J. MORRIS
RYAN R. MORRISON
BRADLEY A. MOTZ
DANIEL J. MULCAHY
ROBERT M. MURRAY II
MATTHEW E. NEELY
BENJAMIN P. NEFF
SHAUN P. NEGRON
ANDREW E. NELSON
GUY R. NELSON II
JACOB L. NELSON
KENNETH C. NELSON
MICHAEL B. NELSON
ERIC B. NEUMAN
DYLAN Q. NICHOLAS
COLBERT A. NICHOLS
GERALD I. NOE
RACHEL L. NOLAN
ERNEST T. NORDMAN
SEAN P. NORTON
AARON J. NUTTER
MICHAEL C. OATES
DANIEL J. OCONNELL
JOHN D. OCONNELL
ANDREW W. ODONNELL
AARON E. OKUN
KYLE E. OSER
BRIAN P. OSIAS
EVAN Z. OTA
JAKE D. OWENS
JEREMY K. PACK
MARK P. PAIGE
RYAN W. PALLAS
DEWAYNE G. PAPANDREA
JASON A. PAREDES
JAEHONG PARK
DAVID B. PARKER III
PATRICK C. PARKS
AEMEE H. PARROTT
DUSTIN F. PARTRIDGE
ROBERT J. PAUGH, JR.
CHRISTOPHER W. PAULIN
JOSHUA W. PAVLISCHEK
JUSTIN K. PAVLISCHEK
BRANDON R. PEARSON
BRIAN S. PEGRAM
TIMOTHY A. PELTZ
LABAN M. PELZ
CHRISTOPHER PEREZ
TIFFANY PERNG
CHRISTOPHER A. PERRY
JAMES R. PETRONIO
KATIE R. PETRONIO
JONATHAN E. PETTIBON
CHAD T. PHILLIPS
MATTHEW O. PHILLIPS
CLAYTON W. PIERSALL
BENJAMIN A. PIMENTEL
MARK A. PINKERTON
SCOTT S. PISTOCHINI
ALLEN V. POLLARD, JR.
NICHOLAS E. POLLOCK
ADAM K. POPPLEWELL
DEREK I. PORTER
NICOLE L. PORTER
BRET R. PRESLEY
DARREL D. PRESTESATER
MICHAEL K. PROPHETER
BRIAN T. PUGH
TRAVIS K. PUGH
JOSE R. QUEZADA
TYLER C. QUINN
CARL A. QUIST
JASON C. RADABAUGH
TYSON J. RAE
KEITH D. RAINE
KELLY M. RAISCH
SYED Z. RASHID
DEREK G. RAY
CHRISTOPHER J. REARDON
JEFFREY D. REDMON
GAVIN K. REED
JENNA E. REED
MATTHEW T. REEDER
MILTON A. REHBEIN
KYLE T. REILLY
CHRISTINE M. REITER
JOSEPH P. RENEY
KRISTI D. REULE
ROBERT M. RHEA
RYAN P. RICHTER
ANTHONY D. RIPLEY
DEREK J. RISK
ENRIQUE RIVERA, JR.
ROBERT L. RIVERA II
CHRISTOPHER A. ROBINSON
LAMONT R. ROBINSON II
SAMUEL R. ROBINSON
DANIEL W. ROBNETT
FELIPE J. RODRIGUEZ
JUAN H. RODRIGUEZ III
PETER S. RODRIGUEZ
PHILIPPE I. RODRIGUEZ
EDMUND M. ROMAGNOLI
DUSTIN A. RORABAUGH
SCOTT J. ROSA
AARON J. ROSENBLATT
DAVID E. ROSENBROCK
ANDREW B. ROZIC
DAVID S. RUBIO
RONALD D. RUTTER II
MARCOS A. RUVALCABA
THOMAS B. RUYLE VI
JOSHUA J. RYSTROM
RICHARD K. SALA
ARMENIO G. SALAGUINTO, JR.
DESIREE K. SANCHEZ
GABRIEL D. SANCHEZ
EDWIN SANTIBANEZ
MARK SAVILLE
JOSEPH E. SAWYER III
JACKSON L. SCHADE
CHRISTOPHER G. SCHEELE
WILLIAM A. SCHICK
JONATHAN E. SCHILLO
NICHOLAS H. SCHROBACK
KYLE L. SCHULL
MATTHEW J. SCHULTZ
MICHAEL R. SCHULZ
SETH A. SCHURTZ
JAKOB K. SCHWAM
CHRISTOPHER M. SCHWAMBERGER
CRAIG D. SEBEK
MARGARET M. SEYMOUR
JOSEPH F. SGRO, JR.
BENJAMIN D. SHEA
JOHN C. SHECKELLS
BRIAN M. SHERMAN
JAMES R. SHERWOOD
JESSE R. SHOOK
ROBERT J. SHORTWAY
STEPHEN J. SHULL
MICHAEL A. SICKELS
DAVID A. SIERLEJA, JR.
KENNETH J. SIERRA II
VANESA E. SIGALA
KENNETH SIMMONS
MARK D. SIMMONS
DAVID S. SIMNING
JOHN N. SIMS
PHILLIP A. SKILLMAN
MATTHEW E. SLADEK
BRIAN K. SLUSSER
BRENDAN B. SMITH
JASON R. SMITH
NATHANIEL D. SMITH
PAUL S. SMITH
RORY H. SMITH
SARAH K. SMITH
SHAWN M. SMITH
STEVEN R. SMITH
JAMES S. SMOLUCHA
DAVID M. SNIPES
JEROMY I. SOMMERVILLE
JOHN A. SPALDING
KYLE P. SPARLING
BRIAN P. SPILLANE
TABATHA R. SPRIGGS
JUSTIN T. STAAB
DANIEL J. STAHELI
KURT M. STAHL
ANDREW D. STANFIELD
STEFAN Y. STANKO
JASON W. STAPLETON
MATTHEW A. STEEGE
MARK A. STEFANSKI
KIRK R. STEINHORST
DANIEL W. STELLER
JONATHAN P. STEVENS
EVERETT B. STEVENSON
ERIC R. STEWART
BRENT R. STOECKER
KEVIN A. STOGRAN
JOHN B. STRANGE, JR.
MICHAEL D. STREMER
STEPHEN F. STRIEBY
BRYAN J. TANNEHILL
CHRISTINE M. TARANTO
JUSTIN M. TARICANI
ALISSA L. TARSIUK
ANDRE O. TESTMAN II
PETER J. THERMOS
ANDREW M. THOMAS
JEREMY F. THOMAS
NATHAN C. THOMAS
REGINALD E. THOMAS III
RYAN E. THOMAS
ALAN D. THOMPSON
CHASE F. THOMPSON
CHRISTOPHER A. THRASHER
RYAN S. TICE
TYLER S. TIDWELL
TREVOR J. TINGLE
BERTRAND L. TOONE
WILLIAM W. TRAPP, JR.
TERRY O. TRAYLOR
JASON R. TREECE
PAUL C. TROWER
DEVON R. TSCHIRLEY
BENJAMIN D. TUCK
WESLEY A. TUCKER
JOHN R. TURLEY
SHAINA M. TURLEY
BRYAN L. TYE
CLARK C. UNGER
ADAM S. UNKLE
CHRISTOPHER G. UST
RICHARD J. VALKO
ELENA N. VALLELY
GERARD M. VANAMERONGEN
ALEX W. VANMOERKERQUE
DAVID P. VERHINE
NICHOLAS B. VERTA
HERIBERTO R. VEYRAN
DAVID C. VIEW
MICHAEL G. WADE
PETER T. WADSWORTH
GREGORY A. WAGNER
ANDREW S. WALKER
DANIEL C. WALKER
STEPHEN L. WALKER
CHRISTOPHER A. WALLACE
THOMAS R. WALLIN
MICHAEL A. WALSH
MICHAEL J. WALSH, JR.
BRANDON M. WARD
RAFIEL D. WARFIELD
NATHANIEL E. WARTHEN
ALISSON WEEKS
JON W. WEEKS
NATHAN M. WEINBERG
AARON M. WELLMAN
MATTHEW B. WENDLER
DANIEL C. WHEELER
STUART E. WHEELER
JUSTINE L. WHIPPLE
TERRY L. WHITAKER, JR.
MACKENZIE J. WHITE
LEAR H. WILLIAMS
WILLIAM G. WILLIAMSON, JR.
WILLIAM M. WILLIS
LAMONT D. WILSON
RICHARD K. WISE
STANLEY C. WISNIEWSKI III
GREGORY A. WOLF
ERIC P. WOLFE
SEAN M. WOLTERMAN
SARA L. WOOD
SCOTT R. WOOD
ZACH L. WORTH III
OWEN J. WRABEL

GARRETT E. WRIGHT
WILLIAM M. WRIGHT
JEFFERY D. WUNDER
SAMUEL I. WUORNOS
ADAM S. YOUNG
ADAM T. YOUNG
KARL R. YOUNG
JOHN M. YUNKER, JR.
DANIEL M. YURKOVICH
HOLLY M. ZABINSKI
THOMAS A. ZACKARY, JR.
KEVIN S. ZAFFINO
STEVEN C. ZALEWSKI
JONATHAN W. ZARLING
SAMUEL F. ZASADNY
PAUL M. ZEBB III
EUGENE V. ZIEMBA III
JONATHAN A. ZIER
MATTHEW J. ZIMNIEWICZ
CRAIG A. ZOELLNER

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S. C., SECTION 624:

To be lieutenant colonel

DANIEL W. ANNUNZIATA
LEAH R. PARROTT

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S. C., SECTION 624:

To be lieutenant colonel

JAMES R. REUSSE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSE M. ACEVEDO
DAVID AHN
CHRISTOPHER P. ALLAIN
TIMOTHY D. ANDERLONIS
CHRISTOPHER E. ANNUNZIATA
MICHAEL ANTHONY, JR.
ZACHARIAH E. ANTHONY
JOEL R. ARCHIBALD
JUSTIN M. ARGENTIERI
JOSEPH A. ATKINSON
ROBERT E. BACZKOWSKI, JR.
NATHANIEL A. BAKER
PETER Y. BAN
JAMES H. BANTON, JR.
RICHARD S. BARCLAY
DONALD J. BARNES
RYAN D. BARNES
DANIEL M. BARTOS
JOSHUA R. BATES
JOHN R. BEAL
ZEB B. BEASLEY II
SCOTT M. BENNINGHOFF
RYAN P. BENSON
NEIL R. BERRY
BART A. BETIK
PAUL B. BISULCA
ADAM W. BLANTON
CHRISTOPHER G. BLOSSER
TIMOTHY F. BRADY, JR.
MARK P. BRAITHWAITE
BRIAN J. BRAUER
KEITH C. BRENIZE
KYLE A. BUCHINA
ROBERT S. BUNN
CHRISTOPHER M. BURNETT
STANLEY P. CALIXTE
GEORGE D. CAMIA
IAN S. CAMPBELL
MICHAL CARLSON
MICHAEL J. CARROLL
MICHAEL R. CASSIDY
JOSHUA E. CAVAN
BOLO S. CAVANH
GREER C. CHAMBLESS
MICHAEL K. CHANKIJ
DAVID P. CHEEK
TOM CHHABRA
ALAN J. CLARKE
ROSA A. CLARKE
MATTHEW B. CLINGER
DOUGLAS J. COBB, JR.
KEVIN T. CONLON
CHRISTOPHER S. CONNER
NEIL A. CORDES
TIMOTHY F. COSTELLO
WILFREDO CRAVE, JR.
WALTER D. CROMER, JR.
SAMUEL C. CUNNINGHAM
SCOTT A. CUOMO
JEFFREY S. CURTIS
MATTHEW T. DAIGNEAULT
JOSEPH P. DAMICO
BRIAN R. DAVIS
EVAN A. DAY
LANCE C. DAY
JEREMY R. DELBOS
CHRISTOPHER D. DELLOW
KENNETH J. DELMAZO
DAVID R. DENIAL
CHRISTIAN T. DEVINE
NATHANIEL P. DOHERTY
JAMES P. DOLLARD
BRIAN C. DONNELLY
DANIEL M. DOWD
MATTHEW S. DOWNS
JAMES P. DOYLE
ROY M. DRAA
SHARON L. DUBOW
DUANE A. DURANT
GARRETT C. EBEY
SHANE A. EDWARDS
ANDREW J. ERICKSON
RICCO A. ESPINOZA
LUKE T. ESPOSITO
MELVIN K. EURING
TERRY R. EVANS
BENJAMIN D. EVERETT
DOMINIC I. EWERS
STEVEN M. FAYED
RAYMOND P. FELTHAM
MARK R. FENWICK
MARK A. FERGUSON
DANIEL S. FITZPATRICK
MORINA D. FOSTER
JOHN J. FRANKLIN
KURT M. GALL
JAVIER A. GARCIA
JANINE K. GARNER
AARON M. GATES
ERIC L. GEYER
JASON R. GIBBS
PAUL L. GILLIKIN
CRAIG A. GIORGIS
DANIEL V. GOFF
DANIEL R. GOHLKE
ALBERT J. GOLDBERG
MARK S. GOMBO
GREGORY D. GOOBER
EVERETT M. GOOD
ANDREA C. GOODE
WILLIAM V. GORSUCH
JABBAR R. GOUGHNOUR
ANDREW G. GOURGOUMIS
MICHEAL R. GRAHAM
BENJAMIN W. GRANT
ROBERT C. GRASS
CHRISTOPHER G. GRASSO
BRYAN K. GRAYSON
JOSEPH I. GRIMM
JOHN E. GRUNKE
ADAM C. GUGELMEYER
JOHN D. GWAZDAUSKAS
CHRISTOPHER G. HAKOLA
JUSTIN J. HALL
CHAD P. HAMILTON
MARK A. HAMILTON
RYAN F. HARRINGTON
TRACEY L. HARTLEY
CHRISTOPHER B. HAUGHTON
THOMAS J. HELLER
RUSSELL R. HENRY
JASON E. HERNANDEZ
ROBERT E. HERRMANN
PAUL M. HERZBERG
CHANTELL M. HIGGINS
MICHAEL T. HLAD
GEOFFREY L. HOEY
DAVID B. HOLDSTEIN
THOMAS M. HOLLMAN
GEOFFRY M. HOLLOPETER
PAUL J. HOLST
JOHN K. HOOD
ANGELA R. HOOPER
CHRISTOPHER M. HOOVER
CHRISTOPHER R. HORTON
DANIEL E. HUGHES
DAVID W. HUGHES
JOHN M. HUNT
SEAN M. HURLEY
MICHAEL W. HUTCHINGS
CALEB HYATT
EMILY A. JACKSONHALL
LUKE J. JACOBS
WILLIAM T. JACOBS
CHARLES A. JINDRICH
CHRISTOPHER I. JOHNSON
JASON R. JONES
JOHN D. JORDAN
MICHAEL D. KANIUK
ANDREW W. KELEMEN
ANDREW W. KELLNER
JOHN F. KELLY
THOMAS W. KERSHUL
JOHN S. KINITZ
CHRISTOPHER T. KOCAB
TY B. KOPKE
DOUGLAS P. KRUGMAN
JI Y. KWON
LERON E. LANE
JARED A. LAURIN
AARON D. LENZ
SARAH B. LENZ
WARREN LEONG
WILLIAM B. LEWIS
MICHAEL D. LIBRETTO
CHRISTOPHER B. LOGAN
MICHAEL J. LORINO
DANIEL F. LOUGHRY
DAVID M. LOVEDAY
MICHELLE I. MACANDER
DANIEL J. MACSAY
ARTURO MANZANEDO
WILLIAM E. MARCANTEL, JR.
SEAN K. MARLAND
JASON T. MARTIN
RACHEL A. MATTHES
BRIAN D. MAURER
JOSEPH S. MCALARNEN
DANIEL C. MCBRIDE
ADAM C. MCCULLY
CHRISTOPHER C. MCDONALD II
ROBB T. MCDONALD
WILSON R. MCGRAW
DANIEL P. MCGUIRE
MICHAEL D. MCGURREN
MATTHEW T. MCSORLEY
MADELINE M. MELENDEZ
SEAN M. MELLON
ROBERT D. MERRILL, JR.
DAVID A. MERRITT
ROBYN E. MESTEMACHER
JAMES R. MEYER
MICHAEL T. MEYER
MATTHEW T. MILBURN
ERICK MIN
ROY L. MINER
TONY M. MITCHELL
MICHAEL V. MONETTE
SCOTT J. MONTGOMERY
RICARDO R. MORENO
KATE L. MURRAY
DAVID S. NASCA
CHARLES D. NICOL, JR.
JOSE A. NICOLAS
CHRIS P. NIEDZIOCHA
MARK A. NOBLE
ANDREW J. NORRIS
KYLE M. NUNEMACHER
DAVID A. ODELL
ERIC M. OLSON
BRIAN J. OSHEA
CHARLES E. PARKER, JR.
DANIEL L. PARROTT, JR.
JIEMAR A. PATACSIL
JEFFREY B. PATTAY
TRAVIS L. PATTERSON
IAIN D. PEDDEN
JAMES L. PELLAND
BRADY P. PETRILLO
BRADLEY A. PIERCE
LAWRENCE V. PION III
NICHOLAS M. POMARO
JACOB D. PORTARO
DEREK A. POTEET
JOHN V. PRICEVANCLEVE
AMY E. PUNZEL
CARL J. PUNZEL
ANTHONY J. RAYOME
WADE C. REAVES
FOREST J. REES III
JACOB S. REEVES
JAMES B. REID
JEFFREY M. ROBB
RICHARD H. ROBINSON III
JAYMES E. ROEDL
JOHN J. ROMA
JAMES T. ROSE
DANIEL H. ROSENBERG
MICHAEL H. ROUNTREE, JR.
IAN H. ROWE
KEVIN M. RYAN
MATEO E. SALAS
RUDY G. SALCIDO
MARK D. SAMEIT
GREGORY A. SAND II
ERIC A. SANDBERG
THOMAS W. SAVAGE
RUSSELL W. SAVATT IV
JASON S. SCHERMERHORN
MATTHEW P. SCHROER
MATTHEW T. SCOTT
TIMOTHY J. SCOTT
CHRISTOPHER R. SEIGH
PATRICK J. SEIPEL
PETRA L. SEIPEL
ARNOLD B. SELVIDGE
RYAN C. SHAFFER
PATRICK J. SISE
ERIC J. SJOBERG
MICHAEL F. SMITH
CRAIG R. SNOW
DAVID J. SON
TEMITOPE O. SONGONUGA
AMMIN K. SPENCER
PATRICK S. SPENCER
LESLIE M. STANSBERRY
KRISTOFOR W. STARK
WALTER SUAREZ
NATHAN E. SWIFT
ROBERT J. TART
ROBERT L. TAYLOR, JR.
DANIEL W. THOMPSON
STEVEN R. THOMPSON
JAMES D. THORNBURG, JR.
MEREDITH E. TOBIN
GORDON L. TOPPER
JAMES S. TOPPING
ANGEL M. TORRES
PABLO J. TORRES
THOMAS N. TRIMBLE
NATALIE M. TROGUS
RUSSELL A. TUTEN
JACOB C. URBAN
MATTHEW A. VANECHO
JORDAN W. VANNATTER
BLAKE E. VEATH
CHRISTIAN R. VELASCO
JACOB P. VENEMA
ROBERT S. VUOLO
NICHOLAS D. WALDRON
EARLIE H. WALKER, JR.
MARC T. WALKER
KEVIN C. WALSH
WILLIAM T. WALSH
ROBIN J. WALTHER
NICHOLAS G. WEBB
SCOTT D. WELBORN
JOSHUA O. WHAMOND
TREVOR A. WILK

ERIC L. WILKERSON
RICHARD T. WILKERSON
PATRICK S. WILLIAMS
JOSEPH M. WILLS
CARLTON A. WILSON
ADAM J. WINSLOW
ROBERT D. WOLFE
MATTHEW D. WOODS
ADAM J. WORKMAN
GENE C. WYNNE
FRANCISCO X. ZAVALA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

HENRY CENTENO, JR.
CARL W. MILLER III
DAVID E. MOORE
JAMES L. SHELTON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICHARD K. O'BRIEN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL J. ALLEN
NOEMI APONTE
DONALD E. CHARBONEAU
DALE M. DANIKEN
JARED M. ELLIS
DARREN R. FLINT
CHRISTOPHER T. HAMBRICK

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEREMY T. FLANNERY
JUSTIN P. GIBSON
DOUGLAS A. MAYORGA
MICHAEL S. MCMILLAN
MARK L. OLDROYD

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOSEPH W. HOCKETT

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FRANCISCO D. AMAYA
JAMIE L. ARNOLD
TYSON E. PETERS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL M. DODD
GEORGE H. FORBES III
RAYMOND M. HUNT III
DANIEL G. LAWRENCE
DAVID J. LEONARD, JR.
SEAN A. PAIGE
ROBERT E. ROBERTS III
ROBERT J. SNODDY

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID S. GERSEN

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN W. GLINSKY

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KEITH A. STEVENSON

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

QUENTIN R. CARRITT
WILLIAM C. COX II
JAMES S. DAVIS, JR.
BRIAN D. POTTS
ERIC A. SHARPE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANTHONY P. GREEN
RAYMOND W. HOWARD
SEAN M. MELANPHY
RAYMOND J. MITCHELL
PERRY L. SMITH, JR.
MICHAEL A. YOUNG

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JASON G. LACIS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STUART M. BARKER

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEVIN J. GOODWIN

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD CANEDO
JOSEPH M. FLYNN
MATTHEW C. FRAZIER
DAVID L. OGDEN, JR.

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOHN E. SIMPSON III

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

SEAN T. HAYS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LUKE A. CROUSON
JASON C. FLORES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ARLINGTON A. FINCH, JR.
KEVIN M. TSCHERCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

STEPHEN J. ACOSTA
KARL R. ARBOGAST
BRANDEN G. BAILEY
ROBERT O. BAILEY
WILLIAM J. BARTOLOMEA
SHAWN M. BASCO
WILLIAM E. BLANCHARD
ROBERT B. BRODIE
NGAIO I. BROWN
MICHAEL S. CASTELLANO
ROBERT T. CASTRO
FRANCIS K. CHAWK III
KEVIN E. CLARK
CRAIG C. CLEMANS
KEVIN G. COLLINS
AARON M. CUNNINGHAM
ALISON L. DALY
EDWARD J. DANIELSON
GEORGE J. DAVID
EDWARD J. DEBISH
DOUGLAS S. DEWOLFE
JUSTIN S. DUNNE
DAVID R. EVERLY
ROBERT B. FANNING
SEAN B. FILSON
ROBERT B. FINNERAN
KELVIN W. GALLMAN
ERIC GARCIA
BRUCE D. GORDON
CHRISTEON C. GRIFFIN
DARRY W. GROSSNICKLE
HOWARD F. HALL
TREVOR HALL
BRADLEY J. HARMS
BRENDON G. HARPER
TIFFANY N. HARRIS
RICHARD HAWKINS
EDWARD J. HEALEY, JR.
MANLEE J. HERRINGTON
KEVIN H. HUTCHISON
GILBERT D. JUAREZ
JASON W. JULIAN
JESSE A. KEMP
ROBERT M. KUDELKO, JR.
JON M. LAUDER
DOUGLAS LEMOTT, JR.
JOHN C. LEWIS
JOHN J. LYNCH II
ERIC C. MALINOWSKI
RICHARD E. MARIGLIANO
PATRICK W. MCCUEN
JAMES A. MCLAUGHLIN
ROBERT T. MEADE
PAUL M. MELCHIOR
GORDON D. MILLER
NATHAN M. MILLER
ROSS A. MONTA
COBY M. MORAN
MATTHEW T. MORRISSEY
KEVIN F. MURRAY
MATTHEW R. NATION
MATTHEW J. PALMA
KEITH A. PARRELLA
BREVEN C. PARSONS
JEFFREY M. PAVELKO
JASON S. PERRY
GREGORY T. POLAND
KATHERINE I. POLEVITZKY
ANDREW T. PRIDDY
STEPHEN PRITCHARD
MICHAEL P. QUINTO
CHARLES A. REDDEN
GARY R. REIDENBACH
MICHAEL D. REILLY
RALPH J. RIZZO, JR.
MATTHEW B. ROBBINS
CESAR RODRIGUEZ
WILLIAM H. ROTHERMEL
JAMES A. RYANS II
MATTHEW R. SALE
ROBERT W. SHERWOOD
CHARLES E. SMITH
JOHN W. SPAID
DAMIAN L. SPOONER
DAVID M. STEELE
KYLE M. STODDARD
STACEY L. TAYLOR
JOON H. UM
MARK E. VANSKIKE
JORDAN D. WALZER
ANDREW R. WINTHROP
ROBERT L. WISER
DANIEL J. WITTNAM
THOMAS D. WOOD
DONALD R. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSHUA P. BAHR
MARC R. DAIGLER
JOHN P. KEARNS
DUY T. PHAM
ALAN J. SOLIS
PAMELA N. UNGER
JANHENDRIK C. ZURLIPPE

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOHN T. BROWN, JR.
CHRISTOPHER M. BURRIS
JULIUS G. JONES

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ELI J. BRESSLER
JONATHON R. CAPE
CHRISTOPHER L. HARDIN
JAMES R. STRAND

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHADWICK W. ARDIS
JAMES A. MARTIN
JOHN M. MERRITT
AARON B. STOKES
JOHN P. VALDEZ
BRAD J. WILDE

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DUANE A. GUMBS

CONFIRMATION

Executive nomination confirmed by the Senate April 04, 2017:

DEPARTMENT OF HOMELAND SECURITY

ELAINE C. DUKE, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HOMELAND SECURITY.

N O T I C E

Incomplete record of Senate proceedings. Today's Senate proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

JORDYN ASHBURN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jordyn Ashburn for receiving the Adams County Mayors and Commissioners Youth Award.

Jordyn Ashburn is a 9th grader at Mapleton Early College High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jordyn Ashburn is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives. I extend my deepest congratulations to Jordyn Ashburn for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE VFW POST 7327 AMERICANISM AWARDS RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Veterans of Foreign Wars Post 7327 in Springfield, Virginia and the winners of its 2017 Americanism Awards.

The Veterans of Foreign Wars (VFW) traces its beginnings to 1899 when veterans of the Spanish-American War established local organizations to bring awareness to their service and to advocate for veterans retirement benefits and improved medical care. Annually, the nearly 2 million members of the VFW and its Auxiliaries contribute more than 8.6 million hours of volunteerism in the community, including participation in Make a Difference Day and National Volunteer Week.

With approximately 600 Comrades and 150 Ladies Auxiliary members, the Springfield VFW Post 7327 stands out for the depth of its commitment to our community. Often called ''The Friendliest VFW Post in Virginia,'' Post 7327 has one of the most aggressive Adopt-a-Unit programs in the entire VFW organization to support our service members stationed overseas. VFW Post 7327 visits the VA hospital at least quarterly, bringing along goodie bags for our Wounded Warriors. Each Thanksgiving and Christmas, VFW Post 7327 adopts military families in need through the USO and provides them with meal baskets for each holiday, gifts for children, commissary cards for the parents, and a Christmas party where the children can meet Santa and receive a gift-filled stocking. The Ladies Auxiliary members collect, sort, and distribute more than 2,000 pieces of clothing each month to various charitable organizations.

VFW Post 7327 is a strong supporter of local youth organizations, including the Boys Scouts, Girl Scouts, and Little League Baseball, that contribute greatly to the education and well-being of our children.

Each year, VFW Post 7327 bestows awards to local students who have submitted outstanding essays on a theme and to local teachers and public safety officers in recognition of their extraordinary actions and dedication. I am honored to include in the RECORD the names of this year's honorees:

PATRIOT'S PEN

1st Place: Alexia M. de Costa
2nd Place: Austin Matthew Lathrop
3rd Place: Serina Ahmed

VOICE OF DEMOCRACY

1st Place: Timothy A. Withington
2nd Place: Jenna L. C. Huber
3rd Place: Sean M. Franklin

TEACHERS OF THE YEAR

Elementary: Joash Chung
Middle School: Cindy Downing

PUBLIC SAFETY AWARDS

Assistant Chief Gary E. Gaal
Police Officer First Class Christopher Cosgriff
Lieutenant Justin Palenscar

Mr. Speaker, I ask that my colleagues join me in thanking VFW Post 7327 for its continued efforts on behalf of our community and in congratulating the honorees of the 2017 Americanism Awards.

IN MEMORY OF REVEREND RICHARD KEVIN BARNARD

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. BURGESS. Mr. Speaker, I rise today to honor the memory of Reverend Richard Kevin Barnard, who passed on March 18, 2017. Reverend Barnard has served as a minister in the Reformed Episcopal Church since July of 1989. Prior to that, he served 18 years at The Chapel of the Cross in Dallas, Texas and most recently at Christ Church Angelican Ft. Worth.

Before coming to The Chapel, Reverend Barnard was Director of Communications for the International Bible Society, which was then located in East Brunswick, New Jersey. In that capacity he was a regular participant in the monthly White House Forum for Religious Organizations during the Reagan Administration and represented the Bible Society at public and private events, traveling to Central America, Europe, Africa and Asia.

At my invitation on July 26, 2006, Reverend Barnard served as Chaplin of the Day for the United States House of Representatives.

Reverend Barnard's gracious presence and true dedication to the work and word of Christ has been an instrumental part of my life. He encouraged his congregation to remain faithful to pursuing our walk with Christ daily.

HONORING STUDENTS WHO RAISE MONEY FOR LEUKEMIA AND LYMPHOMA

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. SMITH of Texas. Mr. Speaker, today, I want to recognize a few high school students from San Antonio and the surrounding area who raised over $500,000 in 7 weeks while campaigning for the Students of the Year title, a campaign launched by The Leukemia & Lymphoma Society.

Ella Behnke, 16, a senior at Alamo Heights High School, raised over $334,000 in 7 weeks to become The Leukemia & Lymphoma Society's ''2017 Student of the Year.'' Ella was diagnosed with non-Hodgkins Lymphoblastic Lymphoma at the age of 2. She has been in remission for several years now.

P.J. O'Toole, 15, a freshman at Smithson Valley High School in Spring Branch, Texas, raised over $50,000 during the 7-week campaign, becoming the ''2017 Student of the Year Runner Up.'' P.J. was the only freshman to run in the campaign against 11 upper classmen.

P.J. is also a leukemia survivor. At the age of 6, he was diagnosed with Acute Myeloid Leukemia (AML). With only a 70 percent chance of survival, today P.J. is in remission.

Raising over $50,000 each means that both Ella Behnke and P.J. O'Toole will have the opportunity to name an LLS research grant in honor of whomever they choose.

For the South Central Texas Chapter—San Antonio Inaugural Campaign, 12 candidates raised an outstanding $502,000 this year.

The Leukemia & Lymphoma Society's Students of the Year campaign is a fundraising competition in communities across the United States in which participants vie for the title of Student of the Year. They raise funds for blood cancer research in honor of local children who are blood cancer survivors.

In appreciation of all they have done, Mr. Speaker, I ask my colleagues to join me in thanking them for their efforts to advance the treatment of Leukemia and Lymphoma.

IN RECOGNITION OF NRECA INTERNATIONAL VOLUNTEERS FROM ALABAMA RURAL ELECTRIC ASSOCIATION OF COOPERATIVES

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mrs. ROBY. Mr. Speaker, I would like to recognize and thank nineteen constituents from my district who work for Central Alabama Electric Cooperative, located in Prattville, Alabama; Covington Electric Cooperative, located in Andalusia, Alabama; and Alabama Rural Electric Association of Cooperatives, located in Montgomery, Alabama. Volunteering as power linemen and staff liaisons for NRECA International, these Journeyman Linemen have dedicated themselves to building and upgrading power lines to help communities receive affordable, safe and reliable electricity.

They have worked side by side with NRECA International in the town of Guastatoya, Guatemala, and in the city of Puerto Barrios, Guatemala, and most recently on the USAID-funded Pilot Project for Sustainable Electricity Distribution in Caracol, Haiti.

In Guatemala, they constructed a power line to electrify three villages, Mirador, Tamarindal, and Castanal, bringing a better way of life to more than 300 families. In the latest project, more than 9,000 consumers in Caracol and 10,000 more consumers in surrounding communities will eventually be connected with electricity.

The service and sacrifice of these linemen and electric cooperative staff will ultimately impact the lives of thousands of Guatemalans and Haitians, resulting in improvements in healthcare, education, and economic opportunity.

For all of you who have given your time, Bruce Adamson, Kevin Anderson, Lamar Daugherty, Reed Daugherty, Jimmy Gray, Aaron Ismail, Keith Hay, Michael Kelley, Michael Longcrier, Darren Maddox, Ross Parker, Kevin Powell, Heath Smith, Ted Stettler, Alan Thrash, Josh Till, Clay Walker, Josh Winburn, and Julie Young, I thank them for their service.

RECOGNIZING THE 38TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT

HON. SCOTT DesJARLAIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. DESJARLAIS. Mr. Speaker, Monday, April 10th marks the 38th anniversary of the 1979 enactment of the Taiwan Relations Act (TRA).

The United States and Taiwan are bound by shared values, and the TRA commits the U.S. to providing Taiwan with the arms needed for its defense, while advocating a peaceful resolution to the contentious issues separating Beijing and Taipei. The people of Taiwan may rest assured that regardless of changes in administrations or the partisan composition of Congress, the TRA endures. Taiwan's freedom, democracy, and security will remain one of the highest interests of the United States, and our relationship will continue to grow and strengthen in the years and decades to come.

In 1982, three years after the TRA's enactment, President Ronald Reagan issued the Six Assurances, another important component in strengthening this relationship. Together, the TRA and the Six Assurances have been instrumental in providing Taiwan with the security and space necessary for its people to build one of the most vibrant democracies and societies of the Asia-Pacific region.

Mr. Speaker, I was gratified to hear that Secretary of State Rex Tillerson reaffirmed the U.S. commitment to the TRA and the Six Assurances in his confirmation hearing earlier this year. I know many of my colleagues will join me in seconding this commitment.

I also noticed that Chinese President Xi is visiting the United States this week. It is our hope that the upcoming Trump-Xi meeting is constructive as U.S. engagement of the PRC is important to the peace and stability of the region. It is also our hope and insistence that US-Taiwan relations and Taiwan's security and interests are not in any way compromised.

I look forward to working with my colleagues and the Administration in moving forward on the issues that are of mutual interest between our two countries, and I offer my best wishes to the people of Taiwan on the occasion of this 38th Anniversary.

MARIA ALEJANDRA FRAYRE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Maria Alejandra Frayre for receiving the Adams County Mayors and Commissioners Youth Award.

Maria Alejandra Frayre is a 12th grader at Aurora West College Prep Academy and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Maria Alejandra Frayre is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Maria Alejandra Frayre for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN RECOGNITION OF THE NORTHERN VIRGINIA PTAS AND PTSAS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to commend the 2017 Northern Virginia District PTA Annual Award recipients. Parent Teacher Associations (PTAs) and Parent Teacher Student Associations (PTSAs) in Northern Virginia serve a critical role in helping to provide the best possible educational environment for our students.

The Northern Virginia District PTA represents a region with more than 220 schools. Maintaining a healthy and strong organization is an important part of allowing these groups to have the greatest possible impact on the students they serve. To encourage such strength, it is important to note the individual PTAs and PTSAs that excel in this mission as well as the individual Volunteers of the Year.

I am pleased to congratulate the following PTAs, PTSAs, and individuals on being recognized by the Northern Virginia District PTA for their immeasurable contributions to the education of our children:

NOVA District PTA Elementary School Volunteer of the Year Finalists: Laura Allen, Camelot ES PTA; Eileen Gorman, Hollin Meadows ES PTA; Julie Shepard, Springfield Estates ES PTA;

NOVA District Secondary School Volunteer of the Year Finalists: Phyllis Lovett, Fairfax High School PTSA; Monique Roberts, Franklin Middle School PTA; Michele Buschman, Lake Braddock Secondary School PTSA; Martha Coleman, Mount Vernon High School PTSA;

NOVA District PTA Outstanding Administrators of the Year Finalists: Principal David Jagels, Centreville High School PTSA; Principal Chuck Miller, Mark Twain Middle School PTA; Assistant Principal Michelle Taylor, Oakton High School PTSA; Principal Evan Glazer, Thomas Jefferson High School for Science & Technology PTSA; and Principal Larry Aiello, Parklawn Elementary School PTA;

Outstanding Elementary PTA of the Year: Annandale Terrace Elementary School PTA;

Outstanding Secondary PTSA of the Year: Annandale High School PTSA;

Outstanding Educator of the Year: Leslie Smith, Weyanoke Elementary School PTA;

Outstanding School Staff Member of the Year: Judith Edwards, Lake Braddock Secondary School PTSA;

Virginia PTA 100 percent Membership Award Recipients: McKinley Elementary School PTA; Nottingham Elementary School PTA; and

Virginia PTA Advanced Dues Membership Award: Reston Montessori School PTA.

A special note of appreciation is extended to Debbie Kilpatrick, NOVA District Director, Jeff Wright, Asst. District Director, Denise Bolton, District Secretary-Treasurer, along with honored speakers Nathan Monell, National PTA Executive Director, Lorraine Hightower, 2016 VA PTA Child Advocate, and Donna Colombo, VA PTA Vice President of Membership. Lastly, I commend the following Northern Virginia District PTA Executive Board Members for their support and dedication: Ron Henderson, Advocacy Chair; Michelle Leete, Communications Chair; Mike Woltz, Diversity Outreach Chair; Judy Dioquino, Events Chair; Cathy Petrini, Reflections Chair; Patricia Franck, Special Projects Chair; Charles Britt, STEM Special Committee; Ramona Morrow, VA PTA Family Engagement Chair; Joy Cameron, Alexandria City Council PTA President; Chris Ditta, Arlington County Council PTA President; and Kimberly Adams, Fairfax County Council PTA President.

Mr. Speaker, I ask my colleagues to join with me in recognizing the outstanding

achievements of the individuals and the PTA/PTSA organizations being recognized. Dedicated involvement from so many parents reflects a strong commitment to public education and community service that students in our schools are fortunate to experience. I offer my strong support for these organizations and their dedicated volunteers.

HONORING ASBURY UNITED METHODIST CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Asbury United Methodist Church.

If you desire to eat for a year, plant rice. If you desire to be remembered ten years later, plant a tree. If you desire to save future generations, educate a child. But if your desire is to preserve mankind, plant rice, a tree, educate a child and build a church.

It was this philosophy, spurred by the divine inspiration of God, that Asbury UMC was organized. The year was 1872. Since that time Asbury has experienced physical and spiritual growth as was evident by the fact that it was in 1898 under the leadership of Rev. D.D. Goodwin. The church's trustees were L.K. Levridge, J.L. Thompson, F.L. Jones and Henry Raspberry.

As the years past, Asbury prospered and was remolded in 1926, this time under the leadership of W.L. Marshall.

Realizing that there is indeed strength in unity, Asbury and what was to become known as her sister church, Kingsley Chapel United Methodist Church of Edwards, Mississippi, were united on the same charge. The ministers who spearheaded and supervised that unification were J.B. Brooks, J.M. Shummpert and H.C. Trice.

For the next fifty years, Asbury continued to worship God through service to humanity. This was done under the ever present watchfulness of Reverends Walton Taylor, A.L. Johnson, N.R. Ross, J.B. Watkins, A.L. Pittman and E.B. James.

A church without a past has no future, without a present there can be no future. In 1972, Asbury realized that it had an even greater future and challenge ahead as it became and continues to be a United Methodist Church. Pastoring Asbury before, during, as well as after this period of name change, was the Rev. Dr. Oscar Allen Rogers, Jr. During Dr. Rogers' tenure, 22 years, the longest in the history of Asbury, the church experienced many positive changes, including an extended renovation in 1975. In May of 1984, Dr. Rogers accepted the Presidency of Claflin College, Orangeburg, South Carolina.

The departure left a void, but one which was soon filled by Rev. Coleman Turner, a native of Bolton, as well as a member of Asbury's extended family.

Before coming to Asbury, Rev. Turner was pastor of Pratt Memorial UMC of Jackson, Mississippi. Although his stay was brief, his leadership was inspiring.

In 1985, the Rev. John Baker came to Asbury from Anderson UMC, Jackson, Mississippi. He accepted the challenge of Christian leadership and proved a positive influence.

On the Fourth Sunday in June of 1987, Asbury welcomed the Rev. Dwight Prowell and his wife Patricia. They quickly and effectively became an involved part of the Asbury family. Although it was a short relationship, Asbury and the Prowells shared many joyous moments; perhaps the highlight being an addition to their family, a son, Christopher. Christopher arrived in Mississippi on a Homecoming Sunday. It was truly a special day.

In 1988, The Rev. Alphanette Bracey Martin became the spiritual leader of Asbury UMC. Rev. Martin was also the director of the Wesley Foundation, located on the campus of Alcorn State University, Lorman, Mississippi. Under Rev. Martin's leadership Asbury continued to shine as the ''church by the side of the road.''

The Reverend Reuben C. Witherspoon served as leader of the flock from June 1994 to June 2000. He brought to Asbury a renewed commitment to spirituality among the members. He also made improvements within the church.

Reverend Herman Peters accepted the leadership of Asbury June 25, 2000 and served through December 2002. He inspired continued commitment to spiritual, financial and physical growth.

Asbury is presently under the charismatic leadership of the Reverend Sam Lee, Jr., who accepted the top post in January, 2003.

We have also been privileged to have the following ministers from 1924 to present: Rev. J.B. Brooks, 1924–1927; Rev. W.E. Rucker, 1927–1928; Rev. Prince A. Taylor, Sr. 1931–1932; Rev. J.C. Hibbler, 1933–1934; Rev. A.C. Trice, 1935–1936; Rev. Allen L. Johnson, 1937–1939; Rev. N.W. Ross, 1940–1941; Rev. Walter S. Taylor, 1942–1943; Rev. J.B. Watkins, 1944–1946; Rev. L.M. Pittman, 1947; Rev. E.B. James, 1948–1952; Rev. V.C. McInnis, 1953; Rev. Richard D. Gerald, Sr., 1954–1955; Rev. Henry Bartee, Sr., 1959–1962; Rev. Dr. Oscar A. Rogers, Jr., 1962–1984; Rev. Coleman Turner, 1984–1985; Rev. John L. Baker, 1985–1986; Rev. Dwight d. Powell, 1987; Rev. Alphanette B. Martin, 1988–1994; Rev. Reuben C. Witherspoon, 1994–2000; Rev. Herman Peters, 2000–2002; Rev. Sam Lee, Jr., 2003–Present.

Mr. Speaker, I ask my colleagues to join me in recognizing my home church, Asbury United Methodist Church of Bolton, Mississippi.

38TH ANNIVERSARY OF THE TAIWAN RELATION ACT (TRA)

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. FARENTHOLD. Mr. Speaker, April 10th marks a very special day for the United States and Taiwan. It was on this day in 1979 that the Taiwan Relations Act was enacted as United States law that codifies the relationship between Taiwan and the United States. It outlines our relationship with Taiwan regarding trade, cultural exchanges, and security among other important areas.

In addition to the Taiwan Relations Act, the Six Assurances also guides the relationship between the United States and Taiwan. In 1982, three years after the passage of the Taiwan Relations Act, the ''Six Assurances'' of the United States to Taiwan were given by then President Ronald Reagan. Both the Taiwan Relations Act and the Six Assurances have guided our relationship with Taiwan for more than 30 years. We celebrate the 38th anniversary of the Taiwan Relations Act by thanking Taiwan for its great friendship and its support as a beacon of democracy in East Asia.

I also noticed that Chinese President Xi is visiting the United States. It is our hope that the upcoming Trump-Xi meeting is constructive as U.S. engagement of the PRC is important to the peace and stability of the region. It is also our hope and insistence that US-Taiwan relations and Taiwan's security and interests are not in any way compromised.

We are so proud of Taiwan's accomplishments over these thirty-eight years and look forward to ever further strengthening our economic relations with Taiwan in the future.

CONGRATULATING KELLY MURPHY FROM WILMINGTON, IL

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. KINZINGER. Mr. Speaker, I rise today to congratulate a constituent of mine, Kelly Murphy, on her achievements as a member of the 2016 U.S. Women's Volleyball team.

Volleyball runs in the Murphy family. Her mother, Sandy played volleyball at Illinois State University, and Kelly herself started playing at the age of 11. Prior to being confirmed on the team in July of last year, Kelly was a four-year varsity player at Joliet Catholic Academy from 2004 to 2007. During her four seasons there, she helped her team to a 133–31 record, winning four regional titles, three sectional titles and posting fourth and third-place finishes in state competition in 2005 and 2006. In 2007, Kelly was named the Gatorade High School National Player of the Year.

Following her career at Joliet Catholic, Kelly moved on to the University of Florida, where she was the 2008 SEC Freshman of the Year and the 2010 SEC Player of the Year. Having started every match during her career at Florida, Kelly led her team to a 107–17 record, two Southeastern Conference titles, and she made the all-conference team four times in a row.

In 2016, Kelly achieved the honor of being one of 12 players selected to represent our country at the 2016 Olympic Games in Rio de Janeiro, Brazil. Kelly and the team came home with the bronze medal after defeating the Netherlands in four sets. This accomplishment in Rio continued the tradition: marking three straight Olympics in a row where the U.S. Women's Volleyball team has won a medal.

Mr. Speaker, on behalf of the Sixteenth Congressional District, I would like to sincerely applaud Kelly Murphy for her commitment to her sport, her team, and her country. We are all truly proud of her and her achievements.

PERSONAL EXPLANATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. TITUS. Mr. Speaker, I was unable to attend votes in the House on March 8, 2017. If I had been present, I would have voted "Yea" on Roll Call No. 136, making appropriations for the Department of Defense for Fiscal Year 2017.

HONORING THE LIFE OF BISHOP JOSEPH J. MADERA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor the life of Bishop Joseph J. Madera, who passed away on January 21, 2017 at age 89. Bishop Madera was a loving son, brother, and leader of the Central California Catholic community, who was called "the people's bishop" by those he served.

Born on November 27, 1927, Bishop Madera was raised in Mexico. He entered the seminary at age 15, studying priesthood in Coyoacan, a neighborhood in Mexico City. After being ordained on June 15, 1957, Bishop Madera was sent to the Archdiocese of Los Angeles where there was a need for priests who understood the needs of Catholics of Mexican decent. He served in Los Angeles for 15 years until 1976, when he became a pastor in Fowler in the San Joaquin Valley. Four years later, in 1980, he was ordained bishop for the Diocese of Fresno.

While Bishop of Fresno, Bishop Madera created specialized ministries for families and youth, and became very involved in the Hispanic community. He started an education television station in Fresno to spread his message on Catholicism, which would later become Channel 49 (KNXT). In 1991, Bishop Madera became an auxiliary bishop for the Archdiocese for the Military Service until his retirement in 2004.

Bishop Madera was lcnown as the bishop for the people. He had a passion for getting to know all his worshippers, and always wanted to be actively involved in the community. He was the first Hispanic to lead a California diocese since 1896, overseeing eight counties of 348,300 Catholics, half of whom were Hispanic. Bishop Madera spoke four languages, and was unique amongst other Bishops in the United States because he was from a Mexican background.

Bishop Madera is survived by his sister Carmelita and numerous nieces and nephews.

Mr. Speaker, today I ask my colleagues to join me in paying tribute to the life and service of Bishop Madera, whose passion, selfless service, and kind heart made an instrumental impact on the lives of those in the Valley. His humble nature and great character is something to be remembered. I join the Catholic and Hispanic community in honoring his life, his love for his worshippers, and passion for making a difference. He will be greatly missed.

REMEMBERING WILLIE SUMMERVILLE

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to remember Willie Summerville, a friend and beloved community member, who passed away on March 7, 2017 at the age of 72. Willie served as choirmaster for the Saint Luke Christian Methodist Episcopal Church in Champaign for over 50 years, and was a longtime music teacher in Champaign and Urbana schools and the University of Illinois. In addition, he served as choir director for several community choirs.

The impact Willie left on the community stretches far beyond the conductor's podium. Willie found a passion in teaching others. He served as outreach coordinator for the African American Studies Program at the University and taught classes on African-American and European sacred music. He also offered his talents to music students of all ages through private lessons in voice and piano.

Willie first arrived in Champaign-Urbana in the 1960s when he came to the area to play tuba for the Marching Illini. Since then, he has become a well-established musician and a respected community leader.

Willie was a loving husband, father, and grandfather, and most of all, he was a treasure in the Champaign-Urbana community who will be greatly missed. His love for music and his devotion to the community will always be remembered. My thoughts and prayers are with his family during this difficult time.

MIKAH VEGA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mikah Vega for receiving the Adams County Mayors and Commissioners Youth Award.

Mikah Vega is a 12th grader at Mountain Range High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Mikah Vega is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mikah Vega for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE 2017 FAIRFAX COUNTY POLICE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medal of Valor.

Seventy-eight awards will be bestowed upon first responders who serve with the Fairfax County Police Department in recognition of their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

SILVER MEDAL OF VALOR

Sgt. Joseph L. Furman, MPO Gene M. Taitano, PFC Stephen K. Carter, PFC Lane M. Leisey (2), PFC Matthew R. Long, PFC Gershon L. Ramirez, Det. Michelle M. Warren.

BRONZE MEDAL OF VALOR

2Lt. Camille S. Neville, 2Lt. Charles H. Riddle, Sgt. Matthew A. Guzzetta, Sgt. Ari D. Morin, MPO Mary Hulse, MPO Michael D. Riccio, MPO Mark S. Yawornicky, PFC Michael H. Burgoyne Jr., PFC Silvana B. Masood, PFC Kenyatta L. Momon, PFC Christopher W. Munson, PFC Amanda B. Paris, PFC Steven L. Randazzo, PFC Nicholas A. Shivley, PFC Todd B. Sweeney, PFC Kurt T. Woodward, Det. David J. Faulk, Animal Caretaker II John W. Good, Volunteer Coordinator Cynthia E. Sbrocco.

CERTIFICATE OF VALOR

1Lt. M. Pirnat, 2Lt. Marc H. Mitchell, 2Lt. Edward S. Rediske, Sgt. Michael A. Comer, Physician's Assistant Craig DeAtley, MPO Jason E. Reichel, MPO Adrian K. Steiding, PFC Brandy L. Andres, PFC James A. Burleson, PFC Jason E. Chandler, PFC Christopher B. Hutchison, PFC Richard A. Juchnewicz, PFC Jonathan L. Kaminski (2), PFC Jonathan D. Keitz, PFC John P. Kolcun, PFC Russ E. Lephart, PFC David A. Neil, Jr., PFC Matthew W. Stanfield, PFC Dustin D. Tewilliager, PFC Stephen T. Vaughn, Det. Anthony N. Taormina, Ofc. Kenneth D. Baxter, Ofc. Andrew K. Kuremsky.

LIFESAVING AWARD

2Lt. Edward S. Rediske, Sgt. John H. Kim (2), Sgt. David Kroll, PFC Kyle R. Bryant, PFC Arthur Y. Cho, PFC Gregory S. Cox, PFC Timothy S. Evans, PFC John E. Matusiak, PFC Katherine A. Montwill, PFC William M. Mulhern (2), PFC Nathan L. Musser, PFC Marian I. Nedeltchev, PFC Edwin M. Pastora,

PFC Kyle M. Proffitt, PFC Scott H. Reever, PFC Justin P. Robinson (2), PFC Nicholas A. Shivley, PFC Jonathan K. Steier, PFC Matthew E. Weaver, PFC Frederick R. Yap, PFC Sung B. Yoon, Ofc. Kenneth J. McNulty, Ofc. Matthew F. Schafer, Ofc. Stacey L. Wells.

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank each of the men and women who serve in the Fairfax County Police Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING ANTHONY GIBSON II

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a multi-talented gentleman, Mr. Anthony Gibson II. Mr. Gibson has shown what can be done through tenacity, dedication and a desire to achieve.

Mr. Gibson graduated from Vicksburg High School, and now, he is attending Mississippi State University majoring in Civil Engineering.

He has been inducted into Alpha Lambda Delta, Gamma Beta Phi, National Society of Collegiate Scholars, National Society of Black Engineers, and American Society of Civil Engineers among others.

Anthony has a wide variety of engineering experiences including design, hydraulic/river research, geotechnical practices and project management.

Mr. Gibson had internships at J5 Broaddus, the City of Vicksburg, and the Corps of Engineers (ERDC). Currently, he is a co-op student for Brasfield & Gorrie, one of the largest engineering/construction firms in the southeast. He is located in Birmingham where the firm is headquartered.

Anthony is the son of Patricia Brown and Anthony Gibson II.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Anthony Gibson II for his hard work, dedication and a strong desire to achieve.

CONGRATULATIONS SPRINGFIELD NEWS-LEADER

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. LONG. Mr. Speaker, I rise today to recognize the Springfield News-Leader and its dedication to 150 years of excellence in journalism.

The Springfield News-Leader was first published on April 4, 1867, and has been a vital part of the Springfield, Missouri, community ever since. After 150 years, the Springfield News-Leader has reached almost 55,000 consecutive days of print, for both morning and evening newspapers.

In January of 1927, after several changes in name and ownership, the newspaper was officially known as the Springfield Daily News. 120 years later, in 1987, after printing both a morning and evening edition, the afternoon edition of the newspaper was discontinued and consolidated with the morning edition to become the Springfield News-Leader.

Today, the Springfield News-Leader is combined with a number of other print publications, websites and digital marketing services as part of the News-Leader Media Group. This group is the largest multi-media marketing solutions company in southwest Missouri, serving the local and regional business community.

For 150 years, the Springfield News-Leader has caught the moments that have shaped our nation, Missouri and Missouri's 7th Congressional District. I am confident that in the next 150 years the Springfield News-Leader will continue to be the newspaper that keeps the people of the 7th District informed and up-to-date. Congratulations to the Springfield News-Leader.

RECOGNIZING THE LIFE AND SERVICE OF MARK V. DENNIS

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CRIST. Mr. Speaker, I rise today to honor the life and service of fallen Navy Hospitalman, 3rd Class, Mr. Mark V. Dennis.

Mr. Dennis was born on September 21, 1946, to Charles and Vera Dennis of Miamisburg, Ohio, where he grew up with his brother and two sisters. He went on to serve in the United States Navy in a Marine unit as a medical corpsman during the Vietnam War. A man of strong faith, Mr. Dennis also served as acting chaplain for his unit, and had dreams of being a missionary after completing his service.

Sadly, those dreams would not be realized. He was killed in action when his helicopter crashed after taking enemy fire in South Vietnam in the summer of 1966. At such a young age, 19 years, Mr. Dennis made the ultimate sacrifice in service to his country.

In 1970, a photograph in Newsweek magazine showed a Prisoner of War with an uncanny resemblance to Mark. Devastated by the loss, and plagued by nagging doubt, his family, led by his brother Jerry, began a quest for answers as to what happened to Mark.

Last August, the Defense POW/MIA Accounting Agency released a report determining through DNA testing that the remains from the deadly helicopter crash are those of Mr. Dennis. Thanks to the Dennis family's determination, and work by the Defense POW/MIA Accounting Agency, we now know conclusively that Mr. Dennis died while serving and protecting his country.

Mr. Speaker, the Dennis family has been through a lot over the years. I pray that they will now have the closure they so deserve. Mr. Dennis will soon be laid to rest alongside his parents at the Garden Sanctuary Cemetery in Seminole, Florida, with full military honors.

I am humbled to honor the life of this young man, and all of our servicemen and women who were taken from this Earth too soon. May he, and his family, now finally find peace.

RECOGNIZING EDWARDSVILLE HIGH SCHOOL'S SENIOR GUARD MARK SMITH

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Edwardsville High School's senior guard Mark Smith, who is now better known as Mr. Basketball of Illinois for the 2016–2017 season.

Mark received the Mr. Basketball honor after a senior season in which he filled up the stats sheet. Over the course of the season, Mark averaged 21.9 points, 8.2 rebounds, 8.4 assists, and 2.1 steals per game. He recorded double figures in 31 of the Tigers' 32 games, and had eight games in which he scored more than 30 points. In the championship game of the Ottawa sectional, Mark scored a career-high 45 points in Edwardsville's win over Danville.

Outside of Mark's individual statistics, the Tigers' boys basketball season was an unforgettable one in the Metro East, as the team finished 30–2 and played in the Class 4A Super-Sectional in Normal.

In addition to the Mr. Basketball honor, Mark was named the "Illinois Gatorade Player of the Year," and has scholarship offers from multiple Division 1 schools.

I had the opportunity to meet Mark at an event for the Mannie Jackson Center for the Humanities last month, and was truly impressed by this young man. I am proud to congratulate Mark on his spectacular senior season and receiving this honor, and look forward to continuing to follow his basketball career.

RECOGNIZING THE CLARKSON UNIVERSITY WOMEN'S HOCKEY TEAM

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor the hard work and skill of the Clarkson University Women's Hockey Team, who just ended their already impressive season by winning the NCAA Division I championship.

Led by Coach Matt Desrosiers, the Golden Knights defeated the number one seeded Wisconsin Badgers for the championship title. This is the team's second Division I title, with the Golden Knights being the only team outside of the Western Conference to ever win the championship.

Under the leadership of seniors Corie Jacobson, Jessica Gillham, Genevieve Bannon, McKenzie Johnson and Carly Mercer, the team was able to regroup from a rough early season and achieve this impressive victory. Junior goaltender Shea Tiley was an instrumental part of this victory, allowing zero points against the strong Wisconsin offense.

In New York's 21st District, we are incredibly proud of all of these women and their incredible achievements. I hope that their hard work and dedication serve as an inspiration for generations to come.

NICOLE WICKERSHEIM

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Nicole Wickersheim for receiving the Adams County Mayors and Commissioners Youth Award.

Nicole Wickersheim is a 12th grader at Adams City High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Nicole Wickersheim is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Nicole Wickersheim for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 2017 TOWN OF HERNDON POLICE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Five members of the Town of Herndon Police Department are being honored this year for their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

CERTIFICATE OF VALOR

Corporal Damien Austin

Senior Police Officer Ronald Eicke

LIFESAVING AWARD

Corporal Andrew Perry

Private First Class Chad Findley

Private First Class Davin Royal

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank all of the men and women who serve in the Town of Herndon Police Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING ADAMANTIA KLOTSA

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor Florida's Consul General of the Hellenic Republic, Ms. Adamantia Klotsa, a model foreign representative and distinguished member of the Greek community in my district.

Ms. Klotsa was recently honored by the Federation of Hellenic American Educators for her ''continuous effort to execute professional and outstanding duties towards the language, the culture and services for the Greek community of Florida.''

Before her diplomatic mission in Tampa, Ms. Adamantia Klotsa was born in Athens. She holds B.A.s in both Archeology and Law as well as an M.A. in Prehistoric Archeology from the University of Athens. Ms. Klotsa entered the Diplomatic Service of the Hellenic Republic in 1998. In the Ministry of Foreign Affairs of the Hellenic Republic, she served in the Office of the Secretary General, the NATO Department, and the Personnel Department. As the co-Chair of the Hellenic Caucus and the Congressional Hellenic-Israeli Alliance and a former member of the Foreign Affairs Committee, I deeply appreciate the hard work and consummate professionalism displayed daily by our foreign diplomats, especially Ms. Klotsa.

As a proud Greek-American, I am thankful that Ms. Klotsa in her official capacity has encouraged Greek-Americans fully appreciate the diversity of their heritage. As a young boy, my grandparents, parents, aunts and uncles instilled in me an appreciation for our beautiful culture, which focuses on family, community, and faith, and it is with great pride, that I continue to uphold these values today.

Ms. Klotsa's current diplomatic mission in Tampa has also served to reinforce Florida's possession of remarkable Greek cultural treasures like Tarpon Springs in my district, home to the largest Epiphany celebration in the Western Hemisphere and world renowned Sponge Docks, and St. Augustine which boasts the earliest colonization of Greeks in the New World. Additionally, she recently introduced the application of a Sisters City relationship with the city of St. Augustine and Koroni, Greece. Initiatives like these will continue to contribute to the rich cultural and economic success in Florida's Twelfth Congressional District for years to come.

I commend the Federation of Hellenic American Educators for recognizing the contributions of Ms. Klotsa, and I hope every foreign diplomat can learn from and emulate the dedication of this Greek public servant to peace and prosperity between our nations.

HONORING DR. MARY M. WHITE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable woman, Dr. Mary M. White, who is a pioneer and innovator in the academic, entrepreneurial and service communities.

Dr. Mary M. White is the Inaugural Chairperson of the Department of Entrepreneurship and Professional Development in the College of Business at Jackson State University. She spearheaded the creation of a new BBA Degree in Entrepreneurship in 2005. Upon obtaining IHL Board approval, this degree program became the first of its kind in the state of Mississippi and among HBCUs. She is a Fulbright Fellow and Sam Walton Fellow, recognized as one of America's leading educators and has been a Price-Babson and LLEEP Fellow in Entrepreneurship as well.

Dr. White's commitment to entrepreneurship led her to co-author the book, ''The Engrossed Entrepreneurial Campus: What Our Economy and Our Academy Needs Now.'' Dr. White's passion for entrepreneurship and business extends internationally to South Africa, Nigeria, Puerto Rico, Romania, India, and France and throughout the United States by providing guidance on entrepreneurship as a means to enhance economic development.

Dr. White represents Jackson State University on the Women Owned & Managed Enterprise Network National Advisory Council (W.O.M.E.N) with Morgan State University, HBCU/Babson Entrepreneurship and Engineering consortium, Capitol City Convention Center Procurement Outreach Advisory Board and the Mississippi Entrepreneurial Alliance.

Dr. White's an active board member of the Community Financial Services Association (CFSA), Minority Serving Institutions Research Partnership Consortium (Vice President), Society for Financial Education and Professional Development, Katherine Murriel Education Foundation and Clinton Alumnae Delta Enterprise Foundation. She has successfully directed the 2009 Global Entrepreneurship Week (GEW), 2005 Women of Color Entrepreneurs Conference and the 2004 Minority Serving Institutions Conference. In 2006, Dr. White secured funding for the Business Entrepreneurial Scholars Program and the U.S. Department of Agriculture Small Farmers Training Initiative. She also directs the SIFE ''I Choose'' grant, guiding at-risk high school students in entrepreneurship and free enterprise.

Dr. White received the Doctor of Education at Northern Illinois University.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Mary M. White for her dedication to serving others.

PERSONAL EXPLANATION

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mrs. ROBY. Mr. Speaker, on Monday, April 3, 2017, I was absent because of travel delays due to weather related activities.

Had I been present, I would have voted the following on April 3, 2017:

Roll Call 209 on the motion to suspend the rules and pass, H. Res. 92, Condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes, I would have voted Aye.

Roll Call 210 on the motion to suspend the rules and pass, H.R. 479, North Korea State Sponsor of Terrorism Designation Act of 2017, I would have voted Aye.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PITTENGER. Mr. Speaker, I was absent from votes on Tuesday, March 28. Had I been present, I would have opposed S.J. Res. 34, and voted NAY on Roll Call No. 202.

PERLA BARRÓN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Perla Barrón for receiving the Adams County Mayors and Commissioners Youth Award.

Perla Barrón is a 12th grader at North Valley School for Young Adults and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Perla Barrón is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Perla Barrón for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 2017 TOWN OF VIENNA POLICE DEPARTMENT VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Five members of the Town of Vienna Police Department are being honored this year for their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

BRONZE MEDAL OF VALOR

Master Police Officer Neil Patrick Shaw
Police Officer Andrew Slebonick

LIFESAVING AWARD

Sergeant Michael Reeves
Master Police Officer Matthew Lyons
Police Officer Gregory Hylinski

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank all of the men and women who serve in the Town of Vienna Police Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

RECOGNIZING ESTHER WARD'S 100TH BIRTHDAY

HON. MARK WALKER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. WALKER. Mr. Speaker, I rise today to recognize an outstanding constituent on her 100th birthday—Esther Ward of Randolph County.

I am pleased to share in the momentous celebration of her 100th birthday, and I am honored to acknowledge this joyous milestone, filled with memories and experiences. It is not only a time of happiness, but a time to reflect on the lives Esther has enriched. In particular, Esther continues to be a pillar of her church, Hopewell Friends Meeting of Asheboro. North Carolina has been truly fortunate to share in her long legacy of achievement.

I join with her family, friends, church and the Sixth District in congratulating Esther on this special occasion.

HONORING THE LIFE AND LEGACY OF DR. ABRAHAM FISCHLER

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. HASTINGS. Mr. Speaker, I rise today to honor the life and work of my good friend and a most dedicated public servant, Dr. Abraham "Abe" Fischler, who, sadly, passed away on April 3, 2017. He was 89 years old.

For 22 years, Abe Fischler was President of Nova Southeastern University (NSU). There were only 17 students enrolled when Abe joined NSU. He became President in 1970 and oversaw NSU's growth into the large and well-respected institution that it is today.

Abe was born in Brooklyn on January 21, 1928. He was a member of the "Greatest Generation," serving in the United States Navy during the Second World War. He married his beloved wife of 68 years, Shirley, in 1949 and in 1951, graduated with a degree in Biochemistry from the City College of New York, eventually earning a Doctorate in Education in 1959 from Columbia University.

Among the many innovations Dr. Fischler brought to NSU was the development of a long-distance learning program. Abe thought there should be a way for professionals who wanted to pursue advanced degrees to do so without having to leave their jobs. We didn't have the prevalence of internet technologies we do now at the time, so Abe would actually have the university fly adjunct instructors to various spots around the country to teach small groups of students outside of regular business hours. At the time, this was very unusual, but today, long distance education is both common and expected at most institutions of higher learning. Abe Fischler was one of the first to do it.

In 1992, Abe retired from NSU, but he did not spend his retirement idly watching the world go by. By 1994, he was back in the thick of it, and got elected to the Broward County School Board, where he would serve for four years. He continued to be involved in educational issues, as well as his involvement with Nova Southeastern as President Emeritus until his passing.

Dr. and Shirley Fischler have four children, four grandchildren and one great-grandson. My own son holds a Doctorate from, and is part of, the Nova Southeastern Family I am honored to have worked with Abe Fischler and to have represented him in Congress. He was a wonderful friend and will be dearly missed.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 209 and 210 Monday, April 3, 2017. Had I been present, I would have voted Yea on roll call votes 209 and 210.

TRIBUTE TO THE LIFE OF JOHN WALLACE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today along with my colleagues, Mr. NUNES and Mr. VALADAO, to honor the life of one of Fresno's greatest journalists, John Wallace, who passed away on March 27, 2017 at the age of 71. John was a kind, generous, and humble man who kept the Valley informed on current events as a TV news anchor for more than 40 years.

Before his career as a TV anchor, John played baseball at the University of Arizona in the early 1960's, followed by his service in the United States Marine Corps. He began his broadcast and journalism career in 1969, joining the news staff at KYNO radio in Fresno. In

1975, he became a TV news anchor at ABC30 (KFSN) until 1987, when he joined CBS47 (KGPE) as an anchor for the evening news.

In addition to his journalism career, John's love for sports was a large part of his life. He was the public address announcer for the California League's Fresno Giants baseball team. He served on the board of the Fresno Athletic Hall of Fame, was president of the Fresno State Timeout Club, and spent four decades working with the Bulldog Foundation at Fresno State, serving as President and Chairman of the Board of Trustees. In 2014, he received the Harold S. Zinkin, Sr. Award by the Fresno Athletic Hall of Fame for his contributions, and was inducted into the Clovis Centennial Hall of Fame.

John was a loyal community supporter who championed for local organizations. He was a friend and an inspiration to many, and had a contagious enthusiasm for life. He was very active in the community, serving on the board of the WestCare Foundation and volunteering with Break the Barriers and Valley Children's Hospital.

John will be missed greatly by his family, friends, and the entire community. He is survived by his wife Cheri; children Cass Dilfer, Cameron Weishaar, Paige Wise, Carson Franzman, Taylor Franzman; and eight grandchildren.

Mr. Speaker, it is with great respect that I ask my colleagues to join Mr. NUNES, Mr. VALADAO and me in paying tribute to the life and service of John Wallace, whose curiosity for recent events and passion for the community kept the Valley informed on our nation's news for more than four decades. I join the Fresno community in honoring his life and his passion for making a difference. He will be greatly missed.

JOSIAH JENSEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Josiah Jensen for receiving the Adams County Mayors and Commissioners Youth Award.

Josiah Jensen is a 12th grader at Mapleton Expeditionary School of the Arts and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Josiah Jensen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Josiah Jensen for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING VIRGINIA STATE TROOPER KRESS ADAMSON

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize my constituent, Virginia State Police Trooper Kress Adamson, for his recognition by the Rotary Club of West Springfield as an Outstanding Virginia State Trooper of the Year for 2016.

Trooper Adamson is a credit to his unit and uniform and the long tradition of our Commonwealth's State Police Force. In August of 2015 he was dispatched to a vehicle crash on the Capital Beltway. Upon arriving at the scene, he found two citizens who were trying to aid an individual lying near the wreckage on a very busy and dangerous stretch of I–495 and his fellow Trooper Steven Muller had begun special rescue breathing and CPR. A Fairfax County Rescue team then arrived and asked the two troopers to continue their life-saving efforts until the Rescue team was could apply an automated external defibrillator. After several minutes of these combined advanced life-saving techniques, they were able to regain a pulse in the victim. The victim was then transported to INOVA Alexandria Hospital where he remained in critical condition until his recovery. Due to the initial valiant efforts of both civilians and these two troopers, the victim had a better chance of recovery from this life-threatening accident.

Trooper Adamson has served the Virginia State Police for seven years. Upon graduating from the State Police Academy, he was initially assigned to Arlington (Area 45). He is currently with the Springfield office (Area 48). Originally from Baltimore, Maryland, he served in the U.S. Air Force for nine years and deployed to Iraq in 2007. His MOS was medical support, and he currently is working on completing a bachelor's degree at Thomas Edison University.

Mr. Speaker, I ask my colleagues to join me in congratulating Trooper Adamson and in thanking him for his years of service to Fairfax County and the Commonwealth of Virginia. He has demonstrated exceptional dedication to public safety and the mission of law enforcement, and for that, we owe him a special debt of gratitude.

HONORING DET. SAM WINCHESTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a multi-talented gentleman, Det. Sam Winchester, Warren County Sheriff Department. Det. Winchester has shown what can be done through tenacity, dedication and a desire to serve others.

Det. Sam Winchester received a Bachelor of Science degree in Animal Science from Alcorn State University. He worked full time in the agricultural research department of Alcorn and received a Master's Degree in Secondary Education. He served in the United States Army Reserve for 14 years.

Det. Winchester began his career in law enforcement in Jefferson County. He started working at the Warren County Sheriff's Office (WCSO) in 2004, and became a detective in 2006. Sam has multiple interests that he uses as a detective at the Warren County Sheriff's Office in the Criminal Investigation Division.

He is one of the primary boat operators for the Sheriff's Office meaning, whenever a river or water rescue needs to take place, he is called to assist. In addition to those duties, he is a certified driving instructor for the WCSO, and he does driving instruction at the Police Academy at Mississippi Delta Community College in Moorhead. He is also trained as a hostage and crisis negotiator.

Mr. Speaker, I ask my colleagues to join me in recognizing Det. Sam Winchester for his hard work, dedication and a strong desire to serve his country and community.

RECOGNIZING JOHN ALBAN FINCH

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. REED. Mr. Speaker, I rise today to honor the life and legacy of John Alban Finch.

Fifty years ago today, on April 5, 1967, a fire broke out at Cornell Heights Residential Club, an off-campus student dormitory in Ithaca, New York. The fire claimed the lives of eight students and one professor from Cornell University.

Mr. Finch was the professor who perished in the fire. On the night of the tragedy, he immediately took action by awakening his neighbors and calling the Cornell Safety Division. Despite heavy smoke, Mr. Finch ran back into the building to help other occupants escape to safety. A total of 62 people escaped the fire, many of whom attributed their survival to Mr. Finch's heroic and selfless actions. Tragically, Mr. Finch did not survive.

Mr. Finch gave his life to save those in need—the true definition of a hero.

Mr. Finch was an Associate Professor and Faculty Advisor for the Ph.D. Program at Cornell University. He originally came to Cornell in 1960 as a graduate student on a Woodrow Wilson Fellowship. Mr. Finch earned a Master's Degree in 1961 and a Ph.D. in 1964. The following year, he began working as an Assistant Professor of English and an instructor in the English Honors Program. Mr. Finch was a distinguished scholar and highly valued faculty member.

I ask my colleagues to join me in honoring the life of John Alban Finch and recognizing his life-long commitment to serving others.

CELEBRATING 100 YEARS OF WOMEN IN CONGRESS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to celebrate 100 years of women in Congress. Representative Jeannette Rankin of Montana was the first woman to serve in U.S. Congress in 1916.

Rankin was on the frontlines of the national suffrage fight and advocated relentlessly for the creation of a Committee on Woman Suffrage, serving on that committee once it was created. Casting an ''aye'' vote for the Nineteenth Amendment to the U.S. Constitution, Rankin was the only woman who ever voted to give women the right to vote.

Rankin is just one of many shining examples of women knocking down barriers. I believe the history of outstanding women and many others should be shared with all Americans to uplift and inspire them. I would like to share several outstanding women from Texas who have been several ''firsts,'' but certainly not ''lasts'' of their time.

Lera Millard Thomas was the first woman elected to Congress from the state of Texas. When her husband died in February of 1966, a special election was called in March and she was elected as a Democrat to succeed her husband. Thomas served on the Merchant Marine and Fisheries Committee where she helped to expand the Houston Ship Channel, one of the country's busiest seaports. She chose not to run for reelection and instead dedicated her time to members of the armed services in Vietnam as a special liaison to the Houston Chronicle.

Barbara Jordan was the first black woman elected to Congress and the first woman to represent Texas in her own right in the House of Representatives. Jordan was the first black woman to serve in the Texas State Senate and stayed there for eight years. Elected to the House in 1972, she served until 1979 and gained national praise for her legislative prowess and for her rhetoric and high morals. After retirement, Jordan returned to her former profession of teaching.

Unfortunately, in Texas, the number of women in Congress is historically very low. Currently, there are three women members; myself, Congresswoman SHEILA JACKSON LEE, and Congresswoman KAY GRANGER. In the Senate, former Senator Kay Bailey Hutchison was the first and only woman to represent Texas. In 2017, this is unacceptable. When Jeannette Rankin said that she would not be the last woman in Congress, I believe that she imagined a Congress much different from this one, a Congress that mirrored our society.

125TH ANNIVERSARY OF THE DAILY CARDINAL NEWSPAPER

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. POCAN. Mr. Speaker, I rise today to recognize the 125th anniversary of The Daily Cardinal newspaper serving the University of Wisconsin-Madison Campus since its debut on April 4, 1892.

This distinguished student newspaper has been a valued staple on the University of Wisconsin-campus since it was founded by two natives of Monroe Wisconsin, who originally distributed the newspaper on horseback. One of its founders, William Wesley Young, was the University of Wisconsin-Madison's first journalism graduate. In fact, the current home of UW-Madison's School of Journalism in Vilas Hall is built on the site of former Cardinal offices.

Thousands of students used the Daily Cardinal to pursue investigative journalism, expose corruption and develop photographic and storytelling skills. Alumni of the paper have subsequently become not only leaders in journalism, but also in politics, business, law, and medicine. Some of these students have even subsequently gone on to win Pulitzer Prizes, Emmys, Peabody awards, and Nobel prizes.

As one of the oldest college student newspapers in the United States, The Daily Cardinal has survived and thrived through decades of change at the University of Wisconsin-Madison. Its editorial board has proudly been on the forefront of advocating for important issues and advancing progressive stances from women's suffrage to civil rights to marriage equality, while also fighting injustice and racism.

Today, it is my honor to commend The Daily Cardinal staff, advisors, and distinguished alumni for all they have accomplished at this venerable student newspaper for the past 125 years.

Mr. Speaker, it is with great honor that I recognize the 125th anniversary of The Daily Cardinal.

RECOGNIZING THE SUNY PLATTSBURGH WOMEN'S HOCKEY TEAM

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor the hard work and skill of the SUNY Plattsburgh Women's Hockey Team, who just ended their already impressive season by winning the NCAA Division III championship.

Led by Coach Kevin Houle, the Cardinals are the first team in Division III history to win four consecutive national championships. Seniors Jordan Lipson, Katelyn Turk, Julia Duquette, Melissa Ames, Erin Brand and Camille Leonard close out their collegiate careers with an impressive four year record of 111–5–4.

Additionally, Erin Brand was honored as the Most Outstanding Player at the NCAA Division III Championship with Camille Leonard and Melissa Sheeren also earning a spot on the All-Tournament Team. Leonard, the team's goaltender, ends her career with the most victories in NCAA Division III history, as well as the highest save percentage and the second most shutouts.

In New York's 21st District, we are incredibly proud of these women and their incredible achievements. I would like to congratulate the SUNY Plattsburgh Cardinals on their victory and hope that their hard work and dedication serve as an inspiration for generations to come.

NEYRA VALDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Neyra Valdez for receiving the Adams County Mayors and Commissioners Youth Award.

Neyra Valdez is a 12th grader at Hinkley High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Neyra Valdez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Neyra Valdez for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 2017 FAIRFAX COUNTY SHERIFF'S OFFICE VALOR AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. These individuals have demonstrated superior dedication to public safety and have been awarded the prestigious Valor Award by the Northern Virginia Chamber of Commerce.

This is the 39th Annual Valor Awards sponsored by the Northern Virginia Chamber of Commerce. This event honors the remarkable heroism and bravery in the line of duty exemplified by our public safety officers. Our public safety and law enforcement personnel put their lives on the line every day to keep our families and neighborhoods safe. This year's ceremony will present 125 awards to recognize extraordinary actions above and beyond the call of duty in a variety of categories including the Lifesaving Certificate, the Certificate of Valor, and the Bronze and Silver Medals of Valor.

Fourteen members of the Fairfax County Sheriff's Office are being honored this year for their exceptional service. It is with great pride that I include in the RECORD the names of the following Valor Award Recipients:

CERTIFICATE OF VALOR

Second Lieutenant Michael T. Withrow, Sergeant Nathan Cable, Sergeant Oliver Yard Master Deputy Sheriff Clifton Cooley, Master Deputy Sheriff Patrick McPartlin, Master Deputy Sheriff Jeffery Waple, Private First Class Jonathan Perryman, Private First Class Joshua Silver.

LIFESAVING AWARD

Master Deputy Sheriff Edward S. Fircetz, Master Deputy Sheriff Daniel Fyock, Master Deputy Sheriff Robert Knapp, Private First Class Daniel Boring, Private First Class Heather Trijo, Deputy James Grosser.

Mr. Speaker, I congratulate the 2017 Valor Award Recipients, and thank all of the men and women who serve in the Fairfax County Sheriff's Office. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

HONORING MITCH LASGOITY FOR BEING NAMED THE 2017 SENIOR FARMER OF THE YEAR

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor Mr. Mitch Lasgoity, of Madera, California for being recognized as the 2017 Senior Farmer of the Year by the Madera District Chamber of Commerce. Receiving such an honor is well deserved by this hard working and humble man.

Mitch was born in Madera, California on April 11, 1930. His father, Jean Lasgoity immigrated to the United States from the Basque country of France, where he was a sheep herder. After settling in Madera, Jean married Jennie Ospital in 1928 and they started their sheep livestock business on the plot of land Jennie grew up on.

Growing up on this family farm business, Mitch learned from a very young age, the skills it would take to become a successful farmer. Even as a young boy, Mitch was trusted to help around the farm, from prepping chickens for dinner to raising hogs to sell to a meat company. As he got older, he became more involved in raising ewes into lambs, refining the skills needed in the sheep business. By the age of ten, Mitch could fully operate and drive a tractor and began doing summer work operating a grain harvester at the age of 15.

After graduating from Madera Union High School, Mitch went on to attend Santa Clara University, graduating with a degree in business in 1952. After college, Mitch partnered with his father in the sheep business. Later, at the age of 26, he bought the farm from his father and officially became self-employed.

In 1957, Mitch married Rosemary Mastrofini, who gave birth to their four children, Michel, Monica, James and John. While raising a family, Mitch was determined to expand and refine his business with the help and support of his wife, Rosemary. In no time, Mitch had an outfit of 5,000 ewes and expanded their grazing territory to Joe and Bob Heguy's ranch in Elko County, Nevada. In addition, Mitch partnered with Rosemary's uncle, Herb Buchenau, and together they created Copper Sheep Company in Ely, Nevada, where they had 10,000 ewes and 500 cows. Not stopping there, Mitch bought his first ranch, the Collins Ranch, in 1967 near Eastman Lake. Around this time he also began to farm a 320 acre ranch within Western Madera County. From then on, Mitch decided to expand his agriculture business to the best of his abilities. He has since diversified to producing almonds, grapes, wine and cattle. Now farming 3,500 acres, and owning a cattle operation which grazes over 33,000 acres, Mitch has shown what true hard work and dedication can achieve in the farming and agriculture industry.

Mr. Speaker, it is with great honor that I ask my colleagues to join me in congratulating and honoring Mitch Lasgoity for this prestigious award as 2017 Senior Farmer of the Year. It is both fitting and appropriate that we honor Mitch for his commitment to the farming industry and outstanding accomplishments. I ask that you join me in wishing Mr. Mitch Lasgoity continued success.

PERSONAL EXPLANATION

HON. RALPH LEE ABRAHAM

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. ABRAHAM. Mr. Speaker, on Monday, April 3, 2017 I was unavoidably detained on Roll Call Vote No. 209 and No. 210. Had I been present to vote I would have voted ''AYE'' on Roll Call No. 209, and ''AYE'' on Roll Call No. 210.

PERSONAL EXPLANATION

HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. JENKINS of West Virginia. Mr. Speaker, due to unforeseen travel delays, I was forced to miss Roll Call Vote Number 209. Had I been present, I would have voted YEA on Roll Call No. 209.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. MARINO. Mr. Speaker, I was unable to attend votes during the week of March 15, 2017 due to inclement weather. Had I been present, I would have voted as follows:

On March 15, 2017:
YEA for rollcall vote 159
YEA for rollcall vote 160
YEA for rollcall vote 161
On March 16, 2017:
YEA for rollcall vote 162
YEA for rollcall vote 163
YEA for rollcall vote 164
NAY for rollcall vote 165
NAY for rollcall vote 166
NAY for rollcall vote 167
YEA for rollcall vote 168
YEA for rollcall vote 169
On March 17, 2017:
YEA for rollcall vote 170
YEA for rollcall vote 171
YEA for rollcall vote 172

I was unable to attend votes during the week of March 27, 2017 due to a death in the family. Had I been present, I would have voted as follows:

On March 27, 2017:
YEA for rollcall vote 195
YEA for rollcall vote 196
March 28, 2017:
YEA for rollcall vote 197
YEA for rollcall vote 198
YEA for rollcall vote 199
YEA for rollcall vote 200
YEA for rollcall vote 201
YEA for rollcall vote 202
On March 29, 2017:
YEA for rollcall vote 203
YEA for rollcall vote 204
NAY for rollcall vote 205
YEA for rollcall vote 206
On March 30, 2017:
NAY for rollcall vote 207
YEA for rollcall vote 208

HONORING TYRONE SURVILLION

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable law enforcer Constable Tyrone Survillion.

Mr. Survillion's life began in Marks, MS, where he was born to Claudia M. Survillion and John H. Harris both of Marks, MS. Constable Survillion continued his residence and has resided there for forty-six plus years. He was a graduate of the Quitman County High School and he then attende Coahoma Junior College.

Tyrone Survillion has been in law enforcement since 1997 until the present. He started out as a dispatcher for the Quitman County Sheriff's Department, and later worked his way up to becoming a certified dispatcher in the year 1999. In 2008, Tyrone Survillion was elected for Constable in Quitman County until the present. He states: ''Something that I love to do is working for people.''

Mr. Survillion has been married to Sharon Survillion for twenty-four years. From that union came two daughters, Au'Kiona Tillman, Ty'shauna Survillion and two god daughters, Mar'Kayla and Maddison.

Constable Survillion's goal is to continue to serve and protect the citizens of Quitman County for many more years to come. Through God and determination, Constable Survillion will continue to make a difference in his community.

Mr. Speaker I ask my colleagues to join me in recognizing Constable Tyrone Survillion for his dedication of being an outstanding law enforcer.

PAOLA ANDUJAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Paola Andujar for receiving the Adams County Mayors and Commissioners Youth Award.

Paola Andujar is a 12th grader at Brighton High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Paola Andujar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Paola Andujar for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING VIRGINIA STATE TROOPER STEVEN MULLER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize my constituent, Virginia State Police Trooper Steven Muller, for his recognition by the Rotary Club of West Springfield as an Outstanding Virginia State Trooper of the Year for 2016.

Trooper Muller is a credit to his unit and uniform and the long tradition of our Commonwealth's State Police Force. Trooper Muller has been nominated for this Rotary award by his superiors, who note that in August of 2015 he was dispatched to a vehicle crash on the Capital Beltway. Upon arriving at the scene he found two citizens who were trying to aid an individual lying near the wreckage on a very busy and dangerous stretch of I–495. Trooper Muller checked the victim for signs of breathing and a pulse and found the victim unresponsive. Immediately after, he began special rescue breathing and CPR. Trooper Kress Adamson arrived a few minutes later to aid Trooper Muller. A Fairfax County Rescue team then arrived and asked the two troopers to continue their life-saving efforts until the Rescue team could apply an automated extemal defibrillator. After several minutes of these combined advanced lifesaving techniques, they were able to regain a pulse in the victim. The victim was then transported to INOVA Alexandria Hospital where he remained in critical condition until his recovery. Due to the initial valiant efforts of both civilians and these two troopers, the victim has a better chance of recovery from this life-threatening accident.

Trooper Muller has served with the Virginia State Police for five years. After graduating from the State Police Academy, he was assigned to Springfield (Area 48), where he currently serves. Originally from Brocton, New York, he holds a bachelor's degree in criminal justice from Fredonia State University.

Mr. Speaker, I ask my colleagues to join me in congratulating Trooper Muller and in thanking him for his years of service to Fairfax County and the Commonwealth of Virginia. He has demonstrated exceptional dedication to public safety and the mission of law enforcement, and for that, we owe him a special debt of gratitude.

STATEMENT COMMEMORATING NEW YORK STATE YELLOW RIBBON DAY

HON. PAUL TONKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. TONKO. Mr. Speaker, I rise today to commemorate New York State Yellow Ribbon Day.

On April 9th, the State of New York will observe Yellow Ribbon Day to honor current and former members of the United States Armed Forces. Yellow Ribbon Day has occurred on April 9th each year since 2006 following unanimous support for resolutions by the New York State Legislature, and Proclamations by New York's governors.

New York State Yellow Ribbon Day, which was originally held at the Saratoga-Wilton Elks, and now takes place at the Halfmoon Town Hall, truly represents the spirit of the New York's 20th Congressional District and its commitment to supporting and recognizing our service men and women.

Yellow Ribbon Day is championed each year by Carol Hotaling, a resident of New York's 20th Congressional District, who began making yellow ribbons to donate to the family members of troops deployed during Operation Desert Storm. Ms. Hotaling stands as a beacon of goodwill and an outstanding member of our community by virtue of her dedication to creating a meaningful occasion to honor our troops.

Ms. Hotaling chose the date of April 9 in honor of Matt Maupin, a U.S. Army Staff Sergeant who was captured while serving in Iraq on that date in 2004. Staff Sergeant Maupin was the first U.S. military service member who went Missing-In-Action during Operation Iraqi Freedom.

It is an honor and privilege to recognize our troops on this solemn occasion, and always, for their example of honor, sacrifice, strength, sense of duty, and leadership. On behalf of New York's 20th Congressional District, I offer my heartfelt gratitude for their service in defense of our freedom, security, and way of life.

INTRODUCTION OF THE POLICE TRAINING AND INDEPENDENT REVIEW ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COHEN. Mr. Speaker, I rise today in support of The Police Training and Independent Review Act, a bill I introduced earlier today with colleague LACY CLAY of Missouri, and with Senator TAMMY DUCKWORTH of Illinois.

If enacted, the Police Training and Independent Review Act would help ensure the independent investigation and prosecution of law enforcement officers in cases involving their use of deadly force. It would also help ensure that law enforcement officers receive appropriate training.

America received a wakeup call in Ferguson, Missouri. We received another in Staten Island, New York.

We received yet another in Ohio, South Carolina, Illinois, Minnesota, Louisiana and Oklahoma.

Our nation faces sobering questions about the basic fairness of our criminal justice system. And we face sobering questions about race. These questions simply cannot be ignored.

For too many, for too long, justice has seemed too lacking.

Nearly 2 years ago, President Obama's Commission on 21st Century Policing suggested several common sense reforms, including the use of independent prosecutors for police-involved civilian deaths, as well as additional training for law enforcement officers.

Unfortunately, Congress has not yet acted on these recommendations.

We need to stop asking local prosecutors to investigate the same law enforcement officers with whom they work so closely, and whose relationships they rely upon to perform their daily responsibilities. Prosecutors also often seek the support of their local police when they run for reelection.

This is an inherent conflict of interest, and if we are serious about restoring a sense of fairness and justice, we must remove this conflict immediately.

To be sure, the vast majority of prosecutors and law enforcement officers are well meaning, dedicated public servants, and we depend upon them to keep us safe from criminals. And they have dangerous jobs, as we have seen all too frequently.

But the fact remains that some officers go beyond the law in a callous disregard for due process. When it comes to investigating, and potentially prosecuting, these actions, there is often a perception of unfairness, and that perception poisons the public trust.

That is bad for law enforcement as well as citizens, making their work more dangerous.

The Police Training and Independent Review Act would give states an incentive to use independent prosecutors when police use of deadly force results in a civilian death. It would also give states and incentive to provide training to police to help them better understand the racial and ethnic diversity of the communities they serve, as well as how best to work with individuals who are disabled or mentally ill.

If states refuse to use independent prosecutors or provide appropriate training, they would begin to lose a portion of their federal funding.

I urge my colleagues to help pass this legislation quickly, and help restore some much needed faith in our criminal justice system.

I want to thank my colleague LACY CLAY for his partnership on this bill. He is a tireless advocate on these issues, and I am honored to work with him. I also want to thank Senator DUCKWORTH for her leadership on this bill in the Senate.

TRIBUTE TO THE LIFE OF DR. JOAN L. VORIS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Dr. Joan L. Voris, who passed away on February 11, 2017. Joan was an incredibly hard worker who dedicated her life to bettering the lives of others. Through her leadership as Associate Dean of the UCSF Fresno Medical Education Program she touched the lives of many that had the pleasure of knowing her. The passing of Dr. Voris has left a void in the Central Valley.

Dr. Voris was born on August 5, 1941, in Brooklyn, New York, and lived much of her young life in Belmont, California. She then went on to earn her undergraduate and medical degree at Stanford University. She moved to Fresno in 1971, with her late husband Zirno Bezmalinovic, and dedicated the rest of her life to improving the central San Joaquin Valley.

In 1980, Dr. Voris started her career at the Children's Clinic at Valley Medical Center. This center cared for children who were predominately low income. Coinciding, Dr. Voris

began her residency program, pulling all-nighters to get training so she could be an expert in her field. In 1990, she became a member of the UCSF Fresno faculty, and then became president of the medical staff at Valley Medical Center in 1996. Dr. Voris was integral in helping facilitate the transition of the medical education program to the Community Medical Center, which cared for indigent patients.

Dr. Voris lived an incredible life and she utilized her passion for medicine to help others long before she became a Dean. Dr. Voris contributed her summers to providing care to children in rural Mexico, which is something she was able to share with her husband, as he did similar work in Bolivia.

In 2002, Dr. Voris became Associate Dean of the UCSF Fresno Medical Education Program. During her service, she successfully increased the number of faculty from 77 to 229, as well as increased the number of residents and fellows trained annually by 70 percent. She not only helped her patients directly but helped protect future patients by ensuring that residents were well trained.

Dr. Voris' accomplishments and contributions to the Valley have not gone unnoticed. In 2010, she was recognized as one of the Top Ten Professional Women by the Marjorie Mason Center, and in 2012 she was awarded the Physician Community Service Lifetime Achievement Award from the Fresno-Madera Medical Society. Dr. Voris ended her term as the longest-serving associate dean in its history.

She is survived by her children, Beatrice Bezmalinovic-Dhebar and husband Anirudh Dhebar of Wellesley, MA, Margaret Bezmalinovic of Sacramento, CA, and John Bezmalinovic and wife Tracy of Fresno, CA; and grandchildren, Mia Bezmalinovic, Arun Dhebar, and Chetan Dhebar. It is my honor to join Dr. Voris' family in celebrating the life of this inspirational and hardworking woman. She truly led by example and improved the lives of others throughout her leadership.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Dr. Joan Voris, whose expertise and generosity will be truly missed.

HONORING THE SERVICE OF JAMES CODY

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize James Cody of Syracuse, New York, for his consistent and enduring dedication to serving our nation's veterans.

Mr. Cody began his work with the Department of Veterans Affairs in 1978 and has worked in multiple VA Centers across the east coast since then. For the last 17 years, he has served as the Director of the VA facility in Syracuse, while also overseeing its seven outpatient clinics. Mr. Cody oversaw an expansion of the facility's services, which included the construction of a Spinal Cord Injury Center, and during his tenure, approximately 48,000 veterans received the treatment they deserved.

I would like to thank Mr. Cody for his work providing an invaluable service to the veterans of New York's 21st District. The time and effort that James has put into assisting our servicemen and women speaks volumes of his character, and we applaud his years of service.

JOZLYNN McCASLIN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jozlynn McCaslin for receiving the Adams County Mayors and Commissioners Youth Award.

Jozlynn McCaslin is a 12th grader at North Valley School for Young Adults and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jozlynn McCaslin is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jozlynn McCaslin for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING DEPUTY SHERIFF PFC KEVIN DAVIS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize my constituent Deputy Sheriff PFC Kevin Davis for being named Outstanding Deputy Sheriff of the Year by the Rotary Club of West Springfield. PFC Davis joined the Sheriff's Office in 2009 after retiring from the U.S. Marine Corps as a gunnery sergeant. PFC Davis works in the Fairfax County Sheriff's Office Civil Enforcement Branch, where he is responsible for the processing and service of civil documents on behalf of the courts and is assigned to West Springfield and Burke in Fairfax County.

PFC Davis and the other deputies have spearheaded efforts, both on and off the job, to help victims of domestic violence and sexual assault. This past summer they partnered with 17 Starbucks stores to collect toiletries and baby care items for Artemis House, Fairfax County's only 24-hour domestic violence shelter. PFC Davis volunteers for many other Sheriff's Office activities beyond his regular job assignment. He is a member of the award-winning Honor Guard team. He also participates in Project Lifesaver, which assists families and caregivers of individuals with autism spectrum disorders, Down syndrome, Alzheimer's, and related conditions and disabilities. During National Night Out he visited several community gatherings in West Springfield and Burke and made an especially positive impression on young children and their families. Upon graduating from the Fairfax County Criminal Justice Academy, he was elected Class President by his peers and received the Instructor's Award for his outstanding leadership.

Mr. Speaker, I ask my colleagues to join me in congratulating PFC Davis and in thanking him for his years of service to Fairfax County. He has demonstrated exceptional dedication to public safety and the mission of law enforcement, and for that, we owe him a special debt of gratitude.

HONORING MRS. KATIE FRIAR

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the late Katie "Kate" Mae McKennie Friar.

Mrs. Friar was bom on July 22, 1929, in Holmes County, Mississippi. She was the third child of seven children born to Perry McKennie, Sr. and Mannie Pitchford McKennie.

Mrs. Friar began her Christian journey at a very young age at Rockport Missionary Baptist Church, Lexington, Mississippi. She later moved her membership to Lebanon Missionary Baptist Church, Lexington, Mississippi, where she taught at Lebanon School and started as an educator together, with her husband, the late Samuel Friar. She was a faithful member of Lebanon Missionary Baptist Church until her health declined. She was a Sunday School teacher, choir member, and chairperson of various ministries. She was an Ancient Matron of Court 172A of Heroines of Jericho for 30 years and a member of the organization for 60 years.

Mrs. Friar attended Rockport School, Ambrose School, and Mississippi Valley State University where she received a B.A. Degree in Elementary Education. She received various other achievements in education and taught school in Holmes County for 34 years before retiring in 1984.

Mrs. Friar was united in holy matrimony to the late Samuel Friar on May 24, 1953, and to this union two children were born: Shirley A. Friar, Lexington, Mississippi and Samuel L. Friar (Gwendolyn), McKinney, TX; two grandchildren: Stephen L. Friar (Christina), and Tamera K. Friar both from McKinney, TX; three great-grandchildren: Jaden F. Friar, Steele L. Friar, and Solomon L. Friar; six siblings: Leola Williams, Lexington, MS; Selena Shelton, Chicago, IL, Leslie McKennie, Sr., who proceeded her in death, Perry McKennie, Jr., Nathan McKennie (Inez), Chicago, IL., Isadore McKennie, Chicago, IL., a host of nieces, cousins, and loved ones in Christ.

Mr. Speaker, I ask my colleagues to join me in recognizing the memory of Mrs. Katie "Kate" Mae McKennie Friar for her hard work, dedication and strong desire to achieve.

IN SUPPORT OF COMMEMORATING EQUAL PAY DAY AND EXPRESSING SUPPORT FOR PAYCHECK FAIRNESS ACT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate Equal Pay Day, a day in which President John F. Kennedy, on June 10, 1963, proclaimed the simple principle that women deserve equal pay for equal work.

The symbolism of this day is expressed in that, as we are more than three months into the year, women's wages are only now beginning to catch up to what men were paid the previous year.

Today, women on average make 78 cents for every dollar earned by men, amounting to an annual disparity of more than $10,876 dollars between full-time working men and women.

It is important to understand what 78 cents to ever dollar means to a family: $10,876 could purchase 86 more weeks of food; $10,876 could afford more than 3,200 additional gallons of gasoline; $10,876 could support families in incredible ways, and yet, even today, $10,876 annually is exactly what women currently do without simply because of being women.

For African American women and Latina women, the wage gap is even higher. African American women on average earn only 64 cents, while Latina women earn 54 cents to every dollar earned by white, non-Hispanic men.

In my home state of Texas, however, the average wage gap for African American women is 59 cents to the dollar. For Latina women, it is an abysmal 45 cents to the dollar.

This is why I support H.R. 1869, the Paycheck Fairness Act, which addresses loopholes in the 1963 Equal Pay Act.

H.R. 1869 would protect employees who voluntarily share their own salary information at work from retaliation by an employer and remove obstacles in the Equal Pay Act to facilitate plaintiffs' participation in class action lawsuits that challenge discrimination.

H.R. 1869 would also better align key Equal Pay Act defenses with those in Title VII of the Civil Rights Act, requiring employers to prove that pay disparities exist for legitimate, job-related reasons.

On this Equal Pay Day, I call upon House Republicans, all of whom have so far refused to co-sponsor the Paycheck Fairness Act, to answer this simple question: why are you opposed to woman earning the same amount as men?

I ask House Republicans to stop wasting the time of this Congress with attempts to repeal the Affordable Care Act and focus on legislation that would actually help the American people.

Let us call this opposition to the Paycheck Fairness Act, and opposition to all acts of Congress dating back to the 1960's that have attempted to ameliorate the glaring disparities in wages between women and men, for what it is: deliberately and blatantly sexist.

I ask all my colleagues to make the Paycheck Fairness Act a reality.

We should remember: equal pay is not simply a women's issue—it is a family issue.

It is time now to update antiquated pay equality laws and to eliminate the wage gap entirely between men and women.

It is time for equal pay for equal work.

RECOGNIZING THE BURKE VOLUNTEER FIRE AND RESCUE DEPARTMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Burke Volunteer Fire and Rescue Department on the occasion of its 69th Annual Installation of Officers Banquet, and to thank its volunteers for filling an essential role in keeping our community safe.

The Burke Volunteer Fire and Rescue Department was founded in January 1948, and for more than six decades it has provided life-saving fire suppression, fire prevention, and emergency medical and rescue services to the residents of Burke and the surrounding communities. It also provides, houses, and maintains firefighting and emergency medical equipment, provides opportunities for professional growth and development for the membership, and maintains and fosters a strong viable organization.

As one of the county's most active volunteer fire and rescue departments, the Burke Volunteer Fire and Rescue Department works in cooperation with the Fairfax County Fire and Rescue Department to serve the community. I am honored to recognize the dedicated men and women of the Burke Volunteer Fire Department who have volunteered for extra duty as Officers or as members of the Board of Directors and include in the RECORD.

BOARD OF DIRECTORS

President Tonya McCreary
Vice-President Joe Shields
Secretary Matt Bryant
Treasurer Ian Dickinson
Larry Bockneck
Becky Dobbs
Rich Guarrasi

OFFICERS

Chief Tom Warnock
Deputy Chief Tina Godfrey
Deputy Chief John Hudak
Administrative Member Manager Cathy Owens
Captain II Melissa Ashby
Captain II Larry Bockneck
Captain II Keith O'Connor
Lieutenant Emily Fincher
Lieutenant Kevin Grottle
Sergeant Shaun Kurry
Sergeant Jennifer Babic
Sergeant Peter Hamilton
Team Leader Paul Stracke
Team Leader and Chaplain Harry Chelpon

In addition to the men and women who have generously assumed the responsibilities of serving as an Officer or a member of the Board of Directors, the Burke Volunteer Fire Department is also presenting awards to the following individuals in recognition of their exemplary service during the last year:

Founder's Award: Patrick Owens
Rookie of the Year: Earl Roberts
Firefighter of the Year: Ian Dickinson
EMS Provider of the Year: Barry Brown
Officer of the Year: CPT II Keith O'Connor
Administrative Member of the Year: Chuck Fry
Career Member of the Year: MT George Hahn
Chief's Award: SGT Shaun Kurry
President's Award: Becky Dobbs
Special Recognition: Harry Chelpon/Kevin Grottle

Mr. Speaker, I ask that my colleagues join me in congratulating the department for 69 years of service and in thanking all of the brave volunteers who do not hesitate to drop everything when the community calls in need of help. To all of these men and women who put themselves in harm's way to protect our residents I say: "Stay safe."

RECOGNIZING HUGH MAHR

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Hugh Mahr, a West Point cadet from my district who displayed profound courage in saving the lives of two motorists last fall.

Last November, Hugh and his parents encountered a traffic accident on the interstate while on their way to their home in Mt. Auburn. Hugh spared no time in approaching the vehicles, checking both the driver of the car and the driver of the tractor trailer.

He quickly took control of the scene and determined that the driver of the car had a serious head injury. Hugh administered first aid, applied pressure to her wound, and successfully kept her conscious until first responders could arrive. Hugh also kept the tractor trailer driver from being removed from his vehicle until emergency personnel had evaluated the extent of his injuries, possibly saving his life.

Without a doubt, Hugh showed true bravery in helping the individuals involved in the accident. He was awarded the Army Achievement Medal for his actions which, ''are in keeping with the finest traditions of military services and reflect great credit upon himself, the United States Corps of Cadets, the United States Military Academy, and the United States Army.''

I am immensely proud of Hugh for the selflessness he displayed in offering his assistance to civilians in need. I am glad he will soon join the finest men and women in our Armed Forces upon his completion at West Point.

I thank Hugh for his courage. It is an honor to serve him in the United States Congress.

JESUS NAVARRETE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jesus Navarrete for receiving the Adams County Mayors and Commissioners Youth Award.

Jesus Navarrete is a 12th grader at North Valley School for Young Adults and received

this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jesus Navarrete is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jesus Navarrete for winning the Adams County Mayors and Commissioners Youth Award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING PERCY NORWOOD, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Percy Norwood, Jr., who is a retired Captain, Commanding Officer, and Executive Officer of the United States Coast Guard.

Mr. Norwood and his wife, Marie, have 36½ years of marriage and live in Carrollton, Mississippi. They are the proud parents of four adult children: Angelia, Kelvin, Lindsey Marie and Matthew, grandparents of five children: Devon, Shynell, Nathaniel II, Alexis and Camerin; and great-grandparents of one child, Alexander.

Percy Norwood, Jr. retired from the United States Coast Guard in 2000 with the rank of Captain after almost 30 years of outstanding and dedicated service to our nation. At the time of his retirement, he held three key positions: Commanding Officer of Coast Guard Headquarters Support Command, Commanding Officer of Coast Guard Headquarters Staff, and Executive Officer of Coast Guard Headquarters in Washington, DC. Mr. Norwood also served as the first Director of the Coast Guard Recruiting Center from July 1995 to May 1998, where he was responsible for recruiting the best men and women to meet the Coast Guard's military personnel needs. During this assignment, Mr. Norwood led recruiters in creating the most diverse Coast Guard in our nation's history.

In 1993, Mr. Norwood served as team leader for the Vice President of the United States' National Performance Review Task Force where his team explored ways to improve Coast Guard fisheries law enforcement outcomes. As a result of his team's efforts, the Coast Guard maximized the use of technology to drastically reduce illegal fishing in U.S. territorial waters. While pursuing his Coast Guard career, Norwood performed numerous other jobs that included search and rescue; oil and hazardous material cleanup; conducting investigations, evaluations and training; planning, logistics, budgeting and personnel support; and teaching Chemistry courses at the U.S. Coast Guard Academy.

Mr. Norwood's education and training includes: graduating from Marshall High School in North Carrollton, MS in 1964 as class Valedictorian; a Bachelor of Science in Chemistry from Alcorn State University in 1968; a Master of Science Degree in Analytical Chemistry from Tuskegee University in 1970, and a Master of Science Degree in Human Resource Management from the Naval Postgraduate School in Monterey, CA in 1980. His thesis entitled, ''A Comparison of the Fit Between the Organization Climate of the Coast Guard, the Job/Career Expectations of Black College Graduates and their Perceptions about the Coast Guard'' provided the basis for several initiatives that would ultimately change the racial and gender makeup of the Coast Guard. Mr. Norwood is a 1977 graduate of the Defense Race Relations Institute. He is a 1992 through 1993 Department of Transportation and Council for Excellence in Government Fellow and a past member of the Senior Fellows Group whose focus is improving government.

Mr. Norwood received numerous personal military awards that included the Legion of Merit, two Meritorious Service Medals, two Coast Guard Commendation Medals, and the Coast Guard Achievement Medal. His non-military awards include the National Image Incorporated Award (1993), the National Naval Officers Association's (NNOA) Dorie Miller Award (1993), the National Association For Equal Opportunity in Higher Education (NAFEO) Distinguished Alumni Award (1995), and the NAACP Roy Wilkins Renown Service Award (1995). Mr. Norwood was inducted into the Alcorn State University Hall of Honor in 2006 for his outstanding leadership and service and elected by his fellow alumni as Alcornite of the Year in 2008 as Alcorn State University's most distinguished Alumnus. Three of his four siblings (Laura, Willie and James) are also graduates of Alcorn State University.

Mr. Norwood is a past president of the Metropolitan Washington, DC Area and the St. Louis, MO Alcorn Alumni Chapters, and the Immediate Past National President of the Alcorn State University National Alumni Association. He is a past Vice President for Membership, Eastern Region Vice President, and National President of the National Naval Officers Association. He is a member of Rho Gamma Lambda Chapter of Alpha Phi Alpha Fraternity, Inc. where he chairs their Project Alpha Mentoring Program and serves as Chairman of the Greenwood Alphas Foundation. He also serves as President of the Board of Directors for Leflore-Carroll-Montgomery Counties Memorial Garden Cemetery, Recording Steward of Helm Chapel Christian Methodist Episcopal Church, and President of the Montgomery-Carroll-Grenada County Alcorn Alumni Chapter. He was recently appointed by the Carroll County Board of Supervisors as the Veterans Service Officer for Carroll County where he is helping veterans get the services and support they have earned and need. He also mentors two young men who are students at J.Z. George High School and tutors two Middle School students and one elementary school student.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Percy Norwood, Jr., a Captain, Leader and Educator for his dedication to serving others and giving back to the African American community.

HONORING THE 175 INVENTORS INDUCTED AS THE 2016 FELLOWS OF THE NATIONAL ACADEMY OF INVENTORS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. SMITH of Texas. Mr. Speaker, I rise today to honor the 175 inventors who will soon be recognized at the John F. Kennedy Presidential Library & Museum and inducted as the 2016 Fellows of the National Academy of Inventors (NAI) in an induction ceremony that will feature a keynote address by U.S. Commissioner for Patents Andrew Hirshfeld. In order to be named as a Fellow, these men and women were nominated by their peers and have undergone the scrutiny of the NAI Selection Committee, having had their innovations deemed as making significant impact on quality of life, economic development, and welfare of society. Collectively, this elite group holds nearly 5,500 patents.

The individuals making up this year's class of Fellows include individuals from 135 research universities and non-profit research institutes spanning the United States and the world. The now 757-member group of Fellows is composed of more than 90 presidents and senior leaders of research universities and non-profit research institutes, 376 members of the National Academies of Sciences, Engineering, and Medicine; 28 inductees of the National Inventors Hall of Fame, 45 recipients of the U.S. National Medal of Technology and Innovation and U.S. National Medal of Science, 28 Nobel Laureates, 216 AAAS Fellows, 126 IEEE Fellows, and 116 Fellows of the American Academy of Arts & Sciences, among other awards and distinctions.

The NAI was founded in 2010 to recognize and encourage inventors with patents issued from the United States Patent and Trademark Office, enhance the visibility of academic technology and innovation, encourage the disclosure of intellectual property, educate and mentor innovative students, and translate the inventions of its members to benefit society.

We are greatly indebted to innovators such as these for contributions to society through their inventions. I commend these individuals, and the organizations and taxpayers that support them, for the work they do to revolutionize the world we live in. As the following inventors are inducted, may it encourage future generations to strive to meet this high honor and continue the spirit of discovery and innovation.

The 2016 NAI Fellows include:

David Akopian, The University of Texas at San Antonio; Kamal S. Ali, Jackson State University; A. Paul Alivisatos, University of California, Berkeley; Carl R. Alving, Walter Reed Army Institute of Research; Hamid Arastoopour, Illinois Institute of Technology; Peter Arsenault, Tufts University; B. Jayant Baliga, North Carolina State University; Zhenan Bao, Stanford University; Richard G. Baraniuk, Rice University; Francis Barany, Cornell University; Jean-Marie Basset, King Abdullah University of Science and Technology; Paula J. Bates, University of Louisville; Craig C. Beeson, Medical University of South Carolina; K. Darrell Berlin, Oklahoma State University; Sarit B. Bhaduri, The University of Toledo; Pallab K. Bhattacharya, University of

Michigan; Dieter H. Bimberg, Technical University of Berlin, Germany ; Christopher N. Bowman, University of Colorado Boulder; Barbara D. Boyan, Virginia Commonwealth University; Mindy M. Brashears, Texas Tech University; Donald J. Buchsbaum, The University of Alabama at Birmingham; Ruben G. Carbonell, North Carolina State University; John F. Carpenter, University of Colorado Anschutz Medical Campus; Raghunath V. Chaudhari, The University of Kansas; Junhong Chen, University of Wisconsin—Milwaukee; Liang-Gee Chen, National Taiwan University, Taiwan; Simon R. Cherry, University of California, Davis; Michael J. Cima, Massachusetts Institute of Technology; Adrienne E. Clarke, La Trobe University, Australia; Larry A. Coldren, University of California, Santa Barbara; Rita R. Colwell, University of Maryland; Diane J. Cook, Washington State University; Peter A. Crooks, University of Arkansas for Medical Sciences; Riccardo Dalla-Favera, Columbia University; Suman Datta, University of Notre Dame; Delbert E. Day, Missouri University of Science and Technology; Roger A. de la Torre, University of Missouri, Columbia; Stephen W. Director, Northeastern University; Jeffrey L. Duerk, Case Western Reserve University; James L. Dye, Michigan State University; Richard L. Ehman, Mayo Foundation for Medical Education and Research; Gary A. Eiceman, New Mexico State University; Ali Emadi, McMaster University, Canada; Ronald M. Evans, Salk Institute for Biological Studies; Stanley Falkow, Stanford University; Hany Farid, Dartmouth College; Shane M. Farritor, University of Nebraska—Lincoln; Philippe M. Fauchet, Vanderbilt University; Denise L. Faustman, Massachusetts General Hospital; David R. Fischell, Cornell University; Vincent A. Fischetti, The Rockefeller University; David P. Fries, Florida Institute for Human and Machine Cognition; Kenneth G. Furton, Florida International University; Kanad Ghose, Binghamton University, SUNY; Juan E. Gilbert, University of Florida; Linda C. Giudice, University of California, San Francisco; Herbert Gleiter, Karlsruhe Institute of Technology, Germany; Dan M. Goebel, NASA Jet Propulsion Laboratory; Forouzan Golshani, California State University, Long Beach; Lorne M. Golub, Stony Brook University, SUNY; John B. Goodenough, The University of Texas at Austin; Michael Graetzel, École Polytechnique Fédérale de Lausanne, Switzerland; Robert J. Greenberg, Alfred E. Mann Foundation for Scientific Research; Richard M. Greenwald, Dartmouth College; Patrick G. Halbur, Iowa State University; Henry R. Halperin, Johns Hopkins University; Amy E. Herr, University of California, Berkeley; D. Craig Hooper, Thomas Jefferson University; Edward A. Hoover, Colorado State University; Oliver Yoa-Pu Hu, National Defense Medical Center, Taiwan; David Huang, Oregon Health & Science University; Mark S. Humayun, University of Southern California; Joseph P. Iannotti, Cleveland Clinic; Enrique Iglesia, University of California, Berkeley; Sungho Jin, University of California, San Diego; Barry W. Johnson, University of Virginia; William L. Johnson, California Institute of Technology; John L. Junkins, Texas A&M University; Michelle Khine, University of California, Irvine; John Klier, University of Massachusetts Amherst; Thomas J. Kodadek, The Scripps Research Institute; Harold L. Kohn, The University of North Carolina at Chapel Hill; Steven M. Kuznicki, University of Alberta, Canada; Enrique J. Lavernia, University of California, Irvine; Nicholas J. Lawrence, H. Lee Moffitt Cancer Center & Research Institute; Leslie A. Leinwand, University of Colorado Boulder; Frances S. Ligler, North Carolina State University; Yilu Liu, The University of Tennessee, Knoxville; Jennifer K. Lodge, Washington University in St. Louis; Gabriel P. López, The University of New Mexico; Mandi J. Lopez, Louisiana State University; Surya K. Mallapragada, Iowa State University; Seth R. Marder, Georgia Institute of Technology; Alan G. Marshall, Florida State University; Raghunath A. Mashelkar, National Innovation Foundation—India; Kouki Matsuse, Meiji University, Japan; Martin M. Matzuk, Baylor College of Medicine; T. Dwayne McCay, Florida Institute of Technology; James W. McGinity, The University of Texas at Austin; Thomas J. Meade, Northwestern University; Katrina L. Mealey, Washington State University; Edward W. Merrill, Massachusetts Institute of Technology Paul L. Modrich, Duke University; H. Keith Moo-Young, Washington State University Tri-Cities; David J. Mooney, Harvard University; Israel J. Morejon, University of South Florida; Harold L. Moses, Vanderbilt University; Joseph R. Moskal, Northwestern University; Nazim Z. Muradov, University of Central Florida; Nicholas Muzyczka, University of Florida; Lakshmi S. Nair, University of Connecticut; Shrikanth S. Narayanan, University of Southern California; Erin K. O'Shea, Howard Hughes Medical Institute; Ellen Ochoa, NASA Johnson Space Center; Francis A. Papay, Cleveland Clinic; Kevin J. Parker, University of Rochester; Yvonne J. Paterson, University of Pennsylvania; George N. Pavlakis, National Institutes of Health; Kenneth H. Perlin, New York University; Nasser Peyghambarian, The University of Arizona; Gary A. Piazza, University of South Alabama; Christophe Pierre, Stevens Institute of Technology; Michael C. Pirrung, University of California, Riverside; Michael V. Pishko, University of Wyoming; Garth Powis, Sanford Burnham Prebys Medical Discovery Institute; Paras N. Prasad, University at Buffalo, SUNY; Ronald T. Raines, University of Wisconsin—Madison; Ragunathan (Raj) Rajkumar, Carnegie Mellon University; Michael P. Rastatter, East Carolina University; Jacob (Kobi) Richter, Technion-Israel Institute of Technology, Israel; Richard E. Riman, Rutgers, The State University of New Jersey; Andrew G. Rinzler, University of Florida; Bruce E. Rittmann, Arizona State University; Nabeel A. Riza, University College Cork, Ireland; Kenneth J. Rothschild, Boston University; Stuart H. Rubin, Space and Naval Warfare Systems Center; Linda J. Saif, The Ohio State University; Sudeep Sarkar, University of South Florida; John T. Schiller, National Institutes of Health; Diane G. Schmidt, University of Cincinnati; Wayne S. Seames, University of North Dakota; Michael S. Shur, Rensselaer Polytechnic Institute; David Sidransky, Johns Hopkins University; Mrityunjay Singh, Ohio Aerospace Institute; Kamalesh K. Sirkar, New Jersey Institute of Technology; David R. Smith, Duke University; James E. Smith, West Virginia University; Terrance P. Snutch, The University of British Columbia, Canada; Ponisseril Somasundaran, Columbia University; Gerald Sonnenfeld, University of Rhode Island; James S. Speck, University of California, Santa Barbara; Sidlgata V. Sreenivasan, The University of Texas at Austin; Bruce W. Stillman, Cold Spring Harbor Laboratory; Daniele C. Struppa, Chapman University; Kenneth S. Suslick, University of Illinois at Urbana-Champaign; Mark J. Suto, Southern Research Institute; Yu-Chong Tai, California Institute of Technology; Nelson Tansu, Lehigh University; Fleur T. Tehrani, California State University, Fullerton; Marc T. Tessier-Lavigne, Stanford University; Madhukar (Mathew) L. Thakur, Thomas Jefferson University; Mehmet Toner, Massachusetts General Hospital; Jan T. Vilcek, New York University; Anil V. Virkar, The University of Utah; John F. Wager, Oregon State University; William R. Wagner, University of Pittsburgh; Isiah M. Warner, Louisiana State University; John D. Weete, Auburn University; Andrew M. Weiner, Purdue University; Ralph Weissleder, Massachusetts General Hospital; Thomas M. Weller, University of South Florida; Jennifer L. West, Duke University; Amnon Yariv, California Institute of Technology; Yun Yen, Taipei Medical University, Taiwan; Warren M. Zapol, Massachusetts General Hospital.

HONORING THE LIFE OF MAX STAUFFER

HON. JIM COSTA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. COSTA. Mr. Speaker, I rise today to honor and pay tribute to the life of Max Stauffer, who passed away on March 10, 2017, at the age of 69. Max was a well-respected business leader who owned the beloved Yosemite Mountain Sugar Pine Railroad in Fish Camp, CA, just outside Yosemite National Park.

Max Stauffer was born on June 7, 1947, in Switzerland and immigrated to the United States at the age of three. His father, Rudy and mother Luce, with the help of Max and his brothers, Guido and Bob, first opened the Yosemite Mountain Sugar Pine Railroad in 1965. The railroad is a beloved tourist attraction that takes visitors on a four-mile scenic excursion through the Sierra National Forest.

Max oversaw the business for more than 40 years. During his time running the popular tourist stop, Max gained the trust and respect of the community, as well as visitors from all over the United States. Known for his giving spirit, Max dedicated his time to those in need. He never denied a request for donations to charity and ensured the railroad was involved with the Boys and Girls Club, as well as the Make-a-Wish Foundation.

Max wanted to make an impact on the public and dedicated much of his time to making a difference in any way he could. For 20 years he held the position of director of the Mountain Area Ski School. He was at one time the president of the Yosemite Sierra Visitors Bureau and a board member for 30 years. An advocate for education, he was a 22-year trustee of the Bass Lake Joint Union School District. Ensuring his time and labor was spent giving back to the people, shows the morale and great character he held.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the great life of my friend Max Stauffer, whose humbleness, compassion, and generosity will be greatly missed. Max's memory will live through his family and friends, and it is my honor to join them in celebrating his impactful life, which will never be forgotten.

HONORING THE LIFE OF EVELYN TRIPPODO

HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Ms. STEFANIK. Mr. Speaker, I rise today to honor a remarkable woman who dedicated her life to serving New York's 21st District.

Evelyn Trippodo spent the majority of her life in Gloversville, New York, and was a dedicated and active member of her community. In addition to her work as a religious education teacher and confirmation sponsor, Evelyn also cared for the vulnerable and elderly through her 30 years as a member of the Nathan Littauer Nursing Home Auxiliary.

In the 21st District, we are proud of the guidance that Mrs. Trippodo offered to those around her, and honor the life she led with faith, joy and kindness.

I would like to extend my deepest condolences to my friend Sue McNeil, and to the rest of Mrs. Trippodo's children whom she loved so deeply. I know that she will be missed by all of her family and friends.

TRIBUTE TO THE 2017 SOUTHWESTERN COMMUNITY COLLEGE MENS BASKETBALL TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Southwestern Community College Men's Basketball Team of Creston, Iowa, for winning the 2017 NJCAA Division II Basketball Championship. After an outstanding regular season, the Spartans cruised through tournament play before a near record-setting margin of victory in the championship game.

I would like to congratulate each member of the team:

Players: Alijah Thomas, Kevin Shields, Brodric Thomas, Lavon Hightower, Jamil Maddred, Jordan Johnson, Calvin Chambers, Khallid Edwards, KeShawn Wilson, Dan Ngoyi, Nate Lee, Antonio Williams, Keegan Wederquist, Terence Shelby, Peyton Pedersen, TreVonte Diggs, Tyson Smiley, Troy Tegels, Maguy Agau, Kobe Smith, Elijah Linear.

Head Coach: Todd Lorensen.

Assistant Coaches: Scottie Davis, Rand Hazelton.

Trainer: Kelsi Huseman.

Mr. Speaker, the success of this team demonstrates the rewards of hard work, perseverance, and teamwork. It is an honor representing them in the United States Congress. I ask that all of my colleagues in the United States House of Representatives join me in congratulating the entire team for a successful season and in wishing them all nothing but continued success.

TRIBUTE TO BERTINA AND MAX MCCLEARY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bertina and Max McCleary of Grimes, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on March 21, 2017.

Bertina and Max's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO COLEEN AND BILL SANDQUIST

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Coleen and Bill Sandquist of Adel, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on March 2, 2017.

Coleen and Bill's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO CHARLOTTE AND FRANK WILSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Charlotte and Frank Wilson of Carlisle, Iowa, on the very special occasion of their 50th wedding anniversary. They celebrated their anniversary on March 17, 2017.

Charlotte and Frank's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING KRIS GLINTBORG FOR HIS INDUCTION INTO THE SPRINGFIELD SPORTS HALL OF FAME

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate my former high school basketball coach, Kris Glintborg, for his well-deserved induction into the Springfield Sports Hall of Fame.

Mr. Glintborg has enriched the lives of many students through his 36 years as a teacher, coach and athletic director in our public schools. Throughout his career, Mr. Glintborg went above and beyond by taking on the responsibility of coaching both girls' basketball teams, in addition to boys' basketball and track, when funding for women's sports was limited, to ensure all students had equal opportunities to pursue their dreams in sports. In addition, his leadership and dedication to our community has also been demonstrated through his commitment to coaching youth sports and officiating basketball, football and volleyball outside of our schools. Mr. Glintborg is someone I am proud to call a mentor and coach, and I can personally attest to values of teamwork, perseverance and love of the game he instills in all of his students.

Mr. Glintborg has been a truly influential individual in the lives of many young athletes in Springfield, including myself. Mr. Speaker, I would like to again formally congratulate Mr. Glintborg and thank him for all of his dedication and service to students.

TRIBUTE TO CORY CLARK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate University of Iowa senior Cory Clark of Pleasant Hill, Iowa, on winning the NCAA Division I Wrestling Championship in the 133 pound weight class on March 18, 2017.

This was the third consecutive year that Cory made it to the finals at the NCAA championships. After falling short in the previous two years, Cory walked onto the mat determined that this year would be different. He left giving the Hawkeye Wrestling program their 82nd individual championship in program history. Becoming an NCAA Division 1 Champion was no easy feat, especially this season. The four-time All-American had to wrestle through an arm injury for three months, including during his final match, which forced him to make some changes to his training routine, as well as wear a protective sleeve. Because of the dedication and toughness that Cory has exhibited on and off the mat, his injury did not stop

him or his goal of ending his wrestling career on the top of the podium.

Mr. Speaker, I congratulate Cory on winning the NCAA Division I Wrestling Championship, and I ask that my colleagues in the United States House of Representatives join me in congratulating him on this momentous occasion.

TRIBUTE TO RYAN BILLHEIMER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ryan Billheimer of Adair, Iowa, for being named the 2016 Adair Citizen of the Year.

Ryan was recognized at a ceremony held on March 20th, 2017 at the Adair City Hall. He and his Co-Citizen of the Year, Mark Emgarten, were instrumental in the design, implementation and construction of the Adair Playground Project.

Mr. Speaker, it is an honor to represent leaders like Ryan in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in commending Ryan for his service to Adair and in wishing him nothing but continued success.

TRIBUTE TO MARK EMGARTEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mark Emgarten of Adair, Iowa, for being named the 2016 Adair Citizen of the Year.

Mark was recognized at a ceremony held on March 20th, 2017 at the Adair City Hall. He and his Co-Citizen of the Year, Ryan Billheimer, were instrumental in the design, implementation and construction of the Adair Playground Project.

Mr. Speaker, it is an honor to represent leaders like Mark in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in commending Mark for his service to Adair and in wishing him nothing but continued success.

TRIBUTE TO EAGLE SCOUT GAVIN McKIBBEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 4, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Gavin McKibben of Waukee, Iowa, for earning the rank of Eagle Scout. Gavin is a member of Boy Scout Troop 182. The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as complete an Eagle Project to benefit the community. For his project, Gavin saw a need for a convenient way to collect worn U.S. flags to be properly disposed of in a retirement ceremony. Partnering with the Waukee American Legion, who sponsored his service project, Gavin built a wood and metal box that is now permanently stationed outside the American Legion building where residents can drop off flags. The work ethic Gavin has shown in his Eagle Scout Project and throughout his scouting career speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Gavin and his family in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating him on obtaining the Eagle Scout ranking and in wishing him nothing but continued success in his future education and career.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2179–S2255

Senate continued in the session that began on Tuesday, April 4, 2017. See next volume of the Congressional Record.

Measures Introduced: Twenty bills and six resolutions were introduced, as follows: S. 807–826, S. Res. 109–113, and S. Con. Res. 12. **Pages S2214–15**

Measures Reported:

S. 254, to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages. (S. Rept. No. 115–23) **Page S2214**

Measures Passed:

National Read Aloud Month: Committee on the Judiciary was discharged from further consideration of S. Res. 94, designating March 2017 as ''National Read Aloud Month'', and the resolution was then agreed to. **Page S2220**

Alaska Purchase 150th Anniversary: Senate agreed to S. Res. 111, celebrating the 150th anniversary of the Alaska Purchase. **Page S2220**

Gold Star Wives Day: Senate agreed to S. Res. 112, designating April 5, 2017, as ''Gold Star Wives Day''. **Page S2220**

University of Washington Center on Human Development and Disability 50th Anniversary: Senate agreed to S. Res. 113, recognizing and celebrating the 50th anniversary of the Center on Human Development and Disability at the University of Washington in Seattle, Washington. **Page S2220**

Gorsuch Nomination—Cloture: Senate began consideration of the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States. **Pages S2190–S2210, S2222–48**

Prior to the consideration of this nomination, Senate took the following action: Senate agreed to the motion to proceed to Legislative Session. **Page S2190**

By 55 yeas to 44 nays (Vote No. 104), Senate agreed to the motion to proceed to executive session to consider the nomination. **Page S2190**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, April 6, 2017. **Page S2210**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 9:30 a.m., on Wednesday, April 5, 2017; that the debate time on the nomination during Wednesday's session of the Senate be divided as follows: following Leader remarks until 11 a.m. be equally divided, that the time from 11 a.m. until 12 noon be under the control of the Majority; that the time from 12 noon until 1 p.m. be under the control of the Minority; and that the debate time until 9 p.m., on Wednesday be divided in one hour alternating blocks. **Pages S2220–21**

Nomination Confirmed: Senate confirmed the following nomination:

By 85 yeas to 14 nays (Vote No. EX. 103), Elaine C. Duke, of Virginia, to be Deputy Secretary of Homeland Security. **Pages S2180–90, S2255**

Nominations Received: Senate received the following nominations:

Sigal Mandelker, of New York, to be Under Secretary for Terrorism and Financial Crimes.

Heath P. Tarbert, of Maryland, to be an Assistant Secretary of the Treasury.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S2248–55**

Messages from the House: **Page S2214**

Measures Referred: **Page S2214**

Executive Reports of Committees: **Page S2214**

Additional Cosponsors: **Pages S2215–16**

Statements on Introduced Bills/Resolutions: **Pages S2216–20**

Additional Statements: **Pages S2213–14**

Authorities for Committees to Meet: **Page S2220**

Record Votes: Two record votes were taken today. (Total—104) **Pages S2189, S2190**

Evening Session: Senate convened at 10 a.m., on Tuesday, April 4, 2017. (For complete Digest of today's proceedings, see next volume of the Congressional Record.)

Committee Meetings

(Committees not listed did not meet)

NATIONAL WATER HAZARDS AND VULNERABILITIES

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine national water hazards and vulnerabilities, focusing on improved forecasting for responses and mitigation, after receiving testimony from Louis Uccellini, Assistant Administrator, Weather Services, National Oceanic and Atmospheric Administration, and Director, National Weather Service; Bryan Koon, Florida Division of Emergency Management Director, Tallahassee; Antonio Busalacchi, University Corporation for Atmospheric Research, Boulder, Colorado; and Mary Glackin, The Weather Company, IBM, Washington, D.C.

U.S. STRATEGIC COMMAND

Committee on Armed Services: Committee concluded a hearing to examine United States Strategic Command programs, after receiving testimony from General John E. Hyten, USAF, Commander, United States Strategic Command, Department of Defense.

CYBER THREATS TO THE U.S.

Committee on Armed Services: Subcommittee on Cybersecurity received a closed briefing on cyber threats to the United States from Kate Charlet, Performing the duties of Deputy Assistant Secretary for Cyber Policy, Brigadier General Mary F. O'Brien, USAF, Director of Intelligence, United States Cyber Command, and Major General Ed Wilson, Deputy Principal Cyber Advisor, Office of the Secretary, all of the Department of Defense; Samuel Liles, Director, Cyber Analysis Division, Office of Intelligence and Analysis, and Neil Jenkins, Director, Enterprise Performance Management Office, National Protection and Programs Directorate, both of the Department of Homeland Security; and Tonya L. Ugoretz, Director, Cyber Threat Intelligence Integration Center, Office of the Director of National Intelligence.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Jay Clayton, of New York, to be a Member of the Securities and Exchange Commission.

MULTIMODAL FREIGHT POLICY AND INFRASTRUCTURE

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine keeping goods moving, focusing on continuing to enhance multimodal freight policy and infrastructure, after receiving testimony from Derek J. Leathers, Werner Enterprises, and Lance M. Fritz, Union Pacific Corporation, both of Omaha, Nebraska; Michael L. Ducker, FedEx Freight Corporation, Memphis, Tennessee; and James Pelliccio, Port Newark Container Terminal, Newark, New Jersey, on behalf of the Coalition for America's Gateways and Trade Corridors.

CYBERSECURITY THREATS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine efforts to protect United States energy delivery systems from cybersecurity threats, after receiving testimony from Patricia Hoffman, Acting Assistant Secretary, Office of Electricity Delivery and Energy Reliability, and Andrew A. Bochman, Senior Cyber and Energy Strategist, National and Homeland Security, Idaho National Laboratory, both of the Department of Energy; Colonel Gent Welsh, Commander, 194th Wing, Washington Air National Guard, Camp Murray; Gerry W. Cauley, North American Electric Reliability Corporation, and Dave McCurdy, American Gas Association, both of Washington, D.C.; and Duane D. Highley, Arkansas Electric Cooperative Corporation, Littlerock, on behalf of the National Rural Electric Cooperative Association.

THE EU AS A PARTNER AGAINST RUSSIAN AGGRESSION

Committee on Foreign Relations: Committee concluded a hearing to examine the European Union as a partner against Russian aggression, focusing on sanctions, security, democratic institutions, and the way forward, after receiving testimony from David O'Sullivan, European Union Delegation to the United States of America, and Kurt Volker, Arizona State University McCain Institute for International Leadership, both of Washington, D.C.; and Daniel B. Baer, former Ambassador to the Organization for Security and Cooperation in Europe, Denver, Colorado.

SOUTHWEST BORDER FENCING

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine fencing along the southwest border, after receiving

testimony from David V. Aguilar, former Acting Commissioner, and Ronald S. Colburn, former Deputy Chief, Border Patrol, both of Customs and Border Protection, Department of Homeland Security; and Terence M. Garrett, The University of Texas Rio Grande Valley Public Affairs and Security Studies Department, Brownsville.

FDA USER FEE AGREEMENTS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine FDA user fee agreements, focusing on improving medical product regulations and innovation for patients, after receiving testimony from Kay Holcombe, Biotechnology Innovation Organization, David R. Gaugh, Association for Accessible Medicines, Scott Whitaker, AvaMed, and Cynthia A. Bens, Alliance for Aging Research, all of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 34 public bills, H.R. 1868–1901; and 7 resolutions, H. Con. Res. 43–46; and H. Res. 246–248 were introduced. **Pages H2694–97**

Additional Cosponsors: **Page H2698**

Reports Filed: Reports were filed today as follows:

H.R. 653, to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes (H. Rept. 115–78); and

H.R. 702, to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes (H. Rept. 115–79). **Page H2694**

Speaker: Read a letter from the Speaker wherein he appointed Representative Graves (LA) to act as Speaker pro tempore for today. **Page H2633**

Recess: The House recessed at 10:45 a.m. and reconvened at 12 noon. **Page H2638**

Self-Insurance Protection Act—Rule for Consideration: The House agreed to H. Res. 241, providing for consideration of the bill (H.R. 1304) to amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to exclude from the definition of health insurance coverage certain medical stop-loss insurance obtained by certain plan sponsors of group health plans, by a recorded vote of 234 ayes to 184 noes, Roll No. 212, after the previous question was ordered by a yea-and-nay vote of 232 yeas to 188 nays, Roll No. 211. **Pages H2647–51**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Weather Research and Forecasting Innovation Act of 2017: Concur in the Senate amendment to H.R. 353, to improve the National Oceanic and Atmospheric Administration's weather research through a focused program of investment on affordable and attainable advances in observational, computing, and modeling capabilities to support substantial improvement in weather forecasting and prediction of high impact weather events, and to expand commercial opportunities for the provision of weather data. **Pages H2666–67**

Encouraging Employee Ownership Act of 2017: The House passed H.R. 1343, to direct the Securities and Exchange Commission to revise its rules so as to increase the threshold amount for requiring issuers to provide certain disclosures relating to compensatory benefit plans, by a yea-and-nay vote of 331 yeas to 87 nays, Roll No. 216. **Pages H2667–78**

Rejected the Swalwell (CA) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 185 yeas to 228 nays, Roll No. 215. **Pages H2676–77**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–11 shall be considered as adopted. **Page H2667**

Withdrawn:

Polis amendment (No. 1 printed in H. Rept. 115–75) that was offered and subsequently withdrawn that would have required GAO to report to Congress one year after date of enactment the impact of the legislation on employee ownership. **Page H2675**

H. Res. 240, the rule providing for consideration of the bill (H.R. 1343) was agreed to by a recorded vote of 238 ayes to 177 noes, Roll No. 214, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 187 nays, Roll No. 213.

Pages H2641–47, H2652–53

Senate Referral: S. 89 was held at the desk.

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2641.

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2650–51, H2651, H2652, H2652–53, H2676–77, and H2677–78. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:19 p.m.

Committee Meetings

THE NEXT FARM BILL: COMMODITY POLICY PART II

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing entitled ''The Next Farm Bill: Commodity Policy Part II''. Testimony was heard from public witnesses.

THE NEXT FARM BILL: CREDIT PROGRAMS

Committee on Agriculture: Subcommittee on Commodity Exchanges, Energy, and Credit held a hearing entitled ''The Next Farm Bill: Credit Programs''. Testimony was heard from public witnesses.

EXAMINING FEDERAL SUPPORT FOR JOB TRAINING PROGRAMS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing entitled ''Examining Federal Support for Job Training Programs''. Testimony was heard from public witnesses.

ASSESSING PROGRESS AND IDENTIFYING FUTURE OPPORTUNITIES IN DEFENSE REFORM

Committee on Armed Services: Full Committee held a hearing entitled ''Assessing Progress and Identifying Future Opportunities in Defense Reform''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Full Committee held a markup on H.R. 1808, the ''Improving Support for Missing and Exploited Children Act of 2017''; and H.R. 1809, the ''Juvenile Justice Reform Act of 2017''. H.R. 1808 and H.R. 1809 were ordered reported, as amended.

LEGISLATIVE MEASURE

Committee on Energy and Commerce: Subcommittee on Environment held a hearing on a discussion draft of Brownfields Reauthorization. Testimony was heard from public witnesses.

CYBERSECURITY IN THE HEALTH CARE SECTOR: STRENGTHENING PUBLIC-PRIVATE PARTNERSHIPS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Cybersecurity in the Health Care Sector: Strengthening Public-Private Partnerships''. Testimony was heard from public witnesses.

EXAMINING THE FEDERAL RESERVE'S MANDATE AND GOVERNANCE STRUCTURE

Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled ''Examining the Federal Reserve's Mandate and Governance Structure''. Testimony was heard from public witnesses.

INCREASING THE EFFECTIVENESS OF NON-NUCLEAR SANCTIONS AGAINST IRAN

Committee on Financial Services: Subcommittee on Monetary Policy and Trade; and Subcommittee on Terrorism and Illicit Finance held a joint hearing entitled ''Increasing the Effectiveness of Non-Nuclear Sanctions Against Iran''. Testimony was heard from public witnesses.

DEFEATING A SOPHISTICATED AND DANGEROUS ADVERSARY: ARE THE NEW BORDER SECURITY TASK FORCES THE RIGHT APPROACH?

Committee on Homeland Security: Subcommittee on Border and Maritime Security held a hearing entitled ''Defeating a Sophisticated and Dangerous Adversary: Are the New Border Security Task Forces the Right Approach?''. Testimony was heard from Rebecca Gambler, Director, Homeland Security and Justice Issues, Government Accountability Office; and the following officials from the Department of Homeland Security: Vice Admiral Karl Schultz, Director, Joint Task Force East; Paul Beeson, Director, Border Patrol, Joint Task Force West; and Janice Ayala, Director, Joint Task Force—Investigations, Homeland

Security Investigations, Immigration and Customs Enforcement.

OVERSIGHT OF THE DRUG ENFORCEMENT ADMINISTRATION AND THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing entitled ''Oversight of the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms, and Explosives''. Testimony was heard from Thomas E. Brandon, Acting Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives; and Chuck Rosenberg, Acting Administrator, Drug Enforcement Administration.

FIRST AMENDMENT PROTECTIONS ON PUBLIC COLLEGE AND UNIVERSITY CAMPUSES

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a hearing entitled ''First Amendment Protections on Public College and University Campuses''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Power and Oceans held a hearing on H.R. 220, to authorize the expansion of the existing Terror Lake hydroelectric project, and for other purposes; H.R. 1411, the ''Transparent Summer Flounder Quotas Act''; and a discussion draft of the ''Bureau of Reclamation Pumped Storage Hydropower Development Act''. Testimony was heard from public witnesses.

USE OF CONFIDENTIAL INFORMANTS AT ATF AND DEA

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Use of Confidential Informants at ATF and DEA''. Testimony was heard from Michael E. Horowitz, Inspector General, Department of Justice; Robert Patterson, Acting Principal Deputy Administrator, Drug Enforcement Administration; and Ronald B. Turk, Associate Deputy Director and Chief Operating Officer, Bureau of Alcohol, Tobacco, Firearms and Explosives.

REVIEWING FEDERAL IT WORKFORCE CHALLENGES AND POSSIBLE SOLUTIONS

Committee on Oversight and Government Reform: Subcommittee on Information Technology held a hearing entitled ''Reviewing Federal IT Workforce Challenges and Possible Solutions''. Testimony was heard from Nick Marinos, Assistant Director, Information Technology, Government Accountability Office; and public witnesses.

BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: ENABLING INNOVATION IN THE NATIONAL AIRSPACE

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing entitled ''Building a 21st Century Infrastructure for America: Enabling Innovation in the National Airspace''. Testimony was heard from Shelley J. Yak, Director, William J. Hughes Technical Center, Federal Aviation Administration; and public witnesses.

AUTHORIZATION OF COAST GUARD AND MARITIME TRANSPORTATION PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled ''Authorization of Coast Guard and Maritime Transportation Programs''. Testimony was heard from Admiral Paul F. Zukunft, Commandant, U.S. Coast Guard; Master Chief Steven W. Cantrell, Master Chief Petty Officer, U.S. Coast Guard; Michael A. Khouri, Acting Chairman, Federal Maritime Commission; and Joel Szabat, Executive Director, in lieu of the Administrator, Maritime Administration.

AN ASSESSMENT OF ONGOING CONCERNS AT THE VETERANS CRISIS LINE

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''An Assessment of Ongoing Concerns at the Veterans Crisis Line''. Testimony was heard from Michael J. Missal, Inspector General, Department of Veterans Affairs; Steve Young, Deputy Undersecretary for Operations and Management, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

ASSESSING VA APPROVED APPRAISERS AND HOW TO IMPROVE THE PROGRAM FOR THE 21ST CENTURY

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''Assessing VA Approved Appraisers and How to Improve the Program for the 21st Century''. Testimony was heard from Jeffrey London, Director, Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 5, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine protecting our midshipmen, focusing on preventing sexual assault and sexual harassment at the U.S. Merchant Marine Academy, 10 a.m., SD–192.

Subcommittee on Department of Defense, to hold closed hearings to examine intelligence programs and threat assessment, 10:30 a.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy, to hold hearings to examine the current state of retirement security in the United States, 3 p.m., SD–538.

Committee on Commerce, Science, and Transportation: business meeting to consider pending calendar business, 10 a.m., SH–216.

Committee on Environment and Public Works: business meeting to consider proposed legislation entitled, ''Wildlife Innovation and Longevity Driver (WILD) Act'', S. 518, to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works, S. 692, to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance, and S. 675, to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy, to hold hearings to examine a progress report on conflict minerals, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the nomination of Scott Gottlieb, of Connecticut, to be Commissioner of Food and Drugs, Department of Health and Human Services, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine improving border security and public safety, 9:30 a.m., SD–342.

House

Committee on Agriculture, Full Committee, hearing entitled ''Agriculture and Tax Reform: Opportunities for Rural America'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, hearing entitled ''Federal Response to the Opioid Abuse Crisis'', 10 a.m., 2358–C Rayburn.

Committee on Armed Services, Full Committee, hearing entitled ''Consequences to the Military of a Continuing Resolution'', 10 a.m., 2118 Rayburn.

Subcommittee on Readiness, hearing entitled ''The Current State of the U.S. Marine Corps'', 2 p.m., 2212 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing on H.R. 1180, the ''Working Families Flexibility Act of 2017'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled ''Facilitating the 21st Century Wireless Economy'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''The 2016 Semi-Annual Reports of the Bureau of Consumer Financial Protection'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''Turkey's Democracy Under Challenge'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Full Committee, markup on H. Res. 235, directing the Secretary of Homeland Security to transmit certain documents to the House of Representatives relating to the Department of Homeland Security's research, integration, and analysis activities relating to Russian Government interference in the elections for Federal office held in 2016, 11 a.m., HVC–210.

Committee on the Judiciary, Full Committee, markup on H.R. 1842, the ''Strengthening Children's Safety Act of 2017''; H.R. 1761, the ''Protecting Against Child Exploitation Act of 2017''; the ''Global Child Protection Act of 2017''; H.R. 1862, the ''Global Child Protection Act of 2017''; and H.R. 659, the ''Standard Merger and Acquisition Reviews Through Equal Rules Act of 2017'', 11 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 1731, the ''Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More Act of 2017'', 10 a.m., 1324 Longworth.

Subcommittee on Federal Lands, hearing on H.R. 218, the ''King Cove Road Land Exchange Act''; H.R. 497, the ''Santa Ana River Wash Plan Land Exchange Act''; H.R. 1157, to clarify the United States interest in certain submerged lands in the area of the Monomoy National Wildlife Refuge, and for other purposes; and H.R. 1728, to modify the boundaries of the Morley Nelson Snake River Birds of Prey National Conservation Area, and for other purposes, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Oversight of the Federal Emergency Management Agency's Response to the Baton Rouge Flood Disaster: Part II'', 9:30 a.m., 2154 Rayburn.

Subcommittee on the Interior, Energy and Environment, hearing entitled ''Improving the Visitor Experience at National Parks'', 2 p.m., 2247 Rayburn.

Subcommittee on National Security, hearing entitled, ''Assessing the Iran Deal'', 2 p.m., 2154 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Taking Care of Small Business: Working Together for a Better SBA'', 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing entitled ''FAST Act Implementation: State and Local Perspectives'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on H.R.

105, the ''Protect Veterans from Financial Fraud Act of 2017''; H.R. 299, the ''Blue Water Navy Vietnam Veterans Act of 2017''; H.R. 1328, the ''American Heroes COLA Act of 2017''; H.R. 1329, the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2017''; H.R. 1390, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to pay costs relating to the transportation of certain deceased veterans to veterans' cemeteries owned by a State or tribal organization; H.R. 1564, the ''VA Beneficiary Travel Act of 2017''; and a draft bill entitled ''Quicker Veterans Benefits Delivery Act of 2017'', 10:30 a.m., 334 Cannon.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the decline of economic opportunity in the United States, focusing on causes and consequences, 10 a.m., 1100 Longworth Building.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, April 5

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, April 5

House Chamber

Program for Wednesday. Consideration of H.R. 1304—Self-Insurance Protection Act. Consideration of the following measure under suspension of the Rules: H.R. 369—To Eliminate the Sunset of the Veterans Choice Program.

Extensions of Remarks, as inserted in this issue

HOUSE

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