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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC, November 8, 2017.

I hereby appoint the Honorable Don Bacon 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. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

PUERTO RICO 6 WEEKS AFTER HURRICANE MARIA

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

Mr. GUTIERREZ. Mr. Speaker, Monday I returned from my third trip to Puerto Rico since Hurricane Maria devastated the island almost 2 months ago.

I wish I could report that a lot of progress is being made, but I can’t. It is still a disaster, and it is a stain on the reputation of the United States of America.

Most places don’t have power. Generators, the sound you hear humming in every corner of the island like metallic coquis, are running ragged from overuse.

In many places, the water is not on because the power is not on to pump it, and drinkable water mixes with sewer water all over the island. As you can see from this picture, people are tapping mountain springs and, in this case, are using it mostly for laundry, thank goodness, because the mountain water in many cases is contaminated from humans and animals.

This man is a police officer, first responder, but he is learning to make do just like every other Puerto Rican family. Everywhere you go, you see Puerto Ricans making do.

So think about your life without power, cell service, water, lights, fans, in some cases food. Imagine the dialysis patient or the elderly man in an electric wheelchair who uses oxygen tanks to breathe. I met those people in Puerto Rico.

How do you get to physical therapy or regular prenatal visits when there are still roads and bridges that have simply vanished?

On the one hand, when I am in Puerto Rico, I am confronted by the very best of mankind, the people who are helping strangers, feeding their neighbors, and pitching in wherever they can.

On the other hand, when I am in Puerto Rico, I am confronted with the human tragedy of people who, like all of us, depend on the government for basic assistance and help after a major disaster and have received nothing.

Yes, the damage is massive, but there is no task Americans cannot accomplish if we put our minds and backs into it.

Mr. Speaker, this is the Head Start building in Loiza. As you can see, the roof is torn up and there is metal sheeting that was blown around. The people in Loiza are forming a brigade to rebuild the structure so they can reopen the Head Start building.

One of the things I was doing in Loiza was bringing money to get them started, raised by the Puerto Rican Agenda in Chicago from the people of Chicago. Individuals in Chicago are investing in the well-being of people in Loiza. They have never met them, but they are investing in them.

They are not calling in expensive contractors or companies from Montana, and they are not waiting for the folks from FEMA or the U.S. military. They are not waiting for Donald Trump to grant Puerto Ricans a little more time now that he has made it clear that he will not personally give them his grade A help forever. Nope. The people of Chicago are getting help to the people of Puerto Rico before any official resources are coming to their rescue.

It boggles the mind that it has come to this.

Here is another more difficult case. A bridge and a road were washed away by the storm. This is near Jayuya, Puerto Rico, but it could be almost anywhere on the island. More than 6 weeks after the storm and nothing, not even orange cones or a guardrail to keep people from driving off into danger.

If you live up the side of this hill, you are not going anywhere any time soon until something changes, because the Army Corps of Engineers has decided just to not show up and are missing in action.

Mr. Speaker, I should not have to give this speech almost 2 months after the storm. We should have accomplished much more. The people of Puerto Rico pretty much understand that President Trump doesn’t want to help them and really doesn’t care.

The passports and documents that they have that say citizens of the United States should have been printed with small print that says: Yes, Puerto Ricans are citizens of the U.S. for the purposes of being drafted and going to war, but not when it comes to being helped.
Puerto Ricans are coming to grips with how little they can expect from the President and his administration. They are finding ways to make do, just as the people of Chicago are making do by sending their own help in their way. It shouldn’t have had to come to this, but it did.

Puerto Ricans are learning to make do, just like these two young women who are getting married on the beach in Vega Alta, Cerro Gordo. I met them. They came to the picture.

Life goes on, even when the government has turned its back on them.

VISITING PREGNANCY RESOURCE CLINIC DURING NATIONAL ADOPTION MONTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, earlier this week, I had the opportunity to visit the Pregnancy Resource Clinic in State College, Pennsylvania, Centre County, Pennsylvania’s Fifth Congressional District.

The Pregnancy Resource Center is the only community-funded medical clinic in State College that specifically addresses unplanned pregnancy in a Christ-centered atmosphere. Through education and encouragement, the Pregnancy Resource Center empowers both men and women to make informed life choices.

Mr. Speaker, I had the opportunity to meet with Executive Director Jenny Summers and many members of the Pregnancy Resource Center staff to see, firsthand, the important services that it provides to the region.

The Pregnancy Resource Center, importantly, upholds the sanctity of life. It encourages clients to continue the pregnancy to full term rather than choosing abortion for their unborn child.

Mr. Speaker, this is always important, but even more so this month during National Adoption Month. Each year, loving families adopt thousands of children and provide them with the love and support of a family and their forever home.

I commend the Pregnancy Resource Center for the essential services it provides and celebrate the gift of adoption to both children and their parents alike.

REBOOT COMBAT RECOVERY

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Saturday, the Nation celebrates Veterans Day, a day where we honor all those who have served in the American service.

As we pay tribute with ceremonies and parades, we must remember that freedom is not free. Many of our veterans live with the effects of war long after they have been discharged.

Mr. Speaker, I recently had the opportunity to learn about a group that is helping combat veterans heal the wounds of war. REBOOT Combat Recovery is a Christian-based program structured in a 12-week course for veterans and their spouses to share their struggles and to begin the healing process.

Many of our vets suffer in the form of anger, anxiety, depression, social withdrawal, and, most tragically, too often, suicide.

The REBOOT Combat Recovery program is free. It has more than 50 locations in 23 States and more than 1,600 graduates. REBOOT communities are safe, private, and mostly led by veterans.

As we honor our veterans this weekend, let us remember that every veteran's story is different. Let us help them find the answers to heal and to recover from the effects of war.

HONORING 80TH ANNIVERSARY OF THE EDMUNDITE MISSIONS

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

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to celebrate the 80th anniversary of the Edmundite Missions at Our Lady Queen of Peace Catholic Church in Selma, Alabama. For 80 years, the Edmundite Missions has faithfully served poor and underprivileged communities throughout the Deep South. The Edmundite Missions is rooted in the Gospel of Jesus Christ and focuses on providing food, clothing, and shelter to poor and marginalized children and families, young adults, and seniors in their communities.

While the Edmundite Missions in Alabama is headquartered in Selma, their outreach area includes the Alabama counties of Butler, Dallas, Lowndes, Monroe, Perry, and Wilcox, as well as New Orleans, Louisiana.

The inspiring story of the Edmundite Missions began with a call to action when, in 1936, Pope Pius XI appealed to the Society of St. Edmund to go minister to the African Americans of the Deep South. The Edmundite Missions was founded in Selma on July 6, 1937, they discovered thousands of people living in extreme poverty, similar to that of a Third World country. In response, they began their outreach by conducting door-to-door evangelism in the Black community and building a small chapel, St. Elizabeth’s Mission. Initially, they were met with skepticism by both the Black and White communities in Selma, but their services to the poor gradually won them the respect of both races.

The work of the Edmundite Missions helped to transform the communities of Selma’s rural Black Belt during some of the most turbulent times of race relations in American history.

In the 1940s, the mission welcomed the Sisters of Saint Joseph from Rochester, New York, who came to Selma to provide education and social ministry. The Sisters of Saint Joseph started St. Elizabeth’s School in 1941 and the Holy Infant Inn, a nursing home, in 1943.

In 1944, the Edmundites purchased the Good Samaritan Hospital, a rundown infirmary for African Americans, and the sisters set out to transform that facility into a modern-day one. They established the Good Samaritan School of Nursing, the first medical training program for African-American women in the area.

Then, in 1947, Father Nelson Ziter launched the Don Bosco Boys Club, named after the patron saint of youth work. For the next 19 years, until 1966, the Don Bosco Boys Club helped hundreds of young Black youth prepare and win financial assistance needed to attend college. Father Ziter dedicated countless hours and days to ensuring the success of every youth who came into the program.

On a personal note, I can attest to the transformative power of the Don Bosco Boys Club. My dad, Andrew A. Sewell, and many of his close friends credit the support, love, and guidance of Father Ziter for changing the trajectories of their lives. My dad and many of his teammates received athletic scholarships to historically Black Colleges, becoming the first generation of college graduates in that area.

The club and its ministry helped to break the cycle of poverty for these African-American boys such that they became teachers, doctors, lawyers, and even priests.

The Sewell family is forever indebted for the generous support and assistance the Edmundite Mission has given the communities of Selma and throughout the Black Belt for over 80 years.

The Edmundites found themselves at the center of controversy during the 1960s when they were the only Whites in Selma who openly supported the voting rights movement. During the 1950s and 1960s, the mission and its priests and sisters worked with Selma’s Black and White leaders, its business community, and its White ministers to open the lines of communication between the races.

During the march from Selma to Montgomery, the Edmundites, led by Father Ouellet, played a very critical role. On March 7, 1965, the brutal confrontation at the Edmundites’ headquarters at the Edmundite Bridge caught the attention of the Nation. Scores of wounded marchers poured into the emergency room at Good Samaritan Hospital, where doctors, nurses, and sisters worked around the clock to address their medical needs.

Good Samaritan Hospital won national praise for its treatment of the victims of the infamous Bloody Sunday confrontation, including providing medical treatment, Mr. Speaker, to our beloved colleague, Congressman John Lewis.

Father Ouellet left Selma in June of 1965 on the orders of the Archbishop of
HUMANITARIAN CRISIS IN YEMEN

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

Mr. DUNCAN of Tennessee. Mr. Speaker, there is a heartbreaking photo in today's Washington Post showing two small boys, toddler-size, in a hospital in Yemen being treated for cholera. The story says the International Red Cross is now being prohibited by the Government of Saudi Arabia from shipping chlorine tablets into Yemen to treat this disease that has now affected more than 900,000 people there.

This is a humanitarian crisis of the first magnitude and it should not be tolerated. Many people are dying. Most of the victims of this disease are women, children, and senior citizens.

In yesterday's American Conservative magazine, Daniel Larison wrote: “The Saudi-led blockade of Yemen has been starving the population of essential goods for years, but the complete shutdown of all ports threatens to cause massive loss of life if it is not reversed immediately.”

The head of the U.N. World Food Programme is warning that hundreds of thousands of children in Yemen will be “on the brink of starvation if the Saudi-led coalition’s blockade of air, sea, and land access lasts for even 2 weeks.”

David Beasley, of the U.N., told the Associated Press, if access remains shut down, “I can’t imagine this will not be one of the most devastating humanitarian catastrophes we have seen in decades.”

Mr. Speaker, Saudi Arabia is supposed to be an ally of ours. Those of us in Congress should demand, urge, or at least persuade the officials in Saudi Arabia to end this very cruel, inhumane blockade, and allow the Red Cross to get crucial food, medicine, and other supplies in to these people before many die needlessly.

STATEHOOD FOR WASHINGTON, D.C.

The SPEAKER pro tempore. The Chair recognizes the gentleman from the District of Columbia (Ms. Norton) for 5 minutes.

Ms. NORTON. Mr. Speaker, Saturday is Veterans Day. That is the day we set aside to revere those who served in our Armed Forces, especially today, because all who serve are volunteers.

Only one group of taxpayers volunteering who serve in our Armed Forces serve without a vote, and they are the veterans who reside in the Nation’s Capital. Memorial Day is a day we vote on this House floor, though, of course, I vote in committee. They are not fully recognized as American citizens, although the District of Columbia is one of the oldest jurisdictions in the United States.

D.C. veterans, therefore, are at the front of the line, demanding the vote in Congress and other rights granted only to residents of States.

I thank the Members of this body who have cosponsored my bill to make the District of Columbia the 51st State. Each year we have beat last year’s record in cosponsors. Today I have introduced a statehood resolution in tribute to the District of Columbia’s 30,000 veterans as Veterans Day approaches on Saturday.

The residents of your Capital City have never hesitated to serve or give on their lives for their country. They have died for their country without a vote in disproportionate numbers.

World War I, more casualties than three States; World War II, more casualties than four States; Korean War, more casualties than eight States; the Vietnam war, more casualties than ten States of the Union.

There have been three votes to go to war since I have been a Member of Congress: the Gulf War, the Iraq war, the Afghanistan war.

I have gone to Arlington National Cemetery to comfort bereaved families from the District of Columbia who died in those wars. The tragedy of their sacrifice is deepened because these men died securing the vote for others in those nations, while they did not have the vote for themselves in their own nation.

The only remedy to make our veterans whole is to give statehood to their city. The special urgency of our demand for statehood this Veterans Day is particularly pointed up by the fact that, for years now, District of Columbia residents have been number one, per capita, in taxes paid to support the Government of the United States. Understand that, number one above all the other States in taxes paid, all without a vote. That outside contribution to this House floor, no Senators in the other body.

That is not even a vote on D.C. matters. D.C. matters, some of them, have to come to this floor. The D.C. appropriation, even though D.C. residents raise more than any other of it is Federal money, yet the city’s appropriation comes to this floor.

D.C. laws, sometimes on abortion or guns, are rather controversial matters, but we don’t bother the States when they do these things, and we certainly should have nothing to say when the residents of the District pass laws of their own.

We almost got the vote on the House floor when we were paired with Utah, a Republican State. And the only reason we don’t have that vote on the House floor now is that there was an attachment to the bill that tried to eliminate all the gun laws of the District of Columbia. Absurd. We had to leave the bill on the table.

The Founders faced a unique situation when they created the District of Columbia as their Capital, but they tried an 18th century remedy that the country has long outgrown. The Nation’s Capital must not be under the thumb of the national government, with citizens left without their equal rights.

We must erase the slander that the framers of our country who went to war on the slogan of “No Taxation Without Representation;” that they would want to leave any Americans who paid taxes without equal representation in the United States, and especially on this floor and in the Senate.

We will bring our statehood bill to the floor as soon as it is allowed. On this Veterans Day, I ask that we bring our D.C. statehood bill to the floor. Do it for District residents. But on this Veterans Day, I ask that we do it for the 30,000 veterans who have served you, who have served their country, and who deserve equal rights in each and every respect.

RECOGNIZING THE MEN AND WOMEN OF THE NEBRASKA NATIONAL GUARD

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

Mr. Bacon. Mr. Speaker, I rise to recognize the men and women of the Nebraska National Guard. Whether it is a natural disaster in Nebraska or elsewhere in the United States, or during combat operations in the Middle East, the Nebraska National Guard is willing and ready to assist those in need and are poised to fight our Nation’s wars.

The Army National Guard has approximately 3,500 soldiers stationed throughout Nebraska, and the Air National Guard has approximately 950 airmen. Joining us today in Washington are 60 of those soldiers and airmen.

The Nebraska National Guard is made up of selfless and courageous men and women who continue to make Nebraska and the Nation proud through their rescue and assist efforts and during times of crisis.

The Army National Guard has over 80 units throughout Nebraska. These guardsmen are also called citizen soldiers and they respond to national disasters in the State and around the Nation.

There are two Air National Guard units in Nebraska: the 155th Air Refueling Wing in Lincoln, and the 157th Group located at Offutt Air Force Base. The 155th Wing is responsible for refueling aircraft worldwide, while the
17th Group provides support to the 55th Wing by training airmen conducting worldwide missions for our Nation. In addition, they have become a premier example of total force integration between Active Duty Air Force and the Air National Guard. In my 30 years in the Air Force, this is the best Active Duty and National Guard relationship that I have seen. I think it is the best in the Nation.

Since September 11, the Nebraska National Guard has deployed over 10,000 soldiers and airmen. The guardsmen not only provide assistance to the United States, but throughout the world. There are dozens of Nebraska soldiers deployed to Guantanamo Bay supporting detainee operations. Next year, the Nebraska Air National Guard will deploy to key locations in the Pacific and Middle East.

Most recently, members of the Nebraska National Guard deployed to Texas, Florida, Puerto Rico, and the U.S. Virgin Islands to assist with the hurricane relief efforts. The Nebraska National Guard rescued 461 people and 22 pets, and they served 6,000 pounds of bottled water, 3,000 pounds of food, and 1,000 pounds of medical supplies to the people of Texas.

In response to Hurricane Irma, 102 Guard members were in Florida providing an aviation task force for support operations. Currently, there are 58 soldiers and airmen providing support to the Virgin Islands and Puerto Rico. These efforts range from rescuing people to cleaning up St. Croix’s Ricardo Richards Elementary School.

The Nebraska National Guard’s value to Nebraskans and Americans across the Nation cannot be understated. Our soldiers and airmen risk their lives to save our neighbors in need.

I thank the Nebraska National Guard for their service to the Nation and Nebraska. All Nebraskans are proud of their service.

ADDRESSING THE HUMANITARIAN CRISIS IN PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ESPAILLAT) for 5 minutes.

Mr. ESPAILLAT. Mr. Speaker, I rise today, marking the 48th day since Hurricane Maria made direct landfall on the island of Puerto Rico.

Wreaking havoc for over 3.4 million American citizens living on the island, this administration’s response has been beyond atrocious. I witnessed it myself a couple of weeks ago, and so did a group of 50 registered nurses from across the country who volunteered for two-week disaster relief fund and mission.

What these courageous women described upon returning was not at all reassuring. The lack of efficient action has led to deadly conditions and consequences: lack of food, water, medicine, proper healthcare services, houses with roofs blown off or infested with black mold, and leptospirosis outbreaks across the island.

Laura Maceri, a registered nurse, said: “It’s hell there. The people have nothing. They need water, power, and a little pack of vanilla cookies. From another nurse, Hau Yau, expressed: “We couldn’t believe this is part of the United States. We did home visits in low-income communities with the public health liaisons there who identified those in need, and helped them do basic blood pressure checks, blood sugar checks, to refill their medicine, etc. They have already had chronic diseases going on, and now their environment is full of hazardous materials, and the sanitation is very, very poor.”

Another nurse, Erin Carrera: “Spent the day in Rio Grande, a hard-hit area right outside of San Juan. No power or water here since Maria. We set up a clinic, the FEMA site for the first time here. People lined up blocks since 10 p.m. last night. But FEMA was only handing out papers—papers, which need to be filled out in order that they may receive some reimbursement eventually. Each person received a small bottle of water, a little bag of rice, and a little pack of vanilla cookies. Outrageous. We were able to provide care to some, not nearly enough, but one small contribution to this tragedy today.”

Another nurse said: “Today we went to a town called Barranquitas. They had almost no water or food there. They were desperate. They are relying on rainwater. One million chickens died during the storm and are now decomposed and causing people to get sick. Overwhelming is the only thing I can say to describe it.”

Mr. Speaker, I stand with these nurses in their demands to address the humanitarian crisis on the island of Puerto Rico. This administration must respond immediately.

We need to waive FEMA’s cost-sharing requirements in Puerto Rico. Yesterday, Representative GUTIERREZ and I introduced the WEPA legislation—the Waiver of Emergency Payments Act—thatchooses and aims to do exactly that.

PROPER NUTRITION FOR EVERYONE

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

Mr. MARSHALL. Mr. Speaker, I rise today to talk about nutrition and, more specifically, malnutrition. My family and I have traveled across the country doing mission work, from the poorest country in this Western Hemisphere, Haiti; to the plains of Kenya; across Mexico; and throughout Central America.

On those trips, I went there as a physician thinking that I could help people, but what I quickly discovered was that, despite how many antibiotics or bottles of IV fluids that I had, without proper nutrition, without proper water and sewage treatment, I was simply running into a headwind in a war that I knew I would lose.

Unfortunately, across the globe, there are almost 1 billion people who suffer from malnutrition, and it is a problem that doesn’t exist just across the world. It also exists in my own district, in my own communities. We still have part of the United States that actual amount of the United States households have food insecurity issues, and, in households with children, the number goes up to 16 percent of food insecurity issues.

It would be my opinion, without this hierarchy of needs being met, the hierarchy of the needs of proper water, proper sewage, and proper nutrition, that you will never have a healthy community. Without a healthy community, you will never see economic growth and success.

This battle against malnutrition is long running. In recent years, many in the hunger community have recognized the value of fighting malnutrition in targeted ways. One way was popularized by Roger Pook, in his book, “The First 1,000 Days: A Crucial Time for Mothers and Children—And the World.”

Research shows that good nutrition actually begins preconception. Good nutrition starting preconception, continues throughout the woman’s pregnancy, and, especially, those first 2 years after a child’s birth are very important.

As a practicing obstetrician for 25 years, I see over and over the impact of proper nutrition. Proper nutrition in those first 1,000 days starts with a well-balanced diet and adequate calories. Additionally, we always try to start our prenatal vitamins at least 3 months before conception.

You might ask: Why is that important? What we have found is that if there is adequate folic acid in a woman’s body, along with adequate iron, it decreases birth defects, and it decreases prematurity birth and low birth weights. Specifically, folic acid decreases neural tube defects. So those two vitamins are particularly important that we continue in these diets preconceptually, during the pregnancy, then and after for at least the first 2 years.

This child that receives the first 1,000 days of nutrition has a lower chance of obesity, heart disease, and chronic illnesses. The child is 10 times more likely to overcome serious childhood illnesses and is more likely to fulfill their full God-given potential.

What we know and understand is that the most vulnerable will succumb to viruses, whether it is the elderly or the infants, if they don’t have proper nutrition. An investment during this critical period, these first 1,000 days, not only impacts the development of the child, but results in a higher likelihood of healthiness in generations to come.
Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise because I love my country. Mr. Speaker, because I love my country, I rise to thank those who voted to reject bigotry, racism, xenophobia, ethnocentrism, sexism, and hatred in all of its forms, Mr. Speaker. I rise to thank them for what they did when they voted to reject these things.

Mr. Speaker, because I love my country and because I cannot accept these things, I refuse to accept hatred. I refuse to acquiesce to any forms of bigotry. Mr. Speaker, because I rise to reject these things, I now announce that before Christmas I shall vote aye on the chief inciter of racism, bigotry, hatred, xenophobia, sexism, ethnocentrism; there will be a vote in the U.S. House of Representatives, Mr. Speaker, on the impeachment of the President.

Mr. Speaker, this vote will take place before Christmas because there still is a need for the public to weigh in. I announced earlier this year, I called for the impeachment of the President right here on the floor of the House. Since that time, I have read Articles of Impeachment. These Articles of Impeachment have been circulated, and we are giving people an opportunity to respond.

Momentum is building, Mr. Speaker. The momentum is building. More people favor impeachment than not. Momentum is building. People should weigh in. They should let others know how they feel about impeachment. They should let others know how they feel about the chief inciter of all of these ugly actions by way of persons responding to the chief inciter.

Mr. Speaker, today, I am proud to say this vote will take place, but I am also proud to say something else. I am proud to say I am American, and while I have been told that there are political consequences for what I will do, I accept the consequences. I accept the consequences because I was not born in Congress. I wasn’t born to be a Congressman. I am a child of God.

Mr. Speaker, I refuse to come to Congress and acquiesce to bigotry and hatred. I am proud to announce that this vote will take place and people will be able to vote to table the Articles of Impeachment. They will be able to vote to reject them, or support them, or they will be able to vote to send them to a committee.

Whatever others will do is their choice. My conscience dictates that I will vote to impeach. Let others do what they may. History will judge us all. I pray, Mr. Speaker, that this country will continue to reject what the inciter in chief, Donald J. Trump, has been causing this country to have to endure.

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The SPEAKER pro tempore. The members are reminded to refrain from engaging in personalities toward the President.
have to fill out, recordkeeping, and tax planning that they have to do. Americans are rightfully demanding a much simpler process. By doubling the standard deduction, collapsing the rates, and closing special interest loopholes, Americans will experience a much simpler process when filling out their taxes.

I know how stressful this process can be for many back home, and I am a firm believer that the last thing you should do is worry about navigating our broken Tax Code.

Mr. Speaker, I posed three questions, and the answer to all three was yes. So instead of bickering about preserving a deduction here, or a tax credit there, I urge my colleagues to unite behind a tax reform bill that would cut taxes for working families, bring jobs back home, and make the filing process simpler for millions of people.

PUT TAXES TO GOOD USE

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

Mr. KENNEDY. Mr. Speaker, no one likes to pay taxes, but when our Founders dreamt of a nation, they knew that our success would rest on every shoulder. So it is not to make us just citizens of this great country, but stakeholders where everyone chips in, where everyone has skin in the game.

It is the only way that a gutsy American experiment could work: if each of us is so committed to what this country stands for that we are willing to give a piece of what we earn to help it succeed. Of course, that willingness hinges on a system that would deliver for all of our people.

We pay into a common good because we also reap from a common investment. We send our kids to public schools. We sleep safe at night under the protection of American defense. We wear down roads and bridges with commutes, with after-school pickups, with delivery runs, and family trips. So we do our part, however begrudgingly, however it might strap us or sting us, and all that we ask for in return is that what we give gets put to good use.

The tax reform bill being offered by my Republican colleagues does not put that money to good use—not the money it takes from hardworking American families.

Instead, this bill asks Americans to scrape their bank accounts so that the Trump administration can turn around and use that money to give to the wealthiest among us and make them even wealthier; so that they can make tax cuts for corporations permanent but not for American workers after a few years; so that they can multiply dividends enjoyed by the 10 percent of Americans who own the vast majority of our Nation’s stocks while everyone else gets left behind; so that they can blow a hole in our defense, in Medicaid, Medicare, and Social Security come roaring back from my Republican colleagues.

So for these families, the money that they send to the American Government every year isn’t just some meaningless check. It represents the late nights; the double shifts; the school plays and the teacher conferences missed; the bedtimes when you didn’t make it home; the vacations you could not take; those endless, countless, thankless sacrifices every single day so that you can take care of the people whom you love.

You deserve a country that will make your contribution count and that will make that investment in your family, too. This bill doesn’t even come close.

CELEBRATING REVEREND BILLY GRAHAM’S 99TH BIRTHDAY

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

Mr. McHENRY. Mr. Speaker, this morning I rise to celebrate a truly great American and one of the finest men North Carolina has ever produced, the Reverend Billy Graham, who, yesterday, celebrated his 99th birthday.

Born November 7, 1918, in Charlotte, North Carolina, Reverend Graham has devoted his life to spreading the Gospel of our Lord and Savior, Jesus Christ. While Reverend Graham was ordained as a minister in 1939, it was not until 1949 that he gained the international recognition he is known for today. It was that year that he hosted the Los Angeles Crusade. The Crusade was originally scheduled to last only 3 weeks, but it ended up going on for over 2 months as huge crowds came to hear Reverend Graham spread the Gospel.

In the years since the Los Angeles Crusade, Reverend Graham has traveled across the United States and around the world to spread the Gospel. According to the Billy Graham Evangelistic Association, in his lifetime Reverend Graham has preached to nearly 215 million people in over 185 countries and territories around the world.

Reverend Graham has served as a spiritual adviser to political and faith leaders here in the United States and throughout the world. In the 1950s and 1960s, he joined Dr. Martin Luther King, Jr., for integrated crusades. In later years, he delivered invocations at the inaugurations of four American Presidents. In 1983, President Ronald Reagan awarded Reverend Graham the Presidential Medal of Freedom, which is our Nation’s highest civilian honor.

Reverend Graham now resides where he has resided most of his life, in Montreat, North Carolina, where I have the honor of serving as his Representative here in Congress. While, physically, he has slowed in recent years, the power of his work over eight decades is still felt by us all. Through the Billy Graham Evangelistic Association, his life’s mission continues around the world. In fact, his family’s mission has continued around the world.

Perhaps the greatest testament to Reverend Graham’s dedication to the Gospel is how he has chosen to spend his centennial year. Rather than celebrate his work, Reverend Graham is devoting this year to celebrating the world God has done through his life.

Mr. Speaker, on behalf of everyone in western North Carolina, all Americans, and so many people around the world, I would like to wish Reverend Graham a happy first day to his 100th year.

I thank Reverend Graham for serving as a role model and spiritual guide for generations of Americans. I thank Reverend Graham for all he has done to help those in times of need, and, most importantly, I thank him personally for what he has done for me.

HONORING CATHEDRAL CITY POLICE CHIEF GEORGE S. CRUM, JR.

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

Mr. RUIZ. Mr. Speaker, I rise to honor the outstanding service and retirement of one of California’s finest, Cathedral City Police Chief George S. Crum, Jr. Chief Crum is an exceptional leader in the community, dedicating his life to public service for over three decades.

He started his career 30 years ago as a police officer with the Fullerton Police Department. His commitment to keeping our citizens safe earned him many promotions over the years, from sergeant, to lieutenant, and, eventually, captain of the Fullerton Police Department. He was appointed as police chief of the Cathedral City Police Department on December 10, 2014, and recently retired on November 2, 2017.

Throughout his career, his dedication to community engagement has helped to ensure justice and build a strong community. He has been a member of innumerable organizations that promote safety throughout California, including the Riverside County Law Enforcement.
Mr. NORMAN. Mr. Speaker, I rise today to recognize a great American whom I had the privilege of meeting at the Library of Congress, Mr. Joseph Douek.

Mr. Douek hails from a great family. His father came penniless to America some 70 years ago. He did what is now becoming a lost art in this country—he went to work.

He went to work as a laborer and, eventually, he availed himself of the American dream. He bought real estate, and has now retired to a great retirement life, which he has earned.

Joseph, his son, has dedicated himself to public service. He has been on the New York City Planning Commission for 5 years, and was just re-elected. He is an example of somebody who has given his time, his tithe, and his talent to serve in the great State of New York and our great country.

Mr. Speaker, please join me in celebrating what he has done and really encouraging other people to do what he has done in that he has gone to work. He has done what Americans do.

ANTELOPE Valley. Mr. Speaker, I rise to recognize the life of one of my district’s finest members, Pete M. Ortiz.

Mr. Ortiz passed away on September 14, 2017, at the age of 76. He came from a family that has committed themselves to serving our country in uniform for generations. Since World War II, over 30 members—50 members—of the Ortiz family have bravely served in our Armed Forces, putting their lives on the line to protect our freedoms.

Following his family’s legacy, Mr. Ortiz him and I served in the Army National Guard from 1956 to 1960. He was awarded the Marksman Badge and Pistol Bar, an honor presented to soldiers with high marksmanship skills. I was proud to help obtain and personally present him with these medals for his distinguished service.

Mr. Ortiz was also a beloved member of the Coachella Valley. Not only was he a carpenter and avid fisherman, he was part of a unique desert skydive team, the Desert Skydivers of Coachella.

All those who knew him remember his zest for life and devotion to family. One of his greatest joys was getting his entire family together for a barbecue. His family remembers his masterful skills for grilling, especially carne asada, and his dream of one day opening his own taco stand.

To his wife, Patricia, and children, Pete, Tina, Sherry, and Sally, your father was an example to us all. His bravery, selflessness, and courage in the military are an inspiration challenging us to better serve our own communities. His adventures and curious spirit are a reminder to us all to live to the fullest and enjoy the people and places that bring us joy.

So on behalf of my wife, Monica, and my daughters, Sky and Sage, we honor the service and legacy of Mr. Ortiz and his entire family.

From the bottom of our hearts, we thank all of our veterans for their dedication and sacrifice for our country as we honor their service this Veterans Day.

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

Mr. NORMAN. Mr. Speaker, I rise today to recognize a great American whom I had the privilege of meeting at the Library of Congress, Mr. Joseph Douek.

Mr. Douek hails from a great family. His father came penniless to America some 70 years ago. He did what is now becoming a lost art in this country—he went to work.

He went to work as a laborer and, eventually, he availed himself of the American dream. He bought real estate, and has now retired to a great retirement life, which he has earned.

Joseph, his son, has dedicated himself to public service. He has been on the New York City Planning Commission for 5 years, and was just re-elected. He is an example of somebody who has given his time, his tithe, and his talent to serve in the great State of New York and our great country.

Mr. Speaker, please join me in celebrating what he has done and really encouraging other people to do what he has done in that he has gone to work. He has done what Americans do.
Jeff is the son of a Swedish immigrant. Pastor Jeff began in the ministry at his home church in Rockford, Illinois, where he was born and raised. In 1989, he and his wife, Brenda, moved about 30 minutes north up I-90 to begin Faith Community Church in Janesville. "We had nothing but a vision," he said. "No people, no equipment, and no place to meet. Just a vision and the Lord. And that was enough."

Over the years, Pastor Jeff has turned that vision into a beautiful house of worship and fellowship at the heart of our community. I have been there many times. It is really an impressive place.

Pastor Jeff has been a very good friend to me and to our family for many years. I will note, however, that he is a Bears fan, and we can forgive him for that one.

But it is an absolute honor and privilege of mine to honor and to welcome Pastor Jeff here, and I want to thank him for offering today’s prayer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HONORING MORGAN SCARBRO FOR HER WORK WITH VETERANS AND MILITARY FAMILIES

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

Mr. WALBERG. Mr. Speaker, I rise today to recognize a remarkable student in my district with a heart for helping veterans, our military, and their families. Morgan Scarbro is a 14-year-old from Eaton Rapids who created a nonprofit called Morgan’s HUGS.

Since the age of five, Morgan has been giving back to veterans. If there is a veteran in need, Morgan springs into action—organizes donation drives and collects items like hygiene products, food, clothing, and more. When Morgan competes in beauty pageants, she encourages her fellow contestants to donate as well.

Morgan helps in so many other ways, too, including visiting veterans in nursing homes and putting her own Christmas on hold to give presents to military families.

Morgan’s dad is a disabled veteran, and she has seen, firsthand, the sacrifices made by the men and women who serve our country. We owe them an immeasurable debt.

As Veterans Day approaches, may we follow Morgan’s example and do everything we can to take care of our Nation’s heroes.

HONORING THE SERVICE OF LEWIS VILLA

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

Mr. ROTHFUS. Mr. Speaker, this coming Saturday marks Veterans Day, a day on which we honor and cherish heroes like Lewis Villa from Hopewell Township, Pennsylvania. Nearly seven decades ago, Mr. Villa, a graduate of Aliquippa High School, followed in the footsteps of his two older brothers by enlisting in the Army. He joined the 456th Airborne Field Artillery Battalion of the 82nd Airborne and I will not become an Army Ranger assigned to 1st Company, 1st Platoon, 1st Squad of the Airborne Rangers.

He deployed in 1950 to Japan, and then Korea, where he was captured by communist Chinese forces and spent 26 months in a prison of war camp.

After returning home, Villa became a mailman, where he met his beloved late wife, Helena, and had two children.

Lewis Villa is a treasure of the Aliquippa community, and he rarely fails to land a joke, and always lights up a room with laughter. I would like to extend my sincerest gratitude to him as well as to all our veterans.

Happy Veterans Day, and may God bless them and their families.

THE REPUBLICAN TAX PLAN

(Ms. KUSTER of New Hampshire asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to discuss the need for tax policy that benefits hardworking families in New Hampshire and all across this country.

We are long overdue for real tax reform, but, unfortunately, the plan unveiled by my Republican colleagues is more of a giveaway to millionaires, billionaires, and corporate special interests.

In fact, consider this: 80 percent of the tax breaks in their bill go to the wealthiest 1 percent of Americans. This is while cutting $500 billion from Medicare and $1 trillion from Medicaid. That trade is, frankly, unconscionable. This bill is a bad deal for Granite Staters and a bad deal for the American people.

The Republican tax plan eliminates important deductions for hardworking middle class families. It caps property tax deductions, eliminates student loan interest deductions and the medical deduction tax credit. The plan even ends the Work Opportunity Tax Credit that encourages employers to hire veterans.

House Democrats are offering a better deal. I urge my Republican colleagues to work with us to support working families.

HONORING OUR NATION’S VETERANS

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

Mrs. BROOKS. Mr. Speaker, I rise today to honor our Nation’s veterans. I would like to take a moment to thank our Nation’s heroes for their selfless service to our country.

It was a privilege to welcome home veterans on the Indy Honor Flight last month after they traveled to D.C. to visit memorials honoring their service and the sacrifice of our Nation’s Armed Forces. It was both a humbling and inspiring opportunity to meet so many veterans who are patriots in every sense of the word. We owe it to them and their families to ensure they have access to quality care and the services they deserve.

I am proud to see many important veterans bills pass through the House this week and look forward to continuing our work in Congress to support our American heroes.

To all of our veterans, we thank you for your service, and enjoy Veterans Day. We salute you.

HONORING THE LIFE OF CARRIE BARNETTE

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

Mr. KIHUEN. Mr. Speaker, today I rise to remember the life of Carrie Barnette, a woman who was known for her love of pickles, hummingbirds, and willingness to help others.

Carrie loved country music, and she grew up listening to it at her grandparents’ house. She frequently went to country music concerts and had traveled to the Route 91 Harvest music festival with her childhood friend, Jenn.
Carrie was a lifelong Californian who had just celebrated her 10th anniversary as a culinary team member at Disney California Adventure in Anaheim. Carrie loved the children of her relatives and friends like her own, and friends say that she would have made a great mother. She also had the nickname of Aunt Carrie because all the children loved her. I would also like to extend my condolences to Carrie’s family and friends. Please know that the city of Las Vegas, the State of Nevada, and the whole country grieve with you.

ROLL CALL FAKE THE NEWS
(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, a front-page story in Roll Call about Chief of Staff General Kelly is as misleading as you can get. It clearly is an intentional hit job.

The headline read: “Kelly’s Antics Rantle Capitol.” The article claims, “GOP and Democratic Members are united” in not wanting General Kelly to speak out. But only one Republican, known for his criticism of this administration, is quoted, compared to four Democrats. Of the four Democrats, three are current Members of Congress, and one is a former Clinton administration official.

So much for balance, and so much for the article’s unfounded claim. This is what passes for journalism these days. When you see stories like this one, you begin to understand why the President is right to use the term “fake news.” I doubt General Kelly will be intimidated, and I hope he will continue to speak out.

THE REPUBLICANS’ TAX SCAM
(Ms. MCCOLLUM asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCOLLUM. Mr. Speaker, I rise today in strong opposition to the Republicans’ tax scam. The middle class receives virtually no benefit from this bill.

This bill hits middle class Minnesotans especially hard by dismantling the State and Local Tax Deduction. It increases costs for college students and their families. It abandons adoptive parents, and it punishes people with high medical bills.

So why does this bill hurt hard-working families? So President Trump and the Republicans can pay for giveaways to the wealthiest Americans?
Big corporations and billionaires will see their taxes slashed. Wealthy heirs and heiresses will be allowed to dodge taxes entirely. While the top 1 percent of Americans receive nearly half the tax cuts, 99 percent of us will be stuck with a Federal debt that will explode by trillions of dollars.

Mr. Speaker, this Republican bill is not tax reform. It is not a good deal for the middle class. It is a scam, plain and simple. I oppose it, and we must defeat it.

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

Mr. HILL. Mr. Speaker: I rise today, during National STEM Day, to recognize the importance of encouraging our youth to pursue their interests in science, technology, engineering, and math fields.

As technology continues to advance, STEM occupations continue to grow and become more valuable to the development of our society. Over the past decade, employment in STEM occupations has outgrown non-STEM occupations by nearly 20 percent.

I commend the House’s work in implementing the annual Congressional STEM App Challenge for students across our Nation. This competition allows students to compete by creating an idea for an app on a platform of their choice and is designed to engage student creativity and encourage their participation in STEM fields.

As a member of the Congressional STEM Education Caucus and the father of a STEM student in college, I will continue to support the growth of STEM education throughout Arkansas and our country.

REJECT REPUBLICAN TAX PLAN
(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, here is the Republican tax scam: first, cut taxes for the wealthiest corporations and for the superrich. Number two, cut Americans’ healthcare.

Don’t take my word for it. Just look at the Republican tax bill—after clearing the way for a $1.5 trillion tax cut, it proposes cutting Medicare and Medicaid—coincidentally, I don’t think so—by $1.5 trillion.

It gets worse. Under the Republican tax bill, American families would no longer get to deduct major medical expenses from their taxes. Seven in 10 households using the medical expense deduction make under $75,000 a year, and over half of the Americans who depend on that medical deduction are over 65 years old.

Families struggling to afford cancer treatment or long-term care should not have to pay a health tax so that billionaires can get a huge tax cut.

Mr. Speaker, I urge my colleagues to reject this scam. Americans deserve a better deal.

79TH ANNIVERSARY OF KRISTALLNACHT
(Ms. ROS-LEHTINEN asked and was given permission to address the House at the very top. We ought to reject this plan, and we ought to do it now.

HONORING SERGEANT JOSH RODGERS
(Mr. LAHOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAHOOD. Mr. Speaker, earlier this year, Army Sergeant Josh Rodgers was killed in action during a raid targeting an ISIS prison in Afghanistan, making the ultimate sacrifice while working to free those imprisoned by evil.

A native of Bloomington, Illinois, in my congressional district, Sergeant Rodgers’ heroism and bravery have not been forgotten. A graduate of Normal Community High School in 2013, where he competed on the track and football teams, his teachers, teammates, and coaches remember him fondly. They say he was a natural leader and a hard worker who believed it was his duty to serve his country in the military.

That is why I am proud to stand here today to announce the introduction of a bill, with the support of the entire Illinois delegation, Republicans and Democrats, that would rename the post office in Bloomington, Illinois, the Sergeant Josh Rodgers U.S. Post Office.

Mr. Speaker, there is no way to truly thank Sergeant Rodgers or his family, but it is my hope that this building will serve to honor him and remind all of us of the price of our freedom.
for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, November 9 marks the 79th anniversary of Kristallnacht. Referred to as the “Night of Broken Glass,” the German high command issued orders to target Jews and their faith.

Disguised as normal citizens, members of the SS and the Gestapo destroyed hundreds of synagogues, looted and vandalized thousands of businesses, arrested tens of thousands of innocent civilians and killed nearly 100. This atrocity was a harbinger of one of history’s darkest periods, the Holocaust.

The anniversary of this grave tragedy serves as a constant reminder of what happens when hatred and bigotry flood the minds of our world. When evil is met with silence and indifference, all of mankind suffers.

Unfortunately, the world has not learned a lesson from the past. Anti-Semitism has seen a troubling rise across the globe, and we must continue our fight toward ending this brutal chapter of intolerance.

Mr. Speaker, November 9 serves as a reminder of this tragedy, but also as an opportunity to fight this hatred and all forms of discrimination, and vow to never let such an atrocity to ever occur again.

GOP TAX PLAN KILLS HOUSING AND INFRASTRUCTURE INVESTMENT

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

Mr. PRICE of North Carolina. Mr. Speaker, it is increasingly obvious what a sham of a tax plan the Republicans have proposed, slashing taxes on the superrich and large corporations at the expense of the middle class.

What is less well known, and what the Republicans don’t want to talk about, is their proposal to repeal tax-exempt private activity bonds and, therefore, to kill the same public-private partnerships that they profess to support.

States, local governments, and private partners around the country use private activity bonds to finance a wide array of infrastructure projects, like highways, airports, hospitals, water treatment facilities, and affordable housing.

In North Carolina, for example, private activity bonds financed and upgraded the terminal at Raleigh-Durham International Airport and are being used by our State housing agency to attract investors for new multi-family housing developments worth more than $700 million.

If Republicans get their way, these projects would die on the vine, and more than 6,200 units of affordable housing would simply disappear.

How does that help working families realize the American Dream?

At a time when funding for housing and infrastructure is continually squeezed, the last thing we should do is push through a plan that would hamstring our State and local governments and destroy our ability to leverage private investment.

Mr. Speaker, I urge my colleagues to oppose the Republican tax plan.

AMERICANS DESERVE A BETTER TAX DEAL

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

Mr. SARBAZENES. Mr. Speaker, I rise today to oppose the Republican tax plan, a tax plan that is of, by, and for the wealthy and well connected.

How do we know this?

Yesterday, a Republican Congressman told a Capitol Hill reporter: “My donors are basically saying, ‘Get it done or don’t ever call me again.’”

There you have it, a window into the true motivation for this bill. It is a massive giveaway to the big donor class. It slashes the corporate tax rate, guts the estate tax to benefit millionaires and billionaires, and creates a new loophole so the superwealthy can disguise their income.

What is worse, this Republican tax bill would be devastating for millions of middle- and lower-income Americans. It attacks the State and local tax deduction and the mortgage interest deduction. It eliminates tax deductions for medical expenses and student debt.

It increases the deficit by approximately $1.5 trillion.

Mr. Speaker, Americans deserve a better deal.

REMEMBERING ELIJAH PARISH LOVEJOY, AMERICA’S FIRST MARTYR TO FREEDOM OF THE PRESS

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

Mr. SHIMKUS. Mr. Speaker, in a time of national strife that we see our Nation in every now and then, it is good to remember history.

Mr. Speaker, 180 years ago yesterday, a man named Elijah Parish Lovejoy was run out of St. Louis city for writing and publishing an abolitionist newspaper called the St. Louis Observer. He moved across to Alton, Illinois, where he continued to advocate the end of slavery.

On the 7th of November, 1837, Lovejoy received a new press. Many of his printing presses were thrown into the river. When he got the new press from the Ohio Anti-Slavery Society, the local slave owners heard about the arrival of the new machine and they decided to destroy it.

A group of his friends attempted to protect it, but during the attack, Lovejoy was shot in the head and died. Elijah Parish Lovejoy was America’s first martyr to freedom of the press. Of course, we debate the press, but the press is still an important institution in our society.

In 1952, the Elijah Parish Lovejoy Award was established and it is given to a member of the newspaper profession who continues the Lovejoy heritage of fearlessly defending freedom.

There you have a window into the true motivation for this bill. It is a massive giveaway to the big donor class. It slashes the corporate tax rate, guts the estate tax to benefit millionaires and billionaires, and creates a new loophole so the superwealthy can disguise their income.

What is worse, this Republican tax bill would be devastating for millions of middle- and lower-income Americans. It attacks the State and local tax deduction and the mortgage interest deduction. It eliminates tax deductions for medical expenses and student debt.

It increases the deficit by approximately $1.5 trillion.

Mr. Speaker, Americans deserve a better deal.

TAXES WILL GO UP EVERY APRIL

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

Mr. CARDENAS. Mr. Speaker, I rise today to ask and highlight which Americans will see their taxes go up every April 15 under the Republican tax scam. Middle class families, teachers, firefighters, nurses, folks paying off student loans, seniors with medical expenses, small businesses, and every homeowner will pay more in taxes.

Over 50 million Americans will see their taxes go up every April 15.

Both students and teachers are hurt by this tax scam. The tax scam will make it harder for teachers to afford supplies for their classrooms. The Republican tax scam eliminates medical expense deductions. The adoption tax credit goes away. Student loan deductions, there is real tax on student loans, seniors and every homeowner, forget about it. This tax scam is just wrong.

Mr. Speaker, it hurts hardworking American families and it benefits the largest corporations.

TAX PLAN PROVIDES TAX RELIEF

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

Mr. HUIZENGA. Mr. Speaker, I had planned to come down to the floor here to manage some bills here in a couple of minutes, but I decided I needed to take this opportunity to address some of the things that the American people might have been hearing from the other side of the aisle just now.

This is absolutely just political demagoguery of what is going on. Frankly, it is just political malfeasance. This is about simplification. This is about fairness. This is about making sure that hardworking American men and women and their families have the opportunity to live the American Dream.

Right now, we have a Tax Code that is massive, first of all. Second, it is filled with loopholes and exceptions that lobbyists and the well connected have put in there over the last number of decades. It is time to change that. The American people deserve this.

This tax plan provides tax relief for real working families, and that is why I think you are seeing such enthusiasm out of the American people for this tax plan.
TAX PLAN WILL RAISE TAXES
(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLAY. Mr. Speaker, let me see if I can inject some truth into this.

Mr. Speaker, I rise to oppose the deficit-exploiting Republican tax plan that rewards billionaires first, and then asks hardworking Americans to pay for it.

The Trump Republican tax scam will raise taxes for millions of working families. It will kill jobs in the home construction industry. It will punish student loan borrowers. This reckless plan will reap the deduction for State and local income and sales tax. I would remind my colleagues in the majority: If you vote “yes,” you are voting for a $900 billion tax increase on American families.

This bill is not conservative. It is not pro-family. It is not pro-worker. It will kill jobs and reward the wealthy and corporations at the expense of everyone else.

Vote “no” on the GOP tax scam, and let’s pass a real tax reform bill that puts middle class families first.

☐ 1230

DEMOCRATS WILL DELIVER A BETTER DEAL
(Mr. JEFFRIES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JEFFRIES. Mr. Speaker, last night all throughout our great country, hatred lost in America; fear-mongering lost in America; race-baiting lost in America, xenophobia lost in America, homophobia lost in America, Confederate monuments lost in America, the war on Medicaid lost in America, voter suppression lost in America, the Trump playbook lost in America, and the make America hate again agenda lost in America.

Democrats will continue to focus on the economic well-being of the American people, will continue to fight for better jobs, better wages, and a better future for the American people.

Democrats will continue to fight to deliver a better deal.

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
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, I received the following message from the Secretary of the Senate on November 8, 2017, at 9:37 a.m.:

That the Senate passed S. 1088.
That the Senate passed S. 1015.
With best wishes, I am Sincerely,
KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 2201, MICRO OFFERING SAFE HARBOR ACT

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 609 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 609
Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2201) to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; (2) the 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, shall be equally divided between proponent and opponent, and shall not be subject to a demand for 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 gentlewoman from NY (Ms. SLAUGHTER), my friend, 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.

Ms. SLAUGHTER. 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. The rule provides 1 hour of debate and makes in order all amendments offered at the Rules Committee.

I want to note that not one amendment to this rule or to this bill was offered by the Democrats.

Mr. Speaker, the Micro Offering Safe Harbor Act is an important step toward helping small businesses grow across our country. Small businesses aren’t just about selling a product or providing a service. Entrepreneurs take the risk for a chance to improve their community and their family’s livelihood. These individuals employ our friends and families and improve our quality of life. Congress needs to do what we can to help entrepreneurs succeed.

Young businesses need to use their limited capital, time, and resources to grow their business, not fill out bureaucratic paperwork. This problem has only grown worse since Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act in 2010.

When Dodd-Frank passed, Congress promised it would protect consumers. But it has only hurt community banks, small businesses, and the middle class.

Dodd-Frank’s burdensome regulatory regime has caused community banks to disappear across America, making access to capital more difficult for many small businesses.

The House passed the Financial Choice Act to repeal and replace Dodd-Frank, but it currently sits untouched in the United States Senate. I hope they will quickly vote to repeal Dodd-Frank and make credit easier to access for Main Street.

But there is more we can do in the people’s House to help create new jobs and opportunities. All too often, the Federal Government creates regulations that disproportionately hurt small businesses. While a large corporation may have teams of lawyers to comply with these rules, this is rarely the case for a young business. That is why I support this bill.

This bill ends ambiguity in the law by clearly defining a nonpublic offering exemption under the Securities Act. Currently, companies just starting out risk unintentionally violating these laws, which might discourage them from seeking the capital they need to grow. It is common sense to ensure our current securities laws are clear and to allow small businesses to operate without fear of accidentally violating the law.

Our economy depends on small businesses and those who put everything on the line to pursue the American Dream. This bill will benefit all of us by helping those individuals grow their businesses and create jobs in their communities. In order to help our small businesses grow and create jobs, we need to pass this rule and pass the underlying bill.

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

Ms. SLAUGHTER. 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, the Securities Act of 1933, which, obviously, was put into effect after the Depression or while it was going on, governs current law regarding the sale and purchase of securities like stocks, bonds, or options. The intent behind this law is to require that investors receive necessary information about the securities and to prevent fraud when they are sold.
To achieve this, the Securities and Exchange Commission currently prohibits the sale or delivery of securities that have not been registered with the agency, with some limited exemptions. Today, these exceptions are usually limited to transactions restricted with sophisticated investors who understand the associated risks.

H.R. 2201 would weaken the Securities Act unnecessarily by adding an entirely new exemption for certain issuers while removing important disclosure requirements.

Let me say that again: while removing important disclosure requirements, in other words, to know what you are buying.

It would leave investors vulnerable to fraud by allowing companies to sell unregistered securities without the important guardrails that apply to these transactions today. It is part of the majority’s agenda that prioritizes deregulation above all else.

Through the Congressional Review Act and many other bills, the majority has been relentlessly attacking safeguards that protect consumers—risking our health, our safety, and our finances. This is all in order to make it easier for corporations to engage in questionable business practices.

Who loses in the giveaway to big corporations and bad actors? The American people do.

Mr. Speaker, I have always believed that a bad process leads to a bad product. This week has put the majority in the history books for all the wrong reasons.

Closed rules completely block Members from offering amendments on the House floor, and just yesterday, with the 49th closed rule of the year, this majority broke the record for becoming the most closed session of Congress in history. That is a long time.

Let me repeat that. This session of the House is the most closed session ever. In fact, our present Speaker has not had an open rule.

This is not some arcane matter. More than 1,300 amendments have been blocked this year through the restrictive rules. It has prevented action on matters that touch nearly every sector of society.

This week we saw another mass shooting in a church. Families gathered together in a small Texas town, and a man with a gun came in and killed 26 of them and wounded 20 more. One family lost eight of its cherished members. Those killed in that attack equal 7 percent of the small town’s entire population.

Now, this Congress could work together and actually stop these tragic murders because this is the place where we can do that, but under the majority, we cannot even vote on any measure that would do anything about it.

If you care about whether we send troops to war in Afghanistan and Syria—if you care—then closed rules matter.

If you care about protecting whistleblowers or reducing government spending, then closed rules matter.

If you care about whether we build the President’s offensive border wall with Mexico or strengthen ethics in the executive branch, then closed rules matter.

If you care about protecting the nearly 800,000 young DREAMers nationwide, then closed rules definitely matter.

The majority has used restrictive closed and structured rules to prevent action on and many other important matters from ever happening here on the House floor.

Each of us has been elected to do our job representing our constituents by amending legislation on this floor, but because of the closed process, we are being prevented from doing our jobs.

Bills routinely come before the Rules Committee that haven’t even been fully considered by the relevant committees. We are unable to take action on the things our constituents care about most.

It is no wonder that this Congress is the most unpopular Congress in recent memory. It is past time that we return to regular order and start tackling the major issues that we face.

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

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER. Mr. Speaker, obtaining accessible and reliable forms of capital is one of the biggest challenges that small businesses and entrepreneurs face today. I will say that again. We are not talking about small corporations. We are talking about small businesses and entrepreneurs.

According to the 2014 Year-End Economic Report to the National Small Business Association, 41 percent of all small businesses surveyed said that “lack of capital is hindering their ability to grow their business or expand their operations, and 20 percent said they had to reduce the number of employees as a result of tight credit.”

That is why I introduced the Micro Offering Safe Harbor Act. This bill does not create a new securities registration exemption under the Securities Act; rather, it defines what constitutes a permissible nonpublic offering, and it provides small businesses with the clarity and confidence to know that their offering is not a violation of the Securities Act.

If enacted, this will make it easier for entrepreneurs and small businesses—again, not large corporations—to raise money from family, friends, and their personal network without running afoul of the vague and unde-
There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. AGUILAR) to discuss our proposal.

Mr. AGUILAR. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, today I must ask a question of this Chamber: What makes America great?

Do we measure greatness by the strength of our economy or by the size of our military? Is greatness defined by export prices and profits of corporations?

You see, Mr. Speaker, I don’t think that is the case. I believe that we are a nation built upon a set of unshakable values. It is our ability to uphold these values, not the rise and fall of the stock market, that will ultimately define our greatness.

One of our values is this: if you work hard, set goals, and refuse to give up, you can fulfill your dreams. As Americans, this value is engrained into all of us. We repeat it each and every day, and we tell our kids to follow their dreams, or tell them that they can be anything that they want when they grow up.

We know these things, Mr. Speaker, because we believe them. We believe that hard work pays off. We believe that dreams can come true.

Yet, on September 5 of this year, President Trump ignored these American beliefs when he ended the DACA program. That decision told nearly 800,000 young people in this country that their hard work didn’t matter and that their dreams of pursuing success might not pay off in the end.

These young DREAMers, who as American as any of us, go to school here, they have jobs here, they raise families in our communities, and they serve in our military.

This is why each and every day we fail to pass the Dream Act, we call the values that make our country great into question. If we fail to pass this bipartisan legislation, then we are no longer a nation where hard work pays off.

I will be forced to explain that to my constituents, which, again, most small businesses and families in our communities, and they serve in our military.

You see, Mr. Speaker, these are real young people with real dreams. They deserve a real answer. They put in the work, they have done everything they can to build lives in this country, and we need to come together to make sure that we uphold our values and allow them to continue those lives here.

Mr. Speaker, I urge my colleagues to vote yes on this question so that we can bring the Dream Act to the floor for a vote immediately. This country is great because we uphold our values. Mr. Speaker, it is time that we prove that.

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. HUIZENGA), chairman of the Subcommittee on Capital Markets, Securities, and Investment.

Mr. HUIZENGA. Mr. Speaker, I appreciate my friend from Colorado allowing me an opportunity to speak on this bill.

Mr. Speaker, currently, the Securities and Exchange Commission prohibits the sale or delivery of securities that have not been registered with the agency. A large portion of startups—and, really, these are ideas—rely on small, nonprofit offerings also known as private placements, such as with friends and family. They do a round of offerings in order to raise initial, early-stage seed capital; however, the Securities Act of 1933 does not define what constitutes a public offering or, conversely, a nonpublic offering. As a result, startups may unintentionally violate the act when it seeks to offer securities to potential investors in a private placement.

Let’s put that in real English. Let’s make this actually approachable in a way that I think true American entrepreneurs can understand.

The reality is, these are people with an idea, a drive to move forward and to improve something. They go and offer to their triubles to fund an idea of their family, to be a part of that dream, to help with some seed capital, to give them a little bit of their hard-earned money to help them achieve their dream.

And, guess what?

They get to take part in the success of that. There is some risk, but there is also reward.

How this really translates is that there might be the doctor who has got a great idea for a new health drink or a new implement to use while he is in surgery. This might be a mom who left the workforce and was taking care of her kids and said: ‘There has got to be something I can do. I am going to use my degrees and get a healthy meal transported to school, or something like that.

These are people who are looking around and saying: ‘I can go make life better not for me, not just for my family, but for others. They are then trying to quit the game.

To address this uncertainty that we have, H.R. 2201, the Micro Offering Safe Harbor Act, would implement a simple amendment to the Securities Act of 1933, by making clear what constitutes a nonpublic offering.

It is going to provide small businesses with needed clarity and confidence to know that their offering is not a Securities Act violation. Think of that. Again, it might be that doctor or that stay-at-home mom who is out there just trying to fund an idea, unintentionally and with no malice or no understanding that they are violating Federal law.

A micro-offering authorized under this bill would allow small businesses or small entrepreneurs to operate with confidence, and the commonsense requirements to be a part of this are such:

Each investor has a substantive pre-existing relationship with an owner. This is no fly-by-night friendship. This is somebody who you actually know.

There are fewer than 35 purchasers or investors; and also, the amount cannot exceed $500,000.

If you just divide out $500,000, which is a lot of money, by 35 people, that is less than $15,000. That is $14,285, to be exact. This is not about helping Wall Street somehow, for crying out loud. This is about Main Street.

I believe it is important to note, as the sponsor, Mr. EMMER, had noted earlier, that nothing in this bill would remove or inhibit the authority of the Securities and Exchange Commission or the Department of Justice from prosecuting securities fraud.

With antifraud protections still in place, the legislation appropriately scales Federal rules and regulatory compliance costs for these small businesses and entrepreneurs.

H.R. 2201 is a commonsense bill designed to help Main Street and not Wall Street. Simply put, it will allow these small businesses and entrepreneurs, these DREAMers, to access capital more quickly and more cheaply. The American people are frustrated with expired programs like Perkins loans, which help low-income students finance their education, or to address gun violence. The American people are frustrated of an agenda that prioritizes deregulation and corporations above all else.

Democrats have been pushing for votes on the House floor on amendments that would actually address the...
major problems we are facing today. That includes everything from climate change and our military’s role abroad to protecting the DACA recipients and addressing the gun violence epidemic that is tearing communities apart. But we have been locked at every turn.

The majority has gone to unprecedented lengths to prevent any kind of real debate from happening. We have proof of that because they have used closed and structured rules to block more than 1,300 amendments so far this year. That restriction is not the closest session of Congress since Congress began.

It is no wonder that just 13 percent of the public approves of Congress under this leadership. That is according to the latest figures from Gallup. The bill before us just continues that dangerous and unpopular agenda.

Mr. Speaker, I urge a “no” vote on the previous question, the rule, and the bill, and I yield back the balance of my time.

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

Mr. Speaker, this bill is an important step to improve the American economy. We need to support small-business owners and their ability to grow. This will happen if we give the free market the opportunity to work.

We should get bureaucrats out of the way of small-business owners who only want to serve their families and communities. This bill moves us in that direction.

I thank Congressman Tom Emmer for introducing this important bill and for taking the time to come to the floor today. I also thank Chairman Hensarling for his work on these bills as well as the House Financial Services Committee.

Chairman Hensarling recently announced that he will not be seeking re-election to Congress, but we will all remember the work he has done during his time in D.C. and the important contribution he made to the legislation we are looking at today.

Mr. Speaker, I ask my colleagues to vote “yes” on the rule, and I ask them to vote “yes” on the underlying legislation.

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

AN AMENDMENT TO H. RES. 609 OFFERED BY
MS. SLAUGHTER

Sec. 2 Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 8 of rule XV and clause 9 of rule XX, suspend the rules and pass the bill. 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:

Adopting the resolution, if ordered; and

Suspending the rules and passing H.R. 4173.

The vote was taken by electronic device, and there were—yeas 224, nays 190, not voting 18, as follows: [Roll No. 616]

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 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, 1969, 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 G. C. Nance (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzger-ald, who had asked the gentleman to yield to him for 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 . . . [an] has no substantive legislative or policy implications whatsoever.” But that is not what the Republicans have always done. The Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here’s how the Republicans wrote 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 has the time, may then offer an amendment to the rule, or yield for the purpose of amendment.”

In Delescher’s Procedure in the U.S. House of Representatives the chapter 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, sec- tion 21.2) Section 21.3 continues: “Upon re- jection of the motion for the previous ques- tion on a resolution reported from the Com- mittee on Rules, control shifts to the Mem- ber leading the opposition to the previous question, who may offer a parallel amendment or control who takes the time for de- bate thereon.”

Clearly, the vote on the previous question on this rule has significant substantive impli- cations. It is one of the only available tools for those who oppose the Republican major- ity’s agenda and allows those with alter- nate views the opportunity to offer an al- ternative 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. Slaughter. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on:

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The vote was taken by electronic de- vice, and there were—yeas 224, nays 190, not voting 18, as follows:
Mr. GROTHMAN. Mr. Speaker, had I been present, I would have voted "yea" on rollover No. 616.

Ms. CHENEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollover No. 616.

Mr. COFFMAN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollover No. 616.

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Ms. CHENEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollover No. 616.

Messrs. KANAYA, ROY of Ohio, and GOODLATTE changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The yeas and nays were ordered.
The SPEAKER pro tempore. The motion to reconsider was laid on the table. 

Not voting—9

YEAS—420

Mr. FRANKS of Arizona. Mr. Speaker, I was detained last evening and I was attending to him. Had I been present, I would have voted “yea” on rollcall No. 616, “yea” on rollcall No. 617, and “yea” on rollcall No. 618.

PERSONAL EXPLANATION

Mr. SANFORD. Mr. Speaker, I was detained this afternoon at Georgetown University Hospital as my youngest son Blake broke his nose last evening and I was attending to him. Had I been present, I would have voted “yea” on rollcall No. 616, “yea” on rollcall No. 617, and “yea” on rollcall No. 618.

HYDRPOWER POLICY MODERNIZATION ACT OF 2017

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include in the RECORD extraneous material on H.R. 3043.

The SPEAKER pro tempore. Pursuant to House Resolution 607 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3043.

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

In the Committee of the Whole

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3043) to modernize hydropower policy, and for other purposes, with Mr. HULTGREN in the chair.

The Clerk reads the title of the bill. The Acting CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I rise today in strong support of H.R. 3043, the Hydropower

VETERANS CRISIS LINE STUDY ACT OF 2017

The motion to reconsider was laid on the table. 

Not voting—9

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The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, I rise today in strong support of H.R. 3043, the Hydropower
Policy Modernization Act of 2017. This legislation, introduced by my friend and colleague from the Energy and Commerce Committee, CATHY MORRIS RODGERS, is an important step toward modernizing our energy infrastructure, creating jobs, and, yes, streamlining our relicensing process. I want to thank her for her commitment to this issue.

The committee went through regular order with the bill. We held two hearings, issued some legislative hearing, and both subcommittee and full committee markups, where the bill was agreed to by a voice vote. Following the markups, bipartisan committee staff held more meetings to hear from over a dozen Tribal governments to gather additional views.

I think that the resulting bill strikes a careful balance. Changes were made to increase State and Tribal consultation requirements, and a very strong saving clause was added to protect States’ authorities under the Clean Water Act.

Hydropower is an essential component of an all-of-the-above energy strategy for our country. Hydropower is clean; it is renewable and affordable base load power. It is good for consumers’ electricity bills, and it is also good for jobs, which is why labor is strongly supportive of this legislation.

There is a tremendous opportunity to expand hydropower production on existing nonpowered dams. Less than 3 percent of the dams in the U.S., approximately 2,200 dams, produce electricity. So opportunities to improve the process for the projects that are due for relicensing. By 2030, over 400 existing projects, with almost 19,000 megawatts of capacity, will begin the relicensing process, and these projects, in fact, may be at risk.

Fixing the licensing process would also improve safety. Upgrading the performance of existing dams and utilizing existing nonpowered dams, canals, and conduits would enable investment in projects needed to address long-dormant dams and, yes, improve overall safety.

The duration, complexity, and uncertainty of the hydropower licensing process creates significant challenges that prevent investments that would create jobs and benefit consumers. The licensing process for a new hydropower development project can last over a decade and costs tens of millions of dollars—significantly longer than the time that it takes to construct a natural gas-fired power plant of the same size.

This legislation, H.R. 3043, would level the playing field by modernizing the permitting process without compromising environmental protections. The bill improves administrative efficiency, accountability, and transparency. It requires balanced, timely decisionmaking and reduces duplicative oversight from the multiple Federal agencies that review hydropower applications.

This bill brings certainty and timeliness to the licensing process by ensuring consultation with Federal, State, and local agencies and Indian Tribes, and it requires FERC to establish a process for setting the schedule for review. H.R. 3043 streamlines and improves procedures to identify scheduling issues, propose licensing conditions, and resolve disputes.

This bill also contains provisions to expedite the approval process for an amendment to a license for a qualifying hydrop project upgrade. Without the hydropower licensing improvements in this bill—without them— we risk losing investment opportunities in new hydropower infrastructure which would benefit consumers with affordable electricity and expand the use of clean, renewable energy.

Again, I thank my colleagues for their work, and the great staff, on this important piece of legislation.

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

House of Representatives, Committee on Energy and Commerce,

Hon. Greg Walden,
Chairman, Committee on Energy and Commerce, Washington, DC.

Dear Mr. Chairman: I write concerning H.R. 3043, the “Hydropower Policy Modernization Act of 2017.” This bill contains provisions within the jurisdiction of the Committee on Oversight and Government Reform. As a result of your having consulted with me concerning the provisions in that bill that fall within our Rule X jurisdiction, I agree to forgo consideration of the bill so the House floor.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 3043 at this time we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward for the remaining issues that fall within our Rule X jurisdiction. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would appreciate your response to this letter and your understanding and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,
Trey Gowdy.
Chairman, Committee on Oversight and Government Reform, Washington, DC.

Mr. Chairman, while Members on both sides of the aisle support hydropower, unfortunately, the bill before us today is deeply flawed and will not modernize or improve the hydropower licensing process. Instead, Mr. Chairman, H.R. 3043 would shift the venue for these licensing issues, one legislative hearing, and both subcommittee and full committee markups, where the bill was agreed to by a vote. Following the markups, bipartisan committee staff held more meetings to hear from over a dozen Tribal governments to gather additional views.

I think that the resulting bill strikes a careful balance. Changes were made to increase State and Tribal consultation requirements, and a very strong saving clause was added to protect States’ authorities under the Clean Water Act.

Hydropower is an essential component of an all-of-the-above energy strategy for our country. Hydropower is clean; it is renewable and affordable base load power. It is good for consumers’ electricity bills, and it is also good for jobs, which is why labor is strongly supportive of this legislation.

There is a tremendous opportunity to expand hydropower production on existing nonpowered dams. Less than 3 percent of the dams in the U.S., approximately 2,200 dams, produce electricity. So opportunities to improve the process for the projects that are due for relicensing. By 2030, over 400 existing projects, with almost 19,000 megawatts of capacity, will begin the relicensing process, and these projects, in fact, may be at risk.

Fixing the licensing process would also improve safety. Upgrading the performance of existing dams and utilizing existing nonpowered dams, canals, and conduits would enable investment in projects needed to address long-dormant dams and, yes, improve overall safety.

The duration, complexity, and uncertainty of the hydropower licensing process creates significant challenges that prevent investments that would create jobs and benefit consumers. The licensing process for a new hydropower development project can last over a decade and costs tens of millions of dollars—significantly longer than the time that it takes to construct a natural gas-fired power plant of the same size.

This legislation, H.R. 3043, would level the playing field by modernizing the permitting process without compromising environmental protections. The bill improves administrative efficiency, accountability, and transparency. It requires balanced, timely decisionmaking and reduces duplicative oversight from the multiple Federal agencies that review hydropower applications.

This bill brings certainty and timeliness to the licensing process by ensuring consultation with Federal, State, and local agencies and Indian Tribes, and it requires FERC to establish a process for setting the schedule for review. H.R. 3043 streamlines and improves procedures to identify scheduling issues, propose licensing conditions, and resolve disputes.

This bill also contains provisions to expedite the approval process for an amendment to a license for a qualifying hydrop project upgrade. Without the hydropower licensing improvements in this bill—without them—we risk losing investment opportunities in new hydropower infrastructure which would benefit consumers with affordable electricity and expand the use of clean, renewable energy.

Again, I thank my colleagues for their work, and the great staff, on this important piece of legislation.

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

House of Representatives, Committee on Energy and Commerce,

Hon. Greg Walden,
Chairman, Committee on Energy and Commerce, Washington, DC.

Dear Mr. Chairman: I write concerning H.R. 3043, the “Hydropower Policy Modernization Act of 2017.” This bill contains provisions within the jurisdiction of the Committee on Oversight and Government Reform. As a result of your having consulted with me concerning the provisions in that bill that fall within our Rule X jurisdiction, I agree to forgo consideration of the bill so the House floor.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 3043 at this time we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward for the remaining issues that fall within our Rule X jurisdiction. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would appreciate your response to this letter and your understanding and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,
Trey Gowdy.
Chairman, Committee on Oversight and Government Reform, Washington, DC.

Mr. Chairman, while Members on both sides of the aisle support hydropower, unfortunately, the bill before us today is deeply flawed and will not modernize or improve the hydropower licensing process. Instead, Mr. Chairman, H.R. 3043 would shift the venue for these licensing issues, one legislative hearing, and both subcommittee and full committee markups, where the bill was agreed to by a voice vote. Following the markups, bipartisan committee staff held more meetings to hear from over a dozen Tribal governments to gather additional views.

I think that the resulting bill strikes a careful balance. Changes were made to increase State and Tribal consultation requirements, and a very strong saving clause was added to protect States’ authorities under the Clean Water Act.

Hydropower is an essential component of an all-of-the-above energy strategy for our country. Hydropower is clean; it is renewable and affordable base load power. It is good for consumers’ electricity bills, and it is also good for jobs, which is why labor is strongly supportive of this legislation.

There is a tremendous opportunity to expand hydropower production on existing nonpowered dams. Less than 3 percent of the dams in the U.S., approximately 2,200 dams, produce electricity. So opportunities to improve the process for the projects that are due for relicensing. By 2030, over 400 existing projects, with almost 19,000 megawatts of capacity, will begin the relicensing process, and these projects, in fact, may be at risk.

Fixing the licensing process would also improve safety. Upgrading the performance of existing dams and utilizing existing nonpowered dams, canals, and conduits would enable investment in projects needed to address long-dormant dams and, yes, improve overall safety.

The duration, complexity, and uncertainty of the hydropower licensing process creates significant challenges that prevent investments that would create jobs and benefit consumers. The licensing process for a new hydropower development project can last over a decade and costs tens of millions of dollars—significantly longer than the time that it takes to construct a natural gas-fired power plant of the same size.

This legislation, H.R. 3043, would level the playing field by modernizing the permitting process without compromising environmental protections. The bill improves administrative efficiency, accountability, and transparency. It requires balanced, timely decisionmaking and reduces duplicative oversight from the multiple Federal agencies that review hydropower applications.

This bill brings certainty and timeliness to the licensing process by...
cause for licensing delays was due to incomplete applications that do not include all the pertinent information that is necessary to issue a decision.

Mr. Chairman, H.R. 3043 does nothing, absolutely nothing, to address this very, very serious issue. In fact, this bill will implement strict timelines on Federal resource agencies, States, and Tribes, but does not require applicants to submit all of their information to these agencies before the clock actually starts ticking.

Mr. Chairman, FERC, itself, the very agency that will be charged with implementing this grossly bad bill, FERC, itself, disputed claims that this bill would streamline the licensing process, noting that the legislation “could increase the complexity and the length of the licensing process.” These are FERC’s words, FERC’s words before the committee.

Mr. Chairman, we cannot allow hydropower facilities to claim a monopoly on our public waterways without mitigating the negative impacts of these facilities on others who rely on these resources and without, at the same time, without complying with modern environmental laws.

Mr. Chairman, is opposed by States, opposed by the Native Tribes, opposed by the outdoor recreation industry and by more than 150 national and local environmental organizations.

Mr. Chairman, it is for all of these reasons that I, too, stand in concert and side by side with Native Tribes, the outdoor recreation industry, and the other 150 national and local environmental organizations. It is for these reasons that I, too, must oppose this bill, and I urge all of my colleagues to do the same.

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

Mr. UPTON. Mr. Chairman, I yield such time as he may consume to the gentlewoman from Washington State (Mrs. McMorris Rodgers), the author of this legislation.

Mrs. McMorris Rodgers. Mr. Chairman, I appreciate all of the work that has gone into this legislation, and I rise in support and urge support of the Hydropower Policy Modernization Act of 2017.

Hydropower serves as the Nation’s largest source of clean, renewable, reliable, and affordable energy. In my home State of Washington, it is roughly 70 percent of our electricity that comes from hydropower. It is one of the reasons that we enjoy some of the lowest electricity rates in the country. Only 3 percent of the dams produce electricity, and there is room for tremendous potential to increase production of this renewable energy resource. In fact, we could double hydropower production and create an estimated 700,000 new jobs without building a single new dam. By updating the technology in our existing infrastructure and streamlining the relicensing process. But we must reduce the regulatory burden to allow this process to move forward.

This legislation seeks to streamline the relicensing process in an inclusive and environmentally friendly way. On average, it only takes 18 months to authorize or relicense a natural gas—18 months—but it can take up to 10 years or longer to license a new hydropower project or relicense an existing facility—10 years.

Right now, it is extremely costly and an uncertain process to relicense an existing dam or license a new dam. Investors are pursuing other base load sources of energy because of the current regulatory process. I want to encourage these investors so that we can support and expand renewable, carbon-free hydropower.

As I understand it, hydropower is well-supported by my colleagues, but many think we are tipping the scales in favor of this source.

First, I would like to define industry. We are hearing a lot about industry on the other side.

In eastern Washington, many of these dams are owned by small PUDs. The permits on all of the costs to the rate-payers. These costs are delivered to the people of eastern Washington and throughout the United States. These are not major corporations.

I have also heard that we are lowering environmental standards during the licensing process for Tribes and States. At the request of the Western Governors’ Association, we added language to clarify that nothing in this bill—nothing in this bill—will touch the Federal Water Pollution Control Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the Rivers and Harbors Appropriation Act, or the National Historic Preservation Act.

I have also heard that we did not allow Tribes and States to testify on this bill. I struggle with these comments. This bill has gone through regular order. We have held multiple hearings. We had the Standing Rock Sioux Tribe on one of the panels. It passed out of committee with a voice vote because concerns were raised from the Tribes, and we committed to sitting down and working with the Tribes to attempt to reach language. I am proud of our efforts in that regard, and I am greatly disappointed that, at the end of the day, the Tribes did not come to an agreement on the legislation.

Although we weren’t able to reach that resolution, we do protect the integrity of this legislation.

Licensed hydropower, but there is no excuse for a process to take 10 years. It is time to update the approval process and make hydropower production easier and less costly without sacrificing environmental review. That is exactly what the Hydropower Policy Modernization Act of 2017 will do.

Specifically, my legislation designates FERC as the lead agency for the purpose of coordinating all applications of Federal authorizations, and establishes coordinated procedures for the licensing of hydropower projects.

By designating FERC as the lead when coordinating with agencies, States, and Tribes, there will be added transparency and collaboration. This added certainty in the relicensing process will diminish the burden on resource agencies, help avoid unnecessary delays, and ultimately lower costs to my constituents.

My legislation also incentivizes capital-intensive projects like updating turbines or improving fish ladders. Right now, these upgrades are only included in the lifespan of a dam’s license during the relicensing window.

Included in the legislation is an early action provision requiring FERC to include all protection, mitigation, and enhancement measures during the relicensing process. In addition, the legislation allows the timely and efficient completion of relicensing by minimizing the duplication of studies and data on a regional or basin-wide scale. At the same time, industry has the option to help pay for studies and staff resources to speed up the process.

As a co-chair of the Northwest Energy Caucus, I recognize and I am excited about the tremendous potential hydropower brings not just to my district in eastern Washington, but to the country. By utilizing currently untapped resources and unleashing American ingenuity, hydropower production will lower energy costs and help create jobs.

This bill is not about changing outcomes or environmental laws. This bill is about speeding up the process and saving time and money.

Mr. Chair, I urge all of my colleagues to support clean American energy and to support the Hydropower Policy Modernization Act of 2017.

Mr. RUSH. Mr. Chair, I yield such time as he may consume to the gentleman from New Jersey (Mr. Pallone), from the State that made such a significant and giant step last night to making our Nation a better nation, the ranking member of the full committee.

Mr. PALLONE. Mr. Chair, I thank Mr. Rush, our ranking member of the subcommittee, for yielding.

Mr. Chair, I rise in strong opposition to H.R. 3043.

I support hydropower. It can deliver low-carbon, affordable power if it is well-sited and managed. But these facilities, which are licensed for 30 to 50 years, can do enormous harm to fisheries, agriculture, and recreational cultural resources if not properly overseen. The hydropower licensing process can be more efficient, but electric utilities should not be permitted to operate without license conditions that ensure other public interests are met.

As I look at H.R. 3043 and weigh it against the list of stakeholders with interests in the rivers and watersheds
that provide hydroelectric facilities their fuel. I see a bill that is unbalanced, regressive, and dangerous; that will harm farmers, fishermen, boaters, Tribes, and drinking water.

H.R. 3043 will allow private hydropower to use public water resources to generate power and profit, but without mitigating the negative impacts of their facilities on others who rely on our rivers, and without complying with modern environmental laws.

H.R. 3043, is a direct assault on States’ rights, Tribal rights, and it underrates major environmental laws, including the Clean Water Act, the National Environmental Policy Act, and the Endangered Species Act. It prioritizes the use of rivers for power generation above the needs of all other water uses, and it inserts the Federal Energy Regulatory Commission into decisions that it has no authority, experience, or expertise to make.

So this bill will not do is speed up the licensing process. FERC testified before our committee that one of the causes of delay in the licensing process was the failure of the applicant to provide a complete application, yet this bill fails to ensure that an applicant provides one. It makes no sense to impose a deadline if there is no clearly defined starting point in the form of a completed application.

How can a State make a decision on a water quality certificate if the applicant hasn’t submitted the information that State needs to make that decision?

While FERC requires applicants to submit a complete application on the matters over which it has direct responsibility, the Commission has many times denied a similar opportunity to State and Federal agencies with regard to matters where they have primacy. In fact, FERC has a history of merely consulting other stakeholders while dismissing their concerns and failing to incorporate minimal resource protections into hydropower licenses.

As an example, FERC recently failed to impose a number of conditions the State of West Virginia included in its water quality certificate for a project on the Monongahela River. FERC did this in spite of the fact that West Virginia acted in a timely manner. West Virginia acted in accordance with its law and delegated responsibility under the Clean Water Act.

Yesterday, I sent a letter with several of my colleagues to FERC expressing concern over the process it used on this project. This bill virtually ensures that type of situation will be repeated. Now, a project that is noncontroversial, supported by the State, is likely to be stalled by hearings and other possible litigation that could have been avoided.

Mr. Chair, the truth is that H.R. 3043 treats Federal agencies, State governments, and Indian Tribes as second class citizens in this process. FERC is required to consult with them, but consultation does not ensure they will get FERC’s support to fulfill their missions.

In this bill, all of the discipline is applied to government agencies, but none to the applicant. This is especially true in the case of license renewals. Any license that wants to avoid new investments or operating conditions can certainly do so because FERC will grant them automatic license renewal for as many years as they need.

Another reason why this bill will not expedite hydroelectric licenses is because, rather than streamlining the process, H.R. 3043 greatly expands litigation opportunities, something that will increase the expense and time required to award a license. It does this by providing for a biased, costly trial-type hearing process to secure decisions in the utility’s favor. FERC seeks to impose on a license to protect public interests. FERC warned that this change would increase the expense, complexity, and the length of licensing process—hardly the traits you would associate with streamlining. FERC Counsel of FERC advised the committee to either retain the existing trial-type hearing process or eliminate it altogether.

Well, that advice obviously fell on deaf ears because the bill puts the trial-type hearing process on steroids. In essence, the private hydro companies pick the venue, set the rules, and secure additional points in the licensing process to challenge conditions that FERC seeks to impose on a license to protect public interests. FERC warned that this change would increase the expense, complexity, and the length of licensing process—hardly the traits you would associate with streamlining.

Ultimately, the bill is a bad bill because it is bad for Native Americans; it is bad for the environment; it is bad for recreation; it is bad for farmers and agriculture; and H.R. 3043 is bad for States, that will now find it much harder to protect water quality and manage the waters within their boundaries.

Maybe that is why the bill is opposed by States, Tribes, the outdoor recreation industry, and more than 150 national and local environmental organizations.

Opponents of the bill include the Western Governors’ Association, the Southern States Governors’ Border, the National Congress of American Indians, the Environmental Council of the States, the Outdoor Alliance, the National Wildlife Federation, the American Rivers, Trout Unlimited, and the League of Conservation Voters, among many others.

Perhaps the ultimate condemnation comes from FERC, which, in testimony before our committee, disputed claims that the bill would streamline the licensing process, noting that the legislation “could increase the complexity and length of the licensing process.”

Hydropower facilities are using our most precious resource: water.

I don’t think it is too much to ask that facilities awarded long-term licenses and free fuel share the rivers with others.

Mr. Chair, I urge my colleagues to oppose the bill.

Mr. UPTON. Mr. Chair, I yield 1½ minutes to the gentleman from Virginia (Mr. GRIFFITHT), a member of the Energy and Commerce Committee.

Mr. GRIFFITH. Mr. Chair, hydropower is an essential component of an all-of-the-above energy strategy. We have a tremendous opportunity to expand renewable hydropower production. However, without some much-needed licensing improvements, we risk losing investment opportunities in new hydropower infrastructure. In particular, closed-loop pumped storage hydro projects offer the opportunity to store energy for use when it is needed. Yet, without the needed changes, the bill will harm farmers, fishermen, boaters, Tribes, and drinking water.

I am excited about the possibility some are exploring to build these facilities in abandoned mine lands. This renewable energy solution for power could be a real benefit to our coal field regions in central Appalachia in the form of jobs, economic development, and energy security. I am proud of what we are doing here in an effort to make this happen.

Industry and labor groups alike support H.R. 3043 because a modern regulatory framework for hydro is good for jobs and good for America. The following groups have written in support of the bill:

The American Council on Renewable Energy, the International Brotherhood of Boilermakers, the International Brotherhood of Electrical Workers, the International Federation of Professional and Technical Engineers, and many others.

Mr. Chair, I urge my colleagues to oppose the bill.
look to preserve and protect our existing hydropower system and promote new expansion opportunities.

H.R. 3043 provides a framework that adds accountability, transparency, eliminates inefficiencies and redundancies, and unlocks innovation and advancements in technology and operations, while protecting environmental values, public participation, and existing authorities of federal and state decision-makers in the licensing process

The current regulatory environment is plugging States' rights at risk. The licensing process can result in both new and existing projects taking up to ten years or longer to receive their approvals. This not only creates uncertainty for project owners and developers alike, but burdens electricity customers with additional unnecessary costs and only delays important environmental measures that the industry, resource agencies, and the environmental community agreed upon during the licensing process and want to see deployed.

Additionally, the fleet of almost 2,200 hydropower projects across the country supports approximately 118,000 ongoing full-time equivalent jobs in operations and maintenance and 25,000 jobs in construction and upgrades. By maintaining our existing fleet and supporting growth in the sector, the hydropower industry could support close to 200,000 jobs. Further local economic development in other industries is also spurred due to access to affordable electricity from hydropower projects. However, we will not realize the full measure of these jobs and economic opportunities without improvements to the licensing process.

We believe H.R. 3043 is a moderate proposal developed with bipartisan input and, as such, deserves strong support by both Republicans and Democrats. Please contact any of our organizations for additional information or assistance on this bill.

Sincerely,

The American Council on Renewable Energy (ACORE), American Public Power Association (APPA), Business Council for Sustainable Energy (BCSE), Edison Electric Institute (EEI), International Brotherhood of Boilermakers (Boilermakers), International Brotherhood of Electrical Workers (IBEW), International Brotherhood of Teamsters, Professional & Technical Engineers, the International Federation of Professional & Technical Engineers (IFPTE), Large Public Power Council (LPCC), Laborers’ International Union of North America (LiUNA), National Electrical Contractors Association (NECA), National Hydropower Association (NHA), National Rural Electric Cooperative Association (NRECA), North America Building Trades Council (NABTU), United Brotherhood of Carpenters and Joiners of America (Carpenters).

Mr. UPTON. Mr. Chair, can I inquire as to how much time is remaining on both sides of the aisle?

The Acting CHAIR (Mr. ROGERS of Kentucky). The gentleman from Michigan has 17 minutes remaining, and the gentleman from Illinois has 16 minutes remaining.

Mr. RUSH. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), a very important member of the committee.

Mr. SARBANES. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chair. I rise in opposition to the Hydropower Modernization Act of 2017 because it weakens States’ rights to protect their own water quality.

Under the Clean Water Act, States have the right to protect their water by setting water quality conditions on hydropower licenses. This bill would constrain that authority, forcing States to issue rushed conditions using incomplete scientific data, or survival conditions that are not justified by conditions at all. In short, the choice that States have to protect their water and their people is to either do it poorly or not at all.

We had a fix for this. We had an amendment to H.R. 3043, but it was not made in order. It would have preserved the critical role States play in protecting local water quality by exempting their rights under the Clean Water Act from the bill.

For Marylanders in my State, this issue is bipartisan and hits close to home. FERC is currently considering the relicensing of a hydroelectric dam on the Susquehanna River. The Susquehanna provides 50 percent of all of the freshwater that flows into Chesapeake Bay, making it a critical driver of the Bay’s water quality. Any new FERC license will need to have conditions that protect the Susquehanna and the Bay from the sediment and nutrient pollution built up behind the dam. That is why even some Republicans in our State, the secretary of the environment, and secretary of natural resources sent a letter urging Congress to strike the provisions in this bill that would limit Maryland’s ability to set water quality standards.

I am disappointed that my colleagues on the other side of the aisle in this body, who so often remark on the importance of protecting States’ rights from usurping Federal agencies, have refused to protect States by bringing this critical amendment to the floor.

Mr. Chair, I urge all of my colleagues to oppose H.R. 3043.
Mr. TONKO. Mr. Chairman, I thank the ranking member of our subcommittee, the gentleman from Illinois, for his leadership and hard work on the subcommittee and for yielding me this time.

Mr. Chairman, I want to express a few concerns with the bill before us. But first, let me say that I support hydropower and believe it must be maintained as an important part of our generation mix.

Hydropower is an excellent source of reliable, zero-emissions electricity generation. In order to address climate change and increase clean energy production, it is, indeed, critical that we make licensing and relicensing of these projects feasible.

This is an important issue for my home State of New York. Hydropower resources produce 19 percent of New York State’s total electricity generation in 2016. The average age of New York’s hydropower facilities is over 50 years old, and many projects are expected to go through the relicensing process in the next 15 years.

I want to reiterate that Members on both sides of the aisle want to see these projects developed within reasonable timelines, and the current process is expected to make relicensing more difficult.

The process that produced this bill was flawed from the beginning. The committee failed to hold a hearing to understand the concerns of State and Tribal governments and environmental stakeholders.

The bill enables FERC to set a schedule that limits State and Tribal governments and other Federal agencies from having the time to fully consider and, yes, set conditions on license applications.

An enforceable FERC schedule, outside the control of these agencies, may create a perverse incentive for applicants to slow-walk their responses to information requests from other agencies and State governments, effectively running out the clock and preventing conditions from being required on the application.

Our water resources are precious. Different stakeholders have a variety of expectations and demands—power generation, recreation, wildlife and fish habitat, drinking water, and agricultural needs. Managing these resources effectively is about balancing those often-competing interests.

The Democratic alternative addresses the schedule concern by allowing stakeholders to be involved in the creation of the schedule-setting process. But I also believe FERC has some of the necessary tools already in the underutilized Integrated Licensing Process which encourages all stakeholders to engage in a robust, information sharing process up front.

Now, finally, to set the record straight, I listened intently as the gentlewoman from Washington State, the ranking member of the committee, made the case that the Standing Rock Sioux were, indeed, represented at hearings, that they had a witness at the FERC hearings. They were there to discuss pipelines and not hydro.

Mr. Chairman, I am opposing this bill today, but I hope we can move forward with a truly bipartisan process in the future to improve the licensing process while respecting the needs of all stakeholders.

Mr. RUSH. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Mr. LAMM), who is a member of the Natural Resources and Armed Services Committees, to speak in support of the bill.

Mr. LAMM. Mr. Chairman, I rise today in support of H.R. 3043, the Hydropower Policy Modernization Act of 2017, sponsored by the gentlewoman from the State of Washington (Mrs. McMorris Rodgers).

This bill simply intends to bring hydropower into the 21st century by improving efficiency, accountability, and transparency within the Federal Energy Regulatory Commission and also reducing Federal duplication.

Hydropower is a reliable and emissions-free source of electricity that accounts for much of the Nation’s total renewable electricity generation. In fact, only 3 percent of existing dams in the United States produce hydroelectricity. This illustrates the vast opportunity in this country for new hydropower generation.

In the Water, Power, and Oceans Subcommittee of the Natural Resources Committee which I chair, we have spent much of this Congress crafting and advancing legislation to capitalize on these opportunities. Legislation such as my bill, the Bureau of Reclamation Pumped Storage Hydropower Development Act, is intended to promote pumped storage hydropower development at existing reclamation facilities. Mrs. McMorris Rodgers’ bill in front of us today goes hand in hand with those efforts.

Even our friends across the aisle agree with me to promote hydropower development. At a May oversight hearing in my subcommittee on the challenges facing hydropower, committee Democrats helpfully suggested that we should find ways to retrofit all nonpowered Federal facilities with hydropower. We should all agree that improving the permitting and approval process for these facilities would be the easiest way to achieve this goal.

Mr. Chairman, I want to thank Congresswoman McMorris Rodgers again for sponsoring this critical piece of legislation. She has been and continues to be a champion supporter of hydropower. Just last month, my subcommittee considered another bill authored by the Congresswoman—H.R. 3144—that looks to provide certainty and reliability to several Federal hydropower projects producing electricity in the Federal Columbia River Power System that have been mired in third-party litigation, questionable and expensive judicial edicts, and onerous Federal regulations.

Mr. FUGATE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, I rise today in strong support of H.R. 3043 from Representative McMorris Rodgers, the Hydropower Policy Modernization Act of 2017.

Western States have fought over scarce water supplies. We even have an expression in the West that says: Whiskey is for drinking and water is for fighting over.

Water scarcity in the West led our visionary forefathers to build Federal water storage projects throughout the West to provide water, hydropower, recreation, flood control, and environmental benefits while adhering to States’ water rights.

These were nonpartisan endeavors, as evidenced by President John F. Kennedy dedicating the San Luis Dam in California. While the Central Arizona Project came after President Kennedy,
it continues to bring prosperity to Arizona’s cities, Tribal communities, ranches, and farms almost 50 years after its inception.

The Glen Canyon Dam and other projects affiliated with the Colorado River Storage Project provided the backbone of a regional economy that has produced year-round and emissions-free hydropower.

H.R. 3043 streamlines the permitting process and encourages the expansion of hydropower generation by establishing a single lead coordinating agency, the Federal Energy Regulatory Commission, FERC, in order to facilitate in a timelier manner all hydropower authorizations, approvals, and requirements mandated by Federal law.

This bill will also dramatically decrease costs to relicense non-Federal dams, a huge win for the West.

Presently, FERC exercises jurisdiction over 1,600 non-Federal hydropower projects and more than 2,500 dams under the Federal Power Act.

According to FERC, the relicensing workload is increasing dramatically. Between FY 2017 and FY 2030, roughly 480 projects amounting to 45 percent of FERC-licensed projects will begin the relicensing process.

Rural co-ops, power companies, and other stakeholders in the West need a clear process without the bureaucracy. Let’s get bureaucracy out of the way and pass H.R. 3043 so we have a clear process without the bureaucracy.

Mr. Chairman, I thank the gentlewoman from California for the sponsorship of this much-needed legislation, and I urge my colleagues to go forward with pursuing worthwhile hydropower projects.

Mr. RUSH. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Chairman, I yield in strong opposition to H.R. 3043, the Hydropower Modernization Act, which undercut Federal-Tribal treaty and trust obligations. In fact, parts of this bill specifically eliminate protection for Tribes and ensure that dams and other hydropower projects do not harm Tribal fisheries, livelihoods, or violate treaty rights.

This is unacceptable. Not only does this undermine Tribal sovereignty, but it flies in the face of our moral and legal obligation to protect Tribal treaty, land, and resources under the Federal trust responsibility.

I am especially disappointed that the majority had the opportunity to fix this issue, yet walked away from the table. Even though I brought this up as an issue to fix in committee, the majority moved forward for pursuing worthwhile hydropower projects.

Mr. RUSH. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chair, I yield to the gentleman from California an additional 30 seconds.

Mr. DENHAM. Mr. Chair, this legislation is not going to solve all of our problems for California’s Central Valley, but it will help us with the challenges we are facing with relicensing.

We can do things better, we can do things more efficiently, and we can actually bring water delivery to the people who need it most. It starts with FERC relicensing and changing the process to a much more transparent and efficient process. This bill deserves a “yes” vote, which will help us through that process.

Mr. RUSH. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I thank the gentleman from Illinois for yielding.

Mr. Chair, I rise in support of H.R. 3043, the Hydropower Policy Modernization Act.

Mr. Chair, I believe, and I think others do as well who have had experiences within their constituencies, within their congressional districts, that the hydro relicensing process is plainly broken, plain and simple.

I will share a couple of real-life examples of why this legislation is needed, and why it is needed now. They both provide energy in my district for the people in the San Joaquin Valley, for households, for farmers, and for people in the valley, and they are the same two examples that Congressman DENHAM spoke of a moment ago.

The Turlock and Modesto Irrigation Districts have worked through the relicensing process in good faith for more than 60 years.

Mr. RUSH. Mr. Chair, I rise in support of H.R. 3043, the Hydropower Modernization Act.

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Mr. Chair, I believe, and I think others do as well who have had experiences within their constituencies, within their congressional districts, that the hydro relicensing process is plainly broken, plain and simple.

I will share a couple of real-life examples of why this legislation is needed, and why it is needed now. They both provide energy in my district for the people in the San Joaquin Valley, for households, for farmers, and for people in the valley, and they are the same two examples that Congressman DENHAM spoke of a moment ago.

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The Turlock and Modesto Irrigation Districts have worked through the relicensing process in good faith for more than 60 years.
Mr. RUSH. Mr. Chair, may I inquire as to how much time is remaining on both sides.

The Acting CHAIR. The gentleman from Illinois has 5 minutes remaining.

Mr. LAMALFA. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this commonsense hydropower streamlining process for modernizing the way we permit in order to bolster the process for over 400 existing hydropower projects in the United States. It is very important in my area as well. Hydropower is clean, reliable, and renewable power 24 hours a day, unlike other renewable power sources which fluctuate with time of day, weather, sun or wind, or lack thereof.

California has a long history of hydropower generation. In 2014, California produced over 730 megawatts of electricity from hydropower facilities—again, clean, renewable, and reliable. You turn on the switch, hydroelectric power.

My district in northern California is home to the largest facilities in the country: Oroville Dam and Shasta Dam. Each of these facilities delivers cost-efficient power, provides flood control, and generates significant local economic activity for the community via stored water and recreation.

With local input, which is very important, we need to address the streamlining of this process and expanding renewable hydropower production in this country to pave the way for new jobs and affordable power to consumers everywhere.

Relicensing permits ought not be a wish list for every special interest, but, indeed, on measures of the power that can be generated.

Mr. Chairman, I appreciate the time, and I wholeheartedly support and urge this House to support H.R. 3043.

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

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. GIANFORTE).

Mr. GIANFORTE. Mr. Chair, I rise to join my colleagues in supporting the Hydropower Policy Modernization Act.

Nearly one-third of the electricity generated in Montana comes from hydropower. The Libby, Hungry Horse, and Noxon Rapids projects each have the generating capacity of more than 400 megawatts. There are dozens more smaller hydropower facilities in Montana, from Thompson Falls to those around Reclamation to Talbot and Fort Peck and Yellowtail.

This legislation will ensure that existing projects will have timely relicensing and enhance consultation between Federal, State, local agencies, and our Indian Tribes. It will also help provide certainty for new projects.

I know, in my home State, there are proposals to electrify existing flood control structures, like the Gibson Dam, that face ongoing licensing issues. I have introduced legislation to address that particular one.

This bill is a step in the right direction for our nation and, I am happy to support it.

Mr. RUSH. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I include in the RECORD letters from Confederated Tribes and Bands of the Yakama Nation, Puyallup Tribe of Indians, Snoqualmie Tribe, Skokomish Indian Tribe, and a copy of the resolution passed in October 2017 by The National Congress of American Indians opposing the proposed amendments to the Federal Power Act.

CONFEDERATED TRIBES AND BANDS OF THE YAKAMA NATION,

Re Hydro legislation still bad for Indian Tribes, States and Users of Public Waterways.

Hon. Paul Ryan, Speaker,
Hon. Nancy Pelosi, Minority Leader,
Honorable Members of the House of Representatives,
Washington, DC.

Dear Speaker Ryan, Minority Leader Pelosi and Honorable Members of Congress:

Yesterday, when the Rules Committee discussed HR 3043, the Hydropower Policy Modernization Act of 2017, a number of members of the committee including Chairman Sean Maloney, Congresswoman Tuley McSween, Congressman McGovern, Congresswoman Cheney as well as the Chairman Walden and Ranking Subcommittee Member Rush (who were testifying), all stressed the importance of ensuring that Indian tribes have their treaty rights and natural resources protected by any actions of the Congress relative to hydropower reform.

We greatly appreciate the concerns of these members and the amount of time the tribes spend on relicensing. I think many of them were aware of the degree to which the placement of dams has negatively affected a number of reservations, tribal salmon runs at others. While there was universal agreement that the rights of tribes and states must be protected, there was not agreement on whether HR 3043 accomplishes that laudable intent. I must tell you that the bill does not do so.

First, understand what the Federal Power Act (FPA) now says.

Under provisions that have been in effect for decades, state governments, pursuant to the Clean Water Act, for years have set water quality standards at hydro dams. Such conditions are mandatory. Allowing states to establish water quality standards, a key aspect of HR 3043, would undermine the Clean Water Act’s authority to FERC. Under the bill, FERC and its ALJs have no expertise relative to Indian treaty rights or the Federal Land Policy and Management Act among other environmental statutes.

Yesterday we heard this process will expedite relicensing but if that is the goal then why not make it complete when an application for a license is complete? Tribes repeatedly asked the hydropower industry to clarify that matter in the bill but they were denied. Why? Existing hydropower dam licenses were issued decades ago before any environmental statutes were on the books and many of those dams are fish killers.

Under the present law, when a relicensing permit expires the operator can automatically get an annual extension allowing it to operate under 30–50 year old standards. These extensions are essentially the norm, not the exception, because there are no rules requiring the operator not having to spend any money to mitigate the damage to fish or other resources.

This is more than ironic considering that the hydropower industry is telling Congress that they need the legislation to ensure certainty and time frames in the relicensing process. Additionally, the bill is drafted in such a fashion that FERC can set schedules that are so abbreviated that Tribes, Cabinet Secretaries or States who wish to comment and perhaps undertake a fishery study when necessary may not have the time to properly prepare suggested or mandatory operating conditions. It is noteworthy that FERC told the Committee that they don’t see the legislation actually streamlining the relicensing process. Also, we checked today and could find no tribes in support of this bill.
MEMBER PALLONE: I write to express the Re Hydropower Policy Modernization Act, AINS. Without such changes it is highly un- dute the hydro licensing process by bringing mittee. A key part is the requirement for a nego- receive from states and tribes who took the time to relay views and concerns to the Com- mittee. A key part is the requirement for a nego- dicate the hydro licensing process by bringing in states, local governments, stakeholders and tribes to FERC to develop a process that will allow the input of the public to make decisions on hy- drite applications within a maximum of three years. We urge you to vote for the AINS. Without such changes it is highly un- likely that it will pass the Senate. Thank you for considering our views.

Sincerely,
 JODE L. GOUDY, Tribal Council Chairman.

PuYALLUP TRIBE OF INDIANS,
Tacoma, WA, August 9, 2017.
Re Hydropower Policy Modernization Act, H.R. 3043.

Hon. Greg Walden,
Chairman, Energy and Commerce Committee, Washington, DC.

Dear Mr. Chairman and Ranking Member Palone, I write to express the Puylallup Tribe’s strong objections to the amendments to the Federal Power Act that are now being considered as part of the Hy- drite Policy Modernization Act, H.R. 3043.

First, the bill would give FERC, an agency with no relevant expertise or capacity, the responsibility for determining the acceptability of environmental review that Interior, Com- merce, States and even Tribes should under- take.

Second, H.R. 3043 would upset the important balance that now exists under federal law and let FERC set the timeline on case-by-case basis for agencies to issue mandatory 4(e) conditions and other requirements, including Section 18 (fishways) and Clean Water Act permits. The study of hy- drite projects is a complicated process that must consider the impact of a project on watersheds and numerous species of fish and wildlife before giving operators 30-year licenses that protect them from future lawsuits. It takes time to do the necessary studies to determine what conditions of hy- drite projects are needed to protect these resources not only for the current generation but for future generations. We urge you to consider methods that protect these resources.

We urge you to support the amendments to the Federal Power Act that are now being considered as part of the Hy- drite Policy Modernization Act, H.R. 3043. We urge you to continue to work with Tribes and other stakeholders to improve the hydropower permitting process for all inter- ests and not simply for the industry.

Sincerely,
 BILL STERUD,
Chairman, Puylallup Tribal Council.

SNOQUALMIE TRIBE,

Hon. Greg Walden,
Chairman, Committee on Energy and Commerce, Washington, DC.

Hon. Frank Palone, Jr.,
Ranking Member, Committee on Energy and Commerce, Washington, DC.

Dear Chairman Walden and Ranking Member Palone, On behalf of the Snoqualmie Indian Tribe, we write to express our continued concerns regarding proposed changes to the federal hydropower licensing approval process. The proposed changes would abrogate the federal government’s overarching trust responsibility to Indian tribes and its ability to uphold tribal treaty rights. Our Tribe is particularly concerned that current legislative reform efforts to consolidate hydropower approval authority within the Federal Energy Regulatory Com- mission (FERC) unduly favor the interests of private industry at the expense of tribes, local and state governments, natural re- sources, and local citizens. As a tribe, we urge you to ensure that any hydropower policy that emerges out of the committee strengthens Tribes’ ability to give input on hydropower decisions.

The Snoqualmie Tribe is adamantly op- posed to legislative reforms that seek to undermine current mechanisms that en- sure adequate consultation of the effects of hydropower projects. We urge you to consider methods that protect these resources.

SNOQUALMIE TRIBAL COUNCIL.

SKOKOMISH INDIAN TRIBE,
Re Proposed Amendments to the Federal Power Act.

Hon. Fred Upton,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

Hon. Frank Palone, Jr.,
Ranking Member, Committee on Energy and Commerce, House of Representatives, Wash- ington, DC.

Dear Chairman Upton and Ranking Mem- ber Palone, I write to again express the Snoqualmie Indian Tribe’s strong opposition to the amendments to the Federal Power Act that are now being considered by the House Energy and Commerce Committee.

The bill, as approved by the Committee, would represent one of the most significant roll backs of the federal trust responsibility since termination. For more than ninety years, the Federal Power Act directed Interior and other land manage- ment agencies to impose conditions on hy- drite projects to protect federal lands including national forests, national parks, and Treaty protected resources. However, in the last forty years, the federal land manage- ment agencies largely ignored this responsi- bility. As a consequence, we brought an action to the Skokomish Tribe, our Reservation and our resources paid a very high price.

The Snoqualmie Tribe is a signatory to the Treaty of Point Elliott of 1855, the fed- eral government has an enforceable fiduciary obligation to act as trustee on the Tribe’s behalf. Treaty significance to our people is Snoqualmie Falls, a 268-foot waterfall that is the place of our creation history and our most sacred site. The Falls are an essential part of our cultural and religious practices where we pray, conduct sacred ceremonies, and traditionally buried our dead. Our Tribe is all too familiar with the negative impacts of inadequately planned hydropower dams on our culture, lands, and very way of life. For more than 100 years, Snoqualmie Falls has been harnessed by the diversion of its water for a hydroelectric project. This signific- antly reduces the strong flow of water and the mists coming from the Falls. Without these, our religious practices are severely limited and we cannot fully engage in our cultural heritage.

The current draft hydropower reform legis- lation does not appropriately balance vari- ous stakeholders’ interests and instead, prioritizes private industry interests above the federal governments’ responsibility as trustee to Tribes. Accordingly, we urge the Committee to ensure that legislation passed out of the Committee strengthens Tribes’ ability to give input on hydropower decisions.

Thank you for your consideration on this very important religious and cultural issue to our Tribe. We look forward to working with the Committee to ensure any hydropower reform efforts are suitably tailored to uphold the federal government’s trust re- sponsibility to Indian peoples and protect tribal treaty rights.

Sincerely,
 SNOQUALMIE TRIBAL COUNCIL.
Our story is but one of many across Indian country. In the 1920s, the Skokomish Tribe fought so hard for, and will let FERC know why Congress would want to change this...
Mr. Chair, hydropower projects, a number of which were designed and built over the objections of Tribes, resulted in devastating losses of Tribal lands and fisheries.

We can and must do better. Hydropower projects can be designed, upgraded, and operated in a way that reduces the environmental costs and preserves other important uses of the river.

Current law and current regulations already provide for consultation with Tribes. In fact, under the integrated relicensing process, applicants are required to consult with Tribes 5 years before the current license expires if they plan to seek a renewed license.

The integrated license process was designed specifically for the more complex, controversial hydropower projects, either new projects or relicensing of existing projects.

Mr. Chair, many applicants, however, request and are allowed to pursue their license under the traditional license process which includes less opportunity for consultation. FERC should be denying some of these requests, but each and every one of them are granted by FERC.

When this happens, controversial projects run into predictable problems that bog down the license process. This is an administrative change that FERC could make that would require no new legislation and would improve the license process.

Mr. Chair, this bill does nothing—absolutely nothing—to speed up this problem or fix the process that we have been discussing.

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

Mr. UPTON. Mr. Chair, I yield myself such time as I may consume. I don’t intend to use all the time that is remaining. I just want to make a couple of points to my colleagues as we close debate on the general debate on this bill. This is, simply, a new bill. A lot of us in this body on both sides support an all-electric licensing by FERC.

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

Mr. COLE. Mr. Chair, I rise today in opposition to H.R. 3043, the Hydropower Policy Modernization Act of 2017. However, I would like to point out the positive outcomes this bill would provide to the Hydroelectric industry. This bill would improve the administrative efficiency, accountability and transparency in the process of expanding hydropower generation. It would bring certainty and timeliness to the licensing process, that right now takes decades to move through. This bill would require other federal agencies to submit earlier any foreseeable issues that would prolong the licensing process, instead of waiting until the last hour as they are able to today.

With that said, H.R. 3043 falls short in its treatment of tribal communities. I believe the proponents of this bill have worked in the best interest of Indian Country, but have unfortunately fallen short. First, this bill would overturn the D.C. Circuit Court of Appeals decision in Tacoma v. Federal Energy Regulatory Commission (FERC) that held that the Department of the Interior has the mandatory authority to require water-related environmental reviews for projects on federal Indian reservations under the Federal Power Act. Also, that FERC has no authority to reject these conditions because the Interior Department did not meet FERC’s schedule. H.R. 3043 would overturn this decision by allowing FERC to put a clock on other Federal agencies and force them to accommodate their schedule. For example, if the Interior Department misses the deadline then Tribal interests cannot be considered again until the next relicensing opportunity. Only at least 40 years later.

H.R. 3043 does nothing to strengthen the tribal voice in the process and truncates our trustee agencies’ responsibility. This bill would allow FERC to make the determination as to the scope of environmental review for 4(e) licenses which the current law is already required to give deference to. Hydropower projects affect entire watersheds, which in turn impact Indian reservations in ways that FERC and the hydropower industry have fought to deny. However, in Tacoma v. FERC, the Court was again clear that if a project is on Indian lands, Interior alone gets to determine what conditions, and by necessity the environmental review, that are necessary to protect the Indian Reservation.

H.R. 3043 would require Interior to balance energy generating interests against the AGENCY’s trust responsibility to protect Indian Reservations. Currently, under the Federal Power Act, Interior’s only interest is developing conditions to protect federal Indian Reservations, which, frankly, should only be their interests in line with the Bureau of Indian Affairs, and not the Department of Energy.

Finally, H.R. 3043 would overturn the Supreme Court’s decision in Escondido v. FERC, 466 U.S. 765 (1984) and give FERC the authority to make a determination that a 4(e) license is consistent with the Federal Power Act. This is unprecedented change in the Federal Power Act, which will undermine the federal trustee agency’s ability to protect Indian lands and resources.

There is nothing in the bill that improves the FERC relicensing in regards to tribes and, frankly, would severely undermine tribal governments and Interior Department’s ability to protect tribal and trust resources.

Mr. RUSH. Mr. Chair, I include in the RECORD letters from: Vermont Agency of Natural Resources, California State Water Resources Control Board, Western Governors’ Association, State of Washington Department of Ecology, Environmental Council of the States, and Association of State Wetland Managers.

STATE OF VERMONT,
AGENCY OF NATURAL RESOURCES,
Montpelier, VT, September 12, 2017.


HON. PAUL RYAN, Speaker, House of Representatives, Washington, DC.
HON. NANCY PELOSI, Minority Leader, House of Representatives, Washington, DC.

Dear Speaker Ryan and Minority Leader Pelosi: The Vermont Agency of Natural Resources (VTANR) would like to express strong concerns over the proposed Hydropower Policy Modernization Act of 2017, H.R. 3043. While VTANR supports efforts to improve and streamline current hydroelectric licensing processes, the Agency strongly opposes legislative efforts to diminish States’ ability to protect water. All provisions of H.R. 3043 would be detrimental to the State authority under Section 401 of the

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federal Clean Water Act, effectively con-
straining State agencies’ ability to use their
independent authority to set license condi-
tions, making it more difficult to protect
natural resources.
VTANR strenuously opposes provisions of H.R. 3043 that eliminate or reduce States’
degreed authority under Section 401 of the
federal Clean Water Act to develop manda-
tory licensing conditions protective of
natural resources. State agencies serve an
essential role in the U.S. Environmental Prote-
ration Act (FERC) licensing process for
hydroelectric facilities. H.R. 3043 would
de designate FERC as the lead agency over fed-
eral authorization of hydroelectric projects for a license, license amendment,
or exemptions. As the lead agency, FERC
would establish and control the timing of reviews and schedules for
hydroelectric projects. H.R. 3043 appears
to give FERC the authority to create a
schedule reducing the time a State would
have to get necessary scientific studies com-
pleted and reviewed to determine specific
conditions needed to protect water quality, as required under Section 401 of the federal
Clean Water Act. This would effectively cir-
rently between the State and the federal
level, elevating the dispute to the secretary overseeing the federal statute. In the case of the federal Clean
Water Act, H.R. 3043 appears to allow FERC
to negotiate with the Administrator of the
Environmental Protection Agency or Sec-
retary of Army, who are responsible for
federal water quality certification. FERC
could circumvent state regulations during the
licensing process to allow them to operate in a
manner that would continue to degrade the
environment and resources of the State.
VTANR recognizes the importance of
hydropower generation in meeting renewable
energy goals. We urge you to consider how
the federal process can be improved without
undermining the balances that have helped
generate clean energy be viewed as a sustain-
able and renewable energy source.
We appreciate your consideration of these
comments on H.R. 3043 and look forward
to solutions that improve our energy security
and infrastructure while protecting the envi-
rnment.
Sincerely,
JULIA S. MOORE, P.E.,
Secretary.
CALIFORNIA STATE
WATER RESOURCES CONTROL BOARD,
HON. GREG WALDEN,
Chairman, Committee on Energy and
Commerce, House of Representatives, Wash-
ington, DC.
HON. FRANK PALLONE,
Ranking Member, Committee on Energy
and Commerce, House of Representa-
tives, Washington, DC.
DEAR CHAIRMAN WALDEN AND RANKING
MEMBER PALLONE:
COMMENTS IN OPPOSITION TO PROVISIONS
OF HOUSE OF REPRESENTATIVES DISCUSSION
DRAFTS: (1) HYDROPOWER POLICY MODERNIZA-
or Act of 2017; (2) Promoting Closed-Loop,
Pumped Storage Hydropower Act; and (3)
Promoting Hydropower Development at
Existing Non-Powered Dams Act
The California State Water Resources
Control Board (State Water Board) would like to
express its concerns with the following
House of Representatives Legislative Discus-
sion Drafts: (1) Hydropower Policy Mod-
erization Act of 2017; (2) Promoting
Closed-Loop Pumped Storage Hydropower Act;
and (3) Promoting Hydropower Development at
Existing Non-Powered Dams Act (collect-
evively Hydropower Discussion Drafts). While
the State Water Board supports the goals of
energy infrastructure modernization, it op-
poses several provisions because the
Hydropower Discussion Drafts would
reduce or eliminate essential protections for
California’s natural resources.
The Hydropower Discussion Drafts would
seriously impact the mandatory condi-
tions of the State Water Board under
Section 401 of the Clean Water Act, as
well as State and federal agencies’ ability
to exercise that authority. Consistent with Con-
gress’ usual respect for state rights in this
area, this structure must be protected. The
Hydropower Discussion Drafts inappropri-
ate place limitations on state rights in this
area by placing Section 401 of the Clean
Water Act in the definition of Federal Au-
thorization and under the Commission’s ju-
risdiction.
The State Water Board recognizes the im-
portance of hydropower as a clean energy
source that helps provide grid reliability and
supports the goal of governmental agencies,
in the Commission’s licensing of hydropower
projects. To promote such efficiencies, in
2013, the State Water Board entered into a
memorandum of understanding with the
Commission to coordinate pre-application
procedures and schedules between the two
agencies. Since implementation, the memo-
randum of understanding has improved co-
dordination between the State Water Board
and the Commission, and is beginning to
streamline portions of the licensing process.
The State Water Board acknowledges that it
has a pending backlog of water quality cer-
tification applications, due in part to Cali-
ifornia’s recent drought, and we are com-
mitted to acting upon these applications as
expeditiously as possible. The State Water
Board opposes provisions of the Hydropower
Discussion Drafts because they may result in
harm to California’s water quality and asso-
ciated beneficial uses, public lands, and
fish and wildlife by removing key state and fed-
eral authorities designed to protect the envi-
rnoment and the public enjoyment of the
environment. Specific comments and concerns
are provided in Attachment B for ease of ref-
cence in reviewing the State Water Board’s
comments.
I appreciate your consideration of these
comments and look forward to solutions that
improve our energy security and infrastruc-
ure while protecting the environment.
Sincerely,
FELICIA MARCUS,
Chair.
WESTERN GOVERNORS’ ASSOCIATION,
May 1, 2017.
HON. GREG WALDEN,
Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.
HON. FRANK J. PALLONE,
Ranking Member, Committee on Energy and
Commerce, House of Representa-
tives, Washington, DC.
DEAR CHAIRMAN WALDEN AND RANKING
MEMBER PALLONE:
We appreciate your consideration of these
comments.

As noted in this letter, the State Water
Board is particularly concerned about provi-
sions of the Hydropower Discussion Drafts
that would undermine states’ authorities
under Section 401 of the Clean Water Act. As
such, the Commission should adopt the
statement of purpose and clarify that
there has been a “consistent thread of pur-
poseful and continued deference to state
authorities granted under Section 401 of the
Clean Water Act. As such, the Commission
should limit the State Water Board and federal
agencies’ ability to exercise that authority.

Sincerely,
FELICIA MARCUS,
Chair.
Northwest is the nation’s largest hydro-power-producing region. Western Governors support improving the efficiency of existing hydropower systems and increasing the amount of electricity generated from operational water, particularly from retrofitted, or relicensed hydroelectric facilities.

States are vested with primary authority to manage water within their borders, and they have the authority to develop, use, control and distribute water resources within their boundaries. The language in Section 34 of the proposed Hydropower Policy Modernization Act of 2017 (H.R. 3043) should be rephrased to address or imply that states’ primary authority over the allocation and administration of their water resources.

Western Governors are concerned about provisions in Section 34, “Hydropower Licensing and Process Improvement” of the proposed Hydropower Policy Modernization Act of 2017 (H.R. 3043). The language included in the published discussion draft of this proposal are identical to language in Subtitle B, “Hydropower Regulatory Modernization” of the proposed Northwest Energy and National Security Act of 2015 (H.R. 8).

On March 3, 2016, Governor Steve Bullock and Governor Dennis Daugaard provided correspondence (attached) to the Committee, expressing the Western Governors’ concerns over the language in the proposed H.R. 8, which would have designated the Federal Energy Regulatory Commission (FERC) as lead agency for all hydropower authorizations. Additional commenters, including federal agencies, state agencies in the region, and stakeholders in the hydropower industry explained that the language, if adopted, would turn over all hydropower licensing authorities are in no way usurped by FERC jurisdiction. Thank you for your attention to this important matter.

Sincerely,

JAMES D. OGSBURY, Executive Director.

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,


Hon. FRANK PALLONE, JR.,
Chairman, House Energy and Commerce, Washington, DC.
Hon. GREG WALDEN,
Chairman, House Natural Resources, Washington, DC.

DEAR CHAIRMAN WALDEN AND RANKING MEMBER PALLONE: I am writing to express my concerns with the Hydropower Regulatory Modernization Act of 2017, H.R. 3043, which would amend the Federal Power Act to modify certain requirements. The Washington Department of Ecology (Ecology) supports the ostensible intent of this bill to gain efficiency in the licensing of hydropower projects. But we also have serious concerns about the certainty and timeliness of the hydropower licensing process. The timelines and permits that state agencies have to complete the licensing process could undermine states’ independent authority provided by Section 401 of the Clean Water Act (CWA §401) to establish license conditions that protect water quality.

Our residents and tribes harvest salmon from the Columbia River, and our farmers grow hops in the Yakima River basin. They also depend on water for their homes and communities, and our industries rely on abundant and consistent energy to build aircraft in Everett, power data servers for Amazon in Quincy, manufacture car bodies for Ford in Dearborn, build aircraft in Everett, power data centers and process apples along the Wenatchee River basin. Balancing the need for clean energy with the need for clean water is essential for states to issue water quality certificates that are incorporated as FERC license conditions.

In an effort to improve H.R. 3043, my team worked for several weeks with two members of the National Hydropower Association along with staff at the Chelan County Public Utility District in Washington State. Our objective in these discussions was to maintain the intent of this legislation while also protecting states’ authority provided in the CWA §401. Although the group did not reach full consensus, significant progress was made to put forth alternative language that would protect independent state water quality agency jurisdiction.

In summary, Ecology opposes this bill in its current form because: FERC will have undue influence on the ability of states and tribes to obtain environmental data and information via studies that are necessary to write CWA §401 certifications to protect waters in their jurisdiction.

It would lock state and federal natural resource agencies into a no-win situation that lack the necessary technical information which would preclude a finding of missing FERC deadlines resulting in litigation.

We believe this bill provides enough ambiguity for individuals to attempt to preempt state CWA §401 authority. The bill as written could result in legal challenges and/or litigation on how the extension of FERC’s authority conflicts with states’ rights to protect water quality and quantity. Finally, Ecology views many elements of the bill as a ‘‘withdraw and reapply’’ for FERC in the licensing process. The over the course of 12 years, Washington State has provided water quality certifications for 16 FERC issued licenses as well as 10 license amendments. The ILP has proven to be a predictable, efficient, and timely licensing process that continues to ensure adequate resource protections.

Sincerely,

MAIA D. BELLON, Director.

Mr. WALDEN. Mr. Chair, I rise today in support of H.R. 3043, the Hydropower Policy Modernization Act, sponsored by fellow Energy and Commerce committee member and our Conference Chair, CATHY MC MORRIS RODGERS.

Hydropower plays an integral role in generating electric power across the nation, especially in the states in which it is located. Hydropower generates nearly 43 percent of electricity in Oregon and this dependable baseload power has helped drive the development of everything from value-added agriculture processing to data centers, creating jobs along the Columbia River and throughout the Pacific Northwest.

Nationally, hydropower is the largest source of renewable energy production and a recent Department of Energy report found that
U.S. hydropower could grow by almost 50 percent by the year 2050. However, as my colleagues from the Pacific Northwest and across the country know, we are not taking full advantage of this valuable resource. Unfortunately, the duration, complexity, and uncertainty of the licensing process has raised significant challenges, preventing investments that would create jobs and benefit consumers.

Thankfully, my good friend from Washington introduced this legislation to alleviate these problems and streamline the federal hydropower licensing process. The bill before us today is the culmination of five committee hearings and markups, along with several bipartisan staff meetings with the hydropower industry and tribes that have a stake in the licensing proceedings.

We solicited feedback from all stakeholders as we crafted this legislation and made a number of changes to address the concerns raised. We added new provisions to ensure that states and tribes are consulted early in the licensing process to identify and resolve issues of concern. We also made sure that state and local governments could recoup the costs of reviewing applications and conducting studies. We even added a strong savings clause that clarifies our intent that nothing in this bill shall be construed to affect any requirement of the Clean Water Act, Endangered Species Act, or other environmental laws.

In recognition of the regular order committee process, H.R. 3043 sailed out of committee unanimously by voice vote. The supporters of this bill, especially labor and industry organizations, along with environmental and recreational groups, have been working with the committee over the past five committee hearings and markups to improve procedures for relicensing.

Mr. Chair, I include in the RECORD the letters in opposition to H.R. 3043 from environmental, recreation, fisheries, and conservation groups from across the country along with the list of groups that have signed these letters.

ENVIRONMENTAL, FISHERIES, RECREATION, AND CONSERVATION ORGANIZATIONS IN OPPOSITION TO H.R. 3043

Alabama Rivers Alliance; Alaska Survival; All Outdoors; Alliance for the Great Lakes; Alpine Lakes Protection Society; Altamaha Riverkeeper; American Packaging Association; American Rivers; American Whitefish; Anacostia Watershed Society; Anglers of the Au Sable; Animal Welfare Institute; Appalachian Riverkeeper; Blackwater River Campaign; California Hydropower Reform Coalition; California Outdoors; California River Watch; California Sportfishing Protection Alliance; California Trout; Cascadia Coalition; Catawba Riverkeeper; Center for Biological Diversity; Center for Environmental Law and Policy; Center for Healthy Rivers and People; Chesapeake Bay Foundation; Columbia Association; Congaree Riverkeeper; Connecticut River Conservancy; Conservation Northwest; Conservative for Responsible Stewardship; Coosa Riverkeeper; Crab Apple Whitewater Defenders of Wildlife; Deschutes River Alliance; Downeast Salmon Federation; Earth Design; Earthjustice; Earthworks; Endangered Habitats League; Endangered Species Coalition; Environmental Protection Center (EPC); Foothill Conservancy; Foothills Paddling Club; Foothills Water Network; Friends of Butte Creek; Friends of Clear Lake; Friends of Gray's Harbor; Friends of Kenai National Wildlife Refuge; Friends of the Kinni; Friends of Merryymeeting Bay; Friends of the Crooked River; Friends of the Deschutes; Friends of the River; Friends of the White Salmon River; Golden West Women Flyfishers; Grand Canyon Trust; Grand River Association; Great Lakes Fishermen; Green Latinos; Hells Canyon Preservation Council; High Country Conservation Advocates; Holy Spirit Missionary Sisters; International Brotherhood of B  

November 8, 2017

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Mr. RUSH. Mr. Chair, I include in the RECORD letters in opposition to H.R. 3043 from environmental, recreation, fisheries, and conservation groups from across the country along with the list of groups that have signed these letters.

ENVIRONMENTAL, FISHERIES, RECREATION, AND CONSERVATION ORGANIZATIONS IN OPPOSITION TO H.R. 3043

Alabama Rivers Alliance; Alaska Survival; All Outdoors; Alliance for the Great Lakes; Alpine Lakes Protection Society; Altamaha Riverkeeper; American Packaging Association; American Rivers; American Whitefish; Anacostia Watershed Society; Anglers of the Au Sable; Animal Welfare Institute; Appalachian Riverkeeper; Blackwater River Campaign; California Hydropower Reform Coalition; California Outdoors; California River Watch; California Sportfishing Protection Alliance; California Trout; Cascadia Coalition; Catawba Riverkeeper; Center for Biological Diversity; Center for Environmental Law and Policy; Center for Healthy Rivers and People; Chesapeake Bay Foundation; Columbia Association; Congaree Riverkeeper; Connecticut River Conservancy; Conservation Northwest; Conservative for Responsible Stewardship; Coosa Riverkeeper; Crab Apple Whitewater Defenders of Wildlife; Deschutes River Alliance; Downeast Salmon Federation; Earth Design; Earthjustice; Earthworks; Endangered Habitats League; Endangered Species Coalition; Environmental Protection Center (EPC); Foothill Conservancy; Foothills Paddling Club; Foothills Water Network; Friends of Butte Creek; Friends of Clear Lake; Friends of Gray's Harbor; Friends of Kenai National Wildlife Refuge; Friends of the Kinni; Friends of Merryymeeting Bay; Friends of the Crooked River; Friends of the Deschutes; Friends of the River; Friends of the White Salmon River; Golden West Women Flyfishers; Grand Canyon Trust; Grand River Association; Great Lakes Fishermen; Green Latinos; Hells Canyon Preservation Council; High Country Conservation Advocates; Holy Spirit Missionary Sisters; International Brotherhood of
chosen to make no changes to reflect the constructing suggestions that the Hydropower Reform Coalition put forward that would improve the licensing process while maintaining and expanding protections. The committee also failed to solicit testimony from states, tribes, and federal natural resource agencies whose authorities will be usurped by the Federal Energy Regulatory Commission (FERC) if H.R. 3043 is enacted. You are now being asked to vote on a bill that no state, tribe, or conservation organization publicly supports. The bill under consideration today will only benefit power companies at the expense of every other user of a waterway.

H.R. 3043 attempts to streamline the hydropower licensing process by centralizing power and allowing FERC to set an aggressive licensing schedule that all federal and state agencies must adhere to throughout the licensing process. There are no requirements that FERC or the licensee provide the agencies with the information they deem necessary to quickly and competently exercise their Clean Water Act or Endangered Species Act authority. This creates a dynamic where every step of the process proceeds seamlessly, agencies are faced with the impossible decision to either exercise their authority without necessary information or expose themselves to legal liability or to fail to meet the schedule. This change will constrain federal, state, and tribal agencies use of their independent authorities and rush decisions, potentially making it more difficult to protect water quality, recover threatened and endangered species, and manage tribal-trust resources and public lands.

Other provisions of H.R. 3043, such as the changes to the Triad Type Hearing process for abandoned conditions, the requirement that federal natural resource agencies conduct costly, wasteful and time-consuming review of matters outside of their scope of expertise and jurisdiction, and the requirement that scientific decisions be made only by political appointees in Washington, DC are all examples of how H.R. 3043 tilts the balance toward the interests of power companies.

In order to protect clean water, irrigation, fishing, whitewater boating, water quality, wildlife, recreational fishing, commercial activity today will only benefit power companies at the expense of every other user of a waterway.

In short, while this bill and its proponents claim to help our nation move toward a more sustainable and climate-friendly future, we need a system in place that can consider our energy needs in addition to the economic, environmental and cultural needs of our communities. Since climate change is the most significant challenge of our time, we urge the committee and supporters of this legislation to have a transparent and robust discussion, not only of our energy needs but also of potential impacts from hydropower such as wildlife and greenhouse gases. For all of these reasons, National Wildlife Federation recommends you oppose H.R. 3043.

Sincerely,

JIM LYON,  
Vice President for Conservation Policy,  
National Wildlife Federation.
hydropower operations. The National Hydropower Association's own website, which pro-
notes the benefits of hydropower, states that "Swimming, boating, fishing, camping, skiing and hiking and other recreational activities that take place year-
round and across the country at sites developed and supported by the hydropower indus-
tory."

"We are concerned that H.R. 3043 will se-
verely limit the ability of local communities to subject their affected communities, and
instead place exclusive authority within the hands of the Federal Energy Regulatory
Commission (FERC). FERC is a regulatory agency with no local field staff, frequently
with only the ability to participate in one or two site visits in all. As a result, FERC staff
are unlikely to have experience and familiarity with local resources and values. The end
result of H.R. 3043 would be outcomes that are detrimental to outdoor recreation and
local communities.

While hydropower provides certain benefits, it also always comes with significant impacts. This legislation would upset an
important balance and the cooperative approach that licensing takes to prov-
tedly ensures that the interests of local communities and their interests in outdoor recreation are represented. Outdoor Alliance finds that FERC's efforts to impose these provisions on communities to be deeply problematic, and we oppose any
effort to diminish the ability of citizens and public resource agencies to ensure that
hydropower licenses include provisions to protect the public river resources that are im-
portant to them.

Best regards,

LOUIS GELTMAN,
Policy Director,
Outdoor Alliance.

TROUT UNLIMITED,
November 6, 2017.

Re Trout Unlimited opposes the "Hy-
dropower Policy Modernization Act of 2017"
(H.R. 3043) and we urge members of the
House of Representatives to vote against
this legislation.

DEAR REPRESENTATIVE: H.R. 3043 is due for
House floor consideration this week. We urge
you to reject the bill and instead to develop a
bill worthy of broad stakeholder support.

Hydropower licenses under the provisions of our nation's energy mix. Hydropower pro-
duces energy with low hydrocarbon emis-
sions, but can and does cause massive impac-
to watersheds, fisheries, and habitats. Striking a balance between power and
nonpower values, such as fisheries habitat, is essen-
tial. At stake is the ability to develop new hydropower online, to ensure that the development is well-site-and
appropriately mitigated from the start and to sup-
port and encourage early and often invest-
ment in evaluating and improving oper-
ations over time.

This bill fails the test of carefully bal-
ancing power and non-power values, such as environmental impacts, and only serves to make
FERC's approval process onerous and costly.

Specifically, we urge the House to sup-
port and defend—and not weaken as this bill
does—resource agency authorities and man-
ages—imposed under the Clean Water Act, En-
dangered Species Act and Federal Power Act. We urge you to vote against H.R. 3043.

Sincerely,

STEVE MOYER,
Vice President of Government Affairs.

NOVEMBER 7, 2017.

DEAR REPRESENTATIVE: On behalf of our
members of millions of members and supporters nation-
wide, we are writing to urge you to oppose
H.R. 3043, the Hydropower Policy Mod-
ernization Act. This bill is a devastating assault on
our nation's rivers and the people and wild-
life that depend upon them. Its passage
would end 95 years of balance in hydropower licensing, tipping the scales against tax-
payers and in favor of huge utilities.

The hydraulic licenses that are being up to 50 years. Many hydropower facilities that are coming up for relicensing now were first con-
structed before the Endangered Species Act and modern water quality laws were in place. It is during relic-
censing proceedings that the public gets the opportunity to ensure that dam owners
consider the needs of the public and to protect the public and local communities.

The balance the Federal Power Act cur-
rently strikes between power and non-power values has existed for almost a century. Cur-
rently ensures that the interests of local communities are represented. Outdoor Alliance
practices, yet the committee has so far not
considered the recommendations made by the Federal Energy Regulatory Com-
mission (FERC) if H.R. 3043 is enacted. You are
now being asked to vote on a bill that is harmful to our nation's rivers and the people and wild,
life, recreational fishing, commercial

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fishing, whitewater boating, water quality, municipal water supply, fire safety, flood control, or any other purpose other than generating power, we urge you to vote NO on H.R. 3043.

Sincerely,

American Packrafting Association; American Rivers; American Whitewater; Apalachicola Basin Against Mountaintop Coal Mining; Atlantic Salmon Federation; California Outdoors; California Sportfishing Protection Alliance; Center for Biological Diversity; Center for Environmental Law and Policy; Connecticut River Conservancy; Conservation Voters; Downeast Salmon Federation; Earthjustice; Endangered Species Coalition; Environmental Protection Information Center (EPIC); Foothill Conservancy; Friends of Butte Creek; Golden West Women Flyfishers; Grand Riverkeeper Labrador; Green Latinos; High Country Conservation Advocates; Idaho Rivers United; Illinois Council of Trout Unlimited; Klamath Forest Alliance; Kootenai Environmental Alliance; League of Conservation Voters; Lower Columbia Canoe Club; Maine Rivers; Michigan Environmental Council; Michigan Hydro Relicensing Coalition; Mono Lake Committee; Mousam and Kennebunk Rivers Alliance; National Heritage Institute; National Park Conservation Association; National Wildlife Federation; Natural Resources Defense Council; Naturaland Trust; North Cascades Conservation Council; Northwest Environmental Advocates; Oregon Kayak and Canoe Club; Pacific Coast Federation of Fishermen’s Associations; Penobscot Paddle Club; Puget Soundkeeper; Planning and Conservation League; Prairie Rivers Network; River Alliance of Wisconsin; River Network; Riverkeeper Network; Rogue River Salmon, Save Our Wild Salmon; Save the Colorado; Selkirk Conservation Alliance; Southern Environmental Law Center; St. Mary’s River Watershed Association; The Landa Council; The Sierra Club; Tributary Whitewater Tours, LLC; Tuolumne River Trust; Upstate Forever; Washington Environmental Law Center (see Western Environmental Law Center); Washington Wild; WaterWatch of Oregon; Wild Rivers.

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

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

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

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

H.R. 3043

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 “Hydropower Policy Modernization Act of 2017”.

**SECTION 2. HYDROPOWER REGULATORY IMPROVEMENTS.—**

(a) SENSE OF CONGRESS ON THE USE OF HYDROPOWER RENEWABLE RESOURCES.—It is the sense of Congress that—

(1) hydropower is a renewable resource for purposes of all Federal programs and is an essential source of energy in the United States; and

(2) the United States should increase substantially the capacity and generation of clean, renewable hydropower that would improve environmental quality in the United States.

(b) MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE HYDROPOWER.—Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended in paragraph (1), by inserting “the term ‘renewable energy’ means electric energy generated from sources of energy that—

(II) environmental, recreation, or other protection, mitigation, or enhancement measures; or

(II) did not result in an extension of the term of the existing license by the Commission.

(f) ALTERNATIVE CONDITIONS AND PRESCRIPTIONS.—Section 33 of the Federal Power Act (16 U.S.C. 823d) is amended—

(1) in paragraph (1), by striking “(A) in paragraph (1), by striking ‘deems’ and inserting ‘determines’; and

(2) in subsection (b), in the matter preceding clause (i), by inserting “determined to be necessary” before ‘by the Secretary’; and

(3) by adding at the end the following:

(c) FURTHER CONDITIONS.—This section applies to any further conditions or prescriptions proposed or imposed pursuant to section 4(e), 6, or 18.

**SEC. 3. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.—**

(a) HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.—Part 4 of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

**SEC. 34. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.—**

(a) DEFINITION.—In this section—

(2) includes any permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law to approve or implement the license under this part.

(b) DESIGNATION AS LEAD AGENCY.—

(1) IN GENERAL.—The Commission shall act as the lead agency for the purposes of coordinating all applicable Federal authorizations and for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4332 et seq.).

(2) OTHER AGENCIES AND INDIAN TRIBES.—

(A) IN GENERAL.—Each Federal, State, and local government agency and Indian tribe considering an aspect of an application for Federal authorization shall coordinate with the Commission and comply with any deadlines established in the schedule developed for the license under this part in accordance with the rule issued by the Commission under subsection (c).

**(c) IDENTIFICATION OF ISSUES.—**The Commission shall, to the extent practicable, identify, as early as practicable after it is notified by the applicant for a license under this part, any Federal or State agency, local government, or Indian tribe that may consider an aspect of an application for a Federal authorization.

**(C) NOTIFICATION.—**

(1) IN GENERAL.—The Commission shall notify any agency and Indian tribe identified under subparagraph (B) of the opportunity to participate in the process of reviewing an aspect of an application for a Federal authorization.

(2) DEADLINE.—Each agency and Indian tribe receiving a notice under clause (1) shall, to the extent necessary, respond to and acknowledge receipt of the notice to the Commission within 30 days of receipt of such notice and request.

**(D) ISSUE IDENTIFICATION AND RESOLUTION.—**

(1) IDENTIFICATION.—The Commission shall consider each identified aspect as the lead agency for purposes of coordination.

(2) RESOLUTION.—The Commission shall, to the extent practicable, resolve any issues that may prevent the granting of such authorization, including any issues that may prevent the agency...
or Indian tribe from meeting the schedule established for the license under this part in accordance with the rule issued by the Commission under subsection (c).

(5) TRANSMISSION OF FINAL SCHEDULE.—(A) In general.—For each application for a license under this part, the Commission shall establish, in accordance with the rules issued by the Commission under subsection (c), a schedule for the preparation of the final schedule to be transmitted to the applicant and each other party to the proceeding under subsection (b)(2)(B).

(B) Requirement.—The head of the Federal agency may make use of information produced or made available by other agencies with relevant expertise in the factors described in subparagraphs (A) through (E) in preparing the written statement under paragraph (2).

(6) DELEGATION.—A Secretary may delegate the authority to determine a condition to be necessary under section 4(e), or to prescribe a condition under section 15, to an employee of the applicable department, based on, in the ability of the officer to evaluate the broad effects of such condition or prescription on—

(1) the applicable project; and

(2) the factors described in subparagraphs (A) through (E) of subsection (j)(2).

(a) In general.—Nothing in this section shall be construed to affect any requirement of the Federal Water Pollution Control Act, the Fish and Wildlife Coordination Act, the Endangered Species Act of 1973, section 14 of the Act of March 3, 1899 (commonly known as the Rivers and Harbors Appropriation Act of 1899), and those provisions in subtitle II of title 54, United States Code commonly known as the National Historic Preservation Act, with respect to an application for a license under this part.

(b) Authorization of Trial-Type Hearings.—An application for a license under this part (including an application for a license under section 15) and any related proceeding shall be entitled to a determination on the record, after opportunity for a trial-type hearing of not more than 120 days, on any disputed issues of material fact with respect to an applicable covered measure.

(c) Deadline for Request.—A request for a trial-type hearing under this section shall be submitted not later than 60 days after the date on which, as applicable—

(1) the Secretary determines the condition to be necessary under section 4(e) or fishway prescribed under section 15; or

(2) the Secretary exercises reserved authority under the license to prescribe, submit, or require any condition to a license under the first proviso of section 4(e) or fishway prescribed under section 18, as appropriate.

(d) No Requirement to Exhaust.—By electing not to request a trial-type hearing under subsection (c), a license applicant and any other party to a license proceeding shall not be considered to have waived the right of the applicant or other party to raise, as a question of fact or law in a non-trial-type proceeding, any issue that the applicant raised in the request for a trial-type hearing.
"(A) to undertake discovery; and

"(B) to cross-examine witnesses, as applicable.

"(f) STAY.—The Administrative Law Judge may impose a stay of a trial-type hearing under this section for a period of not more than 120 days to facilitate settlement negotiations relating to resolving the disputed issues of material fact with respect to the covered measure.

"SEC. 35. JUDICIAL REVIEW.—

"(1) CONTENTS.—The decision of the Administrative Law Judge shall contain—

"(A) findings of fact on all disputed issues of material fact;

"(B) conclusions of law necessary to make the findings of fact, including rulings on materiality and the scope of the record; and

"(C) reasons for the findings and conclusions.

"(2) LIMITATION.—The decision of the Administrative Law Judge shall not contain conclusions as to whether—

"(A) any condition or prescription should be adopted, modified, or rejected; or

"(B) any alternative condition or prescription should be adopted, modified, or rejected.

"(3) FINALITY.—A decision of an Administrative Law Judge under this section with respect to a disputed issue of material fact shall not be subject to further administrative review.

"(4) SERVICE.—The Administrative Law Judge shall serve the decision on each party to the hearing and forward the complete record of the hearing and the decision to the Commission, the Secretary, and the Combined States.

"(B) to cross-examine witnesses, as applicable.

"(A) to undertake discovery; and

"(B) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

"(9) ROLE MAKING.—Not later than 180 days after the date of enactment of this section, the Commission shall—

"(A) notify the public comment regarding the application for a license amendment for a qualifying project upgrade; and

"(B) request for public comment on the application for a license amendment for a qualifying project upgrade;

"(C) request for public comment on the application for a license amendment for a qualifying project upgrade;

"(D) request for public comment on the application for a license amendment for a qualifying project upgrade;

"SEC. 37. LICENSE AMENDMENT IMPROVEMENTS.—

"(a) QUALIFYING PROJECT UPGRADES.—

"(1) IN GENERAL.—As provided in this section, the Commission may approve an application under this section for an amendment to a license issued under this part for a qualifying project upgrade.

"(2) APPLICATION.—A licensee filing an application for a license amendment for a qualifying project upgrade shall include in such application information sufficient to demonstrate that the proposed change to the project described in the application is a qualifying project upgrade.

"(3) NOTICE AND INITIAL DETERMINATION.—On or before the 45th day after receipt of an application under paragraph (2), the Commission, in consultation with other Federal agencies, States, and Indian tribes, shall determine whether the application has been filed in the Federal Register a notice containing—

"(A) notice of the application filed under paragraph (2);

"(B) an initial determination as to whether the proposed change to the project described in the application for a license amendment is a qualifying project upgrade; and

"(C) a request for public comment on the application and the initial determination.

"(4) PUBLIC COMMENT AND CONSULTATION.—The Commission shall—

"(A) accept public comment regarding the application and whether the proposed license amendment is for a qualifying project upgrade; and

"(B) consult with each Federal, State, and local government agency and Indian tribe concerning an aspect of an application for a license amendment for a qualifying project upgrade, as well as other interested agencies and Indian tribes.

"(C) FINAL DETERMINATION.—Not later than 180 days after the date of enactment of this section, the Commission shall publish a final determination of whether the application is a qualifying project upgrade.

"(D) IMPLICATION OF FINAL DETERMINATION.—Not later than 180 days after the date on which the Commission issues a final determination under paragraph (5) that the proposed license amendment is for a qualifying project upgrade.

"SEC. 38. LICENSE AMENDMENT CONDITIONS.—Any condition or prescription included in an application for a license amendment for a qualifying project upgrade approved under this section, including any condition, prescription, or other requirement of a Federal agency, shall be limited to those that are—

"(A) necessary to protect public safety; or

"(B) reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

"(C) a request for public comment on the application for a license amendment for a qualifying project upgrade;

"(D) a request for public comment on the application for a license amendment for a qualifying project upgrade;

"(E) a request for public comment on the application for a license amendment for a qualifying project upgrade;

"(F) a request for public comment on the application for a license amendment for a qualifying project upgrade.

"(G) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

"(H) capacity increases, efficiency improvements, or other enhancements to hydropower generation at the licensed project;

"(I) environmental protection, mitigation, or enhancement measures to benefit fish and wildlife resources or other natural and cultural resources reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

"(J) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

"(K) would be unlikely to adversely affect water quality or water supply; and

"(L) proposes to implement measures that—

"(a) if carried out, would be unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 or result in the destruction or adverse modification of critical habitat, as determined in consultation with the Secretary of the Interior and the Secretary of Commerce, in accordance with section 7 of the Endangered Species Act of 1973; and

"(b) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

"(c) capacity increases, efficiency improvements, or other enhancements to hydropower generation at the licensed project;

"(d) environmental protection, mitigation, or enhancement measures to benefit fish and wildlife resources or other natural and cultural resources reasonable, economically feasible, and essential to prevent loss of or damage to, or to mitigate adverse effects on, fish and wildlife resources, water supply, and water quality that are directly caused by the construction and operation of the qualifying project upgrade, as compared to the environmental baseline existing at the time the Commission approves the application for the license amendment.

"(e) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

"(f) would be unlikely to adversely affect water quality or water supply; and

"(g) proposes to implement measures that—

"(h) if carried out, would be unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 or result in the destruction or adverse modification of critical habitat, as determined in consultation with the Secretary of the Interior and the Secretary of Commerce, in accordance with section 7 of the Endangered Species Act of 1973; and

"(i) includes only changes to project lands, waters, or operations that, in the judgment of the Commission, would result in only insignificant or minimal cumulative adverse environmental effects;

"(j) would be unlikely to adversely affect water quality or water supply; and

"(k) proposes to implement measures that—

"(l) if carried out, would be unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973 or result in the destruction or adverse modification of critical habitat, as determined in consultation with the Secretary of the Interior and the Secretary of Commerce, in accordance with section 7 of the Endangered Species Act of 1973; and
and fourth sentences.

811) is amended by striking the second, third,

Mr. POCAN, I have an amendment at

designee of my friend and colleague,
invasive species.''.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

mand for division of the question.

Mr. POCAN, I have an amendment at

to the committee amendment in the

Mr. GROTHMAN, I yield to the gentleman from Michigan.

amendment but is not determinative of such effects.

The Acting CHAIR. No amendment to the committee amendment in the

As a matter of fact, given where that
dam is, if there is even flooding, that

Mr. GROTHMAN. Mr. Chair, I yield
to the gentleman from Wisconsin.

As a great economic engine for our re-

Mr. GROTHMAN. Mr. Chair, I yield
to the gentleman from Wisconsin.

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Mr. GROTHMAN. Mr. Chair, I yield
to the gentlemen from Illinois.
Mr. RUSH. Mr. Chair, the minority side is prepared to accept this amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BABIN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115–391.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. EXAMINATION OF LICENSES FOR PROJECTS LOCATED IN DISASTER AREAS.

Not later than one year after the date of enactment of this Act, the Federal Energy Regulatory Commission may examine the license issued by the Commission under part I of the Federal Power Act for any project that is located in an area that was declared by the President to be a disaster area in 2017.

The Acting CHAIR. Pursuant to House Resolution 667, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chairman, when a disaster like Hurricane Harvey strikes, the most important job we have is to assist those in harm’s way.

From the Texas National Guard to the Louisiana Cajun Navy, to countless volunteers and citizens who have volunteered and contributed their time, their money, and their prayers, we saw across southeast Texas, in the immediate aftermath of that storm, nothing less than a model to which the whole Nation and world can aspire.

I have even compared the rescue of so many Texans by boat to the miracle at Dunkirk.

But when the storm passes, it is just as important that we look for lessons, demand accountability, and work to fix whatever went wrong or may have made this situation worse.

I am pleased to offer this amendment today that will begin to address such an issue.

When a hydropower station is licensed and regulated by FERC, it is not just the power plant that falls under Federal control. Decisions about lake levels, flood storage capacity, and other measurements of the body of water that powers that station are set forth in FERC license protocols and guidelines written and administered by folks who work right here in Washington.

As a former official for the Texas Lower Neches Valley River Authority, I know that these are tough decisions to make, and sometimes it is a matter of choosing between bad and worse options of where to put all of that water.

But in my district, serious concerns have been raised by my constituents and local river authorities about whether FERC’s licenses for hydropower are adjusted to account for the unprecedented flooding that we just experienced and with the ability to make commonsense changes in the face of an impending flood event.

My amendment ensures that nothing will stand in the way of FERC going in and examining the license for any facility located in the path of the terrible disasters that we have seen this year.

By passing it with strong bipartisan support, we will make clear that that is just what FERC should do.

Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. UPTON) and introduce someone who is now famous in Texas, Uncle Fred Upton, now that the Astros have won the World Series.

Mr. UPTON. Mr. Chairman, I thank the gentleman for yielding. And, yes, I do have, now, extended family in Texas.

Mr. Chairman, this is another tool in the toolbox for FERC. We want to make sure that areas are protected that have survived, somehow, these terrible hurricanes.

Mr. Chairman, I urge all of my colleagues on a bipartisan basis to support this good amendment.

Mr. BABIN. Mr. Chairman, I yield the balance of my time to the gentleman from Louisiana (Mr. HIGGINS), my next-door neighbor and cosponsor of this amendment.

Mr. HIGGINS of Louisiana. Mr. Chairman, I rise today in support of amendment No. 2 to the Hydropower Policy Modernization Act of 2017, offered by my friend, Representative BABIN of Texas.

My colleague’s amendment, of which I am a cosponsor, is a commonsense addition to this important piece of legislation, which will allow the government to take more reasonable steps to mitigate the damages of flooding and hurricanes.

Mr. Chairman, I participated in rescue operations in Texas in the immediate wake of Hurricane Harvey. The last rescue I personally responded to was early on Friday, around 1 or 2 in the morning, less than 2 days after Harvey’s landfall.

The elderly gentleman we rescued told me something I will never forget. With tears in his eyes, he said: Sir, I have lived in my home since 1968 and it never flooded. In 50 years, I have seen this much water fall, but I have never seen this much water rise.

Mr. Chairman, no one in this body batted an eye when we approved hundreds of billions of dollars in emergency appropriations relief to the victims of this year’s unprecedented season. It is time we gave the people’s House move past the reactionary era of addressing the need to repeal and rebuild after natural disasters and start focusing on proactive solutions to mitigate potential damage before natural disasters.

A proactive spirit should be fully implemented in our regulations and how we invest in infrastructure. If we had invested, over the last few decades, just a small percentage of the people’s tax dollars, we would not have occurred and many fewer American families would have suffered.

Representative BABIN’s amendment will allow a procedural tool for the FERC to review licenses for any project located in a region declared by the President to be a disaster area, which will allow us to better and more strategically manage our dams, floodgates, and reservoirs when we know storms like Hurricane Harvey are imminent.

Mr. Chairman, I thank Congressman BABIN for introducing this amendment, and I urge my colleagues on both sides of the aisle to support this commonsense solution, as well as the underlying bill.

Mr. RUSH. Will the gentleman yield?

Mr. BABIN. I yield to the gentleman from Illinois.

Mr. RUSH. Mr. Chairman, the minority side is prepared to accept this amendment.

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

The Acting CHAIR. Pursuant to House Resolution 667, the gentleman from Texas (Mr. BABIN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. JENKINS OF WEST VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115–391.

Mr. JENKINS of West Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. STUDIES FOR NON-FEDERAL HYDROPOWER.

Notwithstanding any other provision of law, if the Federal Energy Regulatory Commission has in place a memorandum of understanding with another Federal agency for a project licensed under part I of the Federal Power Act (regardless of explicit Congressional authorization for such non-federal hydropower), the other Federal agency may fund study and review the potential expansion of such non-federal hydropower at the project, including a review of seasonal pool levels and slowing flood releases.
Mr. JENKINS of West Virginia. Mr. Chairman, my amendment is very straightforward. It supports the mission of the underlying bill to responsibly increase opportunities for hydropower projects in the Nation.

My amendment authorizes agencies with an existing memorandum of understanding with FERC to study the expansion of hydropower. The need for this arises from a project in my district in Summersville, West Virginia. There is what is called a run-of-the-river hydroelectric project in Summersville. There is an MOU between the town—the city of Summersville—FERC, and the Army Corps of Engineers.

The Summersville hydro project was actually licensed by FERC in 1992 and constructed in 2001, with the cooperation of the Army Corps of Engineers. It provides enough renewable energy to power about 3,000 homes. It might be possible to increase hydropower by adjusting the seasonal pool levels and managing the releases. Even if this is only for just a few days, it could result in a 15 percent increase in power generation for the surrounding community.

Unfortunately, I have heard that even to conduct a study requires explicit authorization from Congress. So that is what we are doing here today with this amendment. This amendment would provide that authority, and only in line with the there is an existing MOU on the books between the agencies and FERC.

Mr. Chairman, I yield 30 seconds to the gentleman from Michigan (Mr. Upton).

Mr. UPTON. Mr. Chairman, I thank my friend from West Virginia for yielding.

Mr. Chairman, this is an amendment that allows for a study of the potential to expand non-Federal hydropower projects in Federal dams. It is a good amendment. I support it, and I urge my colleagues to support it on a bipartisan basis.

Mr. RUSH. Will the gentleman yield? Mr. JENKINS of West Virginia. I yield to the gentleman from Illinois.

Mr. RUSH. Mr. Chairman, the minority is prepared to support this amendment.

Mr. JENKINS of West Virginia. Mr. Chairman, I thank the minority for their support on this and, again, to the chair, for his leadership on this effort.

Mr. Chairman, let me close by thanking specifically a couple of individuals: Jim Price, who has been integrally related and involved with this project from its inception, and I appreciate his leadership so much.

Enel Green Power North America, the operator and developer on this project. I thank them for their efforts.

And to the mayor of the city of Summersville, Robert Shafer. I thank Bob Shafer for his incredible support and leadership in the city of Summersville.

Mr. Chairman, I encourage support for this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. JENKINS).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. RUSH

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-391.

Mr. RUSH. Mr. Chairman, I have an amendment to the amendment. The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

The text of the amendment is as follows:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Hydropower Policy Modernization Act of 2017.”

**SEC. 2. HYDROPOWER REGULATORY IMPROVEMENTS.**

(a) **SENSE OF CONGRESS ON THE USE OF HYDROPOWER RENEWABLE RESOURCES.—** It is the sense of Congress that—

(1) hydropower is a renewable resource for purposes of all Federal programs and is an essential source of energy in the United States; and

(2) the United States should increase substantially the capacity and generation of clean, renewable hydropower that would improve environmental quality in the United States.

(b) **MODIFYING THE DEFINITION OF RENEWABLE ENERGY TO INCLUDE HYDROPOWER.—** Section 203 of the Federal Power Act of 2005 (42 U.S.C. 15852) is amended—

(1) in subsection (a), by amending paragraphs (1) through (3) to read as follows:

(1) Not less than 17 percent in fiscal years 2017 through 2019.

(2) Not less than 20 percent in fiscal years 2020 through 2024.

(3) Not less than 25 percent in fiscal year 2025 and each fiscal year thereafter; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

(2) **RESERVOIR STORAGE ENERGY.—** The term ‘renewable energy’ means electric energy generated from solar, wind, biomass, landfill gas, ocean (including tidal, wave, current, and thermal), geothermal, municipal solid waste, or from a hydropower project.

(c) **PRELIMINARY PERMITS.—** Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) in subsection (a), by striking “three” and inserting “4”;

(2) by amending subsection (b) to read as follows:

(b) The Commission may—

(1) extend the period of a preliminary permit for not more than 4 additional years beyond the 4 years permitted by subsection (a) if the Commission finds that the permittee has carried out activities under such permit in good faith and with reasonable diligence; and

(2) if the period of a preliminary permit is extended under paragraph (1), extend the period of such permit once for not more than 4 additional years beyond the extension period granted under paragraph (1), if the Commission determines that there are extraordinary circumstances that warrant such additional extension.

(d) **TIME LIMIT FOR CONSTRUCTION OF PROJECT WORKS.—** Section 13 of the Federal Power Act (16 U.S.C. 807) is amended in the second sentence by striking “once but not longer than two additional years” and inserting “for not more than 8 additional years.”

(e) **CONSIDERATIONS FOR RELICENSING TERMS.—** Section 15(e) of the Federal Power Act (16 U.S.C. 807(e)) is amended—

(1) by striking “(e) Except” and inserting the following:

(‘‘(g) LICENSE TERM ON RELICENSING.—’’)

(2) by adding at the end the following:

(2) **CONSIDERATION.—** In determining the term of a license under paragraph (1), the Commission shall consider project-related investments by the licensee over the term of the existing license (including any terms under annual licenses that resulted in new development, construction, capacity, efficiency improvements, or environmental measures, but which did not result in the extension of the term of the license by the Commission.

**SEC. 3. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.**

(a) **HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.—** Part I of the Federal Power Act (16 U.S.C. 792 et seq.) is amended by adding at the end the following:

**SEC. 34. HYDROPOWER LICENSING AND PROCESS IMPROVEMENTS.**

(a) **DEFINITION.—** In this section, the term ‘Federal authorization’—

(1) means any authorization required under Federal law with respect to an application for a license under this part; and

(2) includes any conditions, prescriptions, permits, special use authorizations, certifications, opinions, or other approvals as may be required under Federal law to approve or implement the license under this part.

(b) **DESIGNATION AS LEAD AGENCY.—** The Commission shall act as the lead agency for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an application for a license under this part.

(c) **RULEMAKING TO ESTABLISH PROCESS TO SET SCHEDULE.—**

(1) **NEGOTIATED RULEMAKING.—** Not later than 90 days after the date of enactment of this section the Commission, the Secretary of Agriculture, the Administrator of the National Oceanic and Atmospheric Administration, and the Secretary shall enter into a negotiated rulemaking pursuant to subchapter III of chapter 5 of title 5, United States Code, to develop and publish a rule establishing a process for the Commission to evaluate, and issue a final decision on, a completed application for a license under this part.

(2) **NEGOTIATED RULEMAKING COMMITTEE.—** The negotiated rulemaking committee established pursuant to the negotiated rulemaking process entered into under paragraph (1) shall include representatives of State and Indian tribal governments, and other stakeholders who will be significantly affected by a rule issued under this subsection.

(3) **DEADLINES.—**

(A) **PROPOSED RULE.—** Not later than 2 years after the date of enactment of this section the Commission shall publish a proposed rule resulting from the negotiated rulemaking under this subsection.

(B) **FINAL RULE.—** Not later than 3 years after the date of enactment of this section, the Commission shall publish a final rule resulting from the negotiated rulemaking under this subsection.

(4) **ELEMENTS OF RULE.—** In publishing a rule under this subsection, the Commission shall ensure that—

(A) the rule includes a description of the Commission’s responsibilities as the lead agency in coordinating Federal authorizations;
(B) The rule includes a process for development of a schedule for the review and disposition of a completed application for a license under this part;

(C) The schedule developed pursuant to such process shall—

(i) include deadlines for actions on the applicable completed application;

(ii) be consistent with the duties of each agency under this Act and under applicable State, tribal, and other Federal laws; and

(ii) by—

(aa) each Federal agency responsible for a Federal authorization;

(bb) each State agency, local government, or Indian tribe, or the relevant agency, as appropriate, under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), to the extent practicable; and

(iii) provide for a final decision on the applicable completed application to be made by not later than 3 years after the date on which the Commission receives such completed application;

(D) the rule includes a mechanism for resolving issues of concern that may delay the completion of a license application or review of a completed application;

(2) the rule includes a definition of a qualified project upgrade for purposes of subsection (b); and

(F) the rule provides for an opportunity for public notice and comment on—

(i) a completed application; and

(ii) the schedule developed for the review and disposition of the application.

SEC. 35. LICENSING STUDY IMPROVEMENTS.

(a) IN GENERAL.—To facilitate the timely and efficient completion of the license proceedings under the Commission shall, in consultation with applicable Federal, State and agencies and interested members of the public:

(1) compile current and accepted best practices in performing studies required in such license proceedings, including methodologies and the design of studies to assess the full range of environmental impacts of a project that reflect the most recent peer-reviewed science;

(2) compile a comprehensive collection of studies and data accessible to the public that could be used to inform license proceedings under this part; and

(3) expedite applicants, agencies, and Indian tribes to develop and use, for the purpose of fostering timely and efficient consideration of license applications, a limited number of joint-use methodologies and tools applicable across a wide array of projects, including water balance models and streamflow analyses.

(b) USE OF STUDIES.—To the extent practicable, the Commission and other Federal, State, and local government agencies and Indian tribes considering an aspect of an application for Federal authorization (as defined in section 34) shall use relevant, existing studies and data and avoid duplicating such studies that are applicable to the project. Studies repeated for the purpose of characterizing seasonal or annual variation of a relevant characteristic or resource shall not be considered duplicative.

SEC. 36. EVALUATION OF EXPEDITED LICENSING FOR QUALIFYING PROJECT UPGRADES.

(a) Definitions.—In this section:

(1) EXPEDITED LICENSE AMENDMENT PROCESS.—The term ‘expedited license amendment process’ means an expedited process for issuing an amendment to an existing license issued under this Act (as applicable) including—

(A) to a project; and

(B) that meets the criteria under subsection (b).

(2) QUALIFYING PROJECT UPGRADE.—The term ‘qualifying project upgrade’ means a change to a project that

(A) to a project; and

(B) that meets the criteria under subsection (b).

(3) IN GENERAL.—To improve the regulatory process and reduce the time and cost of making upgrades to existing projects, the Commission shall investigate the feasibility of implementing an expedited license amendment process for a change to a project that meets the following criteria:

(1) The change to the project—

(A) is limited to the power house equipment of the project;

(B) will result in environmental protection, mitigation, or enhancement measures to benefit fish and wildlife resources or other natural or cultural values.

(2) The change to the project is unlikely to adversely affect any species listed as threatened or endangered under the Endangered Species Act of 1973, section 1536 (16 U.S.C. 1533 et seq.), as determined by the Secretary of the Interior.

(3) The Commission ensures, in accordance with section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), that the change to the project will not result in the destruction or modification of critical habitat.

(4) The change to the project is consistent with any applicable comprehensive plan under section 10(e).

(5) The change to the project is unlikely to adversely affect water quality and water supply, as determined in consultation with applicable State or tribal.

(6) Any adverse environmental effects resulting from the change to the project will be insignificant.

(b) WORKSHOPS AND PILOTS.—The Commission shall—

(1) not later than 90 days after the date of enactment of this section, hold an initial workshop to solicit public comment and recommendations on how to implement an expedited license amendment process for qualifying project upgrades;

(2) evaluate pending applications for an amendment to an existing license of a project for a qualifying project upgrade that may benefit from an expedited license amendment process;

(3) not later than 180 days after the date of enactment of this section, identify and solicit participation by project developers in, and begin implementation of, a 3-year pilot program to evaluate the feasibility and utility of an expedited license amendment process for qualifying project upgrades;

(4) not later than 3 months after the end of the 3-year pilot program under paragraph (3), hold a final workshop to solicit public comment on the expedited license amendment process.

(c) MEMORANDUM OF UNDERSTANDING.—The Commission shall, to the extent practicable, enter into a memorandum of understanding with any applicable Federal, State, or tribal agency to implement the pilot program described in subsection (c).

(d) REPORTS.—Not later than 3 months after the date of the final workshop held pursuant to subsection (c)(4), the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that includes—

(1) a summary of the public comments received as part of the initial workshop held pursuant to subsection (c)(4);

(2) a comparison between—

(A) the average amount of time required to complete the licensing process for an amendment to a license under the expedited license amendment process tested under the pilot program; and

(B) the average amount of time required to complete the licensing process for a similar amendment to a license under current Commission processes;

(4) the number of requests received by the Commission to participate in the expedited license amendment process for qualifying project upgrades;

(5) a description of changes to Commission rules required to create and standardize an expedited license amendment process for qualifying project upgrades;

(6) a description of factors that prevented any participant in the pilot program from

November 8, 2017
completed the expedited license amendment process in the expedited time frame.

“(f) IMPLEMENTATION.—If the Commission determines, based upon the workshops and resulting pilot program under subsection (c), that an expedited license amendment process will reduce the time and costs for issuing amendments to licenses for qualifying projects, the Commission shall revise its policies and regulations, in accordance with applicable law, to establish an expedited license amendment process.

“(g) REPORT TO CONGRESS.—Within 30 months after enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that includes:

(A) a summary of the public comments received as part of such initial workshop; and

(B) a preliminary plan for identifying and soliciting participants in a pilot program described in subsection (c).

(c) ESTABLISHMENT OF PILOT PROGRAM.—The Commission shall establish a voluntary pilot program for the consolidated licensing process in order to consider multiple projects together in a consolidated licensing process in order to issue a license under part I of the Federal Power Act (16 U.S.C. 796) for each such project.

(d) CANDIDATE PROJECT IDENTIFICATION.—Not later than 1 year after the date of enactment of this Act, the Commission, in consultation with any applicable Federal or State agency or Indian tribe and licensees, shall identify and solicit candidate projects to participate in the pilot program established under subsection (c). In order to participate in such pilot program a project shall meet the following criteria:

(1) The current license for the project expires between 2019 and 2029 or the project is not licensed under part I of the Federal Power Act (16 U.S.C. 792 et seq.).

(2) The project is located within the same watershed as other projects that are eligible to participate in the pilot program.

(3) The project is located in sufficiently close proximity and has environmental condition that are sufficiently similar to other projects that are eligible to participate in the pilot program so that watershed-wide studies and information may be developed, thereby significantly reducing the need for, and the scope of, individual project-level studies and information.

(4) DESIGNATION OF INDIVIDUAL PROJECTS AS A SINGLE GROUP.—The Commission may designate a group of projects to be considered together in a consolidated licensing process under this section in a manner similar to an entity under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an application for a license under this Act, or to the licensing process for a license under this Act, shall not be considered to be ex parte communications under Commission rules.

(b) PARTICIPATION IN PROCEEDINGS.—Inter-agency cooperation, at any time, in the preparation of environmental documents under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an application for a license under this Act, or in the licensing process for a license under this Act, shall not be considered to be ex parte communications under Commission rules.

(c) SEPARATION OF STAFF.—Notwithstanding subsection (a), to the extent the Commission determines necessary, the Commission may require Federal and State agencies participating as cooperating agencies under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to demonstrate a separation of staff that are cooperating with the Commission with respect to a particular proceeding from staff that may participate in an intervention in the applicable proceeding.

SEC. 8. IMPROVING CONSULTATION WITH INDIAN TRIBES.

(a) GUIDANCE DOCUMENT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Federal Energy Regulatory Commission and the Secretary of the Interior shall prepare, in consultation with interested Indian tribes, a guidance document under-part I of the Federal Power Act and the public, a guidance document that identifies best practices for the Commission, Federal and State resource agencies, and Indian tribes for effective engagement of Indian tribes in the consideration of applications for licenses under part I of the Federal Power Act that may affect an Indian reservation, a treaty, or other right of an Indian tribe.

(3) PUBLIC PARTICIPATION.—In preparing or updating the guidance document, the Commission and the Secretary shall convene public meetings at different locations in the United States, and shall provide an opportunity for written public comments.

(b) PUBLIC WORKSHOPS.—In preparing or updating the guidance document, the Commission and the Secretary shall conduct at least one workshop in each year, beginning with the fiscal year 2026 of the Energy Policy Act of 2005 (42 U.S.C. 15881) and each fiscal year thereafter, on best practices to be used in consultation with Indian tribes under part I of the Federal Power Act for effective engagement of Indian tribes in the consideration of applications for licenses under part I of the Federal Power Act for effective engagement of Indian tribes in the consideration of applications for licenses under part I of the Federal Power Act;
document under subsection (a), the Commissi-
on shall convene public workshops, held at
different locations in the United States, to
inform and educate Commission staff, Fed-
eral and State resource agencies, Indian
tribes, applicants for licenses under part I of
the Federal Power Act, and interested mem-
bers of the public, on the best practices identi-
cified in the guidance document.
(2) CONSULTATION.—In preparing the aven-
da for such workshops, the Commission shall
consult with the Secretary of the Interior,
interested Federal and State resource
agencies, and Indian tribes under part I of
the Federal Power Act.

SEC. 9. TRIBAL MANDATORY CONDITIONS.
(a) In general.—Section 4 of the Federal Power Act (16 U.S.C. 797) is amended—
(1) in the first proviso, by inserting ‘‘, or, in the case of tribal land, subject to
subsection (b), the Indian tribe having jurisdiction over the tribal land,’’ after
‘‘these supervision such reserva-
tion falls’’; and
(2) by adding at the end the following:
‘‘(b) Tribal Mandatory Conditions.—
(A) In General.—Subject to subparagraph
(1), the Secretary may withdraw
a determination under paragraph (1), the Secretary may withdraw
a determination if the Secretary determines that an In-
(1) in paragraph (4)—
(A) by striking ‘‘Secretary’s final condi-
tion of the Indian tribe’’ and inserting ‘‘final condition of the
Secretary or Indian tribe’’; and
(B) by striking ‘‘Secretary’s final written
determination’’ and inserting ‘‘final written determination of
the Secretary or Indian tribe’’.
(2) by adding at the end the following:
Section 18 of the Federal Power Act (16 U.S.C. 811) is amended by inserting
after ‘‘the Secretary of Commerce, the Secretary of
the Interior, as appropriate, shall consider the threat of
invasive species.’’
(3) The Acting CHAIR. Pursuant to
Rejection to H.R. 3043, the Hydropower
Policy Modernization Acts.
Hon. GREG WALDEN,
Chairman, House Energy and Commerce
Committee, Washington, DC.
Hon. FRANK PALLONE,
Ranking Member, House Energy and Commerce
Committee, Washington, DC.

DEAR CHAIRMAN WALDEN AND RANKING
MEMBER PALLONE: On behalf of the Kalispel
Tribe of Indians, we write to once again
voice our opposition to H.R. 3043, the Hydropower
Policy Modernization Act.

The Kalispel Tribe urges the House of Rep-
resentatives to reject H.R. 3043, the Hydropower
Policy Modernization Act.

KALISPEL TRIBE OF INDIANS,

Re Opposition to H.R. 3043, the Hydropower
Policy Modernization Acts.


Hon. GREG WALDEN,
Chairman, House Energy and Commerce
Committee, Washington, DC.

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Policy Modernization Act.

The Kalispel Tribe urges the House of Rep-
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Policy Modernization Act.

KALISPEL TRIBE OF INDIANS,

Re Opposition to H.R. 3043, the Hydropower
Policy Modernization Acts.

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Chairman, House Energy and Commerce
Committee, Washington, DC.

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Thank you for your attention and consideration.

Sincerely,

Frank Pallone, Jr., Ranking Member, Committee on Energy and Commerce; Bobby L. Rush, Ranking Member, Subcommittee on Energy; Jerry McNerney, Member of Congress; Scott Peters, Member of Congress; Gene Green, Member of Congress; Michael F. Doyle, Member of Congress; Kathy Castor, Member of Congress; John P. Sarbanes, Member of Congress; Peter Welch, Member of Congress; Paul Tonko, Ranking Member, Subcommittee on Environment; Dave Loebach, Member of Congress; Rep. John Delaney (MD), Member of Congress; G.K. Butterfield, Member of Congress.

October 5, 2017.

Hon. Paul Ryan,
Speaker, House of Representatives, Washington, DC.

Hon. Nancy Pelosi,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI:

The State of Maryland ("Maryland") provides the following comments on the House of Representatives Bill 3043 (H.R. 3043)—Hydropower Policy Modernization Act of 2017. Maryland strongly opposes H.R. 3043 because it would have the effect of curtailing State authority under Section 401 of the Clean Water Act to establish license conditions to protect water quality. Several provisions of H.R. 3043 essentially serve to constrain state agencies use of their independent authorities, making it more difficult to protect water quality.

We look forward to working with you on this important issue.

Sincerely,

ALEXANDRA DUNN, Executive Director, ECOS.
JULIA ANASTASIO, Executive Director, AWC.
JEANNE CHRISTIE, Executive Director, ASWM.

MARYLAND DEPARTMENT OF THE ENVIRONMENT,
Baltimore, MD, August 14, 2017.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI:

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MARYLAND DEPARTMENT OF THE ENVIRONMENT,
Baltimore, MD, August 14, 2017.
Mr. RUSH. Mr. Chairman, I rise in strong support of the Rush amendment in the nature of a substitute, and I urge all of my colleagues to support it as well.

Mr. Chairman, hydropower is backed by Members on both sides of the aisle. We all support hydropower, but the licensing process for how we license these projects is far too important for us to get it wrong.

While many Members on the minority side have objections to the underlying bill, H.R. 3043, due to its negative impact on States’ rights and States’ prerogatives under the Clean Water Act, my substitute amendment addresses these issues in a more responsible way.

Mr. Chairman, H.R. 3043 will not modernize or improve the hydropower licensing process, but, rather, it simply places private profits for industry over the public interest.

Mr. Chairman, we certainly need a more balanced approach, such as the one provided in my substitute amendment, which contains bipartisan provisions that were included in the hydropower package that both sides agreed to in a fit of bipartisanship last December in committee.

Mr. Chairman, my amendment contains several provisions to improve the licensing process while also offering incentives to the industry. This substitute contains a requirement to set up a new licensing process, but, unlike H.R. 3043, it protects the rights of Federal resource agencies, States, and Indian Tribes to impose conditions in accordance with modern environmental laws.

My substitute also amends the definition of renewable energy to include all hydropower, just as H.R. 3043 does; however, it expands the goals for Federal purchases of renewable power beyond the 15 percent included in H.R. 3043 as an objective, not a mandate.

Mr. Chairman, my amendment also contains a “reward for early action” provision that authorizes FERC to take into account a licensee’s investments made over the course of their license in order to improve the efficiency or environmental performance of their hydropower facility when setting the term of their new license.

Mr. Chairman, my amendment would strike, and replace, provisions that were included in the hydroelectric license section of the bill. Mr. Chairman, H.R. 3043 will not modernize or improve the hydropower licensing process, but, rather, it simply places private profits for industry over the public interest. While many Members on the minority side have objections to the underlying bill, H.R. 3043, due to its negative impact on States’ rights and States’ prerogatives under the Clean Water Act, my substitute amendment addresses these issues in a more responsible way.

Mr. Chairman, my amendment preserves States’ and Tribal authorities by directing FERC and the Secretary of the Interior to issue guidance on best practices for engagement with Indian Tribes in the hydropower licensing process.

Mr. Chairman, we cannot allow industry profits to supersede the interests of Native Tribes, States, and other important stakeholders.

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

Mr. UPTON. Mr. Chair, I claim the time in opposition to the amendment.

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

Mr. UPTON. Mr. Chair, I rise in opposition to the amendment. I do so with some hesitancy against my good friend, but I would say that this amendment brings transparency and predictability to the process by empowering the State and Federal agencies to actually sit at the table with FERC to identify issues of concern and resolve them before they result in unnecessary delays.

The bill itself, H.R. 3043, contains essential permitting and licensing reforms to ensure that renewable hydropower remains an important part of our all-of-the-above approach to energy, something that many of us on both sides of the aisle support.

We know that the permitting process has been broken. We have heard from FERC over the years and project developers who have been stuck for more than a decade because of bureaucratic delays.

We also know that we need to improve coordination. There are lots of moving parts with multiple permits required and sometimes dozens of agencies that are involved, but this bill, H.R. 3043, helps to streamline and predictability to the process by empowering the State and Federal agencies to actually sit at the table with FERC to identify issues of concern and resolve them before they result in unnecessary delays.

The bill, H.R. 3043, as we have said a number of times over the last hour, ensures that States and Tribes are an integral part of that process. The word “consult” appears no less than a dozen times in the 30 pages.

Without these important changes to the law, States and Tribes may continue to be left out of the important decisions relating to hydropower licensing.

Again, I remind my colleagues that this is a new provision that we added. This wasn’t in the bill last year as we debated this title and approved it in committee, and saw it move again on the Senate floor with a vote that, as I recall, was 92–8.

The bill, H.R. 3043, strikes a careful balance, which is why it has broad support from the American Council on Renewable Energy, the American Public Power Association, the Business Council for Sustainable Energy, Edison Electric Institute, International Brotherhood of Boilermakers, International
HYDROPOWER POLICY MODERNIZATION ACT OF 2017

The SPEAKER pro tempore. Pursuant to House Resolution 607 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3043. Will the gentleman from Illinois (Mr. ROYDEN DAVIS) kindly take the chair.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3043) to modernize hydropower policy, and for other purposes, with Mr. ROYDEN DAVIS of Illinois (Acting Chair) in the chair.

The Clerk read the title of the bill.

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

The motion was agreed to.

Mr. RUSH. Mr. Chair, I demand a recorded vote.

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

Mr. UPTON. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee composed, and the Speaker pro tempore (Mr. DESANTS) having assumed the chair, Mr. ESTES of Kansas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3043) to modernize hydropower policy, and for other purposes, had come to no resolution thereon.

RECESS

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

Accordingly (at 3 o’clock and 20 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTHGEN) at 4 o’clock and 30 minutes p.m.

HOURLY OF MEETING ON TOMORROW

Mr. MILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. on the 1st day of the next session.

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

There was no objection.
A recorded vote was ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on suspending the rules and passing H.R. 3705.

The vote was taken by electronic device, and there were—ayes 257, noes 166, not voting 9, as follows:

[Roll No. 620]

AYES—257

Wilson (NC)  Wicker  Wodeall

Womack  Young (AK)  Young (IA)

NOES—166

ADAMS  Agrim  Agru  Añez  Añez

Aguil  Aguir  Aguir  Aguir  Aguir

Barragan  Bass  Bass  Bass  Bass

Bayer  Blumen  Blum  Blum  Blum

Blink  Rochester  Rochester  Rochester  Rochester

Bomani  Bon  Bon  Bon  Bon

Broyer  Brown  Brown  Brown  Brown

Brownley (CA)  Brownfield  Brownfield  Brownfield  Brownfield

Caplan  Carabal  Caso  Cartwright  Castro (FL)

Castro (TX)  Chestu  Chidu  Chidu  Chidu

Cicilline  Clinton  Clinton  Clinton  Clinton

Cooper  Crabtree  Crabtree  Crabtree  Crabtree

Dally  Daniel  Daniel  Daniel  Daniel

Danilo  Danieli  Danieli  Danieli  Danieli

Dawson  Dawso  Dawso  Dawso  Dawso

Dettle  Davis  Davis  Davis  Davis

DeSimone  Desimone  Desimone  Desimone  Desimone

Diaz-Balart  Díaz  Díaz  Díaz  Díaz

Donovan  Doyle  Doyle  Doyle  Doyle

Duffy  Duncan (SC)  Duncan (TN)  Dunn  Dum

Dupuis  Durbin  Durbin  Durbin  Durbin

Espinosa  Espinosa  Espinosa  Espinosa  Espinosa

Espinoza  Espinoza  Espinoza  Espinoza  Espinoza

Farenthold  Rodgers  Rodgers  Rodgers  Rodgers

Faou  McNer  McNer  McNer  McNer

Fitzpatrick  Meadows  Frischmann  Frisch  Fries

Fore  Foster  Foster  Foster  Foster

Fortenerbery  funnel  footh  footh  footh

Frank (AZ)  Franki  Franki  Franki  Franki

Frelighagen  Frei  Frei  Frei  Frei


PERSONAL EXPLANATION

Mr. HURD. Mr. Speaker, I was unable to vote on the bills and subsequent amendments due to travel to Sutherland Springs, Texas, to meet with the victims, their families, and the first responders of the attack that took place on November 5th, 2017. Had I been present, I would have voted “aye” on rollcall No. 616, “nay” on rollcall No. 617, “nay” on rollcall No. 618, “nay” on rollcall No. 619, and “aye” on rollcall No. 620.
The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3705) to direct the Secretary of Veterans Affairs to require the use of certified mail and plain language in certain debt collection activities, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 10, as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>422</th>
</tr>
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<tbody>
<tr>
<td>Nays</td>
<td>0</td>
</tr>
<tr>
<td>Not Voting</td>
<td>10</td>
</tr>
</tbody>
</table>

Mr. COHEN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 576.

Mr. LANGEVIN. Mr. Speaker, this is a 5-minute vote.

Mr. HUNTER. Mr. Speaker, I was unable to vote on the bills and subsequent amendments this afternoon due to travel to Sutherland Springs, Texas, to meet with the victims, their families, and the first responders of the attack that took place on November 5th, 2017. Had I been present, I would have voted "yea" on rollcall No. 621, "yea" on rollcall No. 620, and "yea" on rollcall No. 619.

Mr. SCALISE. Mr. Speaker, I was unavowedly detained. Had I been present, I would have voted "nay" on rollcall No. 619, "yea" on rollcall No. 620, and "yea" on rollcall No. 621.

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 576.

Mr. HURST. Mr. Speaker, I was unable to vote due to plane travel to Sutherland Springs, Texas.

Mr. SEGUIN. Mr. Speaker, this is a 5-minute vote.

Mr. SCALISE. Mr. Speaker, is there objection to the gentleman from California?

There was no objection.

Mr. SCALISE. Mr. Speaker, I was unable to vote on the bills and subsequent amendments this afternoon due to traveling to Sutherland Springs, Texas, to meet with the victims, their families, and the first responders of the attack that took place on November 5th, 2017. Had I been present, I would have voted "yea" on rollcall No. 621, "nay" on rollcall No. 620, and "yea" on rollcall No. 619.

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 576.

Mr. HURST. Mr. Speaker, I was unable to vote due to plane travel to Sutherland Springs, Texas.

Mr. SEGUIN. Mr. Speaker, this is a 5-minute vote.

Mr. SCALISE. Mr. Speaker, is there objection to the gentleman from California?

There was no objection.
thank them for their dedication to our Nation.

From the Greatest Generation who served in World War II to the veterans who traversed the harsh jungles of Vietnam, to the young people who took up the banner and persisted in the fight against terrorism in Afghanistan and in Iraq, we owe our veterans an endless debt of gratitude.

It is our responsibility to provide for our servicemembers when they heed the call to serve, as well as to care for them when they return home.

Mr. Speaker, we must fulfill our promises to our veterans and deliver on the promises, the benefits that they have earned. We need to make sure that we end veterans’ homelessness. Whether it be ensuring timely access to quality healthcare, enabling the pursuit of educational opportunities, or providing the tools to start their own business, let us reaffirm to our veterans that they will have the support and the services that they need following their service.

To all our veterans, thank you for your service. May God bless you, and may God continue to bless the United States of America.

RECOGNIZING WEST LUTHERAN HIGH SCHOOL FOR PATRIOTISM

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

Mr. PAULSEN. Mr. Speaker, I rise today to recognize the patriotism of West Lutheran High School in Plymouth, Minnesota, and their annual Veterans Day celebration.

Every day, the students at West Lutheran recite the Pledge of Allegiance, even when they did not have enough flags for their classrooms. So the senior American Government class raised $1,200 to purchase flags that will honor their alumni who have answered the call to serve in uniform.

The West Lutheran Veterans Day ceremony is now a central part of life in the Plymouth community, and every year they recognize contributions and sacrifices made by those in uniform. This year, veterans will be treated to breakfast, the music of the West Lutheran band, and remarks by Tom Warren, Sr., a veteran of the U.S. Army and Coast Guard.

So, Mr. Speaker, I commend the West Lutheran community for keeping this tradition alive, and I also thank our veterans for the selfless acts of courage that keep our country safe.

THE STATE OF AMERICA’S VOTING INFRASTRUCTURE

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

Mr. PAYNE. Mr. Speaker, 17 years ago, the United States began a 2-month-long crash course in voting machines and election infrastructure. The 2000 Presidential election opened our eyes to the fact that voting equipment in most places was out-of-date and unsafe.

We didn’t learn the lessons of 2000, and in 2017, America’s election infrastructure remains in a bad state. We must act immediately.

First, we need to help all local and State governments replace their outdated paperless machines with more secure systems.

Second, we need to require post-election audits of all paper records to make sure that the results tabulated by voting machines have not been hacked.

Third, we need to help election officials at the local level upgrade their database and election infrastructure to protect against all cyber attacks.

Mr. Speaker, I urge my colleagues to join me in supporting all efforts to modernize and protect our voting infrastructure and legislation dealing with cyber attacks.

CELEBRATING MONTANA’S STATEHOOD

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

Mr. GIANFORTE. Mr. Speaker, I rise today to pay tribute to a special place: Montana.

From our snowcapped mountains to our nearly endless prairies, Montana is an awe-inspiring place of tremendous beauty. We call it Big Sky Country, an awe-inspiring place of tremendous beauty. We call it Big Sky Country, Montana.

But there is something even more special than the beauty of an eastern State. And we call it home.

The West Lutheran Veterans Day ceremony is now a central part of life in the Plymouth community, and every year they recognize contributions and sacrifices made by those in uniform. This year, veterans will be treated to breakfast, the music of the West Lutheran band, and remarks by Tom Warren, Sr., a veteran of the U.S. Army and Coast Guard.

So, Mr. Speaker, I commend the West Lutheran community for keeping this tradition alive, and I also thank our veterans for the selfless acts of courage that keep our country safe.

OUR MILITARY OPERATIONS IN NIGER

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

Ms. LEE. Mr. Speaker, I rise today to sound the alarm about our military operations in Niger.

On October 4, four U.S. Army Special Operations Forces were tragically killed on a mission in Niger. My deepest condolences to the families of these fallen heroes.

This is a mission, Mr. Speaker, which Congress still knows nothing about. And as recently as last week, Secretaries Tillerson and Mattis testified before the Senate Foreign Relations Committee on this very subject, but one question remains unanswered: Why were our servicemembers in Niger?

It is outrageous that Congress has been left in the dark about these operations. At a minimum, we should have some basic knowledge of the missions we are asking servicemembers to risk their lives for.

Myself and others sent a bipartisan letter to the administration demanding that President Trump seek authorization ahead of any future military operations in Niger.

It is not just Niger. Speaker RYAN needs to stop blocking a debate and vote on these ongoing wars. The people deserve answers.

Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.

Ms. TENNEY. Mr. Speaker, I rise today to recognize Colonel Ben Margolius and Mr. Al Eaton, founders of the Southern Tier Veterans Support Group.

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Mr. Speaker, I rise today to recognize Colonel Ben Margolius and Mr. Al Eaton, founders of the Southern Tier Veterans Support Group.
In many ways, Mike has stayed true to his roots. He was born and raised in a small town in Pennsylvania, where his grandfather was a dairy farmer. He runs a family farm, where he produces pumpkins and other crops and raises Hereford cattle.

Mr. Speaker, it is an honor to recognize Mike Firestine on this tremendous achievement and an outstanding career in agriculture.

GUN VIOLENCE

Mr. SCHNEIDER. Mr. Speaker, here we are again, mourning the senseless loss of life from yet another terrible mass shooting.

Last Sunday, at their church in Texas, 26 more Americans were cut down by a gunman. The youngest was 77 years old. The youngest was 17 months old.

This is just a few weeks after Las Vegas endured the deadliest shooting in our country's history and in the backdrop of ongoing violence in cities, towns, and homes across the country that claims an average of 93 lives each and every day.

The response from this Chamber is deafening silence.

Mr. Speaker, how can we face this epidemic without even a debate? I am open to any commonsense idea on what we can do. Together, we have the opportunity to save lives. I urge my colleagues to act.

CONGRATULATING MICHAEL FIRESTINE ON RECEIVING BRUNING AWARD

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Michael Firestine as he receives the prestigious Bruning Award from the American Bankers Association Center for Agricultural and Rural Banking.

Mike Firestine's leadership and outstanding dedication to providing credit and financial guidance to farmers, ranchers, and rural businesses is well known in the Commonwealth of Pennsylvania. He has been an agricultural banker with the same bank for more than 35 years.

Mike began his ag banking career in 1978, with the Lebanon National Valley Bank, which later merged with Fulton Bank, where Mr. Firestine is currently a senior vice president.

Over the course of his career, Mike has helped scores of young farmers establish themselves in the industry. His counsel and advice propelled many to success.
The VICTOR Act considers the travel veterans have to take to go for transplants. Wouldn’t it be better for them to be closer to home instead of traveling long distances so they and their families can get the care they need and have the access they need locally?

Lastly, I will mention the Veterans Crisis Line Study Act. When a veteran is in crisis, when a veteran is contemplating suicide, as happens so much these days—20, 22 veterans per day giving us the need to have the Veterans Crisis Line Study Act in place to better modify the crisis line to be effective for them; so that there is someone there so they can have immediate help to get through that time.

These are some of the things we can do for veterans as we wish them a happy Veterans Day and thank them for their service. God bless them.

AMERICAN PEOPLE DESERVE A BETTER DEAL

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

Mr. CICILLINE. Mr. Speaker, they are at it again. Corporate lobbyists and billionaires are spending whatever it takes to get their way in this town and avoid paying their fair share in taxes. Meanwhile, working people who play by the rules are getting crushed by healthcare costs, childcare expenses, housing payments, and student loan debt.

What is the Republican solution for this problem? A $1.5 trillion tax cut for millionaires and billionaires, and a tax increase for tens of millions of hardworking families.

This bill is a scam. Republicans are throwing a wealthy five-star banquet for the wealthy and well connected, and saving a few crumbs that fall from the table for the hardworking middle class.

Democrats know that American people deserve a better deal. That is why we are fighting to build an economy that ensures better jobs, better wages, and a better future; create 10 million new full-time, good-paying jobs; invest in rebuilding our crumbling roads, bridges, and schools; lower costs for everything from prescription drugs to childcare; and break up corporate monopolies that are raising costs and reducing choices for working families.

Republicans might be fine with the status quo that benefits the wealthy and powerful special interests. We know the American people deserve better—better jobs, better wages—for a better future.

RECOGNIZING DONALD AND SHARON CAMPBELL

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

Mr. FASO. Mr. Speaker, today I rise to thank Donald and Sharon Campbell, who have actively volunteered for more than a dozen years at the Valatie Ecumenical Food Pantry, a ministry of the Ichabod Crane Clergy Association in Columbia County.

With Don serving as chairman from 2006 to 2017, the leadership of the Honorable Mr. and Mrs. Campbell enabled the food pantry to serve hundreds of families in northern Columbia County. Utilizing grants, community donations, local farms and markets, the Campbells have truly supported their less fortunate neighbors, enabling those folks to better support their families and loved ones.

Don and Sharon’s efforts extend beyond the food pantry, aiding many other charitable pursuits in our community. We thank them as well as the volunteers of the Valatie Ecumenical Food Pantry for their gracious service to our Columbia County community.

THANKING ALL VETERANS

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

Mr. CORREA. Mr. Speaker, all gave some, and some made the ultimate sacrifice. This Saturday is Veterans Day, a day we pause to honor the brave men and women from our communities who have served our country. Veterans represent the best in America. Veterans embody loyalty and honor by always putting their fellow soldiers and country before themselves.

Veterans prove this determination in getting the mission done. This country has made a promise to every person who puts on that uniform. You stand for us, and we will stand for you. Their mission was protecting us. Our mission in Congress is to protect them.

To all of our vets, thank you for your service. Thank you for serving our country.

DOJ FALSE CLAIMS ACT ISSUE

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

Mr. SESSIONS. Mr. Speaker, I rise today to call on the Department of Justice to impose a moratorium on its practice of using the False Claims Act to demand settlements from America’s mortgage brokers for perceived violations in the mortgage lending process. But as Brian Montgomery, the nominee to be Assistant Secretary for Housing, told the Senate Banking Committee last week, the Department of Justice has, unfortunately, failed in its responsibility to protect the FHA. We should correct this circumstance.

PEOPLE VOTED BASED ON PRINCIPLES

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

Ms. JACKSON LEE. Mr. Speaker, yesterday, I got buoyed in a little dance step in my walk, not because of partisan politics, but because people in America voted. They voted throughout the Nation and they made sizeable changes, not even on partisan politics, but what I love, about principles. Principles of rejecting divisiveness, the misinterpretation of the Constitution, and the wonderment of this Nation is what these voters stood for.

I also believe they recognize that they wanted direction that really worked for them. If we pass the tax bill, they didn’t want it to be a tax scam where millions of middle class Americans would pay an increase in taxes or they couldn’t deduct their medical expenses or student interest rates.

The vote yesterday was for a new direction, not for any of us to take it for granted, but for us to recognize that it is time now for the American people to lead. I am so grateful for the democracy of this Nation and for the values of the American people. They made a difference yesterday. Thank you for voting.

POLAND CELEBRATES 99TH ANNIVERSARY OF INDEPENDENCE

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

Ms. KAPTUR. Mr. Speaker, on November 11 in this year of 2017, the nation of Poland will celebrate its 99th anniversary of independence.

To commemorate this historic event as well as to recognize the values the United States and Poland have shared since the 1700s, I rise along with my fellow co-chairs of the House Poland Caucus to introduce this bipartisan resolution.

As early as 1791, Poland adopted the first constitution in Europe based on America’s Democratic principle of liberty. Poland became the first nation in Europe to outlaw serfdom. As a result, Poland was tragically removed from the map of Europe for over a century-and-a-quarter; divided and split between three imperial powers: Russia, Prussia, and the Austro-Hungarian Empire.

Nevertheless, valiant Poles did not give up their values, but they kept
alive the free spirit of Poland during foreign occupation and tyranny for a century-and-a-quarter. Then, in 1918, with the help of President Woodrow Wilson following World War I, they triumphed in bringing their nation back onto the map of Europe in the form of a republic.

Today, American and Polish military cooperation through NATO is critical to defending the spirit of liberty. Let this resolution serve to reaffirm the close bonds between our two great nations.

ENCOURAGE CONSTITUENTS TO SIGN UP FOR A HEALTH PLAN

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

Ms. JAYAPAL. Mr. Speaker, in Burien, Washington, tomorrow, we will be holding an event to provide constituents information on signing up for healthcare coverage under the Affordable Care Act.

With open enrollment season beginning last week, I want to make sure that residents of our district know that they have until December 15 to sign up. And while the Republican majority has been undermining the ACA at every turn, the numbers that are coming in tell a completely different story about how important this act is for thousands of Americans across the country.

More than 200,000 Americans chose a plan on the first day of open enrollment, which is more than double last year. This is all on top of the more than 1 million people who visited healthcare.gov, the official Federal website; a one-third increase in traffic from 2016.

Mr. Speaker, our State exchange in Washington State has reported a 19 percent increase in visits from last year. The surge in enrollment is promising and it is a clear repudiation of the Republican's efforts to strip healthcare from millions across the Nation.

Mr. Speaker, I urge my colleagues to spread the word about how their constituents can get covered.

PROVIDE MORE FOR FEMALE VETERANS

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

Ms. GABBARD. Mr. Speaker, female veterans represent the military's fastest-growing population with an estimated 2.2 million women, including 14,000 in my home State of Hawaii, who have served our country. Yet, when these women come home or transition to civilian life, they are still facing a VA that was created by and for men and is ill-equipped to understand and serve their unique needs.

Women veterans have lower rates of access to the VA than men, but face higher rates of post-traumatic stress disorder, military sexual assaults, unemployment, and homelessness. We have a responsibility to take care of all of our veterans when they return home, and to make sure that they are getting the best care and benefits that they have earned and deserve.

In recognition of Veterans Day, we must fix this and pass the Deborah Sampson Act to eliminate barriers and improve quality of care and services, and empower our female veterans alongside our male veterans. I urge all of my colleagues to pass this legislation to address the glaring gender disparities at the VA and to ensure that our women veterans receive the services that they have earned and deserve.

BILLIONAIRES-FIRST TAX BILL

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

Mr. NORCROSS. Mr. Speaker, I am here to speak about the Republican's billionaires-first tax bill.

Mr. Speaker, the Tax Policy Center determined they will raise taxes for approximately one in four middle class households. Americans agree that we need more jobs, higher wages, and lower taxes. But the Republican bill rewards billionaires, prioritizes corporate profits, and hurts working families.

It is welfare for the wealthy paid for by the hardworking middle class American. It fails the President's own Trump test, which says their tax plan would not benefit the wealthiest of us. Guess what. It does.

Worst of all, New Jersey families suffer the most. The bill guts the critical State and local tax deduction. That means one-fourth of all New Jerseys will be paying more taxes.

Why should billionaires receive tax relief instead of New Jersey's middle class families?

Americans must reject this billionaires-first, bloated, backwards bill. It will do nothing to raise wages or bring real relief for working families.

PUBLIC HOUSING IMPERATIVES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from New York (Mr. ESPAILLAT) is recognized for 60 minutes as the designee of the minority leader.

Mr. ESPAILLAT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

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

There was no objection.

Mr. ESPAILLAT. Mr. Speaker, I stand here today to shed light and to put a face on an imperative issue, the imperative issue of affordable housing. I am here representing neighborhoods like Marble Hill, Inwood, Washington Heights, Hamilton Heights, Morris Heights, Harlem and east Harlem, and the north Bronx.

Public housing and public housing capital funding is imperative for many of my constituents. Just to shed some light on the magnitude of this problem, Mr. Speaker, in the 13th Congressional District, there are 62 housing developments—so 62 public housing developments.

There are a total of 340 buildings, and, within those buildings, there are 34,609 apartments where families live; so 62 housing developments out of 326 for the entire city of New York, 346 buildings out of 2,462 buildings in the city of New York, and 34,609 apartments out of 176,692 apartments across the city of New York.

In fact, Mr. Speaker, public housing houses over 400,000 residents. It is larger than many cities in many States across the Nation, and public housing capital funding is imperative and necessary for my constituents. Not only do these residents rely on stable, affordable housing to stay close to their families and be near their jobs and schools, but our city relies on these residents who are also teachers, home healthcare workers, caregivers, and taxi drivers. They run our city. In fact, they are an integral part of the economic engine of the city. They are part of our local economy. They fuel our economy on a daily basis. Mr. Speaker, these folks really represent the economic engine of New York City.

As you will hear from my colleagues, affordable housing—public housing—and its residents are under threat. After a decade of funding reductions, the President's administration made one thing clear: they plan to drastically accelerate funding reductions for HUD. This turns that housing agency, essentially, into an absentee landlord, into a slumlord, if you will, and, within those buildings, there are one-third of all New Jerseyans.

Yet the administration has proposed a $7.6 billion cut. This is a national crisis, an affordable housing national crisis.

We have Members from California to Texas to New York who all believe that affordable housing should be at the forefront of our progressive priority. It is a fundamental cornerstone of the American Dream that we cannot afford to let slip away.
Mr. Speaker, I yield to the distinguished gentlewoman from the State of Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me give my greatest appreciation to the gentleman from New York, who will remain at the podium as he has yielded to me, and to thank him for the leadership that he has given to so many issues.

Mr. Speaker, I want to thank the gentleman for the leadership work that he took to Puerto Rico that will need housing, and the U.S. Virgin Islands that will need housing. The neighborhoods that he has just mentioned, I am quite familiar with. I know those neighborhoods in New York. I have relatives in New York.

But I also know the neighborhoods in Texas, and I know the public housing developments. I want to join the gentleman in that terminology because, remember, it used to be the projects. But we know that public housing developments are where people live. It is where they raise their children. When you have a home in the public housing development, it needs maintenance, elevators, reinforcement, always cleaned up, painting done, and, yes, debugging, and brick-by-brick repair, or it may be a new addition.

All of my life, I have met my classmates in elementary, and middle school, and they live in the housing developments, many of whom I could go back to, and they are doctors, lawyers, teachers, business persons, and Congresspersons. They are upstanding citizens. But we now know that they have said to us that you have allowed these public housing developments to deteriorate so that children of families who live there now may be subjected to violence and drugs, and it is not their home.

Let me tell you why we are in that predicament.

Right now, as we speak, they are marking up the tax scam. If you look at this pie, you will see that it is impossible for moneys to go for public housing or affordable housing because 80 percent of the tax cuts will go to the 1 percent. That means that we will lose $1.5 trillion in revenue.

What Congressman ESPAILLAT is talking about is that we will be losing and will not be able—as the budget that was passed evidences with $2.4 trillion in cuts in domestic discretionary spending, it will not allow the work to be called for today: reconstruction, new build, rehab, repairs, and adding to the housing stock in America for our people who are in need.

Let me show you this. It may not be exactly in our neighborhood, but it shows you what happened in a disaster. This is a house, or a place where people would be in a house. I could go to Texas after Hurricane Harvey and find houses in this condition. I could go to Port Aransas or Rockport. I can go to Third Ward or northeast Houston.

In our community, Mr. Speaker, we have what we call blue tarps after the hurricane, and they stay on because people are in houses that they cannot afford to repair. They need affordable housing.

Do you know what? They want to live in historic neighborhoods like Port Aransas. Hurricane Harvey, Hurricane Jordan grew up, Sunnyside, South Park, Third Ward, Acres Homes, northeast Houston, and Independence Heights, but they need housing.

So I join the gentleman in saying that this is a disgrace. We need funding for affordable housing. Hurricane Harvey has made it even more disastrous because there are people in housing now right in my district—and I hear you in northeast Houston where the walls are pulled out and the mold is on because they need affordable housing. They need Section 8 vouchers and clean housing.

Mr. Speaker, let me tell you about the affordable housing and public housing. I have lost 112 units through Hurricane Harvey in condemnation, and I may lose more out of a total of 201 in one particular two-story area of Clayton Homes; and then 2100 Memorial, we are fighting to not lose the housing that is needed there.

So I want to join and thank the Congressional Progressive Caucus and thank the gentleman for leading this Special Order. I want to make sure that I keep this picture up for America to know that unless we fight against these devastating cuts, whether you are in a disaster area and have lost your home; or whether you are in a city like New York and are facing the deterioration of public housing, or the elimination of units taken offline; or whether you are in Houston, Texas, under the Houston Housing Authority and you are losing units, the cry is for the families of America.

Who do we care for? Some of them are families of Active-Duty soldiers. Some of them are families of veterans. So I would join the gentleman in crafting and working on stopping the bleeding of losing affordable housing for the many millions of Americans who need it and welcome it, and for the millions of children who deserve it.

Mr. Speaker, I thank the gentleman for yielding to me, and I thank him again for his leadership.

Mr. ESPAILLAT. Mr. Speaker, I want to thank the gentlewoman from Texas for her eloquent remarks regarding this pressing need, this national crisis of housing.

Let me just share with you some other numbers that will further ensure that the American people understand in full depth this crisis.

In my district, as I said earlier, there are 75,463 residents of public housing out of 400,000 citywide. There are 34,035 NYCHA families in the district out of 174,283 citywide. Twenty-five percent are children who are subject to mold like we see right now. And on this issue, Mr. Speaker, mold that contributes to asthma and to other respiratory diseases that then lead to absenteeism in the schools and long-term problems for young people and children who live in these public housing units.

In addition to that, Mr. Speaker, 21 percent of the residents of these housing developments are seniors over 62 years old who are also subjected to mold like we see right now. And many of them are in wheelchairs or have some real challenges getting around. Yet the Federal Government and its Department of Housing and Urban Development, HUD, continue to be an absentee landlord abandoning them to their own fate. Fifty-two percent of those residents, Mr. Speaker, are on fixed incomes, and 46 percent across the city have an employed family member. So these are the numbers that are very telling to this national crisis.

The reduction in capital funding which leads to the deterioration of buildings' roofs and facades, failure of boilers, leaks, mold like we see right now, and other unacceptable conditions are devastating to my constituents, and they contribute to a public health crisis, asthma, respiratory disease.

Sufficient capital funding is imperative for our district and the country, and it ensures the creation of jobs through capital work.

Investing capital dollars in public housing repair would also yield employment in our communities. It also ensures the reduction of negative health outcomes and healthcare costs related to the deterioration of housing conditions. It also results in quality, stable housing for low-income Americans, which is one of the most important factors in the alleviation of poverty.

Americans need a better deal for housing. As we continue negotiations on the fiscal year 2018 appropriations, and the administration prepares the fiscal 2019 budget proposal, we need to ensure that public housing is adequately funded.

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them skilled, tech-savvy young people who moved to California for our climate, culture, or commerce. This is especially true for my home city of Los Angeles, which boasts cultures and cuisines from all over the globe, allowing anyone to live.

Unfortunately, the growth of affordable housing has not kept pace with the population growth. This disconnect has created a housing affordability crisis that is exacerbating economic inequality and forcing lifelong Angelinos out of their homes. The lack of housing raises rents on working families, which, in turn, threatens the vibrant hubs of Latino, Black, and Asian culture throughout my district, potentially stripping these neighborhoods of their character that made them so unique and desirable to live in in the first place.

Our affordable housing crisis has left more than 400,000 households in the city of Los Angeles and 900,00 in L.A. County without homes. This is a precariously housing situation. A precariously housing situation means that the dwelling is substandard, families are doubled up, or they spend more than half their income on housing. This is a million people in precarious housing situations, teetering on the edge of homelessness, one bad day away from losing the roof over their head. That is on top of 38,000 homeless individuals in Los Angeles County.

Simply put, the affordability crisis in California threatens our State’s great legacy to provide economic opportunity for all. In Los Angeles, we have seen that, when we target our resources to help specific populations, we get results and we save lives. In 2015, L.A. City housed more than 15,000 people, including 2,600 veterans and 2,800 chronically homeless people, more than any other city in the country.

Despite the historic housing shortage and a staggering mental health crisis, my city has proven that policymakers can tackle this problem if we have a coordinated effort at the State, local, and Federal levels. L.A. is stepping up. So is the State of California. L.A. passed measure HHH, which is $1.2 billion to help individuals who are homeless. The California State Legislature passed 15 housing bills and a $4 billion bond to be on the ballot in 2018. But we can’t do it on our own, and we don’t need the Federal Government to undermine our efforts by undermining their role and responsibility at the Federal level. Unfortunately, our Republican-led Federal Government doesn’t believe in being a good partner and doesn’t believe in combating unaffordable housing and homelessness. They have chosen to starve vital agencies like Housing and Urban Development and zero out funding for agencies like the Interagency Council on Homelessness.

Cities like L.A. and States like California need responsible Federal partners to tackle issues like homelessness so they can make tough choices and make sure we have a housing situation that serves all people. That starts with actual Federal investment in projects and programs that help people, not just the rich. That is why the Republican tax cut plan is such a shame and deserves to go back to wherever dark corner of Republican dogma it came from. As it stands right now, the Republican tax plan would cut the production and affordable housing in half by eliminating multifamily, tax-exempt housing bonds. It would also repeal the 4 percent tax credit and provisions authorizing the use of tax-exempt activity bonds. Taken together, these provisions account for 50 percent of all affordable housing production and would make our affordable housing crisis even worse.

Republicans in Congress only claim to care about giving States more power to pursue their own policies. It would be great if their actions matched their words and they actually worked with our great cities and States to address important problems instead of making them worse. I ask for all of you to consider that any tax plan not exacerbate the housing crisis in our country.

Mr. Speaker, I thank Representative Espaillat for leading this important Special Order.

Mr. ESPAILLAT. Mr. Speaker, earlier, I talked about some of the proposed budget cuts that HUD has brought forward for this fiscal year. Let me explain, because what some of the programs are that will be negatively, adversely affected by these cuts on a daily basis.

Section 8, a program that provides rental assistance to help low-income individuals and families, more than 125,000 households in New York City’s NYCHA complexes depend on Section 8 vouchers, 39,000 of which are administered by the city’s HPD Department. Approximately half of the voucher recipients are children.

Community Development Block Grants help the city enforce housing quality standards. More than half of the city’s Community Development Block Grant allocations support housing quality standards funding; 500,000 inspections have been conducted, 8,000 emergency repairs, 16,000 housing litigation cases, and emergency shelters for 1,000 households, just in 2016.

The Low Income Housing Tax Credit, nationally, 90 percent of the affordable housing is financed through the Low Income Housing Tax Credit. The Low Income Housing Tax Credit and tax-exempt bonds have helped create and preserve quality, affordable homes in New York City.

These programs will be compromised and lead to apartments with mold, chipping paint, leaky pipes, dysfunctioning elevators, failing boilers, and leaking roofs. So this is a major national crisis.

Let me share with you some of my constituents’ stories. Now that we have talked about numbers, let’s talk about what these numbers mean and who they impact.

Let’s talk about, for example, a lady named Maria Pacheco, who has lived in the UPACA 6 development for 13 years. She is retired from working at the store market. This is what she had to say about the importance of making capital improvements to her public housing building:

IF NYCHA fixes the entrance doors and the walkway in front of the development, more seniors would be able to get out of their apartments more often. There are a number of seniors who do not come out of their apartments because they are not able to open the entrance doors. Those doors are really heavy and the walkway is dangerous, and a lot of seniors fear they will fall.

Maria Pacheco needs a better deal in housing from Congress. Seniors are too afraid that they will fall.

During Secretary Ben Carson’s listening tour—by the way, Mr. Secretary, New York City is still waiting for you to see our public housing complexes and the conditions that they are in during his so-called listening tour, this is what he had to say to a development in Columbus, Ohio, that is partially funded by HUD: “Compassion means not giving people a comfortable setting that would make somebody say: ‘I’ll just stay here. They will take care of me.’”

Mr. Secretary, “a comfortable setting,” you said. Public housing often lacks consistent heat and hot water. That is far from being comfortable. Public housing elevators often break down. That is far from being comfortable.

Public housing often has no heat and hot water and mold on the wall. That is far from being comfortable.

I think my constituent Birdie Glen, age 78, who lives in the Jackie Robinson Development with her husband and great-grandson would disagree with you. Mr. Secretary. She is retired from the Department of Education, and this is what she had to say about the boilers in the Jackie Robinson Development:

If they fix the boilers in the Jackie Robinson Development, the residents would be more grateful and appreciative. The lack of consistent heat and hot water has caused a lot of the residents to get sick. Adults as well as children have been visiting the doctor’s office more frequently due to getting sick because of no heat and hot water.

This has become a public health crisis as well. During the winter months, residents experience more illnesses in the Jackie Robinson complexes because the boilers need to be replaced.

Another resident, Felicia Rodriguez, 70 years old, who lives in the Gaylord Houses, says:

She has been living at Gaylord, I have experienced severe flooding, water damages in different areas of my apartment. If we had repairs and upgrades in our development, we would be more valuable to our houses would. We need to ensure we get the repairs completed in a timely manner to avoid further damages to our infrastructure.

Gaylord has significant leaks due to the pipe damage, brick gaps, roof damage. These problems affect our health, our hygiene, and
economic issues for many seniors in Gaylord development. By making major roof and brick repairs at Gaylord White Houses, we will eliminate leaks, flooding, and damage to the top floors of the apartments.

This is a public health crisis. Let’s talk, Mr. Speaker, about public health and mold. In every city, there is an aging public housing development complex, and a lack of investment for decades means that many buildings pose great, great health risks to the residents. In New York City, a majority of NYCHA buildings are more than 60 years old. Public housing authorities have endured decades of Federal disinvestment. For many, a lack of affordable funds means that repairs have spiraled out of control. Some units are so damaged that they cannot be lived in.

Citywide, there are 2,300 NYCHA units that are vacant, and many need extensive renovations to become safe homes again. Not only is the lack of Federal investment hurting the number of public housing units available, but vacant units almost always make public housing less safe for current residents.

Speaking to DNAinfo, Jiselle Hearne elaborates how vacant units make the Harlem River Houses less safe: “Of course, we are worried. Anyone can come in and you don’t know what they are going to do. They can . . . leave the gas on. It is not safe living somewhere where nobody is monitoring.”

Harlem River Houses has been plagued with mold for many years, and units on the top floors have remained uninhabited.

Mold affects 320 NYCHA properties, and the situation has only worsened after Hurricane Sandy. That was in 2012. We need capital investment not just to eradicate the appearance of mold; we need to address the root cause of that, which is that NYC has 316,000 NYCHA residents, such as seniors or small children, mold may lead to much more serious medical conditions.

The government is the landlord of public housing complexes across the country, and we cannot expect public housing residents to deal with conditions that would be deemed unacceptable in the private market. It is our solemn duty to make sure that public housing residents have homes that allow them to lead healthy and productive lives.

If we can afford to spend $1.75 million remodeling one unit in public housing—that is the White House that I am referring to, which is public housing. If we could spend $1.75 million to renovate the most expensive public housing unit, the White House, then surely, Mr. President, we can afford to guarantee safe homes for public housing residents.

If President Trump can spend $291,000 on office walls, then America’s 1.16 million units of public housing should have walls free of mold, like the one we see right here, and other safety hazards. Unlike the White House residents have to afford lavish renovations. They depend on us, and we must not fail them.

Mr. Speaker, I yield to the gentlewoman from California (Ms. Lee), my distinguished colleague.

Ms. LEE. Mr. Speaker, first let me thank Congressman Espaillat for yielding and for his tremendous leadership and advocacy to ensure that our communities have access to affordable housing, regardless of their income, regardless of race or gender. I am going to lay, I want to thank the Congressional Progressive Caucus and him for leading this Special Order tonight because it is so important that the public really understand the issues that we are dealing with here in Washington, D.C., on behalf of the American people.

Tonight, of course, we are calling on the Trump administration and our colleagues across the aisle for greater investments in affordable housing, including in public housing.

Affordable housing should be a basic right. No one should have to choose between placing food on the table or paying their rent, especially not in the wealthiest country on Earth. Sadly, right now, our country is in the midst of an affordable housing crisis. Half of all families in this country are forced to spend more than 30 percent of their hard-earned income on housing.

Over 38 million families struggle to pay rent and put food on the table every day because they pay more than one-third of their income on housing. Right now there are only 12 counties in the entire country where a minimum-wage worker is able to afford a modest two-bedroom apartment.

Simply put, the housing crisis in America has reached epidemic proportions. It is really a state of emergency. Nowhere is this epidemic more evident than, for example, in my own district. The inner city, public housing in Oakland, California, for example, would be forced to spend a staggering 70 percent of their income on housing if they were to move today—70 percent—and many are being forced out.

In Oakland, the number of homeless individuals increased by 25 percent this year to more than 2,700 people. In all of my county, Alameda County, the homelessness population has increased by nearly 40 percent in the last 2 years to more than 5,600 people.

Now, these people have settled into encampments with all of their furniture and belongings across the streets of cities in my district. It is unconscionable and devastating that this un-American reality persists across the country.

Yet, instead of working to address this crisis, Republicans have slashed funding, mind you, for housing assistance programs to their lowest level in 40 years. In the Republican fiscal year 2018 budget, there are over $200 billion in cuts from programs that everyday families depend on, like SNAP, agricultural subsidies, and housing assistance.

The Trump administration has proposed slashing the budget for HUD by 15 percent. The Secretary of HUD, I guess, supports this, which is mind-boggling because he is charged with developing housing strategies so that everyone can have decent, affordable housing. To cut it by 15 percent makes no sense.

This endangers the livelihoods of millions of low-income seniors, people with disabilities, families with children, working families, veterans, families with HIV and AIDS, which they all depend on affordable housing programs.

Our Progressive Caucus colleagues and I are here tonight to say that, real estate is enough. We demand affordable housing for every person in our Nation, regardless of who they are and where they live, and we are not giving up.

Earlier this year, I introduced a rental assistance bill of rights. It is H. Con. Res. 74, which affirms that all renters have the right to safe, decent, and affordable housing. It calls for greater enforcement of antidiscrimination laws that protect communities of color from burdensome regulations. It calls on Congress to increase funding to protect every American’s right to livable and affordable housing.

So as a member of the Appropriations and Budget Committees, I am dedicated to advancing the American Dream for all, and that is affordable housing. People deserve to have a decent and safe place to live to raise their families.

So to everyone across the country who worry about paying rent or whether they can finally, at the end of the day, buy a home, I say: Keep raising your voices and keep bringing what we call street heat to defend your communities, because you have got allies in the Congressional Progressive Caucus. You have got them in this House of Representatives, especially Democrats. We are not going to give up fighting for you.

I want to thank Congressman Espaillat for holding this Special Order tonight because I think that public, given this crisis—and it is a crisis, it is an epidemic, it is an emergency—people need to know we are here fighting for them, and we are going to continue fighting until everyone in America has a decent, safe, and affordable place to live.

Mr. Espaillat. Mr. Speaker, I want to thank the gentlewoman from
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the State of California for her eloquent words.

Mr. Speaker, I would like to highlight another factor that contributes to the problem of the lack of affordable housing, and that is the decreasing affordability in New York City.

Historically, New York City was built on inclusivity, and it is here that people from all walks of life come in and they coexist. It is this diversity that contributes to the success of this great experiment called America, this great experiment called New York City. It is young people moving here from Tennessee and immigrant families from the Dominican Republic, like my family, for their own American Dream right here in New York City. And New York City’s success is one piece of the national picture of urbanization.

This enormous change in cities across the country includes an influx of more people, often young and from diverse backgrounds. This means that the visionaries in expanding our housing supply, especially our affordable housing supply.

Mr. Speaker, that is why we are here today, to highlight on this national crisis of a lack of affordable housing. America has a housing crisis—an affordable housing crisis. Working and middle class New Yorkers have felt the brunt of fewer options available on the market.

Countless middle- and low-income families cannot afford to live in the neighborhoods they have known their entire lives. They must give up living close to jobs, schools, familiar neighbors, and everything else that defines their community.

The very foundation of our city is threatened when households must make difficult choices between basic necessities and rent. That is truly a crisis that affects individuals, families, and cities.

The same is happening in Washington Heights, Inwood. Neighborhoods that saw over 100 homicides every year and that now are down to low single digits are seeing a dramatic increase in rent and affordability; and many folks who have been living there for decades, like my family, are now having to make tough choices of whether they remain in the neighborhood that they love or have to move on.

Even among those who remain, they still face additional challenges because the neighborhood they have known for so many years now feels unfamiliar. For many, the fear of displacement is ever-present.

Mrs. Gwen Walker, a resident of the General Grant Houses in Morningside Heights since the 1950s, was speaking to The New York Times when she shared her thoughts on displacement, saying that living in New York City alone. That is the lifeline of New Yorkers because they are not further burdened for not abandoning their homes.

And the displacement continues to occur in New York City, Madam Speaker. It is a harsh reality after tenant’s eviction, bought out, or cannot afford a rent increase. After losing their home, families face few choices. Some families end up in overcrowded apartments, if they are lucky, living with another family member or living with a stranger.

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David, who is a Mexican immigrant, lives in Washington Heights. He lives with 12 other people in a 750-square-foot section of the basement. Another 14 people live in the other half.

He explained, speaking to New York Magazine, that, for $1,000 each, they get 40 square feet, a children’s bedroom, and a refrigerator salvaged from the trash. Their basement is hard to move around in and impossible to walk anywhere but to the leaking bathroom or the small living room with the scavenged sofa. The basement costs David and his 27 roommates almost $3,000 a month.

This is not an uncommon experience. Citywide, two-thirds of all Mexicans live in overcrowded conditions, David described his journey and realization of what living in New York City would be like for him:

From the airport, I went to my brother’s place in Washington Heights. He was living with his child and pregnant wife, along with another couple and their kid—six people. I was the seventh. In only one room.

America should know this: there is a public housing and affordable housing crisis across the country, and HUD proposes to dramatically cut the programs that guarantee the services for this housing. Washington Heights.

David also experienced the loss of his home and an understanding that his place in the city is always vulnerable.

This is all happening, Madam Speaker, while Republicans continue to devise, to plan, premeditatedly, to plan their tax reform that will give the rich, the 1 percent, a handsome tax cut while punishing the middle class and working class sectors of America.

There is only one unit of public housing that is worth over $390 million, or the White House. The White House does not have mold. The White House does not have crumbling pipes. The White House does not
not have severe water damage or asbes-
tos because the White House is not plag-
uded by disinvestment.

President Trump does not pay rent, and he is not in danger of being priced out of his neighborhood. And yet Presi-
dent Trump and congressional Republic-
an leaders continue to strip cities of their ability to create and maintain af-
fordable housing for those who most desper-
ately need it.

The Ryan-McConnell tax bill is a lie that
that has been sold to the American peo-
ple as a promise, a promise that claims that
everyday Americans will benefit and see more dollars in their pockets. But it is a scam; it is a shell game; and it will make richer the rich and leave everybody else behind.

The proposed tax plan eliminates funding for low-income housing tax credits, which are responsible for many affordable developments. The need for affordable housing is ever growing, and the low-income housing tax credit must be maintained, not eliminated, to keep up with demand. For New-

Yorkers, every dollar in their paycheck matters when it comes to being able to pay rent.

Removing the State and local tax ded-

uction, called SALT, places an unfair double tax on State residents. States who choose to provide high-quality services through taxation will be un-
fairly punished. This unjust punish-

ment will be felt mostly by those who live paycheck to paycheck.

In some neighborhoods in New York City, residents spend as much as 80 per-

cent of their income on housing and transportation. Removing the State and local tax deduction means that families who already make tough deci-

sions about food, rent, and other bills now have fewer dollars in their pockets to make those decisions.

For families that have saved up enough to participate in the American Dream, losing their home, they no longer will be able to use the mortgage interest tax deduction to help them fi-

nance their homes. For many hopeful families, eliminating the mortgage in-

terest tax deduction closes the door to that opportunity.

The low-income housing tax credit, the State and local tax deduction, and the mortgage interest tax deduction are the foundation from which we can build affordable communities. We will not get there post-GOP tax scam; we will not play in a shell game; and we will not give billionaires even one more dollar. America deserves a better deal.

Madam Speaker, I close by saying that, in my home State of New York, the Empire State, and particularly in my district, for the last 7 years, it has been represented by two giants: first, by the late and great Adam Clayton Powell, Jr., who made history right here in these Chambers; and for the last 46 years, by the "Lion of Lenox Avenue," Charles B. Rangel.

Underfunding of affordable housing in that district starves public housing and is compromising the health of pub-
lle housing residents. HUD's capital backlog of $26 billion cannot be added to. We must be responsible and take hold of this challenge.

For the public health of our constitu-
ents, to preserve the American Dream, I urge my colleagues to vote and make affordable housing a priority.

Madam Speaker, I yield back the bal-
ance of my time.

The SPEAKER pro tempore (Ms. TENNEY). Members are reminded to ad-

dress their remarks to the Chair and not to a perceived viewing audience.

FOOD SECURITY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Pennsyl-

via (Mr. THOMPSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today as the

General 

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when people find themselves suddenly and often critically in need following a storm, an earthquake, a flood, obviously, a hurricane, a wildfire, or any other disaster emergency. It is hard enough if you have lost your home or you have lost your job or your place of employment. You shouldn’t need to worry about where your next warm meal is coming from. That is what our D-SNAP, or our food assistance for disaster relief, does.

I am very pleased, as I started to say, of the Agriculture Committee and our role within oversight authorizing these programs. But I am also very appreciative of the very dedicated individuals who work at the United States Department of Agriculture and, specifically, the Food and Nutrition Service, referred to as FNS, under the leadership of the Secretary of Agriculture Sonny Perdue.

Over the past several months, we have had a number of natural disasters that everyone is well aware of. They have devastated parts of our Nation, from Hurricanes Harvey, Irma, and Maria to the wildfires on the West Coast. USDA’s Food and Nutrition Service, FNS, has worked diligently to ensure that those impacted by these disasters have enough to eat.

Now, working in close coordination with the Federal Emergency Management Agency, or FEMA; our State partners; and volunteer organizations, FNS has not only ensured that individuals participating in our regular nutrition assistance programs continue to receive the nourishment that they need, but also that other populations affected by the disaster have access to the food.

Madam Speaker, under the authority that is provided through the farm bill, and specifically section 301 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, through USDA, we are able to provide administrative flexibilities, including waivers for program requirements in cases of Federal major disaster declarations, which we have seen so many of those in the past few months.

We were able to provide technical assistance to State leaders in impacted areas to assist them to determine what flexibilities or waivers are best suited for the stage of the disaster at hand. Requests for waivers and flexibilities are submitted to FNS by State agencies, and the unique circumstances of each disaster are considered.

In times of disaster, especially when regional demand and to be reimbursed at the free reimbursement rate for a limited period of time when a geographic area is heavily devasted by a declared disaster emergency and where the normal processes of food provided in the home has been disrupted. All these things and so much more, Madam Speaker, are part of this. Because it is food, the food that fills a home, is nutritionally powerful, and can be a critical component of a disaster.

Child nutrition programs. FNS allows for a number of flexibilities during disasters, such as allowing disaster-affected schools and institutions to provide meals to all children at no cost and to be reimbursed at the free reimbursement rate for a limited period of time when a geographic area is heavily devastated by a declared disaster emergency and where the normal processes of food provided in the home has been disrupted. All these things and so much more, Madam Speaker, are part of this. Because it is food, the food that fills a home, is nutritionally powerful, and can be a critical component of a disaster.

In times of disaster, especially when disaster-affected populations do not have access to congregate feeding, in other words, coming together to be able to get their food, they are in isolated communities and/or grocery stores are not operating because of the disasters, a State agency may request to operate a disaster household distribution program, in which food banks and voluntary organizations utilize the household-size USDA foods, such as those offered in The Emergency Food Assistance Program, what we refer to as TEFAP, to build and distribute food boxes to families. And, of course, the D-SNAP, the D-SNAP that I made reference to. D-SNAP is one of many types of food assistance for disaster relief.

The D-SNAP is a streamlined version of SNAP that provides temporary—and that is important to understand—food assistance for households currently receiving SNAP who are affected by a natural disaster. Areas with a Presidential designation of a major disaster with individual assistance are eligible to operate a D-SNAP. States have to request approval from FNS to operate a D-SNAP in such an area.

The timing of the D-SNAP varies with the unique circumstances of each disaster, but always begins after the commercial channels of food distribution have been impacted. Families can purchase and prepare food at home.

D-SNAP programs are often paired with supplements for the ongoing case-load to bring their benefits up to a maximum amount.

Finally, of the food assistance disaster programs, the final one, just briefly, and the eighth one, is infant and toddler kits are typically utilized first before FNS receives a request for these products.

These are all examples of great programs. When American families are hit by these natural disasters to a significant level where Presidential declarations of natural disasters are declared, through the Agriculture Committee and mobilized through the United States Department of Agriculture, and the programs that we authorize under that agency, this is how neighbors help neighbors in need.

Madam Speaker, I thought I would just touch briefly on a few of the programs, some of the experiences of how American families have been assisted through these programs, starting with August 25, 2017, with Hurricane Harvey, where it struck Texas.

Madam Speaker, we are all familiar with the scenes as we watched the unparalleled, just Biblical proportions of rain, 5 feet of rain in just a number of days.

Texas was provided through this program, Supplemental Nutrition Assistance Program, or SNAP, a Disaster Supplemental Nutrition Assistance Program in 39 counties that were impacted by Hurricane Harvey. FNS also approved the State request to issue automatic supplements to ongoing SNAP households in 39 counties that
received a Presidential declaration of disaster for individual assistance. FNS approved the automatic issuance of 2 months of disaster supplement benefits.

On September 1, FNS, USDA, approved a policy to provide States with flexibility to serve Hurricane Harvey evacuees in States that has chosen to either serve evacuees through expedited SNAP rule or through the simplified program rules in the evaucuee policy. People who have relocated from their homes of origin.

Additionally, on September 1, they published an automatic mass replacement of August SNAP benefits in 29 declared counties. These mass replacement benefits were issued to replace food that was purchased with August 2017 SNAP benefits but was all destroyed by the hurricanes, the rain, the flooding as a part of that natural disaster. That is just an example.

Additionally, Texas received a hot foods disaster emergency notice that allowed the State's hot foods waiver request to allow recipients to purchase hot foods and hot food products prepared for immediate consumption with their benefits. As I mentioned before, that is normally not a part of the SNAP program, but, given the recognition, an incredibly important part of that.

Another example of application with Hurricane Harvey in Texas, USDA, through FNS, approved Texas to operate a disaster household distribution program really to address immediate food needs. Packages containing USDA foods were distributed by local feeding organizations to over 23,000 households, beginning September 8, for up to 4 weeks.

Then there was a partnership as well, Madam Speaker, where Texas and the Salvation Army used USDA foods to prepare and serve 100,000 meals to those in need. The Emergency Food Assistance Program, or TEFAP, USDA foods to provide meals at food pantries and food kitchens to people in need who couldn't reach larger disaster feeding organizations but who were able to gather at small local organizations. Those are just a few examples in Texas.

FNS informed Texas that it could use the Emergency Food Assistance Program, or TEFAP, USDA foods to provide meals at food pantries and food kitchens to people in need who couldn't reach larger disaster feeding organizations but who were able to gather at small local organizations. Those are just a few examples in Texas.

Madam Speaker, I want to fast forward to probably a month or so later, October 2017, when Texas was hit with another disaster, that is wildfires. In all shapes and sizes, and some of the devastating wildfires that we had, specifically in California, also reaching into Oregon.

Madam Speaker, I yield to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON. Madam Speaker, I thank my colleague from Pennsylvania, Mr. Thompson, for yielding. I appreciate his efforts tonight in pointing out the nuances of the SNAP program and what it means in a disaster situation, such as what we have had all over the country in hurricanes, and even in my own backyard with the wildfires that we have been hearing about in the West in general, in my own district, where several have affected us very negatively, and adjacent areas of northern California and the wine country, indeed in southern California as well.

So the flexibility that has been needed, as we found in the SNAP programs through what is known as D-SNAP, which is Disaster and Supplemental Nutrition Assistance Program, has been very helpful to many in northern California and even southern California counties as well.

So when the California Department of Social Services requested the D-SNAP to be put in place, the Food and Nutrition Service did, indeed, grant that in several instances, including October, and more so in northern California, but in other instances as well in this case, indeed, as Mr. Thompson so well explained earlier in tonight's Special Order.

Due to power outages from the fires soaking up power, we have food and spoilage due to those power outages, as well as other instances, and even the ability for people to buy food. Maybe their home is okay, but they wouldn't have the markets available to them in their community to buy food that they need locally. So the D-SNAP program has given the flexibility and the ability to source it and have it available after these families have suffered losses, including the waiver for some folks who don't have the ability to produce and prepare hot food, where, in that case, families can have fairly normal meals in a time of crisis that is, indeed, a comfort for them and a positive that the flexibility of the program has made available for them.

So, indeed, destroyed homes due to fire, the power outages that have extended to so many areas and for so long time, indeed caused these crises for families here. The flexibility of this program, as Mr. Thompson has pointed out here tonight, has been very helpful in that time of disaster and relief that is needed, and the compassion that comes from people helping each other in these times and these instances where we have had such much voluntaryism, people stepping forward to help others in times of crisis, but you need that little extra push sometimes that this program can be so helpful for.

So I appreciate the FNS stepping forward and approving what the California Department of Social Services has looked at as, indeed, worthy disaster relief that has been needed in these areas.

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It wouldn't just apply to wildfires as well, where we have had so much hitting California this year, nor does it just apply to wildfire. We had the issue of a possible flood and the crisis at Oroville Dam, when the spillway broke and 188,000 people had to be evacuated due to great concerns about additional failure of the dam.

So the ability to have this available, should the timing be right, and the qualifications for it being deemed that type of disaster, indeed is a comfort for people in the community when they are like putting food on the table during crisis after a disaster come into play; whether it is fire, as was declared here, or it could be possible flood and evacuations, things of that nature, that make this a good part of an integral part of keeping a community fed and together.

So I appreciate Mr. Thompson allowing me to speak here tonight and to be able to point out how this has worked in northern California during just this last month in these horrendous wildfire situations we have seen in so many counties. I thank the gentleman for leading this tonight and for his attention to this.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I appreciate the gentleman's leadership on the Agriculture Committee.

Really, I think sometimes we take for granted basic essentials, such as food. Normally, these programs are for those who are, for temporary reasons, unemployed, underemployed. We are trying to help give people a pathway to greater opportunities through job training and those types of things. When disaster occurs, your life changes overnight. So I am very proud of the work that we do, of the fact that we are there for all of our neighbors in both rural and urban America; when they find themselves in a situation where they are dealing with loss of a home, or the loss of a place of employment, or delays of going to work, or schools being closed, that we really are in a position to be able—they shouldn't have to worry about that next warm meal.

Natural disasters do come in all—we just talked a little bit about the wildfires. Certainly, Oregon also is a State that has been the scene of wildfires and, specifically, received FNS, disaster and nutrition assistance in the form of child nutrition programs, not just from the flames, but from the smoke, with advisories due to smoke advisories, qualifying air quality alerts, allowing for what we call non-congregate meal service, normally, those are summer food meals. Those are summer food meals that have been put in place to be able to basically getting food out to those families, to those kids so that they are—you don't want to be traveling through that heavy smoke.

We are all too familiar with another form of natural disaster, and that is hurricanes. We have citizens on a wonderful island, Puerto Rico, that was hit by not just one but two hurricanes in a short period of time, Hurricane Maria and Hurricane Irma.

I am joined this evening by a friend and a colleague who represents all those many United States citizens living on the island of Puerto Rico, Miss
JENNIFER GONZÁLEZ-COLOÁN. I thank the gentlewoman for joining us this evening.

Madam Speaker, I yield to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLOÁN).

Miss GONZÁLEZ-COLOÁN of Puerto Rico. Madam Speaker, I thank the gentleman, my friend, for allowing me actually to speak about what is happening in terms of the USDA—the Department of Agriculture—and all the food programs on the island in the terms of disaster as the gentleman was explaining, how these programs work with the disaster.

As we speak, Puerto Rico’s still has 60 percent of the island without power. As we speak, less than 20 percent of our island is having actual running water, problems with communications.

The first thing people will say is lack of electricity. They will say the lack of a proper home, when you have got more than 60,000 homes that just lost their roof or even are having a lot of damages.

So in that regard, the nutritional assistance provided by the U.S. Department of Agriculture for disaster relief in Puerto Rico has been indispensable; it has been incredible. Actually, continuous communication the Government of Puerto Rico is having with the Department of Agriculture has been the first time, I think, during a disaster in this magnitude.

We are in touch today 49th day after the hurricane. To make matters worse, for most of our people, the lack of power and the lack of water is just a fraction of the issues. I mean, we have still got a lot of schools that haven’t returned to impart classes. So that means that you have a lot of kids in their homes without going to school, and a lot of several structural damages in the homes, businesses, communities, all around the island. The amount of flooding, roads that are repaired but not serious damage or lack functionality is staggering at this time. So the nutritional assistance was a concern since before the hurricanes.

I need to say that I appreciate Secretary Perdue having a call with me and different conference calls regarding different programs. First of all, 9 of the 11 programs for disaster in the Department of Agriculture, in terms of the farmers, the territories, will never apply because we are not, in fact, allowed to apply. He made it happen. He used flexibility to allow Puerto Rico to access those programs in terms of the farmer disaster assistance, and I appreciate that.

That happens also with the USDA programs. The USDA officials have been in contact directly, not just with my office, but with the Governor of Puerto Rico, with the local officials since early on when this problem was hitting the island. As a matter of fact, I was also in touch with them regarding a lot of the problems.

I am also pleased with the inclusion of the disaster assistance for the Puerto Rican Nutrition Assistance Program in the second supplemental bill for the disaster relief that was approved here. However, we still need, of course, a lot of help. We still know that there is a long way to recover ahead of us.

Most of the issues we are facing now are because of the lack of power, the lack of electricity. Our people are struggling due to not having access to their nutritional assistance benefits because there are still many stores that remain without power and they cannot process the purchases through the electronic benefits system.

If the benefits are not used, in the case of Puerto Rico, for a 60-day period, they are going to be removed from individual accounts, and then returned to the Nutrition Assistance Program.

So that is one of the issues we are still working with the Department: American citizens losing access to funds allocated for them to mitigate food needs.

I would like to encourage the Department of Agriculture to take these difficulties into consideration and explore more avenues for remedial action, because I know nobody expected an island or a territory to be, after 49 days, without food for the people are helpless against the lack of electricity, yet they stand to suffer greatly because of it.

Additionally, the Government of Puerto Rico had to request two hot foods waivers to allow the purchase of hot foods using Nutrition Assistance Program benefits. The first one was graciously approved by the Secretary, and I hope the second one that has already been received will be also accommodated.

Saying that, I want to thank personally Secretary Perdue and all the people working with FNS, USDA, and the Department of Agriculture, who have been visiting the island, dealing with farmers, dealing with the local officials that the agency remains sensitive to the challenges that 3.4 million American citizens are facing on the island. For that, I am thankful. I am grateful.

Madam Speaker, I thank Congressman THOMPSON for allowing me to be here. I know this is not the first time that he is actually fighting for this. He has been a lone leader in that regard, and I want to join him in that effort.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I thank the gentlewoman. I say it has been very impressive. In the middle of that hurricane, I know that I communicated with the gentlewoman by text, and she was what we call where I am from “hunkered down.” But she has been there for the people, she represents every moment since. I mean, the gentlewoman was in the middle of that, and has been there, and has been reaching out and building relationships with individuals like Secretary Perdue and the staff from the Food and Nutrition Service.

I know we were just in a hearing—the gentlewoman and I serve together on the Natural Resources Committee—and talked a lot about the power disruption and how that certainly impacts nutrition, but it impacts quality of life and everything. We take it for granted. We take it for granted.

So the gentlewoman’s leadership to her constituents is just very impressive. They are fortunate to have her, and I am fortunate to be able to call her my friend.

I think we do have a friend in terms of Secretary Sonny Perdue—a mutual friend. He and the staff at the Department of Agriculture are really committed to serving our citizens, serving our families. They have been so proactive in these overwhelming natural disasters that have gone from coast to coast, and in the Caribbean, and just everywhere we turned around, and they were absolutely devastating.

As someone who does serve on the Agriculture Committee, I take a lot of pride in this kind of program doing what we work on each and every day in terms of authorizing programs, to watch those get implemented and watch those really make a difference.

The gentlewoman had mentioned the hot food waiver, the first one being approved through October, November. With the power being out, I certainly would support the gentlewoman’s request made to the Department of Agriculture to continue that. That is not something we normally do.

As I explained, we all know that normally, under SNAP, in particular, it is food that we purchase, and then take it home and prepare it. But if you are without electricity, that is pretty tough to do.

Miss GONZÁLEZ-COLOÁN of Puerto Rico. It is difficult. I just rode out the hurricane down there. We never expect to experience something like this. This kind of program, the disaster program, is very important not just for territories, but for States. You will never know when something like this will happen to you.

Mr. THOMPSON of Pennsylvania. The gentleman is thanking me, but you know what? I am receiving all these opportunities and help because I count on people like him to actually help me out, reaching the agencies, doing the amendments, and the votes that are needed to approve that kind of relief bill that was here. I couldn’t vote for that. Even though I represent 3.4 million American citizens, I could not vote, but the gentleman did. So this is a team effort, and there is a long way to recover. I hope it is going to end here.

Again, I thank the gentleman for all he has been doing in the committee—in both committees, actually. I know we can, as a team, work out so the people of Puerto Rico may recover soon.

Mr. THOMPSON of Pennsylvania. Madam Speaker, can I inquire as to how much time remains?

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

Mr. THOMPSON of Pennsylvania. Madam Speaker, I just want to mention—because I think we have talked
about the wildfires in California and Oregon. We have heard about the terrible—the one-two punch, actually, in Puerto Rico with Hurricanes Maria and Irma, and how these programs are stepped up.

I want to certainly touch on the other parts of our country where American citizens have been impacted as well.

While we are talking about Hurricane Maria, I think it is very important to talk about our U.S. citizens who live on the United States Virgin Islands.

This is an area as well where we have been able to mobilize under the authority of the work that we do, and in the Agriculture Committee through USDA. For the Virgin Islands Department of Human Services, we are able to receive a Disaster Supplemental Nutrition Assistance Program as well, in the districts of St. Croix, St. John, and St. Thomas.

This is obviously an island that has been devastated by Hurricane Maria. It makes it very difficult to deploy resources, especially in the interior of islands. I really appreciate how the administration proactively anticipated the disaster was going to occur and staged resources.

As a former EMT, firefighter, and rescue technician, really to be able to pre-deploy, to be able to serve those American families—they were in a very difficult situation, and including the work of the tremendous staff at the Department of Agriculture, and the food and nutrition service, and Under Secretary Perdue’s leadership, to be able to serve these citizens, that is an ongoing effort.

There is no doubt about that. Numerous aspects of our food assistance for disaster relief were deployed there, and we just really appreciate the efforts.

In the southeastern United States, actually in addition to Texas and in southwestern Louisiana as well, families and individuals in Louisiana felt the impact of Hurricane Harvey. They received a waiver to allow distribution in August of the Commodity Supplemental Food Program which are food packages that were distributed in 2017, and they were provided in an August food package, and a September food package. So there was assistance under Disaster SNAP as well there. That was Hurricane Harvey.

As we have heard already about Hurricane Irma, the tremendous damage that was done impacted individuals and families in both Florida and Georgia where we saw the supplemental assistance program, or D-SNAP, that was provided to eligible households. Some of the affected counties were able to receive 2 months of benefits to meet their food needs while they settled back from following the disaster.

FNS also received an extension of the States’ hot foods waiver, as you heard about earlier. Those waivers are an important part of what we can do to help people’s lives be better immediately following and during the transition time for a temporary period of time following disasters. On September 14, FNS approved a request to begin disaster household distribution of 25 to 30 pounds of USDA food packages in those Presidentially declared disaster areas in Florida for a period of up to 4 weeks.

On September 22, several flexibilities requested by the Florida Department for Health for schools and childcare centers, and sponsor organizations that were operating the Child Care Food Program, or CCFP, and those approvals applied to all 67 counties.

Of course, as we mentioned, that same disaster incident in the State of Georgia that was impacted has served families there, and individuals have been served by these programs. FNS approved the State’s request to issue an automatic mass replacement of 45 percent of the September 2017 SNAP benefits because of food that was damaged, lost, contaminated, and needed to be replaced in 71 counties in Georgia that were destroyed due to the disaster.

FNS approved the State’s request to extend the time period households had to report food losses through individual affidavits, giving that flexibility as a part of the process as well, as well as waivers applied to schools and residential care institutions that operated under the nutritional assistance programs.

Madam Speaker, these are just a few of the examples. We have heard a lot about disasters. We continue to hear about them. We have great first responders. We have resources, our military, our National Guard. All kinds of contractual resources have been deployed by the Federal Government, State governments, and territorial governments.

FNS has worked tirelessly to provide nutrition assistance to those affected by Hurricanes Harvey, Irma, and Maria, as well as the Western Wildfires. Our fellow citizens in Texas, Georgia, Louisiana, Florida, Puerto Rico, the U.S. Virgin Islands, California, and Oregon have received assistance including automatic mass replacement of benefits, D-SNAP, free school meals, and waivers, ultimately ensuring people have enough to eat in their time of need.

As Secretary Perdue has said, each disaster situation is unique. The USDA and FNS have demonstrated their ability to respond to each of these unique situations in a timely and effective way.

The challenges facing our communities ravaged by hurricanes and wildfires are unprecedented. Getting food on the table in a timely manner should not be an additional challenge. I want to recognize the fortitude of our fellow citizens as they come together to rebuild after such devastation as well as acknowledge the USDA’s diligence in addressing the nutrition-related needs of our fellow citizens.

Mr. McGOVERN. Madam Speaker, the Supplemental Nutrition Assistance Program—
known as SNAP—provides modest food assistance benefits to families in need. The program helps to alleviate hunger, reduce poverty, and improve nutrition across our country on an ongoing basis.

SNAP is also designed to help families put food on the table when disaster strikes. In response to recent hurricanes, fires, floods, and storms, officials at the United States Department of Agriculture’s Food and Nutrition Service (USDA FNS) have worked with other federal and state emergency response agencies to ensure those impacted by disasters have access to food.

Flexibilities in SNAP, for example, allow states to issue SNAP benefits early to ensure recipients can stock up on food before a disaster hits.

In many cases, SNAP recipients impacted by disaster and power outages are able to request additional benefits to replace food they lost, and in certain circumstances, are able to use their SNAP benefits to purchase hot foods if they lost power and are unable to cook.

Disaster SNAP, known as D-SNAP, is a key feature that provides nutrition assistance benefits to families in major disaster areas who aren’t currently receiving benefits. Importantly, D-SNAP also provides families currently enrolled in SNAP with supplemental benefits to help them get by in the wake of a disaster.

In addition to SNAP, other federal anti-hunger safety net programs like the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); child nutrition programs, and Disaster Household Distribution (DHD) contribute to the aid of those recovering from disaster.

For example, schools in areas affected by disaster can provide meals to all kids at no charge and can be more flexible in where and when they serve meals.

DHD is another program to allow food banks and other organizations to distribute emergency food boxes filled with nutritious food to people that don’t have access to feeding sites or grocery stores in the aftermath of disaster.

Madam Speaker, when disasters hit the United States—and its territories—it is imperative that our government effectively and efficiently helps those impacted by these terrible tragedies.

SNAP and our other nutrition programs are a key component of disaster response efforts, providing food to families in need. In the aftermath of recent tragedies that devastated Puerto Rico, the U.S. Virgin Islands, Texas, Georgia, Louisiana, Florida, California, and Oregon, USDA was able to respond.

I’d like to thank my friend and colleague on the Agriculture Committee, the Chairman of the Nutrition Subcommittee, Mr. GT Thompson, for raising awareness about nutrition assistance in times of disaster.

I encourage all of my colleagues to join us in recognizing how powerful and effective SNAP and other nutrition programs are in responding to natural disasters. We must work to protect these programs from cuts or structural changes that threaten the ability of these programs to help families in need.

VETERANS DAY

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 3, 2017, the Chair recognizes the gentleman from Nebraska (Mr. Fortenberry) for 30 minutes.

Mr. FORTENBERRY. Madam Speaker, I recently toured the newly renovated United States Capitol dome right here in Washington, and while we were there it contained a striking fresco at the top. The title of that fresco is The Apotheosis of Washington, a bit of a peculiar image for our time, because it shows a stern, purple-clad George Washington exalted in the heavens.

Now, on all of the reflective comments, this Friday, our Nation will actually pause, and we will pause for a very important reason: it is Veterans Day, and we will celebrate that tradition. So if you are starting to feel overwhelmed by our Nation’s struggles, just talk to a veteran.

If you see these policy battles here as impossible to resolve, talk to a vet. If you really do want to reconnect with the ties that bind us, speak to a veteran.

Madam Speaker, as we are painfully aware, it is not easy to make progress in Congress. Nevertheless, there are times when both parties and the administration come together for great good. And actions for veterans represent a unique and proper American opportunity to support the men and women who have served our country.

So as we approach Veterans Day and consider how to celebrate this gift of being an American, if we need a reminder, just ask a vet.

Mr. FORTENBERRY. Madam Speaker, as we are painfully aware, it is not easy to make progress in Congress. Nevertheless, there are times when both parties and the administration come together for great good. And actions for veterans represent a unique and proper American opportunity to support the men and women who have served our country.

Now, back to history for a moment, Madam Speaker.

We rightly mark our independence from the British as the beginning of a new nation, a new experiment in government based in the ideals of freedom. However, freedom most properly expressed is the freedom to do what we ought.

Unlinked to responsibility, to one another, and to higher ideals, freedom can become a meaningless wandering and a search for purpose; and progress, no matter how grand it is, is never an end in itself. Persons who are disconnected from one another, an economy that is uncaring, technology ever accelerating, these are dynamics that can actually be both beneficial, but also leave people behind. Independence from tyranny also means interdependence within community.

Now, Madam Speaker, the Capitol dome is over 150 years old. Until recently, chunks of iron—in fact, I saw one; it was nearly this big—were just falling off, and water was seeping through cracks. But now it is made whole again. The seams are repaired, and there is new, original-like glass and a fresh layer of protective coating.

Why? Because we chose to do it. We didn’t let it fall into ruin. We didn’t lament its potential collapse. We chose to act.

So, Madam Speaker, if we cling to her ideals, this gift of America allows
us the freedom to preserve unity and to make genuine progress, which is the freedom to be whole.

As I approached my office here recently, there was a large crowd of men who had gathered outside my door. I assumed they were there to see me, and they were wearing camoflage shirts. There was some language on the front of the shirt. As I got closer, I could read it, and it said “United Mine Workers.” I thought, well, this is a bit peculiar to see United Mine Workers from the old coal area like this, talking in a conversation outside the door thinking I would escort them inside.

But they weren’t there to see me. They were there to see my neighbor, who represents the State of Kentucky, and that made a little more sense. Nevertheless, I greeted these men, and we had a very meaningful conversation about work, about security, and about fairness.

These men had spent their lives in very hard jobs. I am sure they proudly toiled to create reasonable livings for their families. They all now showed real signs of physical fatigue. They were in Washington to make a plea, a plea for their pensions, which are facing dramatic reductions.

A similar situation does exist in Nebraska for another group of workers. These men worked for a guarantee that they would be provided for when they could no longer work. But given the influence of factors, their pensions face a dramatic shortfall, and it is not fair.

I lived, Madam Speaker, for 2 years in the area where these men come from, in a town that had lost half its population in 20 years, in the old industrial Rust Belt where the post-World War II economic boom built a thriving, stable community, but now where globalized supply-side theory has had its most dramatic degenerating effects. But, suffice it to say, these men are still deeply aggrieved.

I said to these men: “You know that I know where you come from.” One of them hugged me.

Madam Speaker, our country is in pain. Epic hurricanes and floods, escalating urban violence and an opioid epidemic among those who are self-medicating their own mental or physical or financial anguish, a broken healthcare construct, the aftereffects of bitterly fought elections, and now another mass shooting have torn America’s heart apart.

In a vibrantly healthy society, there is space in a good, functional marketplace for fluidity, creativity, and innovation, and a person with an idea and the drive should be able to pursue it. But given the influence of factors as well as the buyer of the product, the community as well, and those who give the effort. The point is this: a healthy economy is both individualistic and community-oriented at the same time.

Innovation and competition can be disruptive, but they must be set within a fair set of rules. When the system stacks to the wealthiest or is outsourced by faceless corporations in the name of advancing quarterly profits, exploiting the poor elsewhere and damaging the environment, it sets in motion a series of things: lost jobs, lost community cohesion, and a breakdown of life’s security.

Tie this to a loss of the formative institutions in our society of family life, faith life, and civic life, and we drift. We drift without a national narrative that can hold, and it makes it much more difficult holistically, especially when we have tragedies such as the senseless horror in Las Vegas and now with the unthinkable at the First Baptist Church in Sutherland Springs, Texas.

But, again, Madam Speaker, I just have to pause and remind myself that, in spite of these difficulties, in spite of sometimes the darkness which can seem overwhelming due to a lack of unity, we will pause on Friday as a nation, and we will remember our veterans. If it is just too much and too overwhelming, if the debates in Congress are so bothersome and annoying, go talk to a vet about that deeper sense of who we are and what we still can be.

Madam Speaker, in the entryway of the municipal building in a little town of France called Sainte-Mere-Eglise, there hangs an American flag. It is the first thing you see when you walk into the mayor’s municipal building.

Sainte-Mere-Eglise was the site where our paratroopers landed prior to the D-day invasion. They landed in the midst of German troop formations and had to fight as they were coming down. One paratrooper got hung up on the church steeple and survived the battle. A replica of him still hangs there today.

The American flag in the mayor’s building, in the municipal building, is said to be the first American flag planted on the European continent during the war. It is displayed there in the building where our paratroopers landed prior to the D-day invasion. It is displayed there in the building where our paratroopers landed prior to the D-day invasion. It is displayed there in the building where our paratroopers landed prior to the D-day invasion. It is displayed there in the building where our paratroopers landed prior to the D-day invasion.

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First Baptist Church in Sutherland Springs, Texas.

Now, Madam Speaker, most of us today think of war in the traditional construct. We fought with tanks, aircraft, ships, and infantry. But, again, we are in a rapidly advancing technological new age. Even in this age of drones and asymmetrical terror threats such as improvised explosive devices, most of us still see our defense through a conventional lens.

But warfare is changing fast and will continue to change. With the miniaturization of nuclear weapons, drones, and cyber, there is the potential for widespread destruction accelerate. We are entering an era that is unprecedented and unpredictable, born from the very technologies that heretofore ensured our own survival.

What has emerged, Madam Speaker, is a tripolar world, simultaneously increasing both danger and, interestingly, opportunity.

On one pole stands China. As this country ascends to economic dominance, China is trying to pair its military clout with military projection in key lanes of commerce. The Communist Party leader, President Xi, projects himself as both a man of virtue and a man of force. In fact, The Economist magazine recently called him the world’s most powerful man.

At another pole stands Russia. Though they face demographic problems, Russia has, in fact, placed ahead of us in weapons technology superiority. It could be argued that the Soviet era was an aberration, an actual aberration, of Russia’s long tradition of czarist rule. Seen in that light, Putin is a new czar type who has made past Marxist ideology—Marxist theology, perhaps we should say—to recover Russian nationalist poetry, purpose, and expansionist power.

The third pole is less of a geographic or geopolitical proposition. It is an expression of higher ideals. Now, in traditional terms, Madam Speaker, we call this the Transatlantic Alliance, but, in broader terms, it is people from around the world who are guided by a reasoned sense that they have dignity and rights and that the systems of governance and economics ought to be ordered around that very proposition.

When a person can exercise excellence for themselves in partnership with others in community, a community of possibility exists.

Because, in America, we believe these values are universal, we also believe that they are more potent than any ideology or accident of geography. That is the long arc of history—born in former ages and translated over time to our present day.

Now, given our vulnerabilities, we understandably and purposefully commit to technological superiority in effect. As a proposition, this is illogical because it cannot hold. The technological gap is closing. There must be more, and it is found in two pathways:

First, back to this idea of our own internal reflection as a country. Recently, we saw a Hollywood elite named Harvey Weinstein brought to shame for his manipulative perverisions. Interestingly, this country had a flash of collective conscience. The curtain was raised on Hollywood’s dark history. Almost immediately, America was aghast, which, importantly, showed our capacity to value human dignity.

Second, Madam Speaker, a healthy national conscience gives us the credibility to reinvigorate and rebuild authentic relationships worldwide. By incentivizing good economic models and promoting government models that are fair, we can create the conditions for our own safety, the world’s stability, and the world’s security.

In Sutherland Springs a couple weeks ago, I was on my way home from Washington to Nebraska. Driving from the airport, I saw a big, red pickup truck.
Now, that is not a very uncommon site in our State, except that on each side of the truck was a pole, and attached to each pole was an American flag blowing fiercely in the wind. Now, these flags were a bit tattered on the edges, but, nonetheless, they proudly displayed just like at that little French town, Sainte-Mère-Eglise. It is my hope that this is the third pole that can truly hold for our good and the good of others across the world.

Now, Madam Speaker, we have talked a lot about the struggles, but closer to home and made in realtime policy, the House of Representatives has undertaken a sincere deliberation at the moment to assist in a structural change to our current economic construct—a new tax deal.

Now, this is what Andy from Nebraska wrote me recently. He said that he is very encouraged because “if it makes it into law, my back-of-the-napkin calculations show it could benefit my family by around $5,500. For a family of four making about $85,000 a year, that's a big deal.”

Madam Speaker, Americans do need a break, especially working men and women trying to get a bit ahead, trying to provide for their families. For many, it is harder and harder. Around 50 percent of Americans live paycheck to paycheck, not fully a Tax Code problem. It is also the harsh reality of social fragmentation, downward mobility, and the rising cost of living.

Many forces of globalization have not benefitted—new tax leaving millions behind and all too often forgotten. But tax reform can help, as long as it is fair and as simple as possible for the benefit of all.

We are living in an age where we cannot push the same old policies over and over again. We must adapt to fit into our 21st century architect of living.

Moving forward, I believe that the source and strength of the American economy will be in the new urbanism of small business, in which entrepreneurs from village to city will add value through small-scale manufacturing, innovative new products, or brokering in repair services. The conditions for entrepreneurial revival may be right on the horizon.

Madam Speaker, though the corporate structure of the 1950s has been made temporarily beguiling by the modest show called “Mad Men,” but no young person I know yearns to work for a company for 25 years and over which is not fully a Tax Code problem. That era is over and our Tax Code is based on old constructs of what it means to be in business.

So, hopefully, as we work ourselves through this important debate, this bill will be sensitive to the needs of all Americans. Madam Speaker, it is my hope that this is the third pole that can truly hold for our good and the good of others across the world.

Mr. Obama's policies of higher taxes and regulatory burdens suppressed economic growth to a dismal 1½ percent annual average. That is about half of the post-war growth rate of 3 percent.

President Reagan averaged 3½ percent annual growth by reducing the tax and regulatory burdens crushing the economy. The result was one of the greatest economic expansions in American history.

The Trump administration has made significant progress on regulatory relief, as attested by rising wages, employment opportunities, and growing strength of our economy. But tax relief is vital to finish the job.

The imperative should be clear. The American corporate tax rate of 35 percent is the highest in the industrialized world. I know there are lots of special interest loopholes that go to politically connected companies that bring the effective rate down to 18.6 percent.

But that is precisely the problem. Many companies that haven't gotten these breaks have simply fied the country and are now millions of dollars and possibly millions of American jobs overseas. By closing these loopholes and lowering the rate to an internationally competitive 20 percent, economists tell us that we can add $5 trillion to the American economy over the next decade. That averages about $40,000 per family.

Those who dismiss this as tax cuts for wealthy corporations don't understand the dirty little secret of corporate taxations: many in the middle class do not pay corporate taxes. They only collect them.

There are only three possible sources from which they can collect them. The only people who pay corporate taxes are consumers, through higher prices; employees, through lower wages; and investors, through lower earnings. That is your pension and 401(k).

Lowering the corporate tax rate not only means restoring America's global competitiveness, it also translates into lower prices, higher wages, and greater returns on savings and investments.

The personal income tax side is also important, and this is where I become concerned that we are getting wrapped around the axle.

We have had several unpleasant surprises this past week: the 46 percent bubble bracket and now the Joint Committee on Taxation report that, over time, the 10 percent breaks have simply fled the country and are now millions of dollars and possibly millions of American jobs overseas.

The imperative should be clear. The American economy over the next decade. That averages about $40,000 per family.

Mr. Speaker, may I inquire as to the amount of time remaining?

The SPEAKER pro tempore. Mr. FORTENBERRY. Madam Speaker, I yield back the balance of my time. Leave No Taxpayer Behind

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from California (Mr. McCLINTOCK) for 30 minutes.

Mr. McCLINTOCK. Madam Speaker, in the last four national elections, Americans made it clear that we won't accept the economic stagnation that President Obama's policies of higher taxes and regulatory burdens suppressed economic growth to a dismal 1½ percent annual average. That is about half of the post-war growth rate of 3 percent.

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Mr. Speaker, may I inquire as to the amount of time remaining?

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

Mr. McCLINTOCK. Madam Speaker, I yield back the balance of my time.
I urge our leadership and our Ways and Means Committee to consider leaving the personal income tax structure intact, but using the budget authority instead to provide a permanent, uniform, across-the-board reduction in the rates for all tax brackets. Our back-of-the-envelope estimate is that, using the current framework, we can reduce tax brackets by a full 1 percent, averaging about $600 of tax savings for joint filers. If we included the repeal of the individual mandate in Obamacare, we could reduce all tax brackets by 1.35 percent, averaging about $800 of lower taxes for joint filers.

I think there are four principal advantages to this approach:

First, it leaves no taxpayer behind. Whatever your circumstances, whatever the deductions you claim, you can be sure that your overall tax bill will go down.

Second, by reducing all marginal rates, it will increase the economic growth potential of the reform. Productivity depends on how much your next dollar is taxed.

That is the marginal rate. We can bring down the top marginal rate under this reform; whereas, under the current proposal, it not only stays where it is, but in the bubble bracket, it increases to 46 percent.

Third, these reforms can be communicated easily to the American people.

Fourth, it will remove a vast portion of the opposition that we are seeing among various business groups that imperils the entire bill.

Madam Speaker, the tax reform bill that emerges from these deliberations will ultimately be judged by the prosperity that it produces and the relief that it brings to all American families.

If it is done right, the tax reform bill now taking shape in Congress can deliver to us at that day. But if it is done wrong, we will have squandered the most important chance the American people have given us to materially improve their lives.

I remember the Reagan era. Wages rose, opportunities for better jobs abounded, and everywhere you could sense the optimism that comes with prosperity and abundance. I want my kids to know what it is like when morning dawns again in the American economy. It is up to us in this Chamber to make it happen, so we must.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUELLAR (at the request of Ms. PELOSI) for today and November 9 on account of returning to district to support the community of Sutherland Springs.

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today.

SENEATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:

S. 3015. An act to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system; to the Committee on Energy and Commerce; 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.

S. 1088. An act to require the collection of voluntary feedback on services provided by agencies, and for other purposes; to the Committee on Oversight and Government Reform.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3031. An act to amend title 5, United States Code, to provide for flexibility in making withdrawals from a Thrift Savings Plan account, and for other purposes.

ADJOURNMENT

Mr. MCCLINTOCK. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o’clock and 57 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 9, 2017, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

331. A letter from the Executive Director, Federal Retirement Thrift Investment Board, transmitting the Board’s Report of FY 2017 Audits, pursuant to 5 U.S.C. Sec. 8439(b) (1994 and Supp. III 1997), and 5 U.S.C. Sec. 8477(g); to the Committee on Oversight and Government Reform.

332. A letter from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department’s final rule—Schedule for Rating Disabilities; The Endocrine System (RIN: 2900-AO44) received November 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

333. A letter from the Director, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department’s final rule—Schedule for Rating Disabilities; The Endocrine System (RIN: 2900-AQ07) received November 6, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Veterans’ Affairs.

334. A letter from the Secretary, Department of Veterans Affairs, transmitting a supplement to the Department of Veterans Affairs (October 2017) transmission of the draft bill, the “Veteran Coordinated Access and Rewarding Experiences (CARE) Act (“the draft CARE Act”); to the Committee on Veterans’ Affairs.

335. A letter from the Inspector General, Office of Inspector General, Department of Health and Human Services, transmitting the Department’s report entitled, “CMS Ensured Nearly All Part D Drug Records Contained Valid Prescriber Identifiers in 2016”, pursuant to 42 U.S.C. 4074(a); Public Law 114-10, title V, Sec. 507; (120 Stat. 169); jointly to the Committees on Energy and Commerce and Ways and Means.

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. GOWDY: Committee on Oversight and Government Reform. H.R. 3071. A bill to require executive agencies to consider equipment rental in any cost-effectiveness analysis for equipment acquisition, and for other purposes (Rept. 115–302). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3244. A bill to amend title 5, United States Code, to provide for annual surveys of federal employees, and for other purposes; with an amendment (Rept. 115–463). 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 Mr. KUSTOFF of Tennessee: H.R. 4294. A bill to amend the Financial Stability Act of 2010 to provide a criminal penalty for unauthorized disclosures of certain individually identifiable information by officers or employees of a Federal department or agency; to the Committee on Financial Services, 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 Mrs. BLACKBURN (for herself, Mr. DUNCAN of South Carolina, Mr. MCLINTOCK, Mr. COLE, Mr. ALLEN, Mr. FRANKS of Arizona, Mr. SMITH of Texas, Mr. DUNCAN of Tennessee, Mr. BROOKS of Alabama, and Mr. GROTHMAN): H.R. 4295. A bill to provide for enhanced Federal, State, and local assistance in the enforcement of the immigration laws, to amend the Immigration and Nationality Act, to authorize appropriations to carry out the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. LUETKEMEYER (for himself and Mr. MEKKI): H.R. 4296. A bill to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency; to the Committee on Financial Services.

By Mr. BUCHSHON (for himself and Mr. GREEN of Texas): H.R. 4297. A bill to amend title XVIII of the Social Security Act to provide information regarding vaccines for seniors as part of the Medicare Plan You Need. The floor debate on whether the treatment of cost sharing for vaccines under Medicare part D is consistent with the
treatment of vaccines under Medicare part B, 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. RAHALL:

H.R. 4298. A bill to amend the Food Security Act of 1985 to allow grazing as a mid-contract management practice in the conservation reserve program, and for other purposes; to the Committee on Agriculture.

By Mr. BISHOP of Utah (for himself, Mr. THORNBERRY, and Mr. WILSON of Colorado):

H.R. 4299. A bill to provide for the indefinite duration of certain military land withdrawals, to improve the management of lands currently subject to such withdrawals and to make the management of such lands more transparent, and for other purposes; to the Committee on Natural Resources, 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 Ms. HANABUSA (for herself and Mr. Bishop of Utah):

H.R. 4300. A bill to authorize Pacific Historic Parks to establish a commemorative display to honor members of the United States Armed Forces who served in the Pacific Theater during World War II, and for other purposes; to the Committee on Natural Resources.

By Mr. NORMAN (for himself, Mr. WILSON of South Carolina, Mr. DUNCAN of South Carolina, Mr. SANFORD, Mr. RICE of South Carolina, Mr. CLYBURN, and Mr. GOUDOY):

H.R. 4301. A bill to designate the facility of the United States Postal Service located at 201 Tom Hall Street in Fort Mill, South Carolina, as the “J. Elliott Williams Post Office Building”; to the Committee on Oversight and Government Reform.

By Mr. TIPTON:

H.R. 4302. A bill to amend the Federal Reserve Act to create congressional accountability for emergency lending programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Budget, 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. CAPUANO:

H.R. 4303. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to prohibit funding under the Edward Byrne Memorial Justice Assistance grant program and the Public Safety and Community Policing grants program to be provided to law enforcement agencies that use license plate readers unless certain conditions are met; to the Committee on the Judiciary.

By Mr. BISHOP of South Carolina, Mr. DUNCAN of South Carolina, Mr. SANFORD, Mr. RICE of South Carolina, Mr. CLYBURN, and Mr. GOUDOY:

H.R. 4304. A bill to provide whistleblower protections to certain workers in the offshore oil and gas industry; to the Committee on Education and the Workforce.

By Mr. DUNCAN of South Carolina:

H.R. 4305. A bill to amend the Federal Crop Insurance Act to prohibit payments of premium subsidy for harvest price policies; to the Committee on Agriculture.

By Mr. HUFFMAN (for himself and Mr. LOBIONDO):

H.R. 4306. A bill to reauthorize and amend the Farmer Market Promotion Act, and for other purposes; to the Committee on Natural Resources.

By Mr. KING of New York (for himself and Miss Rice of New York):

H.R. 4307. A bill to provide for temporary emergency impact aid for local educational agencies; to the Committee on Education and the Workforce.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. GRIJALVA):

H.R. 4308. A bill to provide for grants to finance broadband transmission in certain rural areas; to the Committee on Agriculture, 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. MESSER:

H.R. 4309. A bill to modify Executive Order 13771, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERRY (for himself, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, Mr. BIGGS, and Mr. CULBERSON):

H.R. 4310. A bill to amend section 412(a)(2) of the Immigration and Nationality Act to require ratification of a plan with respect to the detention of a State before the refugee may be initially placed or resettled in the State, and for other purposes; to the Committee on the Judiciary.

By Mr. PITTENGER (for himself, Mr. NUNES, Mr. SMITHERS of North Carolina, Mr. HUNTZLER, Mr. YOHO, Mr. ROGERS of Alabama, Mr. DELAURIO, Mr. GALLAGHER, Mr. ROBY, Mr. LOESBACH, Mr. HICK, Mr. WEHR of Texas, Mr. SAM JOHNSON of Texas, and Mr. CULBERSON):

H.R. 4311. A bill to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, Foreign Affairs, Intelligence (Permanent Select), Armed Services, and the Budget, 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. RENAGGI (for himself, Mr. CHABOT, Mr. WENSTROOP, Mrs. BEATTY, Mr. JORDAN, Mr. LATTA, Mr. JOHNSON of Ohio, Mr. GRIBBS, Mr. DAVIDSON, Mr. MCDERMOTT, Mr. DIXON, Ms. FUDICK, Mr. TIBERI, Mr. RYAN of Ohio, Mr. JOYCE of Ohio, and Mr. STIVER):

H.R. 4312. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to distribute the display of Battlefront Crosses in national cemeteries; to the Committee on Veterans’ Affairs.

By Ms. SANCHEZ:

H.R. 4313. A bill to amend the Fair Credit Reporting Act to provide protections for active duty military consumers, and for other purposes; to the Committee on Financial Services.

By Ms. TENNEY:

H.R. 5314. A bill to amend title 5, United States Code, to provide for the temporary halt in pension payments for Members of Congress sentenced for certain offenses, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. VARGAS (for himself and Mr. POLIQUIN):

H.R. 5315. A bill to exclude from consideration the income under the United States Housing Act of 1937 certain veterans compensation and pensions, and for other purposes; to the Committee on Financial Services.

By Mr. WALZ (for himself and Mr. FORTENBERRY):

H.R. 5316. A bill to provide for the reform and compilation of the beginning farmer and rancher program, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Appropriations, 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. 5317. A bill to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahone Bay hydroelectric project in the State of Alaska, and for other purposes; to the Committee on Energy and Commerce.

By Mr. McGOVERN (for himself, Mr. WITTMAN, Ms. ROYBAL-ALLARD, Mr. GRANGER, and Mr. GREECE)

H. Con. Res. 91. Concurrent resolution expressing the sense of Congress that public health professionals should be commended for their dedication and continued service to the United States on “Public Health Thank You Day”, November 20, 2017; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. KUSTOFF of Tennessee:

H.R. 4294. Congress has the power to enact this legislation pursuant to the following: The Constitutional Authority on which this bill rests is the explicit power of Congress to regulate commerce in commerce and among the states, as enumerated in Article I, Section 8, Clause 3, the Commerce Clause of the United States Constitution.

By Mr. SANCHEZ:

H.R. 4295. Congress has the power to enact this legislation pursuant to the following: The Constitutional Authority on which this bill rests is the explicit power of Congress to regulate commerce in commerce and among the states, as enumerated in Article I, Section 8, Clause 3, the Commerce Clause of the United States Constitution.

By Mrs. BLACKBURN:

H.R. 4295. Congress has the power to enact this legislation pursuant to the following: The Constitutional Authority on which this bill rests is the explicit power of Congress to regulate commerce in commerce and among the states, as enumerated in Article I, Section 8, Clause 3, the Commerce Clause of the United States Constitution.
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3, the Commerce Clause, of the United States Constitution.

By Mr. BUSCHON:
H.R. 4297.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution.

By Mrs. HARTZLER:
H.R. 4298.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 7; Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BISHOP of Utah:
H.R. 4299.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 16, to provide for the organizing of the armed forces of the United States; Clause 17 which allows Congress to exercise authority in support of the Armed Services for the establishment of needed military installations; and Clause 18 which provides general authority for all laws which may be “necessary and proper” in carrying out the foregoing powers.

By Ms. HANABUSA:
H.R. 4300.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution.

By Mr. TIPTON:
H.R. 4302.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.

By Mr. CAPUANO:
H.R. 4303.
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 Ms. SANCHEZ:
H.R. 4313.
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 any Department or Office thereof.

By Mr. TENNEY:
H.R. 4314.
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. VARGAS:
H.R. 4315.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18: The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers (Article I, Section 8, Clauses 12, 13 and 14), and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. WALZ:
H.R. 4316.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. YOUNG of Alaska:
H.R. 4317.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.

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ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 93: Mr. PASCRELL.
H.R. 158: Mr. THOMPSON of Mississippi.
H.R. 169: Mr. GOMEZ.
H.R. 176: Mr. LAMALFA and Mr. NORMAN.
H.R. 179: Ms. MENG.
H.R. 217: Mr. ALLEN.
H.R. 233: Mr. LAWSON of Florida.
H.R. 358: Mr. BARR.
H.R. 433: Mr. MESSER.
H.R. 501: Mr. BISHOP of Michigan.
H.R. 559: Mr. WEHBE of Texas, Mr. WALKER, and Mr. GIBBS.
H.R. 579: Mr. LORBRACK.
H.R. 747: Mr. KOKTA.
H.R. 807: Mr. FEELINGHUYSEN and Mr. KEATING.
H.R. 894: Mrs. NORM.
H.R. 897: Mr. KATKO.
H.R. 912: Mr. CORREA.
H.R. 930: Mr. LOUDERMILK.
H.R. 960: Mr. SMITH of New Jersey.
H.R. 1038: Mr. GONZALEZ of Texas.
H.R. 1178: Mr. GROMHT, Mr. WALKER, and Mrs. BLACKBURN.
H.R. 1192: Mr. DUNCAN of South Carolina and Mr. FLEischmann.
H.R. 1296: Ms. MATSUI.
H.R. 1300: Ms. ROSEN and Mrs. MURPHY of Florida.
H.R. 1444: Mr. KIND and Mr. RASKIN.
H.R. 1456: Ms. DeGETTE and Ms. GRANGER.
H.R. 1516: Mr. PANETTA.
H.R. 1580: Mr. NOLAN.
H.R. 1676: Mr. JOHNSON of Georgia and Mr. FRELINGHUYSEN.
H.R. 1772: Mr. QUIGLEY and Mr. KIHUEN.
H.R. 179: Ms. MENG.
H.R. 1775: Ms. SLAUGHT.
H.R. 1822: Mr. RUIZ.
H.R. 1891: Mr. WOwACK.
H.R. 1955: Mr. ZELENN.
H.R. 2022: Mr. STIVERS.
H.R. 2094: Mr. SMITH of Washington, Mr. O’ROURKE, Ms. ROSEN, Mrs. DINGLE, and Mr. KRISHNAMURTHY.
H.R. 2147: Mr. BRENDAN F. BOyle of Pennsylvania.
H.R. 2245: Mr. LOWENTHAL.
H.R. 2350: Mr. FRANKEL of New York.
H.R. 2367: Ms. MENG, Ms. NORTON, and Mr. JENKIN OF West Virginia.
H.R. 2396: Mr. JOHNSON of Georgia.
H.R. 2396: Ms. MENG.
H.R. 2230: Ms. MEROE.
H.R. 2232: Ms. BROWNLEY of California.
H.R. 2452: Mr. CROWLEY.
H.R. 2516: Ms. SLAUGHT.
H.R. 2598: Mr. STIVERS and Mr. CORTES of Pennsylvania.
H.R. 2598: Mr. HAWTEN and Mr. ENGEL.
H.R. 2653: Mr. LANGFORD.
H.R. 2723: Mr. LUCAS, Mr. SMUCKER, and Mr. MITCHELL.
H.R. 2740: Mr. TIPTON and Mr. LATTA.
H.R. 2761: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2817: Mr. BANKS of Indiana.
H.R. 2856: Mr. SIRES.
H.R. 2862: Ms. DELBENE.
H.R. 2999: Mr. FRELINGHUYSEN.
H.R. 3017: Ms. ESTY of Connecticut and Mr. KATKO.
H.R. 3034: Mr. COURTNEY, Ms. HERRERA BEUTLER, and Mr. SMITH of Washington.
H.R. 3117: Mr. CONAWAY and Mr. SESSIONS.
H.R. 3127: Mr. TIPTON.
H.R. 3148: Mr. LOWNETHAL.
H.R. 3236: Mr. LONG.
H.R. 3272: Mr. YOHO, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JACKSON LEE, Mrs. CAROLYN B. MALONEY of New York, Mr. DeFazio, Mr. KHANNA, Ms. WILSON of Florida, Mr. BROWN of Maryland, Mr. LOEBSCHEK, Ms. MATSUI, Mr. NOLAN, and Mr. GARAMENDI.
H.R. 3315: Mr. KELLY of Pennsylvania.
H.R. 3348: Mr. CARSON of Indiana, Mrs. TORRES, and Mr. AL GREEN of Texas.
H.R. 3402: Mr. GROTHMAN.
H.R. 3409: Mr. AL GREEN of Texas and Mr. CARDINAS.
H.R. 3448: Mr. FRELINGHUYSEN.
H.R. 3513: Mr. CRAMER.
H.R. 3536: Ms. SLAUGHTER.
H.R. 3579: Ms. KUSTER of New Hampshire.
H.R. 3596: Mr. BISHOP of Utah, Ms. CLARKE of New York, Mr. GAETZ, Mr. STEWART, Mr. SCHNEIDER, Mr. UPTON, Mr. GONZALEZ of Texas, and Mr. MOOLENAAR.
H.R. 3622: Mr. NOLAN and Mr. LOWNETHAL.
H.R. 3642: Mrs. BROOKS of Indiana and Mr. WEBSTER of Florida.
H.R. 3671: Ms. BASS.
H.R. 3770: Mr. BISHOP of Michigan and Ms. GARRARD.
H.R. 3773: Ms. NORTON.
H.R. 3796: Mr. FRELINGHUYSEN.
H.R. 3913: Ms. MENG.
H.R. 3979: Mr. TIPTON.
H.R. 4006: Ms. LOPGREN and Mr. CÁRDENAS.
H.R. 4013: Mr. LANGEVIN.
H.R. 4030: Ms. CASTOR of Florida.
H.R. 4072: Ms. LOPGREN and Ms. LEE.
H.R. 4090: Mr. COHEN.
H.R. 4099: Mr. PERLMUTTER.
H.R. 4114: Mr. CARSON of Indiana and Ms. SCHAKOWSKY.
H.R. 4124: Mr. CICILLINE, Mr. SANFORD, and Ms. JAYAPAL.
H.R. 4135: Ms. SINEMA.
H.R. 4140: Mr. O'ROURKE.
H.R. 4143: Mr. JOHNSON of Ohio and Mr. COHEN.
H.R. 4177: Mr. MEADOWS and Mr. WELCH.
H.R. 4184: Mr. SOTO.
H.R. 4195: Mrs. WATSON COLEMAN and Ms. ROSEN.
H.R. 4207: Mr. MOOLENAAR and Mr. TROTT.
H.R. 4222: Mr. LOWNETHAL, Mr. PETERS, and Ms. MOORE.
H.R. 4234: Mr. LANGEVIN.
H.R. 4238: Mr. McCaUL.
H.R. 4239: Mr. HUDSON.
H.R. 4253: Mr. BROWN of Maryland, Mr. GALLIKO, and Mr. PALLONE.
H.R. 4261: Mr. JONES and Mr. BLUMENAUER.
H.R. 4290: Mr. O'HALLERAN, Ms. Wasserman SCHULTZ, Ms. ROSEN, Ms. JAYAPAL, and Mr. RASKIN.
H.Con.Res. 27: Mr. CARTWRIGHT.
H.Con.Res. 61: Mr. HULTGREN, Mr. ABRAHAM, Mr. LANCE, Mr. THOMAS J. ROONEY of Florida, and Mr. PEARCE.
H.Con.Res. 81: Mr. ESPAILLAT and Mr. O'ROURKE.
H.Res. 264: Mr. TONKO.
H.Res. 327: Ms. TSONGAS.
H.Res. 393: Mr. KHANNA, Ms. BROWNLEY of California, Ms. NORTON, Mr. DEUTCH, Ms. LEE, Ms. FRANKEL of Florida, Mr. SCHIFF, Ms. TITUS, Mr. CONNOLLY, Mr. ESPAILLAT, Mr. SHERES, and Mr. MEEKS.
H.Res. 401: Ms. PLASKETT and Mr. ROYCE of California.
H.Res. 570: Mr. WEBER of Texas and Mr. BIGGS.
H.Res. 576: Mr. SESSIONS.
H.Res. 604: Mr. DELANEY, Mr. TROTT, Mr. KELLY of Pennsylvania, and Mr. CHOWLEY.
H.Res. 606: Mr. FRANKS of Arizona.

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.Res. 576: Mr. HUNTER.
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.

God, our Father, help our lawmakers this day to do Your work faithfully and well. Prepare them to be sober-minded and filled with Your Spirit, accomplishing tasks that receive Heaven’s approval. Lord, keep them from deviating from integrity as they strive to ensure that their conduct rightly represents You. May they live lives of holiness and goodness, being as kind to others as they would wish them to be to them.

Lord, prepare us all to stand before You in peace without spot or blemish. As we pursue Your peace on Earth, lead us not into temptation but deliver us from evil.

We pray in Your Holy Name. Amen.

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**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.

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**RECOGNITION OF THE MAJORITY LEADER**

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

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**NOMINATIONS**

Mr. MCCONNELL. Mr. President, the Republican Senate is continuing its important work on behalf of the American people. We are moving forward on legislative priorities that will benefit hard-working families throughout the country. We are also continuing to confirm President Trump’s nominees throughout the Federal Government.

Last week, we continued our momentum with the confirmation of well-qualified individuals to serve in the Federal judiciary. This week, the Senate is considering multiple nominations to important agencies. Yesterday, we confirmed officials to the Department of Defense and to the Department of Justice. Soon, they will get to work for the American people.

Next, the Senate will vote to confirm Peter Robb as the general counsel of the National Labor Relations Board. As I said yesterday, Mr. Robb’s experience in employment law will help return the NLRB to its role as an impartial arbiter of labor disputes instead of a political cudgel for union bosses and leftist special interests, as it was under the Obama administration.

We will then turn to another qualified individual who will help undo some of the damage of the Obama administration. William Wehrum, President Trump’s nominee to be the Assistant Administrator for EPA’s Office of Air and Radiation, will put his experience to good use for our Nation.

The Office of Air and Radiation is one of the most important parts of the EPA. Unfortunately, under the previous administration, it was also one of the offices with the most significant overreach. This one office was responsible for 95 percent of the annual regulatory burdens that the EPA forced onto our economy, according to one report, reportedly costing the economy at least $11 billion—this one Agency.

So this is an office in desperate need of new leadership from an individual who understands how to implement clean air policies in a balanced way rather than with extreme regulatory overreach. Mr. Wehrum is the right person for the job. With more than three decades of experience in environmental policy, he understands the issues before the EPA and how to address them. He even worked in this particular office before serving as Acting Administrator from 2005 to 2007.

Mr. Wehrum has earned support from many different corners. His former boss at the EPA, Jeff Holmstead, said that “there is no better person” to fill this position. The EPA’s Deputy Administrator from 2005 to 2009, Marcus Peacock, said that “Wehrum’s understanding of the Clean Air Act may be second to none.” Even the Natural Resources Defense Council—not exactly a rightwing organization—had this to say about this nominee’s previous experience at the EPA, noting that he “achieve[d] important air pollution reductions.”

“Wehrum, Holmstead, and the Bush EPA,” the NRDC further wrote, “deserve credit for these substantial public health and air quality achievements.”

Nominees like Mr. Wehrum will continue the work of this EPA to undo the damage of the Obama administration’s overreach in a reasonable manner. For instance, Obama’s Office of Air and Radiation was responsible for the administration’s dubious energy regulatory scheme, which threatened to punish coal families and ship middle-class jobs overseas.

When Administrator Scott Pruitt came to Kentucky last month, he announced the official withdrawal of that rule. Unlike the previous leadership of the EPA, Administrator Pruitt actually cared enough to come to my home State and hear directly from the men and women impacted by the Agency’s regulations. He is someone who will work with us to protect our environment and save Kentucky families from harmful regulations. Mr. Wehrum will work with Administrator Pruitt to help continue this trend at the EPA. I look forward to the Senate advancing his nomination.
TAX REFORM

Mr. MCCONNELL. Now on another matter, Mr. President. Members of the Senate are continuing to work hard to deliver much needed tax reform for families and small businesses. Yesterday, Senators, members of the administration, and tax reform advocates met here in the Capitol to discuss a mutual vision for relief. They shared the goals of simplicity, fairness, and economic growth. These are the same goals I have, they are the same goals the House wrote into its legislation, they are the same goals the President asked us to, most importantly that they are the goals shared by many Americans across the political spectrum. So we are working together to get this done.

This is a once-in-a-generation opportunity, and it will help us create jobs and boost the economy, while closing special interest loopholes at the same time. We can do all of this through tax reform.

Today the House Ways and Means Committee will continue to mark up its legislative proposal. I would like to once again commend Chairman BRADY for his good work on the House plan. The hearings this week are building momentum to accomplish our goals for the American people.

Soon, the Senate Finance Committee, under the leadership of Senator HATCH, will release its own plan for tax reform. Working through an open committee process, the committee will ultimately bring tax reform legislation to the floor. I am exceedingly grateful to Chairman HATCH for his continued leadership of the Finance Committee.

As we continue to advance tax reform, I would urge our Democratic colleagues to join us. In recent years, many Democrats have expressed support for tax reform. Since then, the need for tax reform hasn’t changed at all. The American people haven’t stopped hurting either. The only thing that changed was the President. So I hope our colleagues will put partisan aside and work with us in a serious way to help us deliver real relief to families. I hope they will help us take more money out of Washington’s pockets and put more money in the pockets of the middle class. That is the aim of this tax reform effort, and we are going to keep working until we accomplish it.

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

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the Robb nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.

The PRESIDING OFFICER. The Senator from Arizona.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. FLAKE. Mr. President, the Senate Foreign Relations Committee had a very important hearing last week regarding the 2001 authorization for use of military force, the law that serves as the legal underpinning for the war against al-Qaida and the Taliban. I am grateful to our witnesses, Secretaries Mattis and Tillerson, for their candid and honest answers they provided to us.

As we have gotten further and further away from the September 11 attacks that resulted in the passage of the 2001 AUMF, I have urged Congress to take a fresh look at that authorization. When four soldiers died recently in Niger, I think most Americans—and even members of Congress—were shocked to learn that we even had troops in that country. Our troops were not there under the auspices of the 2001 AUMF, but considering that they were reportedly ambushed and killed at the hands of an Islamic State affiliate, questions have been raised about where our forces are and where they are at war with terrorists versus when they are simply conducting train-and-equip or other missions of that sort.

It was shocking that nearly every member of the Foreign Relations Committee was in attendance at that hearing where the witnesses testified that the administration believes it has ample authority to prosecute the war on terrorism and does not need a new AUMF.

I can’t say I was surprised to hear that testimony. No administration, Republican or Democratic, will ever willingly cede the broad authority given to the executive branch 3 days after the September 11 attack. If they were to say that we need new authorization, they would be conceding that they haven’t been acting with authorization all this time. So they are never going to say that we need a new AUMF.

What has surprised me is that there are Members of this body, the Senate, who are content to let this 16-year old authorization remain in place. Some have even suggested that any updates to the AUMF can be made using the appropriations process. Are we really going to start using policy riders on annual spending bills to approve of sending troops into harm’s way? We rarely even vote on individual spending bills anymore, let alone controversial policy riders to those spending bills. Are we truly willing to leave it to the members of the Appropriations Committee to update a law that has put our servicemembers into harm’s way, particularly those of our ranking committee, the Senate Foreign Relations Committee? I hope that we more zealously guard our prerogatives than that.

Our inaction on updating the 2001 law has already relegated the role of the Senate in authorizing force to that of a cog in the feedback loop. I would submit that we in the Senate ought to aspire to be more than that.

For 16 years, Congress has been all too willing to let successive administrations use those broad authorities to address new threats and to deploy U.S. troops to new places. Beyond Afghanistan, our troops have deployed all over the world, to places such as Yemen, the Philippines, Somalia, and Libya to fight al-Qaida and its affiliates.

We have also sent forces to Syria and back to Iraq to defeat ISIS, a group that didn’t even exist in 2001. We need to fight terrorism overseas, and I am not suggesting that our Nation should shy away from these battles. To the contrary, I believe Congress should do its duty in supporting these missions by voting to authorize them.

In the 16 years since the passage of the 2001 AUMF, more than 300 Members of the House who voted on it are no longer with that Chamber. In the Senate, of those Senators who voted on the original AUMF, only 23 Senators remain in their seats today.

That leaves approximately 70 percent of the entire Congress that has never cast a vote to authorize military force abroad. Yet, over the years, deployments have continued to new places, combating new foes.

The United States is strongest when we speak with one voice. Therefore, Congress must have some buy-in on these missions. Our allies and other adversaries need to know that the war on terrorism has the support of Congress. More importantly, our troops need to know that Congress is behind them.

I know the concept of passing a new, updated AUMF is a tricky one. This is not a conventional war against a sovereign nation in which victory is easily defined. Instead, we are fighting an ideological enemy that has no sovereignty and which, over the years, has moved all over the world, resulting in many splinter factions that could change their name at any time with ease.

This new kind of war requires a new kind of authorization approach that allows Congress’s continued buy-in and increases its oversight. Right now, we have neither of these.

After working on this issue for several years, Senator Tim Kaine and I introduced legislation that we think gets us in the right place. Our bill would authorize the use of military force against al-Qaida and the Taliban
and ISIS. It authorizes force against affiliates of those groups and requires the President to report to Congress when he initiates force against a new group he designates as being associated with al-Qaida, the Taliban, or ISIS. Military operations can begin as soon as the President has notified Congress. There is no time-lapse required.

If Congress doesn’t agree with the President’s designation, our bill allows a 60-day timeframe during which any Member can bring a resolution of disapproval to the floor under expedited procedures, and adoption of such measure by both Houses would result in the end of military operations against that group.

Our bill adopts the same process with regard to geography to allow Congress to disapprove of military operations in a particular country. I recognize that traditional declarations of war and other authorizations of military force haven’t referred to a particular geographical region. But military operations can take place. But all of our previous military engagements were against sovereign nations with armed forces, not terrorist groups that can pop up in any country at any time.

If Congress is going to authorize the use of force, we ought to know in which countries U.S. troops are operating. Requiring the President to notify Congress when he begins operations against one of these terrorist groups in a new country is an important check on the executive branch to ensure there is no overreach.

The bar for disapproving the President’s decision is high—appropriately so. It would require two-thirds of the House and the Senate to disagree with the President on his decisions with regard to new associated forces or new countries.

Right now, Congress has very little to say over who or where our military fights. The only option available is to turn off appropriations, and history has demonstrated that simply is not realistic or appropriate.

The most recent example of this, as some of my colleagues will recall, was in 2011, when the Obama administration joined the NATO operation to help rebels in Libya topple Muammar Qaddafi. The administration never made the case to Congress as to what U.S. interests were served by U.S. involvement. As a result, many Members on both sides of the aisle publicly opposed our intervention in Libya.

Yet, when the clock ran out on the time constraints set forth in the War Powers Resolution, Congress did not turn off appropriations because we can’t just pull the rug out from under the service members when they are in harm’s way overseas. The “turning off appropriations” approach simply hasn’t worked in the past and is not likely to work in the future.

We need real congressional buy-in and oversight over a conflict that has morphed considerably since 2001—and which we are now being told is

morphing to a new continent. S.J. Res. 43 gives us just that.

I should note that the bill also includes a 5-year sunset. The sunset is not intended to serve as a notice that the war on terrorism will end in 5 years. It is simply to protect against the practice that has harmed our way overseas. The “turning off appropriations” approach simply hasn’t worked in the past and is not likely to work in the future.

If Congress doesn’t agree with the President’s designation, our bill allows a 60-day timeframe during which any Member can bring a resolution of disapproval to the floor under expedited procedures, and adoption of such measure by both Houses would result in the end of military operations against that group.

Our bill adopts the same process with regard to geography to allow Congress to disapprove of military operations in a particular country. I recognize that traditional declarations of war and other authorizations of military force haven’t referred to a particular geographical region. But military operations can take place. But all of our previous military engagements were against sovereign nations with armed forces, not terrorist groups that can pop up in any country at any time.

If Congress is going to authorize the use of force, we ought to know in which countries U.S. troops are operating. Requiring the President to notify Congress when he begins operations against one of these terrorist groups in a new country is an important check on the executive branch to ensure there is no overreach.

The bar for disapproving the President’s decision is high—appropriately so. It would require two-thirds of the House and the Senate to disagree with the President on his decisions with regard to new associated forces or new countries.

Right now, Congress has very little to say over who or where our military fights. The only option available is to cut off appropriations, and history has demonstrated that simply is not realistic or appropriate.

The most recent example of this, as some of my colleagues will recall, was in 2011, when the Obama administration joined the NATO operation to help rebels in Libya topple Muammar Qaddafi. The administration never made the case to Congress as to what U.S. interests were served by U.S. involvement. As a result, many Members on both sides of the aisle publicly opposed our intervention in Libya.

Yet, when the clock ran out on the time constraints set forth in the War Powers Resolution, Congress did not turn off appropriations because we can’t just pull the rug out from under the service members when they are in harm’s way overseas. The “turning off appropriations” approach simply hasn’t worked in the past and is not likely to work in the future.

We need real congressional buy-in and oversight over a conflict that has morphed considerably since 2001—and which we are now being told is
am going to do. I won’t be able to afford the drug. How can our Republican colleagues be so heartless and cruel? I know that you want to reduce taxes on corporations, but why do you have to do it at Bridget’s expense?

Of course, the House bill takes an ax to State and local deductibility, a bedrock middle-class deduction that affects nearly every State but hits high tax States, like Virginia, the hardest. Any House Republican who watched the votes in Virginia last night must be shaken by the overwhelming Democratic turnout in suburban areas. According to pollsters, the No. 1 issue was healthcare, and this deduction goes. But overall, suburban Virginia said no to the Republican way. Suburban families will be the ones hit hardest by the elimination of State and local deductions in States like Virginia but also in Washington, New Jersey, California, Illinois, Minnesota, and Colorado.

Just as we learned from reporting that the Senate bill is likely to go even further regarding the State and local deduction—full repeal. There are some from my State in New York saying: Well, we have a compromise. A: the ceiling is eliminated—three-fourths of the deduction, but, B, that compromise is going bye-bye. The Senate is going to get rid of it. You can be sure it won’t come back in a conference committee.

So I go to my House colleagues, particularly those from suburban districts: Stop the elimination of the State and local deduction now before it is too late. If it happens and you vote yes on this bill, you will be to blame. There is no way to duck and cover because the SALTs compromise any longer because the SALTS tax writers have made clear that they want to repeal it entirely in the Senate. Because of the stricter Senate budget rules, the Senate is likely to win out over the House language.

Make no mistake about it, a full repeal of the State and local deduction is coming down the pike one way or the other. Voting to advance the GOP bill is a vote to fully repeal State and local deductibility. I say to my Republican friends from all those suburban districts where a high percentage of people use the State and local deduction: If you think the results in Virginia and New Jersey were terrible for your wait until you do not have to deal with taxes on large swaths of middle-class families in your district.

The debate over the State and local deduction is illustrative of the central problem my Republican friends have with their tax bill. Every time you pull in one direction and change something to solve a problem, you have to push in another direction, and you end up creating a new one. It is like pushing on a balloon. Just this morning, Speaker Ryan said the phaseout of middle-class deductions would never happen. They are only there to “game the Senate rules.”

Well, if there is no phaseout, the real cost of the bill will be much higher. I say to my Senate friends who have talked about making sure we don’t let the deficit go out of control that Ryan is saying we are going to let the deficit go out of control and game the Senate rules because the middle-class deductions will not happen. If there is no real phaseout, the real cost of the bill will be much higher. It is a tough pill to swallow to anyone in this setting on the Republican side who believes about $1.5 trillion—and their rule—is about as high as you can go.

All of this is because our Republican colleagues are rushing this bill through. Something like this takes care. It takes hearings. It takes discussion. It takes experts. It takes affected groups all weighing in. That takes a while. That is how it is supposed to work. That is how the Founding Fathers wanted it to work. That is how it did before. And when the last successful major tax reform bill was 1986. I was there, and I know.

To rush a bill of this magnitude through the Congress in a span of a few weeks, with only one party doing the work, is irresponsible, and it will lead to a very bad result. It is why our Republican colleagues have such problems.

I repeat my plea to my colleagues on the other side of the aisle. Take a step back, reform the right way—bipartisan, through the committees, input from both sides. We have shown, as in healthcare, when we try, we can work together. The Senator from New Hampshire is on the floor. She was one of the leaders in that.

Earlier this year, we came to a good budget deal. Senators Alexander and Murray put together a reasonable compromise on healthcare. We can do it again on tax reform. We Democrats are very much in favor of reform, but our Republican friends must abandon this partisan, secretive, reckless process that will lead to no good for them and for the country and come to the table with Democrats.

One final point on the matter. Republicans repeatedly promised that the $1.5 trillion reduction in the corporate tax rate proposed by the Ryan-McConnell tax plan will lead the average American family to receive a $1,000 tax cut. You did not say that corporate rates are already at record highs. Wages are relatively stagnant. So color us skeptical that showering corporations with new tax brackets that will result in them having even more money will end up creating higher wages for workers. Far more likely what it will create is another round of stock buybacks and dividends, which, by and large, benefit corporate CEOs and the wealthy.

You don’t have to take it from me. David Marberger is the executive vice president and CFO—chief financial officer—of Conagra, which I believe is a major Fortune 500 company. Here is what he told his shareholders this fall, the CFO of Conagra: “In terms of if there is a corporate tax reduction and there’s more cash, we bounce back to our capital allocation”—more stock buybacks.

Republicans think a corporate tax cut without guardrails would boost wages and wind you disagree. Later this morning, Democrats will urge our Republican colleagues to put their money where their mouth is and prove us wrong. We will be offering an amendment that would snap back taxes to the corporate deductions actually fail to boost their workers’ wages. It is that simple. Put your money where your mouth is. The only thing you are hanging your hat on, on this bill, which so hurts so many middle-class people is, well, everyone will get a big wage increase because we are reducing the corporate rate. We challenge you to accept our amendment. If the wages don’t go up, the corporate decrease in taxes is repealed.

If the House Republicans, don’t write checks to corporations that their employees can’t cash. If Republicans fail to support this amendment, they will confirm that their tax bill is a farce. They really don’t believe it, we won’t, you won’t, and the country won’t—boosting wages for working Americans.

Mr. President, one final word on the nomination of Mr. Robb to the NLRB. The NLRB protects workers’ rights to form or join unions, bargain collectively with their employers, and actconcertedly for mutual aid or protection. It is not clear to me, from reviewing Mr. Robb’s background, that he believes in the mission of the agency.

In his experience as a labor and employment lawyer, he has defended companies against workers’ unfair labor practice allegations, age and sex discrimination charges, class action age claims, and wage claims. The website of Mr. Robb’s law firm brags about his skills to delay and defeat union organizing at the Millstone Power Station in Connecticut. He was the lead counsel on the notorious Reagan-era case, which decertified the air traffic controllers’ union. That resulted in President Reagan firing 11,000 traffic controllers and barring them from Federal service.

The general counsel for the NLRB sets the priority cases and determines when to bring charges against employers. It is a crucial role. Peter Robb’s record shows he is not up to this job, and he will not defend workers in an agency designed to defend workers.

I will be voting no and urge my colleagues to do the same.

Yield the floor.

MRS. SHAHEEN. Mr. President, it is hard to read or to listen to the news these days without hearing about Russia’s interference in our American democracy, its influence peddling, and about the misinformation that has
been spreading on social media. I have a bipartisan legislation that would address an aspect of this. This legislation is cosponsored by Senator Todd Young, and it is legislation that would give law enforcement the tools they need to create greater transparency about foreign entities operating in the United States in the interest of other governments. It would make it easier for the public to better track information they are receiving, particularly from governments that are hostile to the United States.

This bill would give the Department of Justice necessary authority to investigate potential violations of the Foreign Agents Registration Act, which is also known as FARA. We have heard a lot about that. This was legislation that was passed during the thirties, as there was fear about the rise of Nazism and Hitler in Germany and the effort to spread propaganda in the United States.

The bill would allow the American public to clearly trace where information is coming from and who is paying for it. I think, in this age of misinformation, that is especially important to the public.

At the time when our law enforcement officials, foreign policy experts, and leaders continue to grapple with the extent of Russia’s intrusion into our democratic elections, this legislation is more urgent than ever. The need for this legislation was perhaps most clearly demonstrated by the case of Russian propaganda networks like RT America and Sputnik International. Both networks continually propagate and share content and programming that are designed to very subtly confuse and influence audiences worldwide. If you have ever listened to either of those channels, you will know there is just this subtle difference in how they present information.

In the United States, RT America is available on cable TVs across the country. It is considered to be one of the most high-profile assets in Vladimir Putin’s vast $1.4 billion propaganda machine.

According to an assessment made public by the U.S. intelligence community in January, RT is the Kremlin’s “principal international outlet.” and it is integral to Russia’s information warfare operations across the globe. The Kremlin supervises RT and closely supervises its coverage, including disinformation and false news stories designed to undermine our democracy. If you have any question about that, watch RT here. It is on the cable network here in the DC area.

RT News has publicly boasted that it can dodge our laws by claiming to be a foreign agent. RT rejected an effort by the Justice Department to respect our laws. How did we respond? Well, we continued to allow RT America to spread its disinformation and false narratives. This is unacceptable. We responded that way because we don’t have the teeth we need in the law to be able to enforce it. That is what my legislation says. That is why it is so important. It would strengthen FARA by giving the Department of Justice authority to compel foreign organizations to produce documentation to confirm funding sources used in U.S. elections. And Russian disinformation networks like RT are a clear indication about the origins of these ads and RT’s news blasts.

Since the publication of the intelligence community’s January report on Russia’s interference in our 2016 Presidential election, we have learned that Moscow spent millions of dollars buying ads on social media sites and search engines, often using the very clips that had been aired by RT on its YouTube channel.

Last week, representatives of American social media companies testified before Congress and illustrated the lengths the Kremlin went in order to deceptively spread disinformation propaganda, all seemingly without a trace or any clear indication about the origins of these ads and RT’s news blasts.

The misinformation included numerous reports run by RT News on supposed U.S. election fraud and voting. So the Kremlin is clearly intended to spread confusion about our elections in 2016 to try and encourage people to believe our elections don’t work, to undermine our election process. They talked about machine vulnerabilities. They claimed the results of U.S. elections could not be trusted and did not reflect the people’s will. Sadly, too many people saw those stories and believed they were real.

These are not just random examples of fake news. These stories are part and parcel of a broader influence campaign designed and directed by the Kremlin’s leadership and pedaled by government-funded trolleys in St. Petersburg and other front organizations. So in the same way that Russia is building up its military force, its navy, its ability to operate in space, and its missile programs, it has also built up its propaganda campaign in ways that are designed to undermine Western democracy.

This bill would give the Department of Justice the authority to compel RT to register as a foreign agent. It would give the Department of Justice authority to compel foreign organizations to produce documentation to confirm funding sources used in U.S. elections. And Russian disinformation networks like RT are a clear indication about the origins of these ads and RT’s news blasts.

As we wait for this commonsense legislation to move forward, the Kremlin continues to wield their harmful propaganda and attempt to influence the American public.

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TORR. Together, they have earned some of our Nation’s most prestigious honors and commendations, including the Purple Heart, the Bronze Star, the Distinguished Flying Cross, the Legion of Merit, and the Silver Star Medal for gallantry.

I also had the opportunity to present three Arkansas veterans with the medals and commendations they had earned when I attended the Veterans Day celebration in Fort Smith, AR. I am proud of the work that we do to obtain these service medals and recognition that these heroes have earned.

We have also worked hard to honor the efforts of Mr. Errol Severe, of Eureka Springs, AR, as he strives to preserve and promote the role of joint service aviation cadets in the 20th century. Mr. Severe, an Air Force veteran, operates the Aviation Cadet Museum, which is the only museum in the United States that exists exclusively to celebrate the teamwork, collaboration, and camaraderie of individuals who trained for and fought in the national aviation effort from 1917 to 1965.

As we recognize our veterans and honor the sacrifice and heroism of those who have been called to serve our Nation in uniform, we must recommit ourselves to fighting on their behalf. As a member of the Senate Veterans’ Affairs Committee, I am committed to honoring the promise made to our veterans.

We have made tremendous progress during this Congress. In June, Presi- dent Trump signed the Department of Veterans Affairs Accountability and Whistleblower Protection Act. This strengthens accountability at the Department of Veterans Affairs by allowing the VA to dismiss bad employees while protecting those who expose wrongdoing.

We are also continuing to improve the GI Bill. Earlier this year, we hosted listening sessions with Arkansa- sas veterans to obtain their input on the strengths and the weaknesses of the program, as Congress continues to expand access to adequate healthcare options for veterans.

In addition, we enhanced the post-9/11 GI bill benefits to increase educational opportunities. I am proud to have played a role in crafting this law, along with my colleague from Oregon, Senator Stabenow, who has long advocated for higher GI Bill benefits for wounded veterans. She also supported the GI Bill for women, recognizing that women and reservists. I was very proud to work with him in support of this effort, and I look forward to working with him in the future.

Our guardsmen and reservists are called to defend and protect our Na- tion, exactly like Active-Duty mem- bers. So it is only right that they re- ceive the same GI bill benefits.

I yield the floor.

THE PRESIDENT. The Senator from Nebraska.

RECOGNIZING THE NEBRASKA NATIONAL GUARD Mrs. FISCHER. Mr. President, I rise today to recognize the men and women of the Nebraska National Guard. For more than 150 years, the Nebraska National Guard has been protecting our State and keeping our Nation safe.

Established in 1854, the Guard pre- dates the founding of the State of Ne- braska by 12 years, and those who serve in its ranks today carry on a proud tra- dition. Whenever the Nation calls, Ne- braska Guard men and women have been at the leading edge, responding in times of military need and national crisis.

When the shadow of fascism spread across Europe in World War II, Nebras- ka’s 134th Infantry Regiment was there to bring the light of democracy back to the continent, liberating the French city of Saint-Lô from Nazi occupation.

In recent years, the Nebraska National Guard was there to answer the call. In the time since, over 10,000 Nebraska Guard sol- diers and airmen have deployed to fight the War on Terror and serve in defense of our Nation. This summer, in the 16 years, there have been only 3 days when every Nebraska soldier and airman was at home with their loved ones. Saying no is not part of the culture of the Nebraska National Guard. When the Nation calls, there is no hesi- tation. They go where the mission re- quires them to go.

At this very moment, we can find Ne- braska soldiers and airmen deployed all across the globe, protecting our great Nation. Whether it is the dozen National Guard commanders who are currently conducting detainee opera- tions at Guantanamo Bay or those preparing to deploy next year to key positions in the Pacific and the Middle East, our Guard stands ready to answer the call.

The Guard is also playing an important role in working with our allies abroad. Since 1993, the Nebraska Na- tional Guard has been linked with the Czech Republic through the State Part- nership Program. When Eastern Europe emerged from the heavy hand of commu- nism, the Nebraska National Guard was there working side by side with their military to collaborate, share, and assist, forging a lasting bond that remains strong to this day. This year marks the 25th anniversary of that partnership, and we are all extremely proud of the work our Guard is doing to help bring our democracies together.

That spirit of service extends to their operations here in the homeland as well. When hurricanes so tragically struck our neighbors in Texas, Florida, the Virgin Islands, and Puerto Rico, the Nebraska Guard was there to help. The numbers speak for themselves. In Texas, they rescued 461 people and de- livered 142,000 pounds of cargo, 6,000 pounds of bottled water, and 1,000 pounds of medical supplies. During Hurricane Irma, 102 members participated in an aviation task force for sup- port operations. Right now, 50 soldiers and airmen are providing in the Virgin Islands and Puerto Rico.

The scope of their response to these disasters is a testament to their dedi- cation and showcases the flexibility of the Guard’s mission. Whether it is re- sponsing to domestic events, overseas combat, or reconstruction missions, these men and women are there to respond with speed, efficiency, and strength.

The most impressive things about the Nebraska National Guard is that these are regular, everyday citi- zens who decided to answer the call to serve. They are our neighbors, our
friends, our spouses, sons and daughters, ordinary Nebraskans from every background who decided to put on the uniform and make a difference. That is why I am so honored to have a group of the Nebraska National Guard’s men and women visiting Washington today. I wish, personally, to sincerely thank them, their families, and loved ones who support them, and all of our National Guard soldiers and airmen for their good service. The Nebraska National Guard has seen a lot of change in its history, but one thing remains the same: They stand ready to serve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

GI BILL FAIRNESS ACT

Mr. WYDEN. Mr. President, one of the great privileges of this job and the honor of representing Oregon in the U.S. Senate is seeing the way Oregonians of all backgrounds and beliefs come together to support those who wear or have worn the uniform of the U.S. military. When it comes to honoring our veterans, Oregonians and so many across the country think in terms of patriotism, not politics and certainly not partisanship. There is not a Democratic or a Republican way to support our veterans; there is an American way.

Recently, I was very pleased to join Senator Moran and Senator Tester to introduce bipartisan legislation that would expand the presumption to veterans exposed to Agent Orange in the Korean Demilitarized Zone. The VA currently presumes that veterans who served in the Korean DMZ from 1968 to 1971 were exposed to Agent Orange, but there is evidence that veterans were exposed to toxins all the way back to 1967. Our bipartisan bill would extend the presumption date back, making it easier for veterans to apply for and receive care and benefits.

It is a good bill. It is a bipartisan bill. As we head to Veterans Day, I want to make it clear that I am going to do everything I can to make this bill law soon.

Given the fact that we will all be home this weekend, I also want to take a few minutes to discuss another bipartisan piece of legislation that is important to the welfare of our veterans and a proposal that recently became law.

I learned that wounded members of the National Guard and Reserve were losing out on benefits under the GI Bill for time they spent in rehabilitation and recovery. These are men and women who put their lives on hold to serve our country abroad, and when they suffered injuries in the line of duty, their time spent recovering didn’t count toward GI Bill benefits, even though it did for Active-Duty servicemembers in the same situation. I think it is an understatement to say that is certainly a real head-scratcher, to not stand up for our Guard and Reserve to make sure they are not losing out on benefits under the GI Bill for the time they spend in recovery and rehab. In effect, the Federal law was adding insult to injury by robbing wounded guardsmen and reservists of benefits they earned and should have been receiving all along. Estimates show how many wounded veterans and reservists members across our country were affected.

I approached our friend and colleague from Arkansas, Senator Boozman, and he graciously worked with me. Senator Boozman made it clear that a fellow from Arkansas and a fellow from Oregon were going to team up, leave the politics behind, and fix an injustice. We brought together a bipartisan group. We worked with the Committee on Veterans’ Affairs, and we were able to get the bill across the finish line. As of now, wounded guardsmen and reservists will get the education benefits they have rightly earned.

Especially today, when people are asking about the divisiveness and polarization that now consumes so much of the political debate, I wanted Senators to know that I really appreciate Senator Boozman always trying to be constructive and a problem-solver. And this is one problem that’s getting solved.

The law will apply retroactively, meaning that eligible veterans who already lost out will be made whole. Because we know we can’t bring our servicemembers to lose benefits for being wounded—just think about that, servicemembers losing benefits for being wounded—many of our veterans haven’t learned they were missing out. They never knew they were missing out. That is why I am very pleased, as I know Senator Boozman is, that our law applies retroactively to all service after the 9/11 attacks.

I think it is true that success has a thousand partners. I thank everyone on both sides of the aisle for all the work that went into this important bill, we would be here until suppertime tonight. But I do especially want to thank our colleagues, Senators Mark Kaine and McCaskill. They lent important support along the way, as did Chairman Johnny Isakson and Ranking Member Jon Tester. Representative Mark Takano of California has also been an exceptional advocate in the other chamber.

I also wish to give a special thank-you to MAJ Steve Warren, a Department of Defense fellow in my office at the dawn of the process. He is considered a real rock star in terms of working for veterans. He did so much to bring this issue to my attention and then worked diligently toward a solution. I think it is the judgment of everybody involved that without Steve’s inspiration and perspiration, it would have been hard to see this injustice fixed and our brave veterans who fought for us today, as we head to Veterans Day, to talk about it. I close by way of saying that in this time of partisan rancor and the back-and-forth that consumes so much of the political debate in Washington, I think what we have shown with this piece of legislation and its importance is that our veterans continue to be a unifying force. This good will comes from the deep respect for the men and women who have served our country and for the sacrifices made by military families. It also stems from an appreciation for the role our veterans play in so many communities. In Oregon, our vets are small business owners, toil workers, and educators. They help students at the Youth Challenge Program in Bend, and they help us fight fires. And suffice it to say, this year those fires were big, they were long, they were brutal, and set asides for veterans could have even believed could happen, such as the one that jumped the Columbia River.

It doesn’t mean that Congress, even with this legislation, always gets it right with respect to veterans. There will inevitably be cases particularly ensuring timely access to top-quality healthcare through the VA or outside of it and ensuring that guardsmen and reservists get treated fairly and equitably.

I want to say this again on the eve of our taking time out specifically to honor veterans—although in our State, we believe that every day is really Veterans Day—I want to renew my pledge to the people of Oregon that I will and my staff will keep working until our vets receive the care and treatment they have earned. We hope the success of our GI Bill Fairness Act demonstrates what can be done when the Congress sets aside all this business of trying to point score on partisanship and puts veterans first.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

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

Mrs. MURRAY. Mr. President, I come to the floor to do what the Trump administration has failed to do: that is, to stand up for working families and fight for an economy that actually works for all, not just for the richest among us.

On the campaign trail, President Trump made promise after promise to workers. He promised to put them first and bring back good-paying jobs to their communities. Yet, since day one of his Presidency, we have seen him do just the opposite. His administration has rolled back protections for workers and families and prioritized corporate profits over working families’ financial security.

He has put forth nominee after nominee who puts industry interests above the needs of families, such as William Wehrum, President Trump’s nominee to lead the EPA’s Office of Air and Radiation. Mr. Wehrum is someone who
has worked to undermine the core mission of the office he would oversee. He is a nominee who has demonstrated a willingness to side with protecting Big Business instead of protecting our Nation’s most valuable resources and whose independence is truly in question.

Unfortunately, when looking at President Trump’s record as a businessman, these decisions do not come as a surprise. President Trump spent decades as an estate developer, cheating workers and contractors out of their hard-earned pay, and he refused to allow his own hotel workers to join together and advocate for safer working conditions and better wages.

President Trump’s vision of our economy is one in which workers bear the burden, and the people who live in gilded towers get the benefit. The contrast with Democrats could not be clearer. Last week, Democrats rolled out an ambitious agenda to reform our labor laws, empower workers to join together, make their voices heard, and fight for better wages and benefits.

Currently, it is extremely difficult for workers to seek justice when corporations violate their rights, and if we want to rebuild the middle class, we have to change that because workers having the right to organize and join unions helped to build the middle class we have today. For many workers in the 20th century, good union jobs helped them to support their families and climb the economic ladder, but over the past few decades, our economy has worked in favor of corporations and those at the top. As corporate management and special interests have undermined workers in their right to collectively bargain, we have seen, of course, a decline in unions and union membership across the country. This has allowed President Trump and billionaires like him to take advantage of their workers, and it has given workers little recourse in standing up and fighting for better working conditions.

The preamble of the National Labor Relations Act clearly states that it is the policy of the United States to encourage collective bargaining to give workers a voice, allowing them to speak up for fair wages and safe working conditions, and it is the responsibility of the NLRB to ensure that workers are protected, so they are not taken advantage of. The NLRB gives workers the opportunity to file charges against corporations when they are illegally fired or retaliated against for exercising their rights, and because President Trump’s own businesses have had complaints they are not taken advantage of. The NLRB gives workers the opportunity to file charges against corporations when they are illegally fired or retaliated against for exercising their rights, and because President Trump’s own businesses have had complaints they are not taken advantage of.

Robb has spent most of his career as a corporate lawyer, representing Big Business and seeking to limit the rights that workers are guaranteed under the National Labor Relations Act—the very law he is now asking to be in charge of and enforce. He has defended violations of workers’ collective bargaining rights, age and discrimination charges, unfair wage and hour claims. He is an experienced corporate lawyer, and his record speaks for itself.

Given his long history of defending corporations, I don’t believe workers can trust him to act with their best interests at heart or to stand up to President Trump and his vision of an economy that works for those at the top but that undercuts workers’ wages, safety, and rights.

I will be voting no on Mr. Robb’s nomination, and I urge my colleagues to do the same. I know every single one of us was spoken to working families in his State who feel left behind today—families who work full time and who are saving what they can. They are struggling to make ends meet. It is time that we stop prioritizing corporate profits and start focusing on those workers and our middle class. We can only strengthen our economy if we give workers a voice in it.

I yield the floor.

The clerks will call the roll.

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

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

TEXAS CHURCH MASS SHOOTING

Mr. CORNYN. Mr. President, as the world was speaking of tragic shooting in Sutherland Springs, TX, last Sunday, which took the lives of 26 innocent people and injured 20 more. On Monday evening there was a prayer vigil for those victims. The community gathered to pray and to pay their respects to the deceased.

There are two people in particular who were in attendance, whom I want to highlight: Stephen Willeford and Johnnie Langendorf. I mentioned them yesterday, and perhaps you have seen them on the news, but I have been thinking a lot about them lately. In addition to the tragedy, this was really one of the things that gives you a little hope amidst the terrible circumstances. Stephen, of course, is the man who responded to the shooter’s rampage by grabbing his rifle and running toward the First Baptist Church. Johnnie drove the truck that chased the gunman down at high speed. In typical Texas fashion, these two gentlemen didn’t consider themselves to be heroes, but I consider them to be heroes. They said that they were just doing what needed to be done.

There were multiple errors—human and systematic errors—that should have prevented this shooter from ever buying a firearm. He unlawfully purchased four firearms that he wasn’t permitted to purchase. Federal background checks did not uncover his Air Force conviction for domestic violence, a felony, for fracturing the skull of his infant stepson. These convictions were not uploaded on the NICS Federal database.

I plan to introduce legislation—and I have been talking to a number of colleagues on both sides of the aisle who are interested in providing a solution to this problem, but we are going to introduce legislation to ensure that all Federal departments and agencies, including the Department of Defense, upload the required defense records. My legislation will also encourage to the greatest extent possible under the Constitution that State and local governments do the same.

We all remember the terrible shooting that occurred at Virginia Tech a few years ago by a person who had already been adjudicated to be mentally ill by the State, but because the State did not upload that information into the Federal database when he went to buy a firearm, there was no hit, no disqualifier that appeared that would have prevented him from buying that firearm.
firearm in the first place. We need to make sure those systems work every time.

What Sutherland Springs has exposed is that the Federal Government is failing to comply with reporting requirements. This is unacceptable, and it must change.

Yesterday, Gen. David Goldfein, the Chief of Staff of the Air Force, came by my office, and I am grateful to him for that. I told him that it must have been one of his worst days when he found out that the Air Force had failed to notify the Federal authorities of the information that would have disqualified this individual from buying a firearm. He appropriately expressed grave concern over the fact that the gunman's convictions were not sent to the NICS database. He pledged to get to the root of the problem, and I believe him.

It is worth noting that we have tried to address similar problems before, and we can do it again. In 2015, I introduced a bill called the Mental Health and Safe Communities Act, which addressed a related issue, and that was the failure of State and local authorities to upload valuable mental health records into the NICS data system. I think there is a bipartisan willingness in this Chamber to work on problems inherent in the sharing of these records, and I hope my colleagues will join with me in supporting this new tax reform.
of great consequence for millions of workers across our country, and they deserve someone much better than Peter Robb.

Mr. Robb has spent his career defending management and employers from workers fighting to form a union. He often found himself on strike, and workers who brought forward discrimination and disability claims. You don’t have to take my word for it. Mr. Robb’s biography on his own law firm’s website tells the story clearly:

His litigation includes defending employers from unfair labor practice charges, age and sex discrimination charges, class action age claims, and wage/hour claims as well as bringing suits against labor organizations. With such vast experience and a no-nonsense approach, Peter’s clients look to him for sharp advice, rigorous representation and powerful litigation.

That is a description on his own law firm’s website.

Mr. Robb cut his teeth busting unions and retaliating against workers as lead counsel at the NLRB in the early 1980s when President Reagan de-certified the air traffic controllers union, fired 11,000 air traffic controllers, and barred them from Federal service. He represented Dominion Energy’s successful attempt to defeat a union organizing campaign at a power station in Connecticut.

Management and corporations have a right to hire lawyers like Mr. Robb who will vigorously represent their interests, but Mr. Robb is certainly not the right person to lead an agency whose mission is to protect workers’ rights, not to go after those rights tooth and nail. Mr. Robb’s record clearly demonstrates that he will side with powerful corporations and special interests over workers who lack the resources to defend themselves.

Unions built the middle class in Hawaii and across our country. Instead of confirming another management protector at the NLRB, we should be working together to protect workers and make it fairer for them to form and to join a union, which is their right.

I urge my colleagues to join me in opposing this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

AFFORDABLE HOUSING

Ms. CANTWELL. Mr. President, I rise to talk about the affordable housing crisis that is gripping our Nation. When I say “crisis,” I mean I know that people here are on the precipice of talking about what we are going to do in response to Hurricanes Harvey and Irma and Maria, and I would like to say, yes, that was real, but there are also even greater implications from the housing crisis that exist today without those hurricanes, and it is only going to continue to grow and get worse until we deal with it.

This past February, more than 2,000 families packed into the New Holly Coalition at the United Neighborhoods Housing Services in Seattle. Each family was hoping to hear its name called. It wasn’t a contest. It wasn’t a game. It wasn’t the lottery. It was a lottery to see if families could get affordable homes.

The Mercy Othello Plaza would soon open 108 affordable housing units. That is hardly a match for the more than 2,000 families who were interested in trying to get into one of those affordable units. Based on the numbers alone, their chance of getting an affordable home was lower than an applicant’s chance of getting into Harvard.

Ninety-five percent of the families attending that night left disappointed, continuing to search for affordable housing. This is just one story of how the affordable housing crisis is gripping our Nation. I am sure every one of my colleagues in the Senate could talk about a story they have heard in their State because this crisis impacts every State. It impacts every community, both urban and rural.

As I have traveled across the State of Washington, I have seen some of the most hard-hit areas for affordable housing. I have even seen a few renters returning home not being able to find affordable housing. I have seen young workers who want to be close to where their employment is and yet having to drive so far away because that is the only place they could find affordable housing. We have seen homelessness in numbers that harken back to previous days when we had a true recession.

The most damning part of the housing crisis is how to solve it. We just need the courage to act.

For decades, the housing growth was the most stimulative part of our economy. Throughout the 1980s, housing was 18 percent of GDP. Today that number has dropped to just 15 percent. When people discuss tax reform and GDP growth, housing is still one of the ways that economists will tell us that we can grow GDP.

In the sixties, seventies, and eighties, if something were to stimulate our economy, usually a cheer would go up for housing, but since the economic downturn, we haven’t heard that cheer. In fact, it is almost as if we have forgotten how stimulative housing is to our economy.

The total number of units built between 2007 and 2016 total just 8.9 million units, which is far below the 15 million-plus average for every 10-year period through the seventies and nineties. We are off the pace of what it takes to provide affordable housing. As a result, the vacancy rates and inventories of homes for sale have also fallen. The national vacancy rate—which is the number of homes for sale—has receded to the 2000 level, erasing all the runup we saw in the housing boom. Moreover, homeownership in the United States is now at its lowest rate since the 1960s.

Twenty million American families, including 11 million renters, are now spending more than half of their income on housing. That means less money for other essentials like food and healthcare and gas. The National Low Income Housing Coalition tells us that 7.4 million more available affordable homes are needed because we have seen an increase of 60 percent since the year 2000 in the need for affordable homes.

So the United States has become a rent-burdened economy. If we don’t address this crisis, the problem is only going to get worse. In fact, one study found that if we don’t address this crisis, we are going to lose another percentage increase in the number of Americans spending more than half of their income in rent.

I know my colleagues on the other side of the aisle in the House of Representatives are talking about what they want to do in tax reform. I would say they should look at this data as it relates to where we are with homeownership and housing and things that would stimulate that private activity and bonds—one of the key drivers of affordable housing production. It would be a big mistake if they got rid of that. Obviously, there are units of affordable housing that are being planned and built, but right now, it is our estimate is that over 1,000,000 units wouldn’t be completed just because of the House provision.

Obviously, limiting the mortgage interest deduction for new homeowners or forcing people to pay interest on homeowners and thereby limit the number of people who could afford a home. Almost one-third of taxpayers nationally claim the property tax deductions. They could also see an impact that that. I hope my colleagues and our Senate colleagues will see, in light of the housing crisis, what a terrible idea those things are.

How did we get to this crisis as it exists now? Part of the issue was demand. For starters, the 2007 housing crash pushed millions of families into the rental market and reduced wages on working families. The demand for rental housing skyrocketed. Over 7 million Americans lost their homes to foreclosure, and they demanded more affordable places to live. Today the homeownership rate is the lowest in our Nation since the 1960s. The last 10 years have seen the largest growth in renters on record. The demand for rental housing shows no sign of slowing down.

Millennials, like many of the young people we see who want to be close to jobs in our burgeoning economy, are forced to rent instead of own. They are seeing that challenged, in big numbers, by the fact that there is not enough supply.
At the same time demand was going up from returning veterans, from aging seniors, from workplace needs, from many more people needing affordable housing after being pushed out of the homeownership market—at the same time demand was going up, supply failed. Affordable housing stock is being, and was being, converted to market rate-based units. That means they got taken out of the affordability framework.

A new report found that the number of apartment units deemed affordable for low-income families dropped 60 percent over the last 6 years.

With all this pressure and demand of people falling out of home and back into the market and pushing things down, we saw so many units that were affordable units get transferred over to market-based rates and thereby losing supply.

The new production of affordable housing has not filled the gap, and production of affordable housing is at its lowest 10-year production rate on record since 1974. It, too, has played a role in this problem.

The combination of increased demand and lack of production has caused a crisis in our affordable housing crisis. The number of Americans facing extreme unaffordability—that means they are paying more than 50 percent—has gone from 7 million Americans to 11.2 million Americans. That is a 60 percent increase in the number of people in the United States who are in this area of extremely unaffordable rates for housing.

While I know we are going to discuss natural disasters and helping communities recover—everywhere from the families who have been impacted in Florida, in Texas, and various places—we also have to look at the issue of affordable housing everywhere from Seattle and Portland and San Francisco to almost any city throughout the country, Philadelphia and Miami and many other places.

In the aftermath of Katrina, Congress passed an expansion of the low-income housing tax credit, and it built 28,000 affordable units on the gulf. I know my colleagues will want to do something similar for Texas and the Gulf States to make sure we are doing something, but we need to understand that at the time of Katrina, there was a need of not just 255,000 units in the country but 400,000 units in the area of the Gulf. Building 28,000 units was barely a blip.

The low-income housing tax credit helped rebuild some units, but it came nowhere close to solving the housing crisis in New Orleans. Market rates in New Orleans are 35 percent higher after the storm, and 37 percent of households are paying more than half of their income in housing. Now, 12 years later, another disaster has hit, and we are going to try to address this crisis, but the housing market for extremely low-income families in Texas and the major metro areas of Texas is among some of the worst in the Nation. That was before the crisis. Before the actual impact of hurricanes, Texas was already at a crisis point.

Texas has only 29 affordable units for every 100 low-income households looking for those options. Houston is the third worst state in the nation for housing availability for extremely low-income people. Now families from Florida to Puerto Rico are going to also be finding a very difficult situation.

Expanding the tax credit could help, but we have to do more than just expand the tax credit for those disaster States. We need a very big systematic investment in affordable housing all across the United States, and expanding the low-income housing tax credit is one way to do that. The good news is, we have good bipartisan support for the low-income housing tax credit enacted in 1986. It helped build 3 million rental units across this country over the last 30 years. If you want to make a dent in this crisis, both in response to the Katrina crisis, and that already existed, we need to begin filling that gap by increasing the credit.

That is why I joined Senator HATCH in introducing the Affordable Housing Tax Credit Improvement Act, something that will help rebuild hundreds of thousands of new units in the next 10 years. I am glad Senators WYDEN, PORTMAN, SULLIVAN, MERKLEY, SCOTT, BENNET, COLLINS, Kaine, HELLER, LEAHY, SHAHEEN, MURRAY, SCHUKNECHT, INNHAM, SCHATZ, BOOKER, HASSAN, ISAKSON, and SANDERS are all supporters.

We have good, bipartisan support from people who understand that this crisis is real and that it is only going to grow. But we also know that the additional tax credit would create almost 450,000 new jobs over the next 10 years. That is because housing is stimulative to the economy. Construction alone supports over 2 million jobs. And it helps bridge the gap that the economic impact to GDP is realized now through this investment.

It also helps us save money as an economy and a country by putting a roof over people’s heads. One of the reasons I was so excited to work with Senator HATCH on this was because in his home State of Utah, they made such great progress in dealing with their homeless veteran population. The community decided that by putting a roof over one’s head, they actually helped lower overall costs. One study found that placing people in affordable housing lowered Federal Medicaid expenditures by an average of 12 percent, and a University of Pennsylvania study found that taxpayers could save $16,000 per homeless person who was placed in affordable housing.

So we need to act. We need to realize that housing provides an investment in job creation and has historically contributed over 60 percent of GDP growth since the 1960s; that it is an underpinning of our economy; and that we need to make sure that our Tax Code works and make sure that people are purchasing homes as well as finding affordable housing.

As our colleagues deal with the end-of-the-year policy issues and deal with our response to these storms, I hope we will realize that this underlying crisis has not dealt with attention that it merited. We need to look at a bipartisan basis in the past to address it, and we can work on a bipartisan basis in the future to both stimulate our economy and solve these problems.

Ninety percent of the affordable housing units being built in the country use these tax credits, so it is only by extending the tax credits, putting a roof over people’s heads, that we are going to be able to deal with this crisis.

The good news is, it helps us save money and it helps us with GDP growth.

I thank the Chair. I yield the floor.

Mr. CARDIN. Mr. President, later today we will start the process of voting on the confirmation of William Wehrum for Assistant Administrator for the Environmental Protection Agency. I take this time to urge my colleagues to reject this nominee and vote against his confirmation.

Mr. CARDIN. Mr. President, later today we will start the process of voting on the confirmation of William Wehrum for Assistant Administrator for the Environmental Protection Agency. I take this time to urge my colleagues to reject this nominee and vote against his confirmation.

The EPA Assistant Administrator for the Office of Air and Radiation supervises the agency’s enforcement programs and policies for regulating air pollution and radiation exposure. Notably, this office administers the Clean Air Act.

As a member of the Senate Committee on Environment and Public Works, I once again find myself using my voice to say that science and public health, not partisan politics, should drive the confirmation process.

If confirmed, Mr. Wehrum is expected to play a leading role in dismantling air and climate regulations. Since the Supreme Court decision in Massachusetts v. EPA in 2007 ruled that carbon dioxide and other greenhouse gases are dangerous air pollutants, OAR is the office that accepted the endangerment finding and developed the Clean Power Plan to address carbon pollution.

Given the Trump administration’s own admission—or lack of suppression—in the latest update to the National Climate Assessment “that it is essentially certain that the climate is warming and human activities, especially emissions of greenhouse gases, are the dominant cause of the observed warming since the mid-20th century,” it should be common sense to nominate and confirm Administrators who care about our environment and our future, including policies on climate change. It is inexcusable to confirm those who disagree with that. I am not convinced that Mr. Wehrum will act on carbon pollution or any other air pollutant.

It would take an extraordinarily independent Assistant Administrator to resist the current course at the EPA under Administrator Scott Pruitt.
We know that we have a challenge at the top. We need as the person to head this Agency a person of integrity who will stand up for what science tells us we need to do in protecting air quality. I would argue that Mr. Wehrum is not that person.

Let me go over some of the challenges we face.

For example, in January of 2017, the EPA issued itself a 6-month extension to respond to Maryland’s Good Neighbor petition. The petition alleges that 36 powerplants in five neighboring States are preventing Maryland from meeting its own obligations under the Clean Air Act. That deadline expired with no EPA action on the petition. On September 27, 2017, Maryland filed suit against the EPA.

On October 5 of this year, the Chesapeake Bay Foundation filed a similar lawsuit because pollution from powerplants is a source of nitrogen pollution in the Chesapeake Bay.

On October 27, 2017, the EPA denied a separate Maryland petition asking the EPA to add nine States to the Ozone Transport Region, alleging that these States contribute to the violation of the 2008 ozone national ambient air quality standards.

In its response to the petition, the EPA determined that expanding the Ozone Transport Region is “not appropriate at this time” because existing rules will achieve reductions in emissions. The EPA’s response states that “better-targeted approaches, such as those under the Clean Air Act’s good neighbor provision, would be more effective in addressing the 2008 ozone targets.”

The EPA’s reasoning to deny the Ozone Transport Region petition—that existing rules will adequately address transported pollution—is predicated on the sincere implementation of those rules. In fact, Maryland did utilize—we did utilize—a “better targeted approach.” Maryland filed a Good Neighbor petition last November that was honored for 1 year, prompting the lawsuit against the EPA.

Based on his professional history and testimony, I do not have reason to believe that Mr. Wehrum will ensure that existing rules will adequately address air pollution. While he worked at the EPA during the George W. Bush administration, Mr. Wehrum attempted to direct the Agency’s air requirements to favor markets, earning praise from industry groups he would later represent. The EPA during the George W. Bush administration, Mr. Wehrum attempted to direct the Agency’s air requirements to favor markets, earning praise from industry groups he would later represent.

Another big part is what we are trying to do now in terms of cutting taxes for the American people. People want to keep more of their hard-earned money in their own pockets. Here in the Senate we now have a once-in-a-generation opportunity to help American families. We can help families directly by raising their incomes, and we can help them indirectly by growing the economy. Here is how we can do both, because that needs to be our goal.

The first thing we can do is to give people a raise by doubling the standard deduction. If we raise the deduction, people keep more of their hard-earned money, and it makes taxes simpler. Right now, the standard deduction for a married couple is $12,000. Two-thirds of Americans take this deduction. If we roughly double it, people will not pay any Federal income tax at all on the first $30,000 they earn. It is a big cut. It means that a lot more people will decide to take this deduction instead of having to go through the painstaking process of itemizing their deductions on their tax return. It saves them a lot of time, it saves them a lot of headaches, and it saves them the cost of accountants and lawyers who have to help figure our the very complicated tax system in this country. Millions of families will be better off just from this one tax reform.

A second thing Republicans are looking to do is to reduce the tax rate for small businesses, the people who are creating jobs all across the country. If someone owns a small business in my home State of Wyoming, she probably ends up paying the taxes on her personal tax return rather than on a separate business tax return. If we cut her tax bill, that is money she can then use to give her workers a raise, to hire more people, and to create more jobs in our community. She can put money back into the business to help grow the economy as well.

When you leave more money in people’s pockets, they get to decide how to use that money—what they decide to spend, what they decide to save, and what they decide to invest. People are much better watching their own money than the government ever was, giving people value for that money.

So we want to make sure that tax reform includes a break for small businesses. Around here, they use the
words “tax reform.” To me, it is about tax reduction, tax relief, and tax cuts. Republicans also want to bring down the rates that Washington charges other businesses. If we can cut the rate businesses pay from 35 percent down to 20 percent, that could be an enormous boost to our economy. Economists who look at this say it is like giving the average American family a $4,000 a year raise. That is how much the average household’s income would go up, because workers actually bear most of the burden of taxes that businesses pay.

Now, Democrats actually think the money belongs to Washington. It doesn’t. It belongs to the people at home who earn it. Democrats often think that if you give Americans even a single dollar in tax cuts, you are taking away Washington’s money. It is not Washington’s money. The money belongs to the people at home.

We know the exact opposite of what the Democrats think to be true. Republicans know that giving Americans a tax cut is the same as giving them a raise. Every dollar a family doesn’t have to send to Washington in taxes is a dollar they can use for something better, a dollar they can use for food, for shelter, for kids, for education, for things that matter to their family. It is another dollar a small business can use to pay its workers more or reinvest in the business to help grow the economy in that community. Tax cuts mean that people decide how they spend their own money; Washington doesn’t decide. Families know how to use money much better than Washington ever will.

As we debate these issues and ideas with regard to tax relief, we have an exciting opportunity to give the American people a raise and to give the American economy a boost. This is something a lot of people have been working on for a long time in the Senate. Over the past 6 years, the Finance Committee has held 70 hearings on how to make our Tax Code better for all Americans.

Republicans are working, and we are listening to make sure that we get the tax reform right that the American people and families need. When it comes to tax cuts, I believe the more the better. The more people who get a tax cut, the better. The more we grow our economy, the better. It is our job. It is about paychecks. It is about jobs. It is about prosperity. It is about a strong and healthy economy for America. That is what we as Republicans are committed to. We cannot let this opportunity pass.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, whether one is a progressive, a Democrat, a conservative, a Republican, or somewhere in between, there is a deep understanding in this country that we are living in a rigged economy, and people are increasingly angry and frustrated about the growing inequality and unfairness they see all about them.

It is hard to believe, but in the United States of America today, the top one-tenth of 1 percent now owns almost as much wealth as the bottom 90 percent. Twenty years ago, the bottom 90 percent had 1 percent of the wealth. A study published just last year fairly recently indicating that in the United States of America today, the three wealthiest people in our country—Bill Gates, Jeff Bezos, and Warren Buffett—now own more wealth than the bottom half of all American people. Three people own more wealth than the bottom half of the American people.

Meanwhile, while the very, very rich get richer, some 40 million Americans are living in poverty. These are people who are struggling today to figure out how they put food on the table for their kids, how they put gas in the car in order to go to work, how they pay their electric bills, how they deal with childhood illnesses for their kids, how many people are living in poverty. The middle class is disappearing. People are working two or three jobs. For the first time in the modern history of this country, young people may well have a standard of living lower than their parents.

On top of all of that, we remain the only major country on Earth that doesn’t guarantee healthcare to all of our people. Twenty-eight million people today have no health insurance. Meanwhile, our Republican colleagues get their way, they are going to throw another 20 or 30 million people off of their health insurance.

It is not only the reality of grotesque levels of inequality that is making the American people despondent and angry; it is the reality that the people on top, with their wealth and power, can access lawyers and accountants who are able to manipulate the system to their benefit at the expense of everyone else. That is the essence of what a rigged economy is about and what I want to say a few words about today.

In my view, one of the great crises facing our world—and we are in a world of many crises—is the rapid movement toward international oligarchy in which a handful of billionaires own and control not just a significant part of the American economy but a significant part of the world economy. Need I say, this is an issue that does not get a whole lot of discussion because, in general, the more important the issues are, the less discussion they get within the corporate media or within the political world that we live in here in Congress.

Let me reiterate. One of the great crises that we face is that a handful of billionaires are moving this entire planet toward an oligarchic society in which the people on top not only have incredible wealth but incredible political power as well.

This last Sunday, a group of investigative journalists released over 13 million files known as the Paradise Papers exposing just how horrific this situation has become. These papers show how a handful of oligarchs in the United States and throughout the world get richer by hiding their wealth away in large financial institutions such as Wells Fargo, Citigroup, and Bank of America. It includes large multinational corporations such as Apple, Nike, and ExxonMobil. It includes members of the Trump administration, such as Secretary of State Rex Tillerson, Commerce Secretary Wilbur Ross, chief economic adviser Gary Cohn, and Treasury Secretary Steve Mnuchin.

Let’s be clear. Offshore tax evasion is a major problem not just for the United States but for governments throughout the world. This is really quite unbelievable. In the year 2012, the Tax Justice Network estimated that at least $21 trillion—$2 trillion, a number almost beyond comprehension—is being stashed in offshore tax havens around the world. Imagine that. There is $2 trillion flowing into tax havens in the Cayman Islands, Bermuda, Luxembourg—all these places around the world where the billionaire class and large corporations are stashing their money not only to avoid taxes in the United States but to avoid taxes in Great Britain, France, Germany, et cetera.

There is a funny thing about these guys. All of these billionaires love veterans, and they love the military. They want to see us rebuild the infrastructure, and they want to see our kids get a good education. But you know what, they don’t want to pay taxes to make that happen. They don’t want ordinary people to pay the taxes. Republicans here want to increase military spending by $50, $60 billion. It is not the billionaires who are going to pay the taxes on that—they have their money in the Cayman Islands. It is the working class, the middle class, upper middle class who will pay, not the billionaires.

They love America—except when it comes to accepting their fair share to make sure that we continue to provide the services our men, women, and children need.

The situation has become so absurd—and this is really how crazy it is—that one five-story office building in the Cayman Islands is now the home of nearly 20,000 corporations. This particular building in the Cayman Islands is called the Ugland House. It is five stories. I know that you can squeeze people into a building—sometimes three or four people live in a room—but I think it is a little bit hard to understand how that corporation is in a five-story building. Of course the answer is that 20,000 corporations do not function in this five-story building.
It is a fraud. It is simply a mailbox address for 20,000 corporations that are in this building in order to avoid paying their taxes. They are stashing their profits and their wealth in corporations that use this building as a mailing address. This money that could be used to rebuild our crumbling infrastructure—or our roads, our bridges, our water systems. One trillion dollars—that is 8 or 9 years of that $1 trillion—could create up to 15 million good-paying jobs. That is money that could be used to provide universal pre-K for our children so that when kids get ready to go to school, they will be prepared to do the work there. But instead of cracking down on offshore tax schemes, President Trump and my Republican colleagues are working overtime to pass legislation that would make this absurd situation even worse. At a time when corporations are making recordbreaking profits, my Republican colleagues want to slash taxes for corporations and families like the Walton family, the wealthiest family in America, who owns Walmart, who would get up to a $50 billion tax break; the Koch brothers, who have enough money to spend hundreds of millions of dollars trying to elect right-wing candidates to Congress.

There are massive tax breaks for billionaires and at the same time, an effort to throw up to 30 million people off of the health insurance they have, massive cuts in education, in nutrition, and in the programs that working families desperately need.

Instead of providing even more tax breaks to very profitable corporations and to billionaires and President Trump’s Cabinet, maybe—just maybe—it might be a good idea to close offshore tax loopholes and demand a fair, transparent, and progressive tax system.

I hope the American people are listening to all of this. I hope they believe the truth about what a fraud the Republican tax proposal is. Today, one out of five major, profitable corporations already pays zero in Federal income tax. You can’t do much better than paying zero in Federal income tax and be a profitable corporation, but that is what is going on. Republicans want to make that even worse, and then they want millions of middle-class people, by the end of the decade, to pay more in taxes. That is absurd, and I hope the American people stand up and demand that we do not go forward with that proposal.

HEALTHCARE

Mr. President, on another issue, I want to mention that there is a crisis in primary healthcare, and unless Congress acts immediately, that crisis is likely to become much worse. Millions of Americans are at risk of losing their access to healthcare because Congress has still not renewed funding for the community health center program, which expired on September 30.

Our Nation’s community health centers provide affordable, high-quality healthcare to millions of people. Community health centers not only save lives, they also save taxpayers’ money. They keep people out of emergency rooms and keep people out of hospitals because people can now go to the doctor when they should. The savings are also, really, quite significant. Investing in community health centers keeps people healthier, keeps people alive, and saves taxpayers’ money.

Not only do we have to renew funding for the Community Health Center Program, but we must also improve and expand the National Health Service Corps, one of the, really, very positive health programs that the Federal Government runs. What this program understands is that for a variety of reasons, including the fact that many young people who go to medical school are being $300,000, $400,000 in debt, it is very hard to get young doctors, dentists, nurses, and nurse practitioners to underserved areas in rural America or in urban America. What this program does is provide debt forgiveness and sometimes scholarships for young graduates of medical school or nursing school or dental school and says: If you are prepared to practice in an underserved area, we will forgive your loans. That is a big deal in attracting providers to areas in which we desperately need them.

The bad news is that, as every American knows, this Congress and this country are very politically divided. That is no great secret. The good news and the truth is that in terms of community health centers—Senator Ted Kennedy was one of the founders, who worked with Republicans—from the inception of the program, there has been a widespread understanding on both sides of the aisle that communities all over America in every State in our country are benefiting from community health centers whether they are in rural areas or whether they are in urban areas or anywhere else in between.

What I am very happy to note is that there is excellent legislation—bipartisan legislation—here in the Senate, in the hands of Senator Roy Blunt and Senator Debbie Stabenow, that would reauthorize these successful programs for 5 years and provide modest increases in their funding. This program not only has the support of virtually, perhaps, every Democrat or every Member of the Democratic Caucus, but I think it has at least 9 or 10 Republican cosponsors. I believe, if that bill were to be brought to the floor of the Senate, it would pass with overwhelming support because every Senator here knows of the excellent work that is done by community health centers from one end of this country to the other.

I hope that this issue will get the attention it deserves. It should have been funded at the end of the fiscal year. It wasn’t. I just talked to a physician in Burlington, VT, who works for a community health center. He is worried, and doctors and nurses all across this country are worried, as are patients, about the money they do not have to keep people out of emergency rooms and keep people out of hospitals because people can now go to the doctor when they should. The savings are also, really, quite significant. Investing in community health centers keeps people healthier, keeps people alive, and saves taxpayers’ money.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

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

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

VETERANS DAY

Mr. BLUNT. Mr. President, this coming week will mark Veterans Day. It is an important time for us to reflect on what veterans do for us and what their families do for us. The sacrifices of both those who serve and those who support those who serve are incredibly important.

We have half a million Missouri veterans, and one of the great privileges of this job is to get to represent them, their values, and the commitment to freedom in our country that they stand for. A couple of weeks ago I had the opportunity to welcome a group of southwest Missouri veterans who came to Washington with the Honor Flight program. I think the Presiding Officer also does this, but every time I get a chance, if there is an Honor Flight from our State, I try to get down there because it is a great time to see and to talk and to thank those who have served us.

When the Honor Flights started 20 years ago or so, there were still some
World War I veterans coming, and then they were almost all World War II veterans. Today we see some World War II veterans, Korea veterans, and Vietnam veterans, all of whom serve in the great tradition of being willing to fight for the freedoms that we enjoy every day. I find it gratifying, and I am grateful, to know that those veterans get to come here and enjoy the day with each other. In many cases it is the first time they have ever been to the Capitol, the National World War II Memorial, Arlington, and their places of origin, a trip that now so many tens of thousands have taken.

Many of those veterans whom I saw the other day and whom I have seen through the history of the Honor Flight program were just teenagers when they answered the call to serve—basically, a little more than high school kids who knew that something needed to be done and they were able and willing to do it. They fought difficult battles, and in some cases, often under unbearable conditions. Some of them lost their closest friends in the military. Many of them lost comrades in arms. Some of them lost comrades right beside them. Some of them lost people that were on another mission and never came back. Some of their families lost a servicemember who never became a veteran.

I was down in Perryville, MO, a little town between Cape Girardeau and St. Louis, on the Mississippi River. The Vietnam Veterans Memorial—the Vietnam wall. We were able to present a flag to the group that raised the money and made the plan to replicate the Vietnam Veterans Memorial on the Mall to take it back and become part of the Vietnam memorial at Perryville.

Our veterans are an extraordinary group of men and women. They really stand for the best we stand for as a nation. They honor the ones who are still with us, and they honor them every day—every day that we live in this free and prosperous Nation that they helped defend.

Admittedly, it is hard not to take all of the freedoms that we enjoy for granted because generations of Americans have been willing to fight and die to protect those freedoms. Because of that, generations of Americans have benefitted from those freedoms, and it seems that we as a people should be able to live everywhere. Maybe too often we think it is the way people do live everywhere, but in many parts of the world, having the security to walk out the door every morning, to drop your kids off at school, to go to work and earn a living, to worship as you please, and to build a better life is not available to people in other countries the way it is here. That is the debt of gratitude we owe to our veterans.

This year, one of the areas of great legislation that has better been in the work for veterans. Chairman Isakson of Georgia is going to follow me on the floor in just a few minutes. He is the chairman of that committee. He has a great committee, but they have a great chairman. That committee, with its chairman, and the committee in the House have passed eight bills, at least, that the President of the United States has signed into law that do a number of things.

We have built on previous progress for improving veterans care. A few years ago, we made the decision that veterans need to have more choices. A veteran shouldn't have to drive by a hospital in town and would like to go to in order to get to a hospital miles and miles away. They shouldn't have to pass three or four facilities that could do as good a job or better in order to get to a veterans facility.

There are some things our veterans facilities should do better than anybody else. They should be better at dealing with post-traumatic stress better than anybody else, although they may not be as accessible. They should be better at helping those who have suffered from IED attacks, eye injuries, people who work with veterans in prosthetics, and those patients who have lost arms and legs in the service of our country. They should be pretty good and particularly reason they should be good at open heart surgery or kidney dialysis or all the other things you go to the hospital for, if that is where a veteran wants to go. We found out that a lot of veterans wouldn't have them. A lot of veterans would like to go to the hospital they are more familiar with when they need their own healthcare. They would like to go to the hospital they have to lots of times with other family members and others.

So we really expanded the Veterans Choice Program and expanded the money available for that program. We try to create these opportunities side by side with an existing facility. There has been a lot of talk about that, but, eventually, I think our young veterans will find that they can almost always find a hospital they would rather go to or a doctor they would rather see.

We have increased compensation for veterans with service-connected disabilities. World War II veterans, such as Arla Harrell from St. Louis, who suffered a lifetime of illness because he was part of a mustard gas experiment, is finally getting both compensation and the recognition that throughout his lifetime his health was impacted by something that happened while he was serving his country.

We have continued efforts to address the problems at the Veterans' Administration by passing legislation to modernize the outdated benefits claims appeals process to make it easier for VA employees to be fired for misconduct.

We want to protect employees who point out what is wrong. There have been plenty of whistleblowers blown at the VA in the past decade. While we want to be sure people can blow those whistles, we also want to be sure that the VA can quickly and effectively remove employees who are not doing what they ought to be doing and, in fact, are aggressively doing, in some cases, things they shouldn't be doing.

We worked to expand the possibility and the opportunity for education benefits by expanding what can happen under the post-9/11 GI Bill. Helping to connect veterans with employers who provide benefits and programs. The HIRE Vets Act, a bill I sponsored in the Congress, was part of the first major pieces of legislation the Congress passed last year. I think that, sometime in the next few weeks, the Department of Labor is going to be talking about how we will recognize and evaluate employers who hire veterans, who give veterans credit for skills they learned in the military, and who promote veterans. To every employer who hires veterans, that is a good thing and we should want to do that. The HIRE Vets Act, like the LEED standard for energy, creates a standard that companies that do that in a significant way. I am pleased that Secretary Acosta in the Department of Labor has put that on a fast track so these companies can be recognized for what they do.

Our veterans have worked hard and have put themselves in danger to keep us safe. As legislators, we owe them, as we owe those who follow in their footsteps, our continued efforts to ensure that those defending our country have everything they need and to show that we are also grateful to those who have defended our country in the past.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I wish to thank Senator Blunt, the distinguished Senator from Missouri, for his eloquent remarks on veterans and in support of all the things the Presiding Officer and I have done to improve veterans' quality of life, and the way they are served by Congress. To every employer who promotes veterans. To every employer who hires veterans, who give veterans credit for skills they learned in the military, and who promote veterans. To everyone who hires veterans, that is a good thing and we should want to do that. The HIRE Vets Act, like the LEED standard for energy, creates a standard that companies that do that in a significant way. I am pleased that Secretary Acosta in the Department of Labor has put that on a fast track so these companies can be recognized for what they do.

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I yield the floor.
America is the place where everybody wants to be because we are safe and we are free and we are independent, because we fight and defend what we have as a country. I thought I would bring that up in my speech today because that is why we are celebrating Veterans today. So we give thanks to the men and women who volunteer, who served our country in the wars overseas, in the battles overseas, and, sometimes, in the challenges domestically to protect us and keep us free.

America is the place where we don't find anybody trying to break out of the United States of America. They are all trying to break in and for a very good reason. It is a safe and free place to raise a family, to start a business, and to serve in many other ways.

So this year, on the 11th day, at the 11th hour and the 11th minute of November, when we celebrate Veterans Day, pause for a minute to say thanks for those who have come and gone and for those still here who fight to serve and protect us.

Always remember that the Congress, shortly after the end of World War I, decided that the 11th day—the day the armistice was signed—of the 11th month, November, with the 11th hour being 11 o'clock in the morning, would be the time the bell would toll to celebrate and pay tribute to those veterans. So at 11:11:11 this November 11, we are all going to toll that bell one more time to say thanks for our soldiers for all they have done for us and for all they will do for us in the future.

It is best, when you talk about veterans, to talk about them as the people they were and the people they are, whether they are alive or whether they have passed on. I want to talk about two veterans whose paths have crossed my life to point out why we owe them so much and why we have so much to be thankful for. One of them is Jackson Elliott Cox III, who I met when he was shipping out to Vietnam. He said: I will double up on my studies. I will do whatever. I want to go. I want to fight for my country and fight the axis of evil.

They let him in, and he did. He graduated with honors. A few months later, he graduated as second lieutenant from the U.S. Army at Fort Benning in Georgia. Before too long, he was in Gazaria in Iraq, a suburb of Baghdad, handling Bearcat night lockers. He was the nicest guy I had ever met while the other pocket of his field jacket had his ammunition. He was trying to win over the hearts of the Iraqi children while he was fighting to preserve freedom for them and return their country to some democracy or republic, away from the captives of Saddam Hussein.

I knew Noah casually. I know his parents well—Rick and Lucy Harris. I know they have mourned every day since they lost Noah in Baghdad when he died in an IED accident, but I know how proud they are of what he did and why he did it. I am proud he was my friend, and I am proud to have known him as well. I am proud to be able to stand on the floor of the U.S. Senate today and talk about Noah Harris and talk about Jackson Elliott Cox, who were exemplary of all the others who have served in the military—men and women rich and poor, black and white, who have gone and fought the battle and borne the battle for us so that we could be where we are today.

It kind of reminds me of the person who went to Benjamin Franklin in Philadelphia shortly after the Constitution was adopted in Constitution Hall and said: Mr. Franklin, what have you given us? He paused for a minute and said: "A republic, if you can keep it."

We have kept it. We have kept it because we have subscribed to the Constitution but also because we have a militia and a military. We are willing to fight for what we believe in, protect our citizens, and keep our country free. The country that our Founding Fathers gave to us, that was nurtured in the early days of this Republic, which now is hundreds of years old, is still there today for long enough. But, principally, the undergirding foundation is a strong and vibrant military.

When Veterans Day comes, give thanks for the veterans you know. Mention a couple of them, as I have done here, so their memory and their names never die, but also so we can lift them up at a time when we pause for just a minute to say thank you for the greatest country on the face of this Earth.

Senator BLUNT talked about our committee and what we have done this year. I want to take just a minute to reiterate some of the things he said. There are no Democratic veterans and no Republican veterans; there are only American veterans. They don't go to the battlefield as a partisan; they go to the battlefield as an American, and they fight for us whether we are Republicans or Democrats. They risk their own life and sometimes sacrifice it. I also want to reiterate what Senator Franklin said: Keep that republic. We owe them a lot. In fact, in many cases, we owe them everything.
We have had a mess at the VA in the last 10 years. They have been the lead story on USA Today more than any other agency in the government for failures of the VA to do the job that should have been done. Under David Shulkin, then Secretary of the VA appointed by President Trump, and with the leadership of our committees in the House and the Senate, and under a commitment to bipartisan service by all our Members—which means we do almost everything unanimously and, if not unanimous, almost unanimously because it is not about getting Republican credit or Democratic credit; it is about doing the right thing for the right people who have done so much for us—we passed the Whistleblower Protection Act this year to give whistleblowers in the VA the protection they need to go and turn in to the authorities those employees in the Veterans Administration who are not doing their job. We have given them the safe harbor they need to encourage them to help root out problems, and we are doing that.

We passed the accountability bill to shine the light of sunshine on the employees of the VA and to give the authorities in the House and Senate the ability to terminate and, if you will, for cause an employee who is not doing the job they should be doing for our veterans. So we hold a standard of accountability up a little higher for our employees in the Veterans Administration.

We are magnifying choice so that our veterans can have more choice in their healthcare. We can use the private sector as a force multiplier so that the government doesn’t have to hire all the doctors and physicians and assistants to service the VA. We can get them in the private sector as well.

In the 21st century GI bill, we finally made sure that the GI bill applies to everyone. Our World War II, our Vietnam war-era veterans but veterans of all conflicts and of all times.

We have done everything we can to see to it that the benefits, which we promised them would be there when they left the military, are there for them in retirement and in their later life. The sacrifices they make are great, and the sacrifices we have made to save our veterans are great.

Today veterans come home from the battlefield out of the darkness where they are wounded. They come home, whereas, in World War I, 10 percent came home, and 90 percent died on the battlefield. But because of the advancements we have made in armor and protection and healthcare services, a lot of veterans today live when they would not have lived just 25 or 30 years ago.

The injuries they sustain are far greater than any injuries we have known in warfare before. The signature illnesses are PTSD, post-traumatic stress syndrome, traumatic brain injury or a prosthesis for an arm or a leg or an eye or some part of the body that is lost in battle. But the trunk of the body is protected by new Kevlar vests that are impenetrable by a bullet, so most of them succumb to IEDs and explosives and things of that nature.

We have the healthcare to provide them with the best possible rehabilitation we can, but you can never really replace what they lost by part. Once somebody has sacrificed it for ever, they wear the burden of the battle and of war.

We have an obligation, as the Veterans Affairs is the conscience of the United States of the House and the Senate, to see to it that we back up those promises our recruiters made when they came to join the military, to see to it that they get those services from their Veterans Administration.

Dr. David Shulkin is doing a phenomenal job. My ranking member, Jon Tester, Democrat from Montana, is doing a fantastic job. The House committee is doing a great job. The Members of the Senate are doing a great job.

In a week and a half, we are going to have our final bill of the year which, when we pass it, will make us 8 for 8. We will have totally reformed the VA and worked with the VA to reform it in such a way that our veterans get better service, our taxpayers get more accountability for the dollars we spend, and America remains the great country it has always been—safe and free because of those who volunteer to fight and are willing to die on behalf our country.

So sometime on the 11th day and, hopefully, at the 11th hour and the 11th minute of that hour on November 11, you will pause for a minute and remember I told you that is when we celebrate Veterans Day because, at the time the armistice was signed in World War I, our country decided that would be the perfect time to remember all those who have fought in the past.

Let’s take this time we see a man or woman in uniform, stop and say “Thank you for your service” because those are the people who are risking their lives so that you and I can do whatever it is we choose to do in this land of the free and home of the brave.

There are lots of things to be thankful for but nothing more important than the men and women of the U.S. military. May God bless our country, may God bless our veterans, may God bless the United States of America.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I am very pleased to have the opportunity to speak today on the floor of the Senate, after my esteemed colleague from the State of Georgia. My colleague is the chairman of the Veterans’ Affairs Committee, and I just want to express my appreciation for his commitment and his work on behalf of all of our great veterans.

Like him, I rise today to speak in tribute to our veterans and men and women in uniform and all that they do for us.

This weekend at events across the country, we will pay tribute to the fine men and women who have served in our Nation’s Armed Forces. Every day—but especially on Veterans Day—we honor those who have left the comforts of home and family to defend our freedoms and fight for our way of life.

Our freedoms have been secured by the sweat and sacrifice of courageous men and women throughout our history, have bravely done what was needed to protect our great Nation. We also recognize that those who serve do not serve alone. We appreciate, too, the sacrifices of the families and the loved ones who have supported our veterans in their service.

This Veterans Day, we will honor military members from our “greatest generation” to those men and women fighting in the War on Terror today. These Americans understand best the words of President Ronald Reagan when he said:

Freedom is never more than one generation away from extinction. We didn’t pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same.

These men and women who have fought for and protected our country have given so much, and we cannot do enough to thank them, whether they returned from Active military duty 7 days ago or seven decades ago.

Although we can never repay our debt of gratitude, one of the most tangible ways we recognize our veterans’ service is by providing these men and women with quality healthcare and support services, including education and work opportunities. With that debt in mind, let me briefly outline some initiatives that we have been working on to provide for our veterans. Congress has passed significant veterans bills this year, including legislation that holds the VA accountable and ensures that VA employees are putting our veterans first and legislation that updates and modernizes the VA’s benefit claims and appeals process, reducing wait times for our veterans.

Additionally, one of my top priorities is ensuring that our veterans have access to healthcare options closer to their homes and their families.

This includes improving veterans’ access to long-term care services through the Veterans Choice Program and building on the success of the Veterans Care Coordination Initiative at the Fargo VA Medical Center in my home State. This effort has decreased the wait time for scheduling an appointment under Veterans Choice from 24 days a year ago to 5 or 6 days at present. This initiative can serve as a model to help address delays in scheduling appointments through the Veterans Choice Program across the Nation.

We need to ensure that VA Secretary Shulkin, from North Dakota, see this firsthand, and our Veterans Care Coordination Initiative has since been expanded to
the VA facility in Helena, MT, as well. We believe it will be expanded to other locations across the country.

We also passed an extension of the Veterans Choice Program earlier this year and secured $2.1 billion in addition to the $5 billion in the program. This gives us time to work with the VA on the next phase of the program. In addition to Veterans Choice, we are working to improve local access to long-term care for our veterans.

We received a commitment from Secretary Shulkin to work with us on the Veterans Access to Long Term Care and Health Services Act. We have now introduced this legislation in the Senate, and a companion bill has been introduced in the House of Representatives.

The legislation would remove burdensome red tape that prevents nursing homes and other healthcare providers from accepting veteran patients. Our bill allows the VA to enter into provider agreements with qualified healthcare and extended care facilities, bypassing complex Federal contracting requirements. This will give veterans more options to access long-term care services closer to their homes, their families, and to their loved ones.

In addition, earlier this year, Congress passed—and the President signed into law—the forever GI bill, which improved and extended veterans' access to education and workforce opportunities. This is part of our efforts to ensure that we are supporting our veterans as they transition back to civilian life and work here at home. These are just a few examples of our efforts to ensure our veterans have the resources and the support they so richly earned. While we cannot say thank you enough, in this way, we can honor their courage and their sacrifice.

We honor Veterans Day because we have the greatest veterans in the world who, together, protect our Nation, and in so doing, they have transformed this country into the greatest the world has ever known. May God continue to bless our veterans and this great Nation that they have been protecting and make sure that we are supporting our veterans. This is part of our efforts to ensure our veterans have the resources and the support they so richly earned. While we cannot say thank you enough, in this way, we can honor their courage and their sacrifice.

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among other people who are actually dealing with the same sorts of circumstances, and they are actually being served by—about half the population in our veterans hospitals and our healthcare centers are veterans themselves.

This is a very important part of the broader solution we need to provide to our veterans as we continue to build a relationship with them for the rest of their lives. We will never finish all the work we should do. We will keep on making investments into a debt we can never repay, but what we need to do on November 11 is support our veterans by showing our gratitude and our thanks for their service. On this Veterans Day, make an extra effort to thank a veteran. Thank a veteran spouse. Thank the child of a veteran for their service to this great Nation. We will never be able to fully repay the debt we owe them, but we can make a lot of installments as individual citizens of this Congress. As long as I am in the Senate, that is what I intend to do.

I say to the Presiding Officer, thank you, again, for your service, and thank you to all the men and women who serve in uniform.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. MURRAY. I ask unanimous consent that I be allowed to speak as in morning business.

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

HEALTHCARE

Mrs. MURRAY. Mr. President, I appreciate all of my colleagues from both sides of the aisle who will be joining us here this afternoon and thank them for their leadership on our legislation and for taking the time to speak today.

We are now exactly 1 week into open enrollment, and it has been 3 weeks since Chairman ALEXANDER and I put forward a bipartisan bill to stabilize our healthcare markets and lower patients’ healthcare costs. So I wanted to come this afternoon to talk for a few minutes about what it means that so many people nationwide are signing up for coverage and why there is no good reason for Republican leadership to wait another minute before bringing up our bill for a vote.

It is still early, but what we are seeing so far is that millions of people across our country are going to healthcare.gov to shop for coverage. Some 200,000 signed up on the first day. That is more than double the amount from last year. The vast majority will get tax credits to help cover their costs. In fact, some who are struggling the most will find they can save even more this year because of how our current healthcare system absorbs cost increases.

But there is no question that premiums are going up in many places and that fewer coverage options are available while rates are protected. One woman—Melissa—told the Washington Post this week that she is “joining the ranks of the uninsured” for the first time in her life as a 51-year-old. She said that she doesn’t qualify for subsidies and that given the explosion in premiums each month, her insurance costs would have been more than her mortgage payments. Melissa is one of the people paying the price for President Trump’s healthcare sabotage and the Republican leadership’s—so far—willingness to cheer him along.

It is unacceptable that patients and families are having to take on this burden. Let’s remember that when someone goes to sign up for healthcare coverage, whether a Republican or a Democrat, they are doing it as a parent or a caregiver or a business owner who wants to stay healthy and financially secure.

Here in Washington, DC, healthcare has become bogged down in politics, but in cities and towns across the country, it is about taking care of yourselves and your loved ones. That is why so many people are going online to shop for coverage despite the President’s insistence that healthcare in the United States was going to “implode.” Regardless of the fact that to make implosion a reality, President Trump—among his many other efforts at sabotage—shortened the enrollment period this year and gutted investments in outreach and advertising and caused premiums for those people to increase by double digits on the average. Patients and families deserve so much better.

I have said it before: The frustrating thing is that all this could have been avoided. Way back in September, Chairman ALEXANDER and I were on the verge of an agreement to stabilize healthcare markets and lower premiums for the coming year and for 2019. Our agreement would have provided multiyear certainty on the out-of-pocket cost reduction subsidies that President Trump decided to stop paying even though the law says he is required to do so. Had we been able to move faster, our legislation would have resulted in lower premiums right away for 2018. But Republican leaders pressed the “pause” button on bipartisan negotiations so they could try one more time to jam partisan repeal through the Senate, and we lost a lot of precious time.

Our bill, the Lamar Alexander-Patty Murray Senate bill, would do a lot of good right now and over the next years. If Republican leadership takes our legislation now and passes it, families would see rebates this year and lower healthcare costs next year because our bill is designed to ensure that the benefit of greater certainty is passed on to patients and taxpayers, not hoarded by insurance companies.

Our deal would also invest in open enrollment and outreach for 2019, so more people would be covered. It would stabilize the market in a way that is more innovative than the Affordable Care Act always intended. It would mark a critical step away from this harmful partisanship on healthcare and toward working under regular order on solutions that make healthcare work better for the patients.

Finally, this legislation would send a critical message to patients and families that when Congress sets aside partisan difference and focuses on what is best for our country, we can deliver a result, as Chairman ALEXANDER often says.

More than 200 groups representing doctors, hospitals, State officials, Governors, and patients have endorsed our bill. The nonpartisan Congressional Budget Office says it would do exactly what it was intended to do—stabilize markets and bring down healthcare costs—while returning $3.8 billion to taxpayers.

Twelve Senate Democrats and 12 Senate Republicans cosponsored it. We are continuing to build support, and there is no question that it would pass here with a filibuster-proof majority if it were brought to the floor. And while the Senate shouldn’t need President Trump’s signoff to take a position on ways to fix the Nation’s healthcare system, the President has supported this process moving forward.

So here we are, and right now it is up to Republican leaders. They can choose to stay in a partisan corner and reject an opportunity to lower patients’ healthcare costs in a bipartisan way, or they can do what people across the country want them to do and put patients over politics.

I also want to note that if Republican leaders hadn’t gotten the message, voters made it pretty clear last night that they reject the deeply harmful partisanship we have seen on healthcare.

It is well past time for Republican leaders to give up the ghost on TrumpCare, declare it dead, and work with Democrats to get real solutions. That starts with our bipartisan bill to lower healthcare costs and stabilize the markets, because if they don’t, they can be sure they will be held accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleague from Washington, Senator MURRAY, and congratulate her and Senator ALEXANDER on being able to reach agreement to move forward to address the uncertainty in the marketplace.

Like Senator MURRAY, I also want to begin with what we are about to go on this open enrollment period. Despite all of the efforts to undermine the Affordable Care Act, to shorten the time
period in which people can sign up, to make it more difficult by having the site closed for part of Sundays, we are seeing a record number of people enroll in the initial days of open enrollment.

According to news reports, on the first three days alone, about 1 million people visited healthcare.gov and more than 200,000 people selected a plan for 2018. That is almost double the number who signed up last year on the first day.

For anybody who is still thinking about it, you have until December 15, so sign up early. As my colleague from New Hampshire, Senator HASSAN, says, it is the best Christmas shopping you can do—take care of your healthcare. Go to healthcare.gov and shop around, get the best deal, and enroll during this open enrollment period.

This surge in signups is especially remarkable in light of the widely publicized efforts by the Trump administration to depress enrollment. The administration has slashed the advertising budget by 90 percent, cut the open enrollment period by half, and shut down the marketplace website for 12 hours on Sundays, taking away valuable weekend hours when people have free time to explore plans.

I think the healthy volume of enrollments sends two very important messages.

First, it shows again that ordinary citizens, groups, insurance navigators, and other private organizations have done an amazing job of filling the outreach void that has been created by this effort by the administration to cut back on letting people know about the website and how to enroll. Those folks have spent countless hours getting out the word that the Affordable Care Act remains the law of the land and that those who qualify for financial assistance can purchase high-quality, affordable coverage.

The second message that I think is important from this strong enrollment is a message that has been echoed in recent public opinion polls. It is one that we saw in the turnout in the Virginia elections last night. It is that a clear majority of the American people support the Affordable Care Act, that they reject efforts to sabotage it and they want Members of Congress to work together to strengthen it, just as Senator MURRAY said.

I am very pleased that we have come together in support of bipartisan efforts led by Senator MURRAY and Senator LAMAR ALEXANDER, the chair and ranking member of the HELP Committee. They have come together to stabilize the Affordable Care Act and the marketplaces and bring down premiums. I am proud to be one of the 12 Democrats who were original cosponsors with 12 Republicans of this legislation. This balanced agreement, which was negotiated by Senators ALEXANDER and MURRAY over many months, is our best bet for restoring stability to the marketplaces in the short run and giving us the time we need to negotiate longer term to deal with other changes to the health law to make it work better.

I am especially pleased that the Alexander-Murray agreement provides for the continuation of cost-sharing reductions, which are payments that are necessary to keep premiums, deductibles, and copayments affordable for working families. They are extended for 2 years in this bill. Without these payments, the cost of coverage for millions of people will leave the marketplaces—as we have already seen, as the Trump administration has said they are going to discontinue those payments—and millions of people will lose their health coverage. This is an opportunity for us to keep that from happening. Both Democrats and Republicans have recognized that these cost-sharing reduction payments, these CSRs, are an orderly, necessary subsidy that keeps down the cost of health coverage for everyday Americans.

In recent months, I have heard from hundreds of people across New Hampshire about the enormous difference that healthcare reform has made in their lives. We are a small State—we have just over 1.3 million people—but nearly 94,000 Granite Staters have gotten individual health coverage through the Obama marketplace, and nearly 50,000 have gotten coverage thanks to the Medicaid expansion, which had bipartisan support in New Hampshire. So that is about a tenth of New Hampshire that is covered either through the Affordable Care Act or through the expansion of Medicaid. And for us in New Hampshire, it has been particularly critical in responding and providing treatment to those people with substance use disorders.

Patricia Tucker has written to me. She is a substance use disorder counselor in Northfield, NH, and she talks about how grateful she is for the Medicaid expansion, which had bipartisan support in New Hampshire. She writes:

I am seeing people come for help that were not able to get help in the past because they couldn’t afford it. They are getting help and remaining abstinent. If one mother gets clean, this affects so many others.

She goes on to say:

[I treat] one mother who has two children. She now cares for these children and has a full-time job. In the past, she lived off the state and did not care for anyone, including herself. Multiple other thousands, just in New Hampshire, and this makes such a big difference.

And think about how across the country we have affected people with substance use disorder because they can now get treatment.

I agree with Patricia Tucker and so many others who have contacted me about the Affordable Care Act. We are grateful for the progress, and we refuse to be taken backward. That is why the bipartisan agreement worked out by Senator ALEXANDER and Senator MURRAY is such an important breakthrough. This agreement stands on its merits as a good-faith, win-win compromise. But just as important and maybe even more important, these two Senators have given us a template for bipartisan negotiations on other critical matters that lie ahead, including tax reform, reauthorizing the community health centers, the Children’s Health Insurance Program, and reaching an agreement on the 2018 budget.

The Senate is at its best when we observe regular order, when we honor the committee process, and when we work across the aisle to find solutions, compromises and get big things done for the American people.

In a Senate that is nearly evenly divided between Republicans and Democrats, bipartisanship is the only productive way forward. This is how the great majority of Americans want us to conduct the Senate’s business, and this is especially true on matters such as healthcare and tax reform that impact families in New Hampshire and all across America.

I am grateful to people across our country who have gotten out the word about the health insurance open enrollment period that began on November 1 and continues through December 15. I continue to be encouraged by the enrollment figures across America.

Instead of partisan efforts to undermine the law and take healthcare away from people, let’s embrace the spirit of the Alexander-Murray agreement. Let’s work together in a good-faith, bipartisan fashion to build a healthcare system that leaves no American behind.

Thank you, Mr. President. I yield the floor.
pass bipartisan legislation to stabilize the individual market. Second, we must do all we can to support strong enrollment in our health insurance exchanges so that all consumers, regardless of their health needs, can find high-quality, affordable health insurance coverage. Instead, it is time for a change. It is time to reauthorize the Children’s Health Insurance Program. Let me take each of those in turn.

When Republican efforts to repeal the Affordable Care Act failed, the Senate Finance, Labor, and Human Resources Committee got to work and developed a bipartisan plan to stabilize the individual market. As a member of that committee, I participated in numerous hearings with witnesses who spanned the ideological spectrum, solicited input from State and national leaders, and worked in good faith with all of my colleagues to develop legislation that is truly a compromise bill.

This legislation, referred to as the Alexander-Murray deal, will contain healthcare for consumers, provide certainty to insurers participating in these markets, and provide States with the flexibility they need to develop innovative, local solutions. I am proud of what we accomplished with this legislation.

What I am most proud of is that this bill includes a provision that will reverse a decision by the Trump administration that would effectively punish Minnesota for pushing forward a bipartisan plan to stabilize the individual market—a bipartisan plan in our State legislature.

Last year, after our State experienced dramatic premium rate hikes in the individual markets, State leaders worked together in a bipartisan way to pass a reinsurance program to contain these costs, but the program’s enactment was contingent upon approval from the Federal Government.

After months of foot-dragging, the Federal Government finally approved the State’s reinsurance plan as part of the 1332 waiver proposal, but the Federal Government simultaneously cut Federal funding for MinnesotaCare, which is another program in the State that provides affordable health coverage to working families. Thus, our State had to choose whether to support a bipartisan proposal to stabilize the individual market and lower premiums for consumers or swallow hundreds of millions of dollars in lost Federal funding. It was a choice that was completely unnecessary. That is why I set to work to fix it.

After weeks of productive negotiations, I am pleased to report that the Alexander-Murray deal will prevent the Trump administration from imposing these cuts on Minnesota. But my State wasn’t the only one threatened by potential funding cuts. The Alexander-Murray bill would prevent such problems from occurring in any other State as well, and it would do much more. According to the Congressional Budget Office, this agreement would reduce the deficit by billions of dollars, lower premiums in 2019, and preserve coverage options for individuals and families. In short, it is not only good for Minnesota, it is good for the entire country. This bill is a bipartisan win-win.

Now our job is to pass this legislation into law. At the same time, we must do everything we can to drive up enrollment in the health insurance exchanges. Regardless of party, if we want to ensure that consumers have access to affordable, high-quality health insurance, we have to get people to sign up for the coverage. More people equals better risk pools, which equals lower premiums. It is really that simple.

Look, the Trump administration has done everything in its power to undermine ObamaCare. It has halved the amount of time that people have to enroll in coverage, it slashed funding for outreach and enrollment efforts, and it deliberately misled consumers about the benefits of the ACA and individual requirements for coverage. But we have the power to combat these efforts.

Let’s get people enrolled. Open enrollment started on November 1 and will end for most people on December 15. Minnesotans are lucky in that they have until January 14 to sign up for coverage. But everyone who doesn’t receive coverage from their employer or through Medicare needs to sign up now, so I urge my colleagues to get their constituents to visit healthcare.gov and shop around and then enroll in coverage.

Lastly, it is time to reauthorize the Children’s Health Insurance Program, community health centers, and the National Health Service Corps. These have always been bipartisan programs. There is no reason this should be any different today.

The anxiety that people in Minnesota and across the country feel about their access to healthcare is not inevitable; it is the result of political decisions made here in Washington, D.C. Let’s prove to the country that we are not here to fight with each other, we are here to fight for them. Let’s show them that we can get something done. Let’s take action to protect healthcare and give our constituents, at long last, some peace of mind.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I am asking unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, I rise today to call for bipartisan action on healthcare. There was obviously an issue there where there had been no Medicaid expansion, and they were unhappy with the way it had been handled by the legislature there as well as Republicans who were in charge of the legislature, and they appeared to be purposely looking for a change.

We have an opportunity here to make a bipartisan change. I think it is exactly the kind of message that we got yesterday. In my State, we have a Republican legislature and a Democratic Governor. They worked together to make something about some of the rates, particularly in our rural areas. They focused on reinsurance, cost sharing—some of the things in the bipartisan agreement reached between Senator Alexander and Senator Murray. We have 12 Democrats and 12 Republicans cosponsoring that bill. Support includes the American Cancer Society, the American Diabetes Society, the March of Dimes, and the Arthritis Foundation—and those are just the A’s.

The American people want us to work together to make fixes to the Affordable Care Act. The day it passed, I said that it was a beginning and not an end. Unfortunately, we have been stymied trying to make those kinds of changes, and this is one bipartisan big opportunity to do it. I think it is a sensible bipartisan approach.

As we all know, both Senator Alexander and Senator Murray held a series of hearings and discussions on commonsense solutions to bring down insurance costs with Senators on both sides of the aisle. There were Governors and insurance experts, and we worked hard to make sure there was some agreement on this bill. I fought for provisions that would help States apply for and receive waivers to give them some flexibility to construct their healthcare system and to bring down the costs without losing Federal funding. That is something my State did. They were able to work with a Republican-led legislature and a Democratic Governor, came together to apply for a waiver and a reinsurance provision.

The bill would also expedite the review of waiver applications for proposals that have already been approved for other States that are experiencing certain circumstances—emergency circumstances—where they need to make changes.

This legislation also shortens the overall time period that States would have to wait for the Federal Government to decide whether to approve their waivers.

All of these are good fundamental concepts—this idea that States should have some flexibility, that they should be able to apply for waivers, and that they should be able to get their answers as soon as possible from the Federal Government. That is what this bill is about. Not only does the bill improve the process for waivers and flexibility for the States, like we have seen in Minnesota, where already the projected
numbers brought the rates down something like 20 percent, but the nonpartisan Congressional Budget Office says the Murray-Alexander bill would actually cut the deficit by $3.8 billion over the next 10 years. That is hard to argue with.

It is clear that this legislation could get support from both sides of the aisle to make healthcare better for Americans. We have a majority of Senators supporting this bill. So we need to get it done before the longer we wait, the more the markets don’t know what is going on, the more the confusion that is created, and the more the administration is doing things that sabotages the Affordable Care Act.

We need this stability in the system. Passing the bill would be an important step forward, but we still must do more to bring down the costs for middle-class families. A big part of that is addressing the skyrocketing costs of prescription drugs. I have heard from people about a woman in St. Paul who, even with Medicare, couldn’t afford $663 a month for the medicine she needs. It is about someone from Crystal, MN, who told me: I am practically going out of food to pay for the prescription. I am heartbroken that this is happening in America.

Reducing the cost of prescription drugs has bipartisan support in Congress, and the President has said he wants to get something done. He has said: The drug companies are “getting away with murder.” Those are his words. That is what he said.

So what can we do? Republicans and Democrats could come together and act right now. I have a bill that has 33 cosponsors that lifts the ban that makes it illegal for Medicare to negotiate prices for prescription drugs for 41 million seniors. I think 41 million seniors are pretty good at getting bartering to afford the medicine they need. This is about the woman in Duluth who told me that she chose not to fill her last prescription because that one drug would cost a whole 25 percent of her income. It is a woman in St. Paul who, even with Medicare, couldn’t afford $663 a month for the medicine she needs. It is about someone from Crystal, MN, who told me: I am practically going out of food to pay for the prescription. I am heartbroken that this is happening in America.

Another idea is, Senator Lee and I have a bill that would allow temporary importation of safe drugs that have been made in another country, for at least 10 years when there isn’t healthy competition in our own country. Again, if your drug companies that are messing around, charging high prices and not allowing competition in—through foreign competition coming in, that is an incentive because you want to then make sure that doesn’t happen because you know that if you keep your prices high and you do things to disallow competition, you are going to have some major competition. I don’t know how else we bring the prices down without allowing more competition.

I also have a bipartisan bill with Senators Grassley, Lee, Feinstein, and Leahy called the GATE Act, to put a stop to other pharmaceutical company tactics, such as refusing to provide samples to generic companies that are supposed to be allowed to compete with them. According to the Congressional Budget Office, this legislation would save approximately $3.6 billion.

As we hear about tax reform and hear about the debt we might be seeing expanding if something like this goes forward, what is clear is the government is not allowed to negotiate on behalf of 41 million seniors with the drug companies. They are just set. Guess what that means. That is a big part of the reason why our drug prices are double the cost of those in Canada—because we are just taking it and we are not negotiating.

Another idea, bringing up Canada, is that Senator McCain and I have a bill that would allow less expensive drugs to be sold in the United States. To me, that is a way of putting pressure on our own drug companies to put out better prices if they know there is going to be competition.

Senator Grassley of Iowa and I have a bill to stop something called pay-for-delay. That is when big pharmaceutical companies actually pay off generic companies to keep less expensive products off the market. This bill would allow us to target those.

What do you know? Because right now there is no competition or very little competition, and they are actually paying their competitors to stay off the market. The competitors have decided: Well, I get more money to be paid to stay off the market than if I actually compete.

Think about what a rip-off that is for the American people. We are allowing this to go on while the consumers are paying the price. How much? We know the government alone is going to save $2.9 billion if we stop this practice. Consumers would save most likely around that same amount because they are paying all the copays. Both the government is ripped off and the consumers are paying more money off. I should be the drug companies.

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When someone tells you who they are, believe them. While I certainly believe that every American and corporation is entitled to vigorous representation by their lawyers, I also believe Senators must evaluate every nominee's full body of work. Let's be clear about how Mr. Robb has chosen to spend his professional life: helping management close plants and cut jobs, suing unions, delaying workers' rights to collectively bargain, and defending companies that violate workplace safety and fair pay laws.

At a time when corporate profits and executive compensation have skyrocketed and worker wages are stagnant, I have no confidence in Mr. Robb's ability to be a neutral arbiter between labor and management, let alone advocate for the safety and the well-being of America's working men and women. Our Nation's workers deserve a nominee who will protect their right to negotiate for fair pay and safe working conditions, not someone who has spent his entire career litigating against workers. I will be voting against Mr. Robb's confirmation, and I strongly urge my colleagues to do the same.

I yield the floor.

Mr. ALEXANDER. Mr. President, today we are voting on the nomination of Peter Robb for general counsel of the National Labor Relations Board, NLRB.

As general counsel, Mr. Robb will have the important job of helping workers who feel their right to organize collectively has been violated or assisting employers when some of their employees want to form a union. Mr. Robb will have an opportunity to help restore the Board to the role of a neutral umpire in labor disputes.

While partisanship at the Board did not start under the previous administration, it became far worse.

What is too partisan, it creates instability in our Nation's workplaces and creates confusion for employers, employees, and unions.

For example, in 2015, at the previous general counsel's urging, an NLRB decision dramatically expanded "joint employer" liability, and this increased liability makes it much more likely a company will find it more practical to own and operate its stores, taking away the opportunity for a worker to own and run their own franchise.

This decision was the biggest attack on the opportunity for small business men and women to make their way into the middle class that anyone has seen in a long time, threatening to destroy the American Dream for owners of the Nation's 790,000 franchise locations.

Or consider the previous general counsel's aggressive application of the National Labor Relations Act to protect certain employees' belligerent, threatening, and discriminatory conduct.

One troubling decision involved an employer that fired a picketing employee who engaged in racist and offensive conduct on a picket line.

The Board found that the employee's remarks were "racist, offensive and reprehensible," and violated the company's nondiscrimination policies and the union's conduct rules; yet the Board still ruled that the employer's discharge of the employee was unlawful.

This type of Board decision defies common sense and makes it more difficult for employers to maintain safe workplaces free of discrimination and harassment.

Mr. Robb is extremely qualified to be general counsel of the NLRB.

He currently works as the director of labor and employment at the law firm Downs Rachlin and Marin. He served as chief counsel to NLRB Member Robert Hunter and was a regional field attorney for the NLRB in Baltimore.

Mr. Robb earned his B.A. in economics from Georgetown University and his J.D. from the University of Maryland School of Law. His experience and prudence will serve him well at the NLRB.

I urge my colleagues to join me in voting to confirm Peter Robb for general counsel of the National Labor Relations Board.

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

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

NOMINATION OF WILLIAM WEHRUM

Mr. SCHATZ. Mr. President, the Senate has, actually, already considered Bill Wehrum to be the Assistant Administrator for Air and Radiation at the Environmental Protection Agency, who is the person in charge of the rules to administer the Clean Air Act at the EPA. This person has already been considered, and the Senate decided that he was not right for the job.

Over 10 years ago, President Bush nominated Mr. Wehrum to head the Office of Air and Radiation at the EPA. He was rejected because his 6-year record as an employee at the EPA told the Senate what they needed to know. As the ranking member, Jim Jeffords, put it at the time: "Mr. Wehrum's disdain for the Clean Air Act is alarming." If you disagree with the foundational Federal law that we use to keep our air clean, then it is hard to believe that you can competently lead the EPA's efforts when it comes to protecting our right to clean air. A decade later, nothing has changed. Mr. Wehrum has done nothing that should change our minds about his ability to lead this agency.

This, of course, is part of a pattern. This administration continues to nominate anti-science, pro-pollution, climate-changing people to lead the U.S. agencies that are in charge of science and climate.

Scott Pruitt has denied a century's worth of established science and basic facts that say that climate change is real, urgent, and caused by humans. He now is the No. 1 Federal Agency that is charged with working on climate change.

Then there is Jim BRIDENSTINE, who hopes to lead NASA, which is one of our Nation's top science agencies. He, too, is still on the fence about climate change.

Meanwhile, 13 Federal agencies, including the EPA and NASA, just published a dire report that reads: "The greenhouse gases released by human activity are to blame for rising temperatures and severe weather throughout the world."

This is why Mr. Wehrum should not go any further. It is really very simple. Our own government scientists say that climate change is real, urgent, and caused by humans.

If you do not want to take their word for it, here in the United States in this year alone, a record number of catastrophic events have killed dozens of people and burned more than 8.4 million acres in the Northwest. The Droughts lasting for months wiped out farmers' crops and forced ranchers to sell livestock in the Midwest. The city of Seattle had seen a catastrophic event—"a catastrophic event—from an insurance standpoint to be a $1 billion event. We had 15 of them this year in the United States. In the past 10 years, the U.S. Government has spent more than $350 billion in helping communities recover from severe weather, and that is before we are getting through with the various and necessary disaster supplemental budget requests that are coming down for Florida, Houston, and Puerto Rico.
these costs because we have decided that these are one-time events, but they just happen to be one-time events that are occurring more and more frequently and that are costing more and more.

Because of the leadership vacuum that Scott Pruitt and Donald Trump have created, States and cities and the private sector have been stepping up so that the United States can stay on track to cut carbon emissions and fight climate change. Yet the Federal Government still has a responsibility here, not just a moral responsibility but a legal one, for the climate will keep changing, the costs will keep rising, and more and more people will feel the effects. Instead of stepping up so that our Federal debt does not balloon and our coastlines do not erode and our security is not threatened, this administration keeps nominating people like Mr. Wehrum to deny that climate is an issue and that the government ought to act.

Throughout his career, Mr. Wehrum has demonstrated antipathy for the very laws that he is now going to be tasked with upholding. When he held this position in an acting capacity in the 2000s—in other words, he was filling in until he was confirmed but was never confirmed—he was sued dozens of times for not doing his job. Time and again, the courts found that, in fact, he was putting special interests over scientific and public good. This is not just a rhetorical statement. These are 27 times that Mr. Wehrum lost in court for exceeding his authorities under the law.

Here is where he kept getting specifically into trouble. Mr. Wehrum is a former lawyer for the very industries that the EPA regulates—chemical companies, utility companies, the auto industry. This is the experience that he relied on while he worked at the EPA, which is both good and bad. The EPA, as he understood it, was tasked with regulating pollution from powerplants, Mr. Wehrum took language from his former law firm—again, which represented powerplants—and gave it to the EPA to put into the rule. In other words, the EPA did not look to experts and scientists to decide how best to regulate powerplants; it looked to the powerplants’ lawyers.

Mr. Wehrum’s job was to protect clean public health. He failed at that job by siding with special interests over that mission. The courts actually stepped in 27 times, and he lost 27 times. One case went all the way to the Supreme Court under Mr. Wehrum. The EPA said that it did not have the authority to regulate carbon dioxide from automobiles, but under U.S. law, the EPA must regulate all emissions that are damaging to human health and welfare, and the Supreme Court has acknowledged that carbon pollution fits that description.

Just to be clear, under the EPA’s responsibility to administer the Clean Air Act, the EPA does not just have the authority to regulate carbon emissions; it has the obligation to regulate carbon emissions. In other words, anything that is airborne that causes harm to people, to public health, must be regulated. The EPA does not simply decide which of these airborne pollutants must be regulated, it must regulate all of those pollutants that cause damage to public health. Clearly, carbon fits that category on a commonsense level, but the Supreme Court also decided that. There have been more intense storms, droughts, and heat waves that are certainly bad for human health and well-being, and the Supreme Court has agreed. The EPA has the authority and the obligation to regulate these greenhouse gases.

We do not need to go through this again. Mr. Wehrum has already shown that he is not the right leader for the EPA. He will not fight to address severe pollution. He will not fight for clean air. He will fight for his former clients. This is not an accusation. It is based on exactly what he did when he was in the same position. It is the reason the Senate rejected him 10 years ago.

With the best of intentions in front of us, there is no way we can put Mr. Wehrum back in charge of the office that is tasked with regulating carbon pollution, not when we are facing a planetary emergency, not when the fiscal and human costs of inaction are so clear. The EPA needs leadership that understands the crisis we are facing and is willing to do everything in its power to address it. Mr. Wehrum has clearly demonstrated that he is not the right person for this job. I will vote no on this nominee, and I urge my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum. The Acting PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

There will now be 30 minutes of debate, equally divided between the leaders or their designees.

The Senator from Colorado.

TAX REFORM

Mr. GARDNER. Mr. President, I arise today to talk about a historic opportunity that will soon be before this body. It is an opportunity to bring real relief to the American people. It is an opportunity to jolt our economy into a higher gear and bring real, tangible benefits to America’s hard-working families.

It has been over 30 years since this country last reformed its Tax Code. Over those 30 years, we have seen a lot of change. We have seen the country move from Ataris to smartphones and Wi-Fi. This photo shows a Ford LTD station wagon, which rolled off the assembly line 30 years ago. It is a car that any of us would have been excited to drive 30 years ago. Today we have cars that drive themselves. Unfortunately, we still have a tax code that is made for the LTD.

So while the world has changed around us and other countries have learned to craft tax codes to entice businesses to grow, our code has gotten more and more out of date and more and more laden with special-interest industries. Our Tax Code has turned Main Street into a dead end and our overseas growth into a one-way street.

Reforming the code is not only a way to give us an opportunity to end those giveaways, but it can also boost our economy. I applaud our colleagues in the House, who last week introduced and are working on a proposal to overhaul the tax system. In the coming days the Senate Finance Committee will introduce their own legislation.

I will make comments today on one aspect of tax reform. I will note that on Friday the Tax Foundation released its analysis of the House tax proposal. This analysis concluded that the House proposal would create 979,000 equivalent jobs and push GDP 3.9 percent higher than it would otherwise be. Taking into account the economic feedback from the proposed reforms, this means taxpayers would end up with more in their pockets. In other words, they will make greater, higher income as a result of the bill that the House is working on today. Indeed, the Tax Foundation concluded that the total after-tax gain in income for a middle-class family would be nearly $2,600.

Importantly, for my constituents in my home State of Colorado, the gain would be over $3,000. These are serious gains that will bring real, meaningful benefits to hard-working Americans.

This is just the starting point for our reform. This number is over $3,000 of impact to the people of Colorado of additional income and tax relief. When a significant segment of Americans don’t even have access within 24 hours to just a few hundred dollars, a $3,000 a year gain is a significant amount of money.

Today I would like to focus on one part of the tax reform package, that is, the lowering of America’s job creators. Because we have this clunky Atari-era Tax Code—this Ford LTD station wagon Tax Code—this Ford LTD station wagon Tax Code, our tax rates are no longer competitive. They encourage companies to invest abroad rather than right here at home in the United States. Back in 1986 when this car rolled off the assembly line, our corporate rate was competitive. It didn’t discourage companies from investing in the United States.

Things have significantly changed since 1986. Foreign countries have figured it out. They lowered their tax rates, and now the United States has the highest corporate tax rate in the
developed world—indeed, one of the highest tax rates in the world, period. Consequently, businesses have moved abroad more and more. They invested more abroad, and in the United States they have invested less and less.

It is tempting to seize profits from companies to invest in America, not at the environment that will cause companies to want wages to be higher, then we have to give workers capital to work with. Let me say that again. This effort for tax relief is about “economically literate governments understanding that if we want wages to be higher, then we have to give workers capital to work with.”

Let’s go back to the first response we heard from opponents of tax relief: It is “absurd” to think the average American household will get $4,000 more in income because that is more than the country raises in tax revenue. In other words, if we took every dollar raised from corporate tax and hand it over to American families, they would do something productive to the argument opponents of tax reform are saying, but this response simply doesn’t get it.

What is the economically literate perspective? Recall that a lot has changed over the last 30 years, but one thing hasn’t changed, and that is the U.S. corporate tax rate. As you can see on this chart, the average OECD tax rates have dropped over time. You see the blue OECD line, and the orange line on the chart is straight across. The average OECD tax rates have dropped over time, but the U.S. rate stayed right where it is. The U.S. advantages that made it the place to invest in 1986 have slowly faded away. Other countries have just become more competitive, and companies have responded.

Business investment now is unfortunately low. Indeed, Chairman Hassett warned that there is a crisis in our country because of the lack of what is called capital deepening, which is just an economist’s term for the impact of capital stock—things such as equipment, structures, and intellectual property—on worker productivity. It is as if the corporate tax has come in and imposed a corporate tax rate. It is as if the corporate tax casts a shadow on the entire economy. What is left? We can see right here what the government is taking. We can see the effect that taxes have on the economy. What is left is this dark-shaded triangle. This is what economists call deadweight loss. That is the stuff that doesn’t happen because of the tax. This is the tax shadow—the deadweight loss. It is deadweight in our economy. In that shadow, business activity just doesn’t happen, and workers just don’t get the capital they need to be more productive.

Remember, businesses are deciding whether and where to invest that next dollar. If the cost is too high—reflected here—they won’t invest, at least not here in the United States. They will decide not to expand at all, or they will expand in a country that has a lower tax rate, or they will simply shut down entirely.

I don’t think the American people would be surprised by this. This is not news to them. They lived this for a long time. They know it well. They know businesses are not expanding here. They have seen businesses close. They have seen a slowdown in the startup of new businesses. They know wages haven’t gone up in many years.

They understand this shadow. Businesses don’t expand. Workers are laid off. Money moves abroad. It is because of this high tax that doesn’t leave us with decreases in costs, creating a deadweight loss on our economy. They understand it, and they know that corporations pass that tax on to them in the form of lower wages.
But here is the good news. Help is on the way. Lowering the corporate tax rate lowers the rate of return needed to make investments work. It removes the shadow that blocks the economic sunlight. Suddenly businesses are operating how they always have been when you have a new machine on the line. Workers become more productive, and the companies pay them more both because they are bringing in more and because they want to keep those workers to do more. That is what happens when you lift that economic shadow that we talked about that corporate taxes impose and cast on our economy. You create more jobs, and wage competition grows income.

They isn't just economic theory. As you can see here on this chart, wage increases are significantly higher in countries with lower corporate tax rates. We don't need just simple economic theory; we need economic results, and that is what this chart shows us. High-tax countries like the United States have weak wage growth. The United States is down here on this chart representing the highest statutory corporate rate countries. High-tax countries like the United States have weak wage growth—less than 1 percent, even close to zero percent. You can see that here. Low-tax countries—these are the lowest statutory corporate rate countries. These are the bottom 10 lowest rates. Low-tax-rate countries see a wage growth of 1 percent, 1.5 percent, 3.5 percent, even 4 percent, and that is because they don't live under that economic dead weight, that tax shadow, that deadweight loss zone of high corporate taxes.

It also matches my experience in talking with companies in Colorado. U.S. multinational corporations doing business in Colorado have told me that they want to expand here, but they just can't justify it when they look at the tax rates we have here versus around the world, especially in Europe. I have even heard from some foreign-based companies that do business in Colorado that this sort of reform—I ask unanimous consent to complete my remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GARDNER. Mr. President, it would entice them to invest more in the United States. This is real, and the American people need it.

It is good television to say that it is absurd to think that American families will get more money from lowering the corporate rate than the tax raised in revenue, but it is wrong. It is tempting to love of corporate profits and think that corporations just must not want to invest here or “let's just take that money,” but that is wrong too. The right move is to create the tax environment that tells businesses that they should invest here because they can make more money. That is why President Obama called for corporate tax reform. That is why former Treasury Secretary—and one of President Clinton's economic advisers—Larry Summers said that reducing the corporate tax rate and lowering the competitive disadvantage faced by American multinationals is “about as close to a free lunch as tax reformers will ever get” by lowering the tax rate. That is how American families end up with $4,000 more in their pockets—and not just one time; once this fully takes effect, that increase is permanent.

Mr. President, we have a historic opportunity. The American people need and deserve a new and better Tax Code, a modern one designed for today's world, not an Atari world or a Ford LTD world. I urge my colleagues on both sides of the aisle to join with us as we modernize our Tax Code and deliver real results for the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, a few moments from now, we are going to come to this Chamber to vote on the nomination of Peter Robb to serve as general counsel for the National Labor Relations Board.

Quite frankly, if we allow this individual to be confirmed, it will be a severe slap in the face to American workers. This is an individual who has made a career out of attacking the ability of American workers to get a fair share of the wealth they create. Yet here is a proposal to put him in a leadership position at an agency whose purpose is to fight to make sure workers get fair treatment. How does it make sense to take someone who has fought to undermine the ability of workers his entire life and put that person in charge of making sure American workers are treated fairly? Certainly, it is exactly the opposite of the argument Candidate Trump made when he said he was going to stand up for American workers. When push comes to shove, the President wants to shove workers down into the ditch.

It boils down to this: The National Labor Relations Board was established 82 years ago in the middle of the Great Depression to protect workers by encouraging and promoting their right to collective bargaining. Think of the power of association so that workers have the opportunity to have a fair share, to have a basic foundation for their families to thrive. That ability of workers to organize has been behind every advancement we have made as a middle class in America. Be it the 40-hour workweek, safe working conditions and benefits, and every advancement was led by workers' ability to organize. Yet here the President wants to put in place an individual who has done everything possible to take away that right, that ability to weigh in for basic fundamental fairness for workers.

The responsibility of the National Labor Relations Board is more important today than ever in the face of policies on behalf of the privileged and the powerful—incomes stagnating while the wealthiest Americans see their riches grow right up to the skyline. We have seen that anti-worker forces throughout our country have led to the result in States and at the federal level to break that right of State against the right of workers to organize and to secure safe working conditions and fair wages.

Here we are at a time when America’s workers have seen four decades in which their wages have been flat or declining while the rich and powerful have stripped off the growing wealth of this Nation for themselves. Income inequality has soared, wealth inequality is massive, and here is one more person nominated to accentuate that inequality in wealth and in income.

Back in 1981, Mr. Robb was lead attorney on the case to decertify the Professional Air Traffic Controllers Organization. The union was striking, and Mr. Robb helped Reagan break that strike, which resulted in the firing of 11,000 striking workers and, as a commentator at the time said, forever “undermined the bargaining of American workers and their labor unions.”

When he last worked on the team at NLRB, this nominee was present for decisions that—and this is recounted in a book called “Right Turn”—“[a]ttered long-standing policy . . . narrowing the scope of activities subject to traditional National Labor Relations Board protections; broadening the permissible range of employer conduct in union representation campaigns; lowering the costs to employers of unlawful activity; and otherwise narrowing or excusing the employer to make changes subject to bargaining without informing unions before the change was made, or by permitting employers wider latitude to end the bargaining process by declaring impasse.”

More recently, Mr. Robb represented Dominion Energy and successfully defeated a union organizing drive at the Millstone Power Station, bragging on his firm’s website that he was able to delay election for “more than two years after the day the petition was filed.”

As many of you know, he does not want workers to have a fair chance to vote on organizing a union or to work to press for a first contract or to seek fair wages. He has spent his career fighting against workers having that fair shot and defending companies against allegations from union members regarding unfair labor practices—all kinds of unfair labor practices, including age and sex discrimination. Never once in this long career has he been on the side of the American worker—not once; therefore, he has no place...
at the head of an organization intended to support the ability of workers to organize and to press for a fair share.

It is unthinkable that this nominee would ever even come to this Chamber. It is certainly part of an endless stream of people to make the rich and powerful on working Americans that have kept their wages flat and declining for four decades. When are we going to see an end to this sort of oppression by the powerful class against the workers of the United States of America?

The other side of the act after another by this administration—President Trump and his team—undermining fair wages for workers in this Nation. It is outrageous. This nomination is outrageous, and I encourage my colleagues to vote no.

The PRESIDING OFFICER. The Senator from Wyoming.

NOMINATION OF WILLIAM WEHRUM

Mr. BARRASSO. Mr. President, President Trump has been in office now for more than 2 years. He has laid out his agenda to cut punishing regulations, to grow the economy, and to help hard-working Americans.

President Trump’s administration has already taken important steps to roll back regulatory overreach by the EPA in the last 8 years. During the last administration, the Environmental Protection Agency issued harmful and punishing, overreaching regulations that hurt workers in my home State of Wyoming.

According to the chamber of commerce, from 2008 to 2016, the EPA issued regulations that cost our economy over $60 billion each year—significantly more than any other Federal agency. These rules had real-life impacts. The Obama administration’s so-called Clean Power Plan would have closed powerplants and cost America jobs. We can both clean air and a growing economy. We have proven it. My only hope is that the American energy as clean as we can, as fast as we can, without raising costs on American families. President Trump shares that goal. That is why EPA Administrator Scott Pruitt has led the charge in cutting red tape. The EPA has taken important steps to roll back the Clean Power Plan and other punishing EPA regulations.

It is interesting. The annual cost of high-impact rules by agencies from 2008 to 2016—there were 13 rules by the EPA—in the red right here, billions and billions and billions—over $60 billion. Administrator Pruitt needs his full leadership team in place at the Agency to complete the task, so today the Senate is going to vote on cloture so we can consider the nomination of Bill Wehrum. He has been nominated to serve as EPA’s Assistant Administrator for the Office of Air and Radiation. Mr. Wehrum has more than three decades of experience in environmental policy. He has worked as an environmental engineer, a public servant at the EPA, and is an environmental lawyer. His time at the EPA includes 2 years of service as the Acting Administrator of the Office of Air and Radiation—the same office he has now been nominated to lead.

EPA’s Office of Air and Radiation is critically important in terms of a division within the Agency. It develops national programs, policies, and regulations for limiting air pollution and radiation exposure. One of the responsibilities of this office is implementing the Clean Air Act, and it is a big job.

Here is where one regulatory burden comes from EPA air regulations: 94.5 percent from the Office of Air and Radiation regulatory burden in 2014; only 5.5 percent from all other EPA offices’ regulatory burden of that same year. So under the Obama administration, the air office was one of the biggest regulatory abusers. According to the Office of Management and Budget, the EPA’s air regulations were responsible for 95 percent of the cost of the Agency’s regulations. Now Mr. Wehrum is going to play a key role in undoing this red tape.

The American people need a qualified leader in the EPA air office. Bill Wehrum is the right man for the job.

Mr. Wehrum’s expertise and experience will be tremendously helpful as he pursues policies that will protect America’s air, undo regulatory overreach, and allow our economy to grow. I urge all Senators to vote for cloture on Mr. Wehrum’s nomination.

Thank you.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Washington.

Mrs. MURRAY. Mr. President, as President Trump continues to undermine worker protections and prioritize corporate profits, it is very critical that the NLRB not become independent and be committed to promoting collective bargaining.

When corporations try to take advantage of their employees, workers should be able to turn to the NLRB to intervene. Unfortunately, Mr. Robb’s career as a corporate lawyer fighting against workers gives me great concern he will not have workers’ best interest at heart in this role. So I will be voting no on this nomination, and I urge my colleagues to stand up for workers and do the right thing.

I yield back my time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Robb 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 PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 46, as follows:

YEAS—49

Alexander
Barrasso
Blunt
Brownlee
Burr
Capito
Cassidy
Cochran
Collins
Corker
Cornyn
Cowan
Crappo
Daines
Enzi
Ernst
Fischer

NAYS—46

Alexander
Bennet
Blumenthal
Boehner
Brown
Brents
Cantwell
Carper
Casey
Cassidy
Cortez Masto
Donnelly
Duckworth
Durbin
Fenstein
Franken

NOT VOTING—5

Crux
Menendez

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.

CLOTURE MOTION

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided.

The Senator from Delaware.

Mr. CARPER. Mr. President, I rise in opposition to the nomination of William Wehrum to be EPA’s Assistant Administrator for Air and Radiation.
President George W. Bush nominated Mr. Wehrum for the very same job in 2005. He was not confirmed then but was able to serve in that role on an acting basis—something he could not lawfully do today. At the time, I voted against Mr. Wehrum’s nomination because it could have impeded efforts to clean our air and protect the health of Americans. Sadly, my fears have been proved well-founded. Twenty times, the courts found that clean air regulations that Mr. Wehrum helped craft would follow the law or protect public health.

Since leaving EPA in 2007, Mr. Wehrum has spent his time suing the Agency.

Mr. Wehrum was elusive in answering our questions. When asked which clean air regulations he supports, he could not name a single one—not one.

Mr. Wehrum’s extreme views are not good for public health and, quite frankly, the legal uncertainty that stems from his judgment would not be good for American businesses. That is why I call on all of my colleagues to join me in opposition to this nomination.

Thank you.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. BARRASSO. Mr. President, Mr. Wehrum has been nominated to serve as the EPA Assistant Administrator for the Office of Air and Radiation. He has more than three decades of experience with environmental policy. He has worked as an environmental engineer. He has been a public servant at the EPA as an environmental lawyer. His time at the EPA includes years of service as the Acting Administrator of the Office of Air and Radiation, the same office to which he has now been nominated.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, to rule XXII, the Chair lays before the Senate that debate on the nomination should be brought to a close under the provisions of rule XXII of the Senate. The Chair lays before the Senate that debate on the nomination should be brought to a close under the provisions of rule XXII of the Senate.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Montana (Mr. TESTER) are necessarily absent.

The yeas and nays resulted—yeas 49, nays 46, as follows:

[Rollcall Vote No. 267 Ex.]

YEAS—49

Alexander          Flake          Perdue
Barrasso          Blunt          Graham
Boozman           Brown          Grassley
Burton            Capito          Heller
Cassidy           Cochran         Hoeven
Collins           Corker          Johnson
Corbyn            Cotton          Kennedy
Crapo             Dasenbrook      McCain
Enzi              Ernst           McConnell
Fischer           Ernst           Moran

NAYS—46

Baldwin           Gillibrand       Nelson
Bennet            Blumenthal       Reed
Brounke           Brown           Harkin
Catewel           Carlin          Hirono
Carter            Casey           King
Coons             Curson          Leahy
Curton Masto       Dalal           Manchin
Duckworth         Edwards         McCaskill
Durbin            Feinstein       Murray
Franken           Greene          Tester

NOT VOTING—5

Cruz             Menendez          Murray
Mensendez         Paul

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The Senator from Tennessee.

HEALTHCARE

Mr. ALEXANDER. Mr. President, healthcare is at the top of the minds of the American people. According to the Washington Post, in the elections in Virginia yesterday, it was by far the biggest issue in voters’ minds. Senate Republicans, of course, expanded Medicaid.

In my home State of Tennessee, because of the Affordable Care Act’s structure, premiums have gone up 176 percent over the last 4 years and another 58 percent, on average, for 2018 is predicted.

Tennesseans, like millions of Americans, are going through open enrollment and have sticker shock when they see the prices of the health insurance they might buy, and the 178 million people who are getting their insurance on the job—that is 60 percent of us—know they might lose their job, they might change their job, and they might be in the individual market themselves and might find themselves exposed to these skyrocketing premiums. It’s scary and the chaos that results from them.

This is especially difficult for Americans who have no government subsidy to help them buy insurance. In 2016, according to the Department of Health and Human Services, there were about 9 million of those Americans.

There are 350,000 people in Tennessee who buy insurance on the individual market. That means they don’t get it on the job. They don’t get it from the government. They go out and buy it themselves, and 150,000 of those pay the whole brunt. So if insurance costs go up 176 percent over 4 years, another 58 percent this year, that means the songwriter, the farmer, the self-employed person, the small business owner, the person who is not having the flexibility of the individual insurance. It is a terrifying prospect. That is why healthcare is on the minds of the American people.

One would think the American people might turn around and look at Washington and ask: Who does the President of the United States and why do members of Congress—Democrats as well as Republicans—get together and do something about the skyrocketing premiums?

Well, what would you think if I told you that last month the President of the United States, President Trump, called me and asked me to do just that?

He said: I don’t want people to be hurt over the next couple of years while we are continuing to debate the long-term structure of healthcare on the individual market. So why don’t you get with Senator MURRAY from Washington—she is the ranking Democrat on the Health, Education, Labor, and Pensions Committee—and why don’t you try to work something out so people will not be hurt during these 2 years?

He said: I have to cut off the cost-sharing payments because the court has said they are not legal, but we can put them back. Go negotiate. See what you can do. Try to get some flexibility for the States.

Fortunately, Senator MURRAY and I were already working on that and to have the President encouraging me. He called me three more times over the next 2 weeks, and the long and short of it is we produced a result.

Here is what the result looks like—and I am going to talk about it from the point of view of why Republicans are supporting it. Senator MURRAY and Democratic Senators were here earlier saying why they were supporting it. Senator ROUNDS from South Dakota, a former Governor of that State, a man who understands insurance very well and helped develop this proposal—we are here today to say this happens to be one of those bills where there are
good reasons for Democrats to support it, there are good reasons for Republicans to support it, and the President has asked for it.

Here is what it does, from my point of view. The so-called Alexander-Murray bill, which was recommenced to the Senate by Senator Murray and me—there were 12 Republicans and 12 Democrats who were original cosponsors, including Senator Rounds and myself. That doesn’t happen very often here. That is one-quarter of the aisle of these cosponsoring, along with 12 Democrats, are lower premiums, fewer tax dollars for ObamaCare subsidies, less Federal debt, more flexibility for States, a new so-called catastrophic insurance policy so you can buy a policy that is not otherwise deductible so that a medical catastrophe doesn’t turn into a financial catastrophe. Those are all reasons to support it.

Here is the long and short of it. The American people have healthcare on their minds. It is certainly true in Tennessee, where the rates are up 58 percent. It was certainly true in Virginia yesterday. It is certainly true in Maine. I see the Senator from Maine is here, and I think it has been an important part of this discussion.

The people of America say: Why don’t the President, the Republicans, and the Democrats in both bodies get together and do something about it? I am happy to report we have. We have a bipartisan proposal. It doesn’t solve every problem, but it limits the damage. It lowers premiums. It avoids chaos. It saves Federal tax dollars. It has the support of a significant number of Republicans and Democrats, and it is done at the request of the President. I hope that when the President returns from Asia, he will go to his desk and find a nice package there with a bow on it, presented by Senator Murray and me, 24 of us in the U.S. Senate—Republicans and Democrats—which does exactly what the American people, I think, want us to do: Lower premiums, avoid chaos, work together, take a step in the right direction, and let’s see if we can help the American people in that way.

I know the Senator from South Dakota is here, and I thank him for his leadership on this. He, along with the Senator from Maine who is here, Mr. King, spent a good deal of time working on this piece of legislation, which has a lot that Democrats like and a lot that Republicans like—so much so that we are able to recommend it in a bipartisan way. I know he may have things that he may want to say about the bill. I yield the floor.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I don’t wish to take much of the Senate’s time, but I want to emphasize and echo the comments made by the Senator from Tennessee. He and his ranking member, Patty Murray of Washington, have done a magnificent job. What I want to emphasize is not necessarily the content of the bill, which he has outlined expertly, but the process by which this bill has come to the U.S. Senate. To me, it is an example of how this place can and should work.

There were a series of essentially four all-day hearings. There were workshops to which all Senators were invited, and I think at least half of the Senate attended several of those workshops. We had a bipartisan witness list. We had Governors. We had insurance commissioners. We had experts on the health services industry from around the country. The result was a piece of negotiated, compromised but thoroughly worked through, and important legislation that can do exactly what the Senator from Tennessee outlined: Lower premiums, end the chaos in the individual market, save the Federal Government money over the period of the next 10 or 20 years, and really make a difference for the people of Maine.

I particularly want to compliment and express my appreciation to Senator Alexander and Senator Rounds for the work they have done to bring this issue to this point. I deeply hope, as the Senator from Tennessee, Mr. Alexander, just said, that when the President returns from his trip, he will see this bipartisan agreement—or in my case, a nonpartisan agreement—that has come forward to solve some serious problems. It doesn’t solve all the problems, but it is a step forward. It also is exactly what the American people want us to do—to talk to each other, listen to each other, gather the data and the information, and come up with legislative proposals that make common sense and will make a better place, a better healthcare system, and serve our citizens and our people across the country in a better way than the current arrangement.

I want to compliment my colleague from Tennessee and also my colleague from South Dakota, Senator Rounds, for the work they have done on this. We are at a place where we can really do something good, not only substantively but also by showing the Nation how this body can and should work.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, let me begin by acknowledging the leadership that Chairman Alexander and Ranking Member Murray have offered and also by saying how much I have appreciated the hard work that Senator Murray has participated in, as well, in this process. They have worked together, side by side, to try to find some common ground while still retaining and protecting the principles they all hold with regard to how health insurance, in the long term, should be approached.

Coming to a bipartisan agreement on this very important piece of legislation

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is only the first step. As you know, a deal was announced last month to give States permanent flexibility to avoid some of ObamaCare’s most crushing mandates, while also temporarily authorizing the cost sharing reduction, or CSR, payments for 2 years. This is what the piece of legislation we are referring to in this particular case, the Alexander-Murray legislation, would do.

This agreement is a win for conservative and reform-oriented Americans who support a smooth transition as we continue to stabilize the market and help provide a permanent fix to ObamaCare, because of the concept on the table did not ask for ObamaCare, and ObamaCare, because of the concept on ObamaCare’s skyrocketing premiums, limited choices, and Federal chokehold. For the first time since ObamaCare was forced onto the American public, the Alexander-Murray legislation is an opportunity to provide permanent, meaningful opportunities for States to opt out of some of ObamaCare’s most egregious mandates under the 1332 waiver program, while making healthcare more affordable for their constituents.

As a former Governor, like my colleagues Mr. ALEXANDER and Mr. KING, I understand that the best decisions are made at the State and local levels, not by Federal bureaucrats. Empowering States to preserve entitlements to innovate and strengthen their individual health insurance markets in a way that meets their citizens’ unique needs is a first step toward repealing ObamaCare and allowing the marketplace to once again be competitive and innovative.

In exchange for the permanent 1332 waiver changes, we have agreed to temporarly authorize the administration to make CSR payments for 2 years, similar to the provisions of the Better Care Reconciliation Act, which 49 Republican Members of the U.S. Senate supported earlier this year.

Recall that President Trump announced recently that he would stop the payments after a Federal court found them to be illegal because they had not been appropriated by Congress. Not surprisingly, the previous administration had continued making these payments, a practice that President Trump rightfully and correctly stopped after months of warning that he would do so. We applaud the President for returning this appropriations decision to its constitutional place—with Congress.

We also recognize that there are millions of Americans who will face steep premium increases come January as a result of this challenging decision. This is in addition to the already skyrocketing premium increases that Americans are facing because of ObamaCare, because of the concept on which it was built. The American people did not ask for ObamaCare, and they shouldn’t be unfairly punished.

By extending these payments for only 2 years, our legislation will stabilize the market and help provide a smooth transition as we continue to work on a full repeal and replacement. Providing a smooth transition away from ObamaCare has been included in every serious Republican healthcare plan to date. We have to have a transition in order to move away from the existing healthcare plans. In fact, I cannot think of a single GOP colleague who doesn’t support a smooth transition so that we don’t hurt families as we move away from our current, unworkable system.

It is also important to point out that Alexander-Murray is a step one in the total repeal and replacement of ObamaCare. Because of House and Senate rules, the 1332 waiver changes outlined in our bill are not eligible to be included in budget reconciliation legislation, which is the vehicle being used to repeal and replace ObamaCare by congressional Republicans and which we continue to work on. We need both bills. This is a two-step process.

We fully expect there to be an opportunity for a binomial process, including a full repeal and replace of ObamaCare next year and are united in our desire to get it across the finish line. But 1332 waiver changes found in this bill require bipartisan support and requires 60 votes. That is not available to us or is not part of the remaining part of the challenge of the total repeal and replacement. We need both bills in order to get this done.

We have also included additional assurances within this bill to make certain our bill does not bail out insurance companies, as Senator ALEXANDER stated earlier. CBO, or the Congressional Budget Office, confirmed this in the October report, noting that it benefits taxpayers and low-income policyholders, not insurance companies.

I also want to point out that there is also a fiscal case to be made for continuing the CSR payments in the short term. The unpaid finish of the Congressional Budget Office—one again, the CBO—found that the Federal Government will be on the hook to subsidize care of the individuals who otherwise would receive premium assistance via the CSR payments if they were eliminated. The CBO states that the CSR payments have ended. In November 8, 2017
a 60-count vote, in actually making changes to the substance of ObamaCare. It is high time. It is time to get started. It is time to move forward.

I thank all of our colleagues for working side by side at least keeping down and damage which has been occurring and which will continue to occur until we get the full replacement of ObamaCare behind us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that my remarks not be counted against my postcloture time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CARPER. Mr. President, while Senators ALEXANDER and ROUNDS are on the floor—Senator KING has just left—that the folks who are gathered here are former Governors and are interested in getting things done and are interested in working across the aisle. We want to be able to achieve better results for less money than we have been able to do in the past.

Senator MURRAY have called for with the exchanges, reaps a big benefit as well, and that helps to bring down the size of the deficit, which is good.

I was just inspired by your words, of both of you, and wanted to say that and to applaud your efforts. It is a pleasure and an honor to work with you. I look forward to doing more of that.

Thank you.

Mr. ALEXANDER. Mr. President, I want to briefly thank the Senator from Delaware.

As the Senator from South Dakota said, this has been a very contentious issue, but we thought that if we listened enough, we might find a few things we could agree on. Senator MURRAY and I not only involved our committee, which is a committee of 22 or 23 Senators, but we invited anyone not on the committee to come and meet with us to discuss the reforms. We had the the State insurance commissioners—for an hour before the hearings. We had nearly 60 Senators involved in the entire process on those 4 days. That is pretty remarkable when you have 60 Senators—more than half of whom are not on the committee of jurisdiction—attending and participating, and that helped develop what we did.

The person with the best attendance was Mr. CARPER, the Senator from Delaware. He is not a member of the committee, but he came to every one of the committee meetings, and he often stayed for the hearings themselves. I thank him for his active participation.

In boiling it all down, I think what we are trying to say is, there is a lot we still do not agree on, but we have heard the American people. Healthcare is on their minds. They are signing up, and those who are in the individual market are getting sticker shock if they do not have any government support. For the next couple of years, we have a plan that will avoid chaos and begin to limit the growth of premiums and, in 2019, reduce premiums. In addition to that, it will give Americans a new plan to buy called the catastrophic plan, and it will give many States the opportunity to use some of their own ingenuity to create a larger variety of choices.

That is a good set of options with which to respond to the American people, who ask: Why don’t the President and the Congress work together to do something about healthcare? It does not solve all of the problems, but it is a step in the right direction, and it is something we can build on.

I thank the Senator from Delaware for his work. I thank the Senator from South Dakota for his.

I hope, when the President returns from Asia, that he will look at the agreement he asked us to produce, and I hope he will support it. If he does, I believe it will be part of the law when we go home for Christmas.

Thank you.

I yield the floor.
I'm a much better lawyer now than when I first joined the agency. To really get to know how the agency works and how it ticks, I think that is very valuable. I have expanded my capabilities which will hopefully allow me to be effective in generating business and clients.

In generating business and clients. Sadly, my fears of 2005 were well-founded. The next number is 31. That is the number of times Mr. Wehrum has represented the interests of Big Oil.

I will walk through some telling numbers for my colleagues this evening. The first number is 31. That is the number of times Mr. Wehrum has represented industry against the EPA in Federal court since 2009.

Let me be clear on this. After serving in an acting capacity as Assistant Administrator for Air and Radiation at the EPA, something Mr. Wehrum would not be able to lawfully do today. Behind me, to my left, is an excerpt from an editorial from April 2006. The New York Times published an editorial opposing Mr. Wehrum's nomination that mirrored my concerns at the time:

"like many sequels, this one may actually be worse than the original. My opposition to this nominee should not come as a surprise to my colleagues or to Mr. Wehrum because, in 2005, President George W. Bush nominated him for the exact same position, Assistant Administrator for Air and Radiation at the EPA. I opposed his nomination at that time because he was too far outside the mainstream to be confirmed — the Senate rule with respect to the number of votes we need to consider and confirm a nominee. If Mr. Wehrum is confirmed this week, it will be because he is the beneficiary of the Senate's new articulation of a procedural rule with respect to needing 60 votes to confirm nominees. It will not be because he is better suited for this important job.

I will walk through some telling numbers for my colleagues this evening. The first number is 31. That is the number of times Mr. Wehrum has represented industry against the EPA in Federal court since 2009.

Let me be clear on this. After serving in an acting capacity at the EPA because he was too far outside the mainstream to be confirmed by this body, Mr. Wehrum then left the Agency and has spent the years since suing that very same Agency and attempting to weaken environmental and public health protections on behalf of his industry clients. Many of these lawsuits are still ongoing and, in the majority of the pending lawsuits, Mr. Wehrum has represented the interests of Big Oil.

Look at another poster. The number 27. What does 27 refer to? It refers to the number of times public health groups prevailed in court when challenging Bush-era clean air regulations that Mr. Wehrum helped to craft because his views do not appear to have changed.

I do not doubt that Mr. Wehrum is a fine lawyer — so why were so many of the rules he helped to write found to be unlawful? The confirmation process is essentially a job interview. It is not a job interview with EPA, in a sense, and it is not really a job interview with us, but it is a job interview with the American people. In this case, Mr. Wehrum is essentially applying for the job he already had at EPA, and you would think for the very same reason. But when Mr. Wehrum's resume shows that a great deal of the work he did in his last job as Acting Assistant Administrator for Air and Radiation was not up to par. In this job, subpar work impacts millions of Americans, especially children and those who work closest to pollution.

The next number is 10. Ten is the number of additional years that children were exposed to toxic air emissions from powerplants because of delays Mr. Wehrum helped put into place while at the EPA.

The next number is eight. The number eight refers to the number of days before Mr. Wehrum's latest confirmation hearing when he was in a courtroom arguing against rules that would protect 23 million miners, construction workers, and bricklayers. According to Mr. Wehrum, "People are designed to deal with dust. . . . People are in dusty environments all the time, and it doesn't kill them.''

The next number is zero, which is the number of times the DC Circuit Court cited "Alice In Wonderland" in its decisions to reject EPA rules that Mr. Wehrum helped craft because, in the court's view, the regulations were based on fantasy rather than following "the rule of law."

The next number is one. One is the number of times that language from a law firm that represented industry — and also happened to be Mr. Wehrum's former employer — made it verbatim into a clean air regulation that Mr. Wehrum stated he was "extensively involved" in preparing.

Think about that.

Zero. Zero is the number of times Mr. Wehrum advocated in court for stronger clean air regulations since leaving the EPA. It is an especially troubling number for those of us living in downwind States like Delaware. We live at the end of America's tailpipe, along with our neighbors in Maryland, New Jersey, Pennsylvania, New York, and folks all the way up to Maine.

Zero is also the number of times Mr. Wehrum expressed a desire to protect public health when I met with him prior to his confirmation hearing.

Mr. Wehrum sits before us again today nominated for the very same position he was nominated for 12 years ago. After reviewing Mr. Wehrum's record, talking to him in person, and listening and reading his answers during the hearing process, my position has not changed since 2005, primarily because his views do not appear to have changed. Like other EPA nominees, Mr. Wehrum was even evasive when asked the questions asked of him, even convincingly forgetting a case that he worked on against the renewable fuel standard in National Chicken Council, et al v.
EPA. However, what was clear in the answer that he did give, and in his conversation with me, is that public health simply is not Mr. Wehrum’s main concern.

In fact, when asked what Clean Air Act pollution control does support, he answered as follows:

I represent clients in private practice. It is my legal ethical duty to zealously represent their interests.

Well, in this job interview with the American people’s Assistant Administrator for the Office of Air and Radiation, the American people are his clients, and the fact that he cannot—or has refused to name—a single regulation that helps to ensure that they and their families have clean air to breathe is almost disqualifying in and of itself. Whether it is carbon, mercury, silica, or other toxic air pollution, Mr. Wehrum continues to show that he sides with polluters over science and doctors every time.

Mr. Wehrum’s extreme views will not be good for public health, and quite frankly the legal uncertainty that has resulted from his past work will not be good for American businesses. Businesses need certainty and predictability. And they don’t get it with the kind of work he has done.

Let me close by reminding our colleagues that next week we celebrate the 27th anniversary of the signing of the Clean Air Act Amendments of 1990. Twenty-seven years ago, we were debating how to weaken or delay our clean air laws. Instead, we passed bipartisan legislation that would improve and strengthen our clean air laws based on the very best science. In the process, we strengthened our economy too. Back then, 89 Senators, including some who still serve in this Chamber, voted to approve the Clean Air Act Amendments of 1990. As a Congressman over at the other body at that time, I voted along with them. A Republican President, George Herbert Walker Bush, signed the bill into law 27 years ago today. It was commonsense legislation, it was bipartisan, and we are all better for it.

When the Clean Air Act Amendments of 1990 passed Congress, I was a Congressman in the House, and I voted in favor of that bill. I was proud of helping to pass that monumental law because I believed then, and I still believe today, that we can protect our environment and grow our economy at the same time—and we have the job numbers to prove it.

We have had some delays in implementation, but, by and large, the law has been a huge success and has benefited literally every American. For every dollar we spend in installing new pollution controls in cleaning up our air, we have seen $30 returned in reduced healthcare costs, better workplace productivity, and saved lives. We have a return of $30 for every dollar we spend installing new pollution control.

The bottom line is, fewer people are getting sick and missing work because of the Clean Air Act and the Clean Air Act Amendments of 1990. When it comes to the rhetoric surrounding air regulations, there is a lot of fake news that people like to peddle, but as the saying goes: Everyone is entitled to his or her own opinions but not to his or her own facts.

Here are the facts. Our economy did not take a slide because of clean air protection. Quite the opposite is true. The Obama administration implemented the Clean Air Act on the basis of the best science to date. Now our air is cleaner. We have seen 8 years of economic growth.

I will say that again. We have seen 8 years of economic growth, the longest stretch in our history. Energy prices at the pump and the meter are lower than when President Obama took office—lower, not higher. The beauty of our clean air laws is that they are not statutory. Our clean air protections keep up with the latest oversight science and the latest technology.

As we learn more about what makes us sick, about what is impacting our environment, and about what can be done to clean it up, the EPA has the authority, under the Clean Air Act, to adjust regulations to make it better, to ensure that it protects more people, not fewer. That has been the trajectory to date. As technology and science develop, so do our clean air regulations.

That is also the story of our country. Through creative and creative solutions, we strive for progress in order to have a better life here at home and to lead the world in tackling the environmental challenges of our time. Mr. Wehrum’s policies have been tried and have been proven not only unsuccessful but even dangerous. We don’t need to continue to move backward. We need to move forward.

Mr. President, I will leave you and our colleagues with this. I am sorry to say that he did deliberately halt that progress, to delay that progress and to roll back clean air laws that have been protecting America and Americans for decades. Unlike many of the nominees who have come before us this year, unfortunately, we don’t have to speculate about how Mr. Wehrum would do in this position. We have already seen it, and the results were not good for the rest of us.

As his clients at this time, we deserve better representation. Today Americans deserve leaders at EPA who will be impartial and will look out for the interests of all Americans, not just Big Oil and the kind of clients who can afford Mr. Wehrum’s legal bills.

We have seen this movie before, and there is no need for a sequel. I regret having to say that, but I do believe Mr. Wehrum is not the right fit for this position today, any more than he was a dozen years ago.

I encourage my colleagues to vote no on his nomination to serve as EPA’s Assistant Administrator for air. I yield the floor.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

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

The PRESIDING OFFICER (Mr. Tillis). Without objection, it is so ordered.

VETERANS DAY

Mr. KENNEDY. Mr. President, this Saturday is Veterans Day, a day when we honor the brave women and brave men who have served in the defense of this great Nation. We need to take a moment to reflect on the freedoms that we enjoy every day—and sometimes take for granted—as American citizens, and we need to take that moment to thank those who have devoted their lives to serve and protect the greatest Nation in human history, the United States of America.

As you well know, as you know, our country is home to over 20 million veterans, and I have the privilege of representing more than 250,000 veterans in my State of Louisiana. Today, I would like to talk about two of those veterans from my State who are illustrative of the extraordinary service that all of the veterans in Louisiana have offered their country.

The two gentlemen I would like to talk about, the two brave Americans, are Mr. Schilling and Earl Louis Messmer.

Ira Schilling is from Shreveport. He enlisted in the U.S. Marines Corps in October of 1941, at the age of 16. He was 18 years old. After completing his training, Ira was assigned as a rifleman to L Company, 3rd Battalion, 6th Marines, 2nd Marine Division, and he took part in combat operations on Guadalcanal during the final weeks of that bloody campaign.

Mr. President, as you know, our country is home to over 20 million veterans, and I have the privilege of representing more than 250,000 veterans in my State of Louisiana. Today, I would like to talk about two of those veterans from my State who are illustrative of the extraordinary service that all of the veterans in Louisiana have offered their country.

The two gentlemen I would like to talk about, the two brave Americans, are Mr. Schilling and Earl Louis Messmer.

Ira Schilling is from Shreveport. He enlisted in the U.S. Marines Corps in October of 1941. In 1948, Mr. Schilling tried to reenlist in the U.S. Marines Corps. He was married at the time. The Marines Corps turned down his request. Undaunted, Mr. Schilling just went over and enlisted in the U.S. Navy, and he spent another 2 years on Active Duty in defense of this country. Ira is now 92 years young, and he lives in Haughton, LA, and he is a Civil Air Patrol wing chaplain.

Ira Louis Messmer was born in New Orleans, in the southern part of my State, in 1923. He is very proud and we are all proud of him—for serving in the Battle of Peleliu from September 15 to November 15, 1944.

That battle was a fight to capture an airstrip in the Western Pacific Ocean. The United States won. We prevailed due to the bravery of the Army’s 81st Infantry Division, of which Earl was a member.

Upon his return from World War II, in 1945, Mr. Messmer went to Tulane University.

Earl has 2 daughters, 5 grandchildren, and 10 great grandchildren,
all of whom are enjoying the freedom of this country for which he fought so gallantly.

Earl has resided in Metairie, LA, since 1942.

It is imperative, in my judgment, that the United States, Japan, and South Korea cooperate in confronting North Korea's growing and threatening capability to strike the United States' mainland with an intercontinental ballistic missile. North Korea has ramped up the pace of its ballistic missile tests, firing two ballistic missiles over Japan in recent months. In September North Korea conducted its sixth test of a nuclear weapon—the largest yet. The question is this: How do we deal with this threat?

Way back when it came to foreign policy and national security issues, President Teddy Roosevelt counseled that we should “speak softly and carry a big stick.” President Trump and all of us want to be wise to heed that advice. Bluster and overheated rhetoric not only will not work, but they raise the risk of miscalculation and war with North Korea.

That strategy has to include lots of elements, but an indispensable tool is putting much greater pressure on Pyongyang.

Despite what many people think, North Korea is not sanctioned out. It is as if we had applied and enforced maximum economic pressure on North Korea. In fact, our existing sanctions regime against North Korea is much weaker than the sanctions regime we had in place against Iran in the lead-up to the Iran nuclear deal. That is because the United States and others have not seriously gone after the foreign banks and firms that support the North Korean leadership and its cronies.

The reality is that North Korea's economy is not as weak or isolated as many believe. Its annual GDP is estimated to be $40 billion, and China accounts for almost 90 percent of North Korea's trade. The United Nations has repeatedly found that North Korea continues to evade the existing international sanctions effort and maintains access to the international financial system, primarily through a comprehensive network of Chinese-based front companies. North Korea relies heavily on this network to directly support its massive destruction and ballistic missile programs.

We have no time to waste. We must sever Kim Jong Un’s economic lifeline. That is why Senator TOOMEY and I have introduced the BRINK Act and why it received such strong support. The BRINK Act targets this illicit financial network by imposing mandatory sanctions on those doing business with North Korea.

It sends a clear and unequivocal message to foreign banks and foreign firms: You can do business with North Korea or you can do business with the United States, but you cannot do business with both. That is the choice we presented before other countries with respect to Iran, and it helped to generate the pressure to bring Iran to the negotiating table.

If you trade with North Korea, you will not have any access to the U.S. markets. This, as I indicated, is the choice that we ultimately gave to Iran back in 2010, and the BRINK Act is modeled after the sanctions laws that we applied in the case of Iran that brought them ultimately to the negotiating table. Our goal is to make North Korea’s remaining access to the international financial system, deprive Kim Jong Un of the resources needed for his regime’s survival, and create the leverage necessary for serious negotiations.

Some critics of this approach argue that China may lash out at the United States or respond in kind. The gravity of the situation compels us to act regardless of Beijing’s reaction in these circumstances. Simply asking China to cooperate is not enough. It has to be backed up. My clear message and law from the United States that there are severe penalties for those who do not cooperate and do not abide by
by the sanctions. That is what this bill is all about.

It is also important to note that when secondary sanctions on Iran were put into place, the Chinese Government issued a tepid public protest, and then privately directed its sanctioned banks to stop working with Iran. In other words, after some quiet protest, they complied with that secondary sanctions regime on Iran.

Moreover, Beijing claimed just this September that it is directing its banks to freeze any North Korean accounts—a directive which, if true, is long overdue. But it will be hard for China to say that we shouldn’t take this action if it is an action they already said they directed their banks to take. This makes it clear that it will be in China’s economic interests to fully enforce the sanctions on North Korea.

I am clear-eyed about the challenges we face in bringing North Korea to the negotiating table. Previous Democratic and Republican administrations have failed to end North Korea’s nuclear and missile programs, and because of this, some argue that Kim Jong Un will never give up his nuclear program.

To many response is simply that we have not exhausted all of our options on North Korea. There is incredible leakage right now in the sanctions regime, and that leakage is what the BRINK Act is designed to address. The loopholes and put teeth into the sanctions.

The choice between accepting a nuclear North Korea or launching some kind of preventive war is a false one. I strongly believe that this aggressive secondary sanctions regime, as part of an overall coherent strategy backed by our allies and the threat of force, is our best remaining chance of achieving a nuclear-free Korean Peninsula.

Right now, we face no more urgent task than securing a peaceful resolution on the North Korean nuclear crisis. We need clear thinking. We need courage. We need common sense on the choices before us. At stake is not just the security of those in the region but, ultimately, of the United States. It is incumbent on all of us to ensure that the pursuit of peace prevails in this effort.

I ask my colleagues in the Senate to follow the lead of the Banking Committee in giving this a unanimous bipartisan vote in the Senate so we can get this to the House as soon as possible and have it signed into law, so that when we ask other nations for cooperation, they know that failing to cooperate with us is not an option, or if they do take that course, they will face severe economic consequences.

So I hope the Senate will take this up without delay and that we can pass it and get it to the President’s desk.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I thank my colleague from Maryland for his thoughtful words on North Korea.

I come to the floor today to urge my colleagues to oppose the nomination of William Wehrum to lead the Office of Air and Radiation at the EPA.

If confirmed, Mr. Wehrum would be responsible for implementing critical programs like the Renewable Fuel Standard Program and other key public health standards under the Clean Air Act.

Mr. Wehrum is part of a larger trend within President Trump’s administration. Many of the nominees who are being sworn in are unqualified, incompetent, and have pursued their careers on dismantling the agencies they are now leading.

To be clear, Mr. Wehrum’s nomination represents yet another broken promise by President Trump—this time, to our Nation’s farmers. As a candidate, Mr. Trump pledged to champion the RFS, a policy with broad bipartisan support that reduces our greenhouse gas emissions, helps us revive rural economies, and makes our Nation less dependent on foreign oil.

Yet the President continues to sur- round himself with advisers intent on sabotaging the RFS, like Scott Pruitt, Carl Icahn, and, now, Mr. Wehrum. Mr. Wehrum has proven, time and again, that he is not a friend of the Renewable Fuel Standard Program.

We sued the biofuels industries—not once, not twice, not three times, but at least four times—representing groups like the American Petroleum Institute which are strong opponents of the RFS. During his nomination hearings, Mr. Wehrum refused to commit to supporting the RFS, claiming he was “un- familiar” with the program. He wouldn’t even acknowledge the unprecedented attacks launched on the biofuel industries by this administration.

If you support the RFS, as Illinois farmers and I do, it should be obvious that the right thing to do is to oppose Mr. Wehrum. This is not about having blanket opposition to President Trump’s nominees; this is about our national security, our rural communities, and our environment.

I have already fought a war over oil, and I would rather run my car on American-grown corn and soybeans than oil from the Middle East. Our farmers deserve better than a President who makes campaign promises to protect the RFS in Iowa but will not honor them when he gets to the White House.

I understand that Administrator Pruitt has written a letter to my colleagues on the other side of the aisle regarding a pending petition requesting to move the “point of obligation” and a rulemaking on renewable volumetric obligations. Both of these decisions, as Administrator Pruitt’s letter states, will be final in the coming days. That is why my colleagues and I have called on行政机关 to simply hold Mr. Wehrum’s nomination until after EPA finalizes these decisions.

There is no rush to confirm Mr. Wehrum this week. Better yet, let’s oppose his nomination altogether.

I am also concerned that he will gut key public health protections that we all rely on to protect our families and the air we breathe. One of the most severe health responsibilities I have, as both a U.S. Senator and a mother, is to protect children and families from harmful pollutants and to make sure the air they breathe is safe from toxic chemicals.

After reviewing Bill Wehrum’s previous work in the Office of Air and Radiation, it is clear that he made dismantling the Clean Air Act—and all of the air pollution safeguards and public health protections guaranteed by it—one of his top priorities. In that office, he actually fought to roll back commonsense safeguards against lead, fine particulate pollution, and ozone smog. But he didn’t stop there. He even led efforts to weaken standards designed to reduce the emissions of mercury—one of the most deadly, toxic pollutants in the world—from coal-fired powerplants. Bill Wehrum wasn’t looking for us; he was looking out for the fossil fuel industry.

Bill Wehrum was originally nominated for this position under the Bush administration, the Senate had the good sense to reject his nomination. He was never confirmed, and I hope we do not confirm him now. As Senate Majority Whip, I urge all of my colleagues to oppose Mr. Wehrum’s nomination and, instead, support our farmers, our children, and our families.

Thank you.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Thank you, Mr. President.

Like the Senator from Illinois, I rise to voice my opposition to the nomination of Bill Wehrum to serve as the Assistant Administrator for Air and Radiation at the Environmental ProtectionAgency.

The Office of Air and Radiation oversees matters that are critical to human and environmental health, specifically, air and radiation but also climate change, air quality, and vehicle emissions.

If confirmed, Mr. Wehrum would be responsible for these immensely important issues, which require putting the health of our communities, the health of our industry interests. Given this, I don’t know why the Senate would confirm him for this position.

Mr. Wehrum has already served in this role in an acting capacity during the Bush administration. His confirmation was blocked by the Senate in 2006. His prior tenure shows that he will not fulfill the mission of the EPA to protect public health and the environment. In fact, he has a record of putting corporate profits before the well-being of citizens.

During his tenure in the Bush administration, Mr. Wehrum rolled back clean air safeguards that protect public
health on 27 occasions. His actions were challenged in court for not fulfilling the requirements of the Clean Air Act, and 27 times the court ruled against Mr. Wehrum.

One particular issue that he was involved in was pollution from the ExxonMobil refinery in the town of Baytown, Texas. Mr. Wehrum decided to advance corporate interests. In this case, he has sued the EPA multiple times on behalf of clients in the oil, gas, coal, and chemical industries to undermine protections that safeguard public health and the environment. He has used the RFS to weaken the standards that reduce greenhouse gas emissions. If we don’t act now to attack the renewable fuel standard, which requires biofuels to be blended with gasoline—something the big oil companies hate because it means serious competition for dirty oil. So as an attorney for the American Petroleum Institute—the trade association that represents ExxonMobil, BP, and a number of other oil and gas giants—Mr. Wehrum sued the EPA at least four times in an effort to weaken the RFS, the renewable fuel standard. This is deeply troubling, considering that if he gets this job, he will be in charge of administering the RFS, which will allow him to implement his clear agenda. He has done nothing to lead us to believe he would do anything but side with the giant oil companies.

The facts are clear. The RFS boosts energy security, it creates rural jobs, and it is better for the environment than oil. You are never going to see an ethanol spill in the Gulf of Mexico.

Colleagues on both sides of the aisle agree that despite this bipartisan support, EPA Administrator Scott Pruitt has reduced advanced biofuel blending targets for 2018. Now, with Mr. Wehrum’s nomination, I have the opportunity to voice my opposition. He has a history of willful ignorance of science. When asked whether he believes that greenhouse gas emissions from human activities are the main drivers of climate change, Mr. Wehrum stated that he believes it is an open question—an answer that runs contrary to the conclusion of 97 percent of climate scientists and runs counter to the “National Climate Assessment” that was released by this administration last week. Emissions from fossil fuel-fired power plants are some of the main contributors to climate change. We know this.

At the Office of Air and Radiation, Mr. Wehrum would oversee the repeal of standards that reduce greenhouse gas emissions from the power sector, the Clean Power Plan. He would also be in charge of crafting a weaker replacement, if any.

Let me be clear. A weak standard is an affront to the public health and safety of future generations.

To overcome the challenge of climate change, we must transform our economy to dramatically reduce greenhouse gas emissions. If we don’t, Americans and future generations will pay an unacceptable price. But rather than driving innovation and pushing us to overcome this challenge, the administration has ordered a retreat. You can see that retreat everywhere, in a budget that would gut funding for science and innovation, in an EPA that values industry profits over the welfare of the public.

The 23rd annual United Nations climate change conference is taking place right now in Bonn, Germany. Two years ago, 195 nations came together to sign the Paris climate agreement in a historic display of the power of collective human will, and they did it because of U.S. leadership. Now contrast that to earlier this year, when President Trump ordered the United States to retreat. He announced that he was pulling us out of the Paris climate agreement.

Yesterday, Syria announced that it would ratify the agreement. They were the last remaining nation to not be a part of this agreement. We now stand alone as the only country in the world choosing not to be part of the global effort to combat climate change.

Let’s be clear. The President has not only ceded leadership, but he has isolated the United States from the global community. He has put us in this dangerous situation simply to protect short-term profits of the fossil fuel industry.

Mr. Wehrum would exacerbate this administration’s wrong-headed approach. He is anti-science, anti-public health, anti-environment. That is why the Senate blocked his nomination in 2006. The Senate recognized then that he wasn’t fit for the job. He is even less fit today.

I oppose his nomination, and I urge my colleagues to do the same.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 400, 401, and 402. The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Melissa Sue Glynn, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs (Enterprise Integration); Cheryl L. Mason, of Virginia, to be Chairman of the Board of Veterans’ Appeals for a term of six years; and Randy Reeves, of Mississippi, to be Under Secretary of Veterans Affairs for Memorial Affairs.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

VETERANS DAY

Mr. HATCH. Mr. President, as we prepare to commemorate Veterans Day this weekend, I would like to offer my sincere appreciation to the dedicated veterans who have served our country so bravely over the years. Only in a great country such as ours do we have so many willing and able citizens who volunteer for duty. These selfless individuals understand the importance of protecting our country and are willing to give their lives to do it.

Many of these brave men and women make the ultimate sacrifice, such as my own brother, Jesse Morlan Hatch who was killed in World War II. SSG Aaron Butler of Utah also comes to mind. Staff Sergeant Butler was tragically killed in the line of duty last summer while serving in Afghanistan. The valor of patriots like Jesse and Aaron is indicative of all men and women who volunteer to serve in our Armed Forces. I have always had a deep-rooted respect for America’s servicemembers and her veterans.

On behalf of the State of Utah, I would also like to express our humble gratitude for our Nation’s veterans and active servicemembers. Throughout
this weekend, Utah will host a variety of ceremonies, all dedicated to celebrating our veterans. The town of Magna will be hosting its annual Veterans Day parade; the town of Holladay will be naming its community center after SGT Rocky D. Payne, who was killed in Iraq in 2005; and the students of Granite Park Junior High School will be hosting a special Veterans Day assembly. With events being held all across our State, it is clear to see that Utahns hold our Nation’s veterans in the highest esteem and honored to represent a State that honors our veterans.

I would also like to personally acknowledge the city of Layton, which will be hosting a grand Veterans Day parade to be followed by the groundbreaking ceremony of a new Vietnam War memorial wall. I could not even begin to describe the endeavor that Mayor Bob Stevenson, the city of Layton, the Utah State Legislature, and so many others have undertaken to bring this wonderful memorial to Utah. I am grateful for their leadership, and I am delighted to see this memorial become a reality.

I will close today by saying this: To all veterans and your families, thank you. Thank you for your sacrifice, for your commitment, and for your dedication to this Nation and its citizens. Most of all, thank you for your patriotism and faith in America. To our Nation’s veterans we owe a debt of gratitude that can never be fully repaid.

(At the request of Mr. SCHUMER, the following statement is ordered to be printed in the RECORD.)

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavailable for rolcall vote No. 266, on the nomination of Peter B. Robb, of Vermont, to be general counsel of the National Labor Relations Board. Had I been present, I would have voted no.

Mr. President, I was unavailable for rolcall vote No. 267, on the motion to invoke cloture on William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency. Had I been present, I would have voted no.

VOTE EXPLANATION

Mr. TESTER. Mr. President, I was necessarily absent due to a family funeral for the votes on confirmation of Executive Calendar No. 384 and the motion to invoke cloture on Executive Calendar No. 407.

On vote No. 266, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 384.

On vote No. 267, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 407.

ADDITIONAL STATEMENTS

RECOGNIZING THE UNION LEAGUE CLUB OF CHICAGO

Ms. DUCKWORTH. Mr. President, today with the Union League Club of Chicago ULCC, and their Salute to Vietnam Veterans event.

As a Nation, we must do everything we can to uphold our commitment to those who have worn the uniform of this Nation and to their families who have made significant sacrifices on our behalf. On Veterans Day we honor the service of our Nation’s heroes and reflect on the debt that we each owe to those who have served this great Nation.

Founded during the Civil War, ULCC has been a leader in providing support for servicemembers and veterans for over 138 years. ULCC, an official DoD Commemorative Partner, operates its own American Legion Posts and collaborates with partner groups that provide support to Active-Duty military personnel. ULCC recognizes that, while servicemembers can come from different backgrounds and different branches, they all hold the same sense of duty and commitment and deserve our full support.

As the daughter of a U.S. marine who fought in Vietnam, our Vietnam veterans hold a special place in my heart. I often say that we must always love our country, but with great sadness today that I recognize the life and passing of Gary Wayne Smilde, 72, of Gonic, NH.

Mr. Smilde served bravely in the U.S. Army during the Korean War. As a member of the 2nd Infantry Division, stationed at Camp Casey south of the DMZ, Mr. Smilde protected orphans after serving on the frontlines.

When Mr. Smilde returned to New Hampshire, his service to his fellow veterans continued. In addition to today I wish to celebrate the Union League Post No. 7 of Rochester, he was also heavily involved with the New Hampshire Amputee Group, where he worked with other veterans who lost limbs during the course of their service.

Mr. Smilde was a beloved member of his community, and he will be missed dearly. I join all Granite Staters in expressing our profound gratitude to veterans like Gary who have fought for the cause of freedom, putting their country and devotion to duty first.

MESSAGES FROM THE HOUSE

At 11:15 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 bills, in which it requests the concurrence of the Senate:

H.R. 918. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental health care to certain former members of the Armed Forces who are not otherwise eligible to receive such care, and for other purposes.

H.R. 1133. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to improve the access of veterans to organ transplants, and for other purposes.

H.R. 1213. An act to amend title 38, United States Code, to improve the ability of health care professionals to provide care to veterans through the use of telemedicine, and for other purposes.

H.R. 2148. An act to amend the Federal Deposit Insurance Act to clarify capital requirements for certain acquisition, development, or construction loans.

H.R. 3601. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to improve the access of veterans to organ transplants, and for other purposes.

H.R. 3441. An act to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938.

H.R. 3634. An act to amend title 38, United States Code, to ensure that individuals may access documentation verifying the monthly housing stipend paid to the individual under the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs.

H.R. 3897. An act to amend title 10, United States Code, to provide for the issuance of the Gold Star: Military Spouse Questionnaire that is a survivor spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active-duty reserve duty, to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible, and for other purposes.


H.R. 3499. An act to amend title 38, United States Code, to provide for the designation of State approving agencies for multi-State apprenticeship programs for purposes of the educational assistance programs of the Department of Veterans Affairs.

RECOGNIZING THE UNION LEAGUE CLUB OF CHICAGO

Ms. HASSAN. Mr. President, it is with great sadness today that I recognize the life and passing of Gary Wayne Smilde, 72, of Gonic, NH.

Mr. Smilde served bravely in the U.S. Army during the Korean War. As a member of the 2nd Infantry Division, stationed at Camp Casey south of the DMZ, Mr. Smilde protected orphans after serving on the frontlines.

When Mr. Smilde returned to New Hampshire, his service to his fellow veterans continued. In addition to today I wish to celebrate the Union League Post No. 7 of Rochester, he was also heavily involved with the New Hampshire Amputee Group, where he worked with other veterans who lost limbs during the course of their service.

Mr. Smilde was a beloved member of his community, and he will be missed dearly. I join all Granite Staters in expressing our profound
The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 918. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish mental health care to certain members of the Armed Forces who are not otherwise eligible to receive such care, and for other purposes; to the Committee on Veterans’ Affairs.

H.R. 1133. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes; to the Committee on Veterans’ Affairs.

H.R. 1900. An act 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 Energy and Natural Resources.

H.R. 2123. An act to amend title 38, United States Code, to improve the ability of health care providers to treat veterans through the use of telemedicine, and for other purposes; to the Committee on Veterans’ Affairs.

H.R. 2148. An act to amend the Federal Deposit Insurance Act to clarify capital requirements for certain acquisition, development, or construction loans; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2601. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to ensure that veterans have access to organ transplants, and for other purposes; to the Committee on Veterans’ Affairs.

H.R. 3634. An act to amend title 38, United States Code, to provide for the issuance of the Government Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty or as a result of being injured or killed in the line of duty; to the Committee on Veterans’ Affairs.

H.R. 3897. An act to amend title 10, United States Code, to provide for the issuance of the Government Installation Access Card to the surviving spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty or as a result of being injured or killed in the line of duty; to the Committee on Armed Services.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3404. A communication from the Acting Director, Financial Crimes Enforcement Network, Department of the Treasury, transmittting, pursuant to law, the report of a rule entitled “Improvement of Special Measure against Bank of Dandong as a Financial Institution of Primary Money Laundering Concern” (RIN1506–AB88) received in the Office of the President of the Senate on November 7, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-3405. A communication from the Deputy Administrator, Transportation Security Administration, Department of Homeland Security, transmittting, pursuant to law, a report relative to the Administration’s decision to enter into a contract with a private security service provider to provide perimeter screening services at Atlantic City International Airport (ACY); to the Committee on Commerce, Science, and Transportation.

EC-3456. A communication from the Inspector General, Department of Health and Human Services, transmittting, pursuant to law, a report entitled “All Part D Drug Records Contained Valid Prescriber Identifiers in 2016”; to the Committee on Finance.

EC-3457. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmittting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2005–96; Small Entity Compliance Guide” (FAC 2005–96) received in the Office of the President of the Senate on November 7, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-3468. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmittting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition, Circular 2005–96; Introduction” (FAC 2005–96) received in the Office of the President of the Senate on November 7, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-3469. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmittting, pursuant to law, the report of a rule entitled “Federal Acquisition Regulation; Federal Acquisition Circular 2005–96; Introduction” (FAC 2005–96) received in the Office of the President of the Senate on November 7, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-3410. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmittting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3385-EM in the State of Florida having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-3411. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmittting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3385-EM in the Commonwealth of Puerto Rico having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-3412. A communication from the Acting Assistant Administrator, Environmental Protection Agency, transmittting, pursuant to law, the Agency’s fiscal year 2016 Federal Financial Reporting Act submission of its commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC-3413. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmittting, pursuant to law, a report relative to a vacancy in the position of Director, Indian Health Service, Department of Health and Human Services, received in the Office of the President of the Senate on November 7, 2017; to the Committee on Indian Affairs.

EC-3414. A communication from the Solicitor General, Department of Justice, transmittting, pursuant to law, an opinion of the United States District Court for the District of Columbia (United States v. James Marvin Ruthe); to the Committee on the Judiciary.

EC-3415. A communication from the Chairman, Board of Trustees, and the President, John F. Kennedy Center for the Performing Arts, transmittting, pursuant to law, a report relative to the Center’s consolidated financial statements, supplemental schedules of operations, and independent auditor’s reports for years ended October 2, 2016, and September 27, 2015, and a report relative to the Center’s schedule of expenditures of federal awards and independent auditor’s reports for the year ended October 2, 2016; to the Committee on Rules and Administration.

EC-3416. A communication from the Office Program Manager, Office of Regulation Policy, Federal Acquisition Regulation; Federal Acquisition Circular 2005–96; Small Entity Compliance Guide” (RIN0000–AN52) (FAC 2005–96) received in the Office of the President of the Senate on November 7, 2017; to the Committee on Veterans’ Affairs.

EC-3417. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmittting, pursuant to law, a report entitled “Extension of the Presidential Proclamation of September 7, 2005 (40 FR 58:84) declared; to the Committee on Appropriations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–134. A concurrent resolution adopted by the House of Representatives of the State of Pennsylvania urging the Congress to properly fund the Department of Veterans Affairs Board of Veterans’ Appeals and to urge the Board to streamline its procedures so that appeals are decided in a more timely manner; to the Committee on Appropriations.

WHEREAS, Military veterans have a number of benefits available to them when honorably discharged from service. However, to receive disability benefits, veterans must apply and be approved by agents at local veterans affairs offices, if they desire services. If denied, a veteran has a right to appeal to the federal Board of Veterans’ Appeals; and

WHEREAS, As of July 2016, more than 61,000 cases were pending before the Board of Veterans’ Appeals; and veterans are waiting an average of five years for cases to be determined. The wait time for a case to be resolved is unacceptable to the men and women who have served our country, and action must be taken to ensure that they are able to access the benefits they have earned; and

WHEREAS, Additional funding and staff are necessary to properly address the backlog, as well as the estimated 57,000 new complaints received in 2016. Streamlining the complex appeals process is also required. Increased funding for the board was included in H.R.
REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment;


By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment;

H.R. 195. A bill to amend title 44, United States Code, to establish a process to make available and distribute free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes (Rept. No. 115-184).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation,

*James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.*

*Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2022.*

*Dana Balocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2017.*

*Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration.*

*Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary of Transportation.*

*Nazakhtarnik Hakhtiar, of Maryland, to be an Assistant Secretary of Commerce.*

*Neil Jacobs, of North Carolina, to be an Assistant Secretary of Commerce.*

*Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors for a term of five years.*

*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. FLAKE (for himself, Mr. HENRICH, and Mr. DONNELLY), of Georgia:

S. 2093. A bill to enhance the ability of the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mrs. FEINSTEIN, Mr. BURR, Mr. PETERS, Mr. RUHNO, Mr. KLOUCHuchar, Mr. SCOTT, Mr. BARRASSO, Mr. MANCHIN, and Mr. LANKFORD):

S. 2094. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mrs. SHARRON): S. 2095. A bill to amend the Federal Crop Insurance Act to prohibit payments of premium subsidies on harvest price policies; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. TESTER (for himself, Mr. HELLER, and Ms. BALDWIN): S. 2097. A bill to amend title 38, United States Code, to improve the administration of State home care to veterans under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. CORNYN (for himself, Mrs. FEINSTEIN, Mr. BURR, Mr. PIETERS, Mr. RUHNO, Mr. KLOUCHuchar, Mr. SCOTT, Mr. BARRASSO, Mr. MANCHIN, and Mr. LANKFORD):

S. 2098. A bill to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROBERTS (for himself and Ms. STABENOW):

S. 2100. A bill to provide for the management by the Secretary of Agriculture of certain Federal land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. MARKEY, Mr. WHITEHOUSE, Mr. REED, Mr. BROWN, Mrs. GILLIBRAND, Ms. WASSERMAN SCHUTZ, Mr. BLUMENTHAL, Mrs. FEINSTEIN, and Mr. FRANKEN):

S. 2101. A bill to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KING (for himself and Ms. COLLINS):

S. 2102. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. HIROMO (for herself and Mrs. CASTRO):

S. 2103. A bill to amend title XVIII of the Social Security Act to provide information regarding vaccines for seniors as part of the Medicare & You handbook and to ensure that the prevention of cost sharing for vaccines under Medicare part D is consistent with the treatment of vaccines under Medicare part B, and for other purposes; to the Committee on Finance.

By Ms. HARRIS (for herself and Mrs. FEINSTEIN):

S. 2104. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income earthquake loss mitigation received under State-based earthquake loss mitigation programs; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. DONNELLY):

S. 2105. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.
the Armed Forces in Thailand during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MARKEY, and Ms. HASSAN): S. 2106. A bill to require States to automatically register eligible voters at the time they turn 18 to vote in Federal elections, and for other purposes; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON (for himself and Mr. RUIZ):
S. Res. 324. A resolution designating November 9, 2017, as “National Diabetes Heart Health Awareness Day”, coinciding with American Diabetes Month; considered and agreed to.

By Mr. CARPER (for himself, Mrs. CAPITO, and Mr. HENRICH):
S. Res. 325. A resolution expressing support for designation of the week of October 29 through November 4, 2017, as “National Obesity Care Week”; considered and agreed to.

ADDITIONAL COSPONSORS

S. 200
At the request of Mr. MARKEY, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 200, a bill to prohibit the conduct of a first-use nuclear strike absent a declaration of war by Congress.

S. 422
At the request of Mrs. GILLIBRAND, the name of the Senator from North Dakota (Mr. HECK) was added as a cosponsor of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 803
At the request of Mr. REED, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 803, a bill to amend the Internal Revenue Code of 1986 to deny tax deductions for corporate regulatory violations.

S. 1059
At the request of Ms. DUCKWORTH, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1059, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II in recognition of their dedicated service during World War II.

S. 1063
At the request of Mr. BROWN, the name of the Senator from Wisconsin (Ms. BALKOWITZ) was added as a cosponsor of S. 1063, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 1188
At the request of Ms. COLLINS, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1188, a bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to Barbara Jean respite care.

S. 1276
At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1276, a bill to require the Attorney General to make a determination as to whether cannabidiol should be a controlled substance and listed in a schedule under the Controlled Substances Act and to expand research on the potential medical benefits of cannabidiol and other marijuana components.

S. 1344
At the request of Mr. BLUNT, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1344, a bill to promote the development of local strategies to coordinate use of assistance under sections 8 and 9 of the United States Housing Act of 1937 with public and private resources, to enable eligible families to achieve economic independence and self-sufficiency, and for other purposes.

S. 1350
At the request of Mr. ALEXANDER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1350, a bill to amend the National Labor Relations Act with respect to the timing of elections and pre-election hearings and the identification of pre-election issues, and to require that lists of employees eligible to vote in organizing elections be provided to the National Labor Relations Board.

S. 1359
At the request of Ms. KLOBUCHAR, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Rhode Island (Mr. REED) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 1359, a bill to protect victims of stalking from gun violence.

S. 1369
At the request of Mr. TOOMEY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1369, a bill to impose sanctions with respect to the Democratic People’s Republic of Korea, and for other purposes.

S. 1693
At the request of Mr. PORTMAN, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. 1742
At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1742, a bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 55 to 64 to buy into Medicare.

S. 1838
At the request of Ms. WARREN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1838, a bill to repeal the authority under the National Labor Relations Act for States to adopt laws prohibiting agreements requiring membership in a labor organization as a condition of employment, and for other purposes.

S. 1916
At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1916, a bill to prohibit the possession or transfer of certain firearm accessories, and for other purposes.

S. 1937
At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1917, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2088
At the request of Mr. MORAN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2038, a bill to amend title 38, United States Code, to provide for a presumption of herbicide exposure for certain veterans who served in Korea, and for other purposes.

S. 2079
At the request of Ms. BALDWIN, the name of the Senator from West Virginia (Mr. MUNCHIN) was added as a cosponsor of S. 2037, a bill to prevent conflicts of interest that arise from the revolving door that raises concerns about the independence of pharmaceutical regulators.

S. 2079
At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BURRI) was added as a cosponsor of S. 2070, a bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer’s Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism.

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2070, supra.

S. 2080
At the request of Mr. WARREN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2080, a bill to increase the accountability of the financial industry in combating human trafficking.

S. RES. 279
At the request of Mr. MCCAIN, the name of the Senator from Texas (Mr.
CRUZ) was added as a cosponsor of S. Res. 279, a resolution reaffirming the commitment of the United States to promote democracy, human rights, and the rule of law in Cambodia.

At the request of Mr. GRASSLEY, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Florida (Mr. DUCKWORTH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 323, a resolution requiring sexual harassment training for Members, officers, employees, interns and fellows of the Senate and a periodic survey of the Senate.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mrs. FEINSTEIN, Mr. BURR, Mr. PETERS, Mr. RUHLO, Ms. KLOBUCAR, Mr. SCOTT, Mr. BARRASSO, Mr. MANCHIN, and Mr. LANKFORD):

S. 2098 was ordered to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill was ordered to be printed in the RECORD.

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

S. 2098

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "Foreign Investment Risk Review Modernization Act of 2017.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Sense of Congress.
Sec. 3. Definitions.
Sec. 4. Inclusion of partnership and side agreements in notice.
Sec. 5. Declarations relating to certain covered transactions.
Sec. 6. Stipulations regarding transactions.
Sec. 7. Authority for unilateral initiation of reviews.
Sec. 8. Timing for reviews and investigations.
Sec. 9. Monitoring of non-notified and non-declared transactions.
Sec. 10. Submission of certifications to Congress.
Sec. 11. Analysis by Director of National Intelligence.
Sec. 12. Information sharing.
Sec. 13. Action by the President.
Sec. 15. Factors to be considered.
Sec. 16. Actions by the Committee to address national security risks.
Sec. 17. Modification of annual report.
Sec. 18. Certification of notices and information.
Sec. 19. Funding.
Sec. 20. Centralization of certain Committee functions.
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Sec. 24. Assessment of resources for additional resources for Committee.
Sec. 25. Authorization for Defense Advanced Research Projects Agency to limit foreign access to technology through contracts and grant agreements.
Sec. 26. Effective date.
Sec. 27. Severability.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) foreign investments that pose substantial economic benefits to the United States, including the promotion of economic growth, productivity, competitiveness, and job creation, and the majority of foreign investment transactions pose little or no risk to the national security of the United States, especially when those investments are truly passive in nature;

(2) maintaining the commitment of the United States to open and fair investment policy also encourages other countries to reciprocate and help open new foreign markets for United States businesses and their products;

(3) it should continue to be the policy of the United States to enthusiastically welcome and support foreign investment, consistent with the protection of national security;

(4) at the same time, the national security landscape has shifted in recent years, and so have the nature of the investments that pose the greatest potential risk to national security, which warrants a modernization of the processes and authorities of the Committee on Foreign Investment in the United States;

(5) the Committee on Foreign Investment in the United States plays a critical role in protecting the national security of the United States, and, therefore, it is essential that the member agencies of the Committee are adequately resourced and able to hire appropriately qualified individuals in a timely manner, and that those individuals' security clearances are processed as a high priority;

(6) the President should conduct a more robust international outreach effort to urge and help allies and partners of the United States to establish processes that parallel the Committee on Foreign Investment in the United States to screen foreign investments for national security risks and to facilitate coordination; and

(7) the President should lead a collaborative effort with allies and partners of the United States to develop a new, stronger multilateral export control regime, aimed to address the unprecedented industrial policies of certain countries of special concern, including aggressive efforts to acquire United States technology and the blending of civil and military programs.

SEC. 3. DEFINITIONS.

Section 721(a) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)) is amended to read as follows:

(a) Definitions.—In this section:

(1) Access.—The term 'access' means the ability and opportunity to obtain information, subject to regulations prescribed by the Committee.

(2) Committee; Chairperson.—The terms 'Committee' and 'Chairperson' mean the Committee on Foreign Investment in the United States and the chairperson thereof, respectively.

(3) Control.—The term 'control' means the power to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

(4) Country of special concern.—

(A) In General.—The term 'country of special concern' means a country that poses a significant threat to the national security interests of the United States.

(B) Rule of Construction.—This paragraph shall not be construed to require the Committee to maintain a list of countries of special concern.

(C) Covered Transaction.—

(A) In General.—Except as otherwise provided, the term 'covered transaction' means any transaction described in paragraph (B) that is proposed, pending, or completed on or after the date of the enactment of the Foreign Investment Risk Review Modernization Act of 2017.

(B) Transactions Described.—A transaction described in this subparagraph is any of the following:

(i) Any merger, acquisition, or takeover that is proposed or pending after August 23, 1988, by or with any foreign person that could result in foreign control of any United States business;

(ii) The purchase or lease by a foreign person of private or public real estate that—

(1) is located in the United States and is in close proximity to a United States military installation or property or property of the United States Government that is sensitive for reasons relating to national security; and

(2) meets such other criteria as the Committee prescribes by regulation.

(iii) Any other investment (other than passive investment) by a foreign person in any United States critical technology company or United States critical infrastructure company, subject to regulations prescribed under subparagraph (C).

(iv) Any change in the rights that a foreign person has with respect to a United States business in which the foreign person has an investment, if that change could result in foreign control of the United States business.

(2) Transactions from identified countries.—

(i) Certain investments and contributions.—The Committee shall prescribe regulations further defining covered transactions described in clauses (ii), (iii), and (v) of subparagraph (B) by reference to the technology, sector, subsector, transaction type, or other characteristics of such transactions, including the nature of the investment, the identity of the foreign person, and the identity of the United States entity, if any, with which the foreign person has relations.

(ii) Exemption for transactions from identified countries.—The Committee may, by regulation, define circumstances in which a transaction otherwise described in clause (ii), (iii), (v) of subparagraph (B) is excluded from the definition of 'covered transaction' if each foreign person that is a party to the transaction or organized under the laws of, or otherwise subject to the jurisdiction of, a country identified by the Committee for purposes of this clause based on criteria such as—

(1) whether the United States has in effect with that country a mutual defense treaty;
‘(II) whether the United States has in effect with that country a mutual arrangement to safeguard national security as it pertains to foreign investment; and

‘(III) other criteria that the Committee determines to be appropriate.

‘(13) LEAD AGENCY.—For purposes of subparagraph (B), the term ‘lead agency’ means the agency or agencies designated as the lead agency or agencies pursuant to section 721(b)(1)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)), as amended by adding at the end the following:

‘(iv) INCLUSION OF PARTNERSHIP AND SIDE INTERESTS.—For purposes of clause (i)(II)(aa), the term ‘side interest’ means the acquisition of equity interest, in whole or in part, in a United States business, and the term ‘side interest’ includes all subinterests (including contingent equity interest, as further defined in regulations prescribed by the Committee).

‘(14) MALIGNANT CYBER-ENABLED ACTIVITIES.—The term ‘malignant cyber-enabled activities’ means any activities (whether or not exclusively accomplished through or facilitated by computers or other electronic devices) that are reasonably likely to result in, or materially contribute to, a significant threat to the national security of the United States; and

‘(15) NATIONAL SECURITY.—The term ‘national security’ shall include those issues relating to ‘homeland security’, including its application to critical infrastructure sector.

‘(16) PARTY.—The term ‘party’ has the meaning given that term in regulations prescribed by the Committee.

‘(17) UNITED STATES.—The term ‘United States’ means the several States, the District of Columbia, and any territory or possession of the United States.

‘(18) UNITED STATES BUSINESS.—The term ‘United States business’ means a foreign person engaged in interstate commerce in the United States.’.

SEC. 4. INCLUSION OF PARTNERSHIP AND SIDE AGREEMENTS IN NOTICE.

Section 721(b)(1)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)) is amended by adding at the end the following:

‘(iv) INCLUSION OF PARTNERSHIP AND SIDE AGREEMENTS.—A written notice submitted under clause (i) by a party to a covered transaction shall include a copy of any partnership agreements, integration agreements, or other side agreements relating to the transaction, including any such agreements relating to the transfer of intellectual property, as specified in regulations prescribed by the Committee.’.

SEC. 5. DECLARATIONS RELATING TO CERTAIN COVERED TRANSACTIONS.

Section 721(b)(1)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(C)), as
amended by section 4, is further amended by adding at the end the following:

“(v) Declarations relating to certain covered transactions—

(1) Exclusion of declarations—Except as provided in this clause, a party to a covered transaction may submit to the Committee a declaration with basic information regarding the transaction instead of a written notice under clause (i).

(2) Mandatory declarations—

(aa) Certain covered transactions with foreign government interests. The parties to a transaction shall submit a declaration described in subclause (I) with respect to the transaction if the transaction involves the acquisition of a voting interest of 15 percent or more in a United States business by a foreign person in which a foreign government owns, directly or indirectly, at least 25 percent voting interest.

(bb) Other declarations required by committee. The Committee shall require the submission of a declaration described in subclause (I) with respect to any covered transaction identified under regulations prescribed by the Committee for purposes of this item, at the discretion of the Committee and based on appropriate factors, such as—

(A) the sensitivity of the technology, industry, economic sector, or economic subsector in which the United States business that is a party to the transaction in which it is engaged;

(B) the difficulty of remedying the harm to national security that may result from completion of the transaction; and

(C) the difficulty of obtaining information on the type of covered transaction through other means.

(cc) Submission of written notice as an alternative. For a covered transaction for which a declaration is required under this subclause may instead elect to submit a written notice under clause (i).

(dd) Timing of submission. (AA) In general. A declaration required to be submitted with respect to a covered transaction by item (aa) or (bb) shall be submitted not later than 45 days before the completion of the transaction.

(BB) Written notice. If, pursuant to item (cc), the parties to a covered transaction elected to submit a written notice under clause (i) instead of a declaration under this subclause, the written notice shall be filed not later than 90 days before the completion of the transaction.

(cc) Penalties. The Committee may impose a penalty pursuant to subsection (h)(3) with respect to a party that fails to comply with the provisions of this section.

(dd) Committee response to declaration.

(aa) In general. Upon receiving a declaration under section 10 of the Defense Production Act of 1950 (50 U.S.C. 4565(b)), the Committee, may, at its discretion—

(A) request that the parties to the transaction file a written notice under clause (i); or

(B) inform the parties to the transaction that the Committee is not able to complete action under this section with respect to the transaction as a result of the declaration and that the parties may file a written notice under clause (i) to seek written notification of the Committee that the Committee has completed all action under this section with respect to the transaction;

(bb) Initiative a unilateral review of the transaction. The Committee shall prescribe regulations establishing requirements for declarations submitted under this clause. In prescribing such regulations, the Committee shall ensure that such declarations are submitted as abbreviated notifications that would not generally exceed 5 pages in length.

(1) Definitions—

(A) In general. (i) In a written notice submitted under clause (i) or a declaration submitted under clause (v) with respect to a transaction, a party to the transaction may—

(aa) stipulate that the transaction is a covered transaction; and

(bb) if the party stipulates that the transaction is a covered transaction, a party to the transaction may—

(A) request that the parties to the transaction file a written notice under clause (i); or

(B) inform the parties to the transaction that the Committee is not able to complete action under this section with respect to the transaction as a result of the declaration and that the parties may file a written notice under clause (i) to seek written notification of the Committee that the Committee has completed all action under this section with respect to the transaction;

(bb) Timing. The Committee shall endeavor to take action under item (aa) within 30 days of receiving a declaration under this clause.

(B) Rule of construction. Nothing in this subclause other than item (aa)(cc) shall be construed to affect the authority of the President or the Committee to take any action authorized by this section with respect to a covered transaction.

(2) Any declaration under this section with respect to a covered transaction shall be construed to affect the authority of the Committee has completed all action under this section with respect to the transaction; or

(c) In general. Except as provided in clause (ii), any investigation under subparagraph (A) shall be completed before the end of the 45-day period beginning on the date on which the investigation commenced.

(ii) Extension for extraordinary circumstances.

(A) In general. In extraordinary circumstances (as defined by the Committee in regulations), the chairperson, at the request of the head of the lead agency, may extend an investigation under subparagraph (A) for a 30-day period.

(B) Nondelegation. The authority of the chairperson and the head of the lead agency referred to in subparagraph (I) may not be delegated to any person other than the Deputy Secretary of the Treasury or the Deputy Secretary of Commerce.

(3) by inserting after subparagraph (D) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(iii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(2) Timing. Schedule D of the Defense Production Act of 1950 (50 U.S.C. 4565(b)), as amended by section 7, is further amended—

(B) by striking “30” and inserting “45”;

(c) by striking subparagraph (C) and inserting the following:

“(C) The Committee shall—

(i) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(3) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.

(2) by inserting after subparagraph (A) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(4) by adding at the end the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(5) by striking “30” and inserting “45”;

(c) by striking subparagraph (C) and inserting the following:

“(C) The Committee shall—

(i) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(3) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.

(2) by inserting after subparagraph (A) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(4) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.

(2) by inserting after subparagraph (A) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(4) by striking “30” and inserting “45”;

(c) by striking subparagraph (C) and inserting the following:

“(C) The Committee shall—

(i) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(3) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.

(2) by inserting after subparagraph (A) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(4) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.

(2) by inserting after subparagraph (A) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(4) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.

(2) by inserting after subparagraph (A) the following:

(EE) Initiative a unilateral review of the transaction. If the Committee has completed all action under this section with respect to the transaction, the Committee shall notify the parties to the transaction of the extension; and

(ii) the President has announced a decision not to exercise the President’s authority under subsection (d) with respect to the transaction.

(4) by adding at the end the following:

(B) Tolling of deadlines during lapse in appropriations. Any deadline or time limitation under this section shall be tolled during a lapse in appropriations.
(bb) LIMITATIONS.—The signature requirement under subclause (I) may be delegated—
(AA) in the case of a covered transaction assessed by the Director of National Intel-
ligence that an agreement was entered into under this section, not below the level of the Assistant Secretary of the Treasury or an equivalent official of another agency or de-
partment represented on the Committee; and
(BB) in the case of any other covered transaction, not below the level of a Deputy Assistant Secretary of the Treasury or an equivalent official of another agency or de-
partment represented on the Committee.; and
(3) by adding at the following:
(v) AUTHORITY TO CONSOLIDATE DOCU-
MENTS.—Instead of transmitting a separate certified copy of the report under sub-
paragraph (A) or (B) with respect to each covered transaction, the Committee may, on
a monthly basis, transmit such notices and reports in a consolidated document to the
Members of Congress specified in clause (iii).

SEC. 11. ANALYSIS BY DIRECTOR OF NATIONAL INTELLIGENCE.
Section 721(b)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(4)) is amended—
(1) by striking paragraph (A) and in-
serting the following:
(A) ANALYSIS REQUIRED.—
(i) IN GENERAL.—The Director of National Intel-
ligence shall update the analysis conducted under clause (i) with respect to the
transaction under this section; or
(ii) VIEWS OF INTELLIGENCE AGENCIES.—
The Director of National Intelligence shall include in the analysis required by clause (i) the views of all affected or appropriate intelligence agencies with respect to the
transaction.
(III) the transaction otherwise meets cri-
tersia determined by the United States Government pursuant to appropriate confidence and
any assessment of penalties or use of en-
forcement authorities under this section, shall not be subject to judicial review.

II. RELATED CLAIMS.—Any claims related to a petition filed under this clause shall be filed before the date described in subclause (I) unless—
(aa) the party initiated the review of the transaction pursuant to a written notice
filed under clause (I) of this section or a declaration filed under clause (v) of that
subsection or the Committee determines that such a notice or declaration was not re-
quired; and
(bb) the Committee has completed all ac-
tion under this section with respect to the transaction.

(III) EXCLUSIVE JURISDICTION.—
(I) IN GENERAL.—The United States Court of
Appeals for the District of Columbia Cir-

(II) STANDARD OF REVIEW.—The court
shall uphold an action challenged under this
paragraph if the action was contrary to a constitutional
right, power, privilege, or immunity.

(III) ADMINISTRATIVE RECORD AND PROCED-
URES.—In a claim under this subparagraph, the court shall decide all relevant questions based solely on any ad-
ministrative record submitted by the United States, under clause (v).

(4) in subparagraph (C), as redesignated by
paragraph (2), by striking "20" and inserting "30"; and
(b) by adding at the end the following:
(P) EFFECTIVE DATE.—The provisions of this
section shall take effect on the date of the enactment of this Act.
SEC. 15. FACTORS TO BE CONSIDERED.

Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. 4565(f)) is amended—

(1) in paragraph (1), by inserting "including whether the covered transaction is likely to result in; by the United States on foreign suppliers to meet national defense requirements;" after "defense requirements;",

(2) in paragraph (4), by striking "proposed or pending;"

(3) by striking paragraph (5) and insert the following:

"(5) the potential effects of the covered transaction on United States international technological and industrial leadership in areas affecting United States national security, particularly the international competition is likely to reduce the technological and industrial advantage of the United States relative to any country of special concern;"

(4) in paragraph (6), by inserting "and transportation assets, as defined in Presidential Policy Directive 21 (February 12, 2013, relating to critical infrastructure security and resilience) or any successor directive" after "energy assets;"

(5) in paragraph (7), by inserting ", including whether the covered transaction is likely to contribute to the loss of or other adverse effects on technologies that provide a strategic national security advantage to the United States and critical technologies;"

(6) in paragraph (10), by striking "and" and inserting a semicolon;

(7) by redesigning paragraph (11) as paragraph (20); and

(8) by inserting after paragraph (10) the following:

"(11) the degree to which the covered transaction is likely to increase the cost to the United States Government of acquiring or maintaining the equipment and systems that are necessary for defense, intelligence, or other national security functions;

(12) the potential national security-related effects of the cumulative market share of any one type of infrastructure, energy asset, critical material, or critical technology by foreign persons;

(13) whether any foreign person that would acquire an interest in a United States business or its result of the covered transaction has a history of—

(A) complying with United States laws and regulations, including laws and regulations pertaining to the protection of intellectual property, and immigration; and

(B) adhering to contracts or other agreements with entities of the United States Government;

(14) the extent to which the covered transaction is likely to expose, either directly or indirectly, personally identifiable information, genetic information, or other sensitive data of United States citizens to access by a foreign government or foreign person that may exploit that information in a manner that is contrary to United States national security;"

(15) whether the covered transaction is likely to have the effect of creating any new cybersecurity vulnerabilities in the United States or in threatening existing cybersecurity vulnerabilities;

(16) whether the covered transaction is likely to result in a foreign government gaining or maintaining new capability to engage in malicious cyber-enabled activities against the United States, including such activities designed to affect the outcome of any election; and

(17) whether the covered transaction involves a country of special concern that has demonstrated or declared strategic goal of undermining United States national security by that a United States business that is a party to the transaction possesses;".

"(18) whether the covered transaction is likely to facilitate criminal or fraudulent activity affecting the national security of the United States;"

"(19) whether the covered transaction is likely to expose any information regarding sensitive national security matters or sensitive procedures or operations of a Federal law enforcement agency or other national security responsibilities to a foreign person not authorized to receive that information; and"

SEC. 16. ACTIONS BY THE COMMITTEE TO ADDRESS NATIONAL SECURITY RISKS.

Section 721(i) of the Defense Production Act of 1950 (50 U.S.C. 4565(i)) is amended—

(1) in the subsection heading, by striking "MITIGATION, TRACKING, AND POSTCONSUMPTION MONITORING AND ENFORCEMENT" and inserting "ACTIONS BY THE COMMITTEE TO ADDRESS NATIONAL SECURITY RISKS;"

(2) by redesigning paragraphs (1), (2), and (3) as paragraphs (3), (5), and (6), respectively;

(3) by inserting before paragraph (3), as redesignated by paragraph (2), the following:

"(1) SUSPENSION OF TRANSACTIONS.—The Committee, acting through the chairperson, may suspend or pending covered transaction that may pose a risk to the national security of the United States for such time as the covered transaction is under review or investigation under subsection (b).

(ii) REFERRAL TO PRESIDENT.—The Committee may, at any time during the review or investigation of a covered transaction under subsection (b), complete the action of the Committee with respect to the transaction and refer the transaction to the President for action pursuant to subsection (d);

(4) in paragraph (3), as redesignated by paragraph (2),

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking "IN GENERAL" and inserting "AGREEMENTS AND CONDITIONS;"

(ii) by striking "threat" and inserting "risks;

(iv) by adding at the end the following:

"(ii) ABANDONMENT OF TRANSACTIONS.—If a party to a covered transaction has voluntarily terminated or negotiated for action and refer the transaction to the President for action pursuant to subsection (d);"

(5) in paragraph (7), by inserting,, including whether the transaction is likely to facilitate criminal or fraudulent activities pertaining to exports, the protection of United States'' after "critical technologies;"

(6) in paragraph (9), by inserting before paragraph (9), as redesignated by paragraph (2), the following:

"(9) by striking paragraph (8) and inserting the following:

"(1) in the subsection heading, by striking "includ-, including whether the covered transaction is likely to result in; by the United States on foreign suppliers to meet national defense requirements;" after "defense requirements;"

(2) in paragraph (4), by striking "proposed or pending;"

(3) by striking paragraph (5) and insert the following:

"(5) the potential effects of the covered transaction on United States international technological and industrial leadership in areas affecting United States national security, particularly the international competition is likely to reduce the technological and industrial advantage of the United States relative to any country of special concern;"

(4) in paragraph (6), by inserting "and transportation assets, as defined in Presidential Policy Directive 21 (February 12, 2013, relating to critical infrastructure security and resilience) or any successor directive" after "energy assets;"

(5) in paragraph (7), by inserting ", including whether the covered transaction is likely to contribute to the loss of or other adverse effects on technologies that provide a strategic national security advantage to the United States and critical technologies;"

(6) in paragraph (10), by striking "and" and inserting a semicolon;

(7) by redesigning paragraph (11) as paragraph (20); and

(8) by inserting after paragraph (10) the following:

"(11) the degree to which the covered transaction is likely to increase the cost to the United States Government of acquiring or maintaining the equipment and systems that are necessary for defense, intelligence, or other national security functions;

(12) the potential national security-related effects of the cumulative market share of any one type of infrastructure, energy asset, critical material, or critical technology by foreign persons;

(13) whether any foreign person that would acquire an interest in a United States business or its result of the covered transaction has a history of—

(A) complying with United States laws and regulations, including laws and regulations pertaining to the protection of intellectual property, and immigration; and

(B) adhering to contracts or other agreements with entities of the United States Government;

(14) the extent to which the covered transaction is likely to expose, either directly or indirectly, personally identifiable information, genetic information, or other sensitive data of United States citizens to access by a foreign government or foreign person that may exploit that information in a manner that is contrary to United States national security;

(15) whether the covered transaction is likely to have the effect of creating any new cybersecurity vulnerabilities in the United States or in threatening existing cybersecurity vulnerabilities;

(16) whether the covered transaction is likely to result in a foreign government gaining or maintaining new capability to engage in malicious cyber-enabled activities against the United States, including such activities designed to affect the outcome of any election; and

(17) whether the covered transaction involves a country of special concern that has demonstrated or declared strategic goal of undermining United States national security by that a United States business that is a party to the transaction possesses;".
by the transaction, taking into consideration whether the agreement or condition is reasonably calculated to—

(i) be effective;

(ii) allow for compliance with the terms of the agreement or condition in an appropriately verifiable way; and

(iii) enable effective monitoring of compliance with the terms of the agreement or condition.

(C) JURISDICTION.—The provisions of section 706(b) shall apply to any mitigation agreement or condition imposed under subparagraph (A).

(5) by inserting after paragraph (3), as redesignated by paragraph (2), the following:

"(4) RISK-BASED ANALYSIS REQUIRED.—

(A) IN GENERAL.—Any determination of the Committee to suspend a covered transaction (including any new covered transaction for which a review has been requested), to enter into or impose, or enforce any agreement or condition under paragraph (3)(A) with respect to a covered transaction, shall be based on a risk-based analysis, conducted by the Committee, of the effects on the national security of the United States of the covered transaction, which shall include—

(i) an assessment of—

(I) the national security threat posed by the transaction, including in any analysis conducted by the Director of National Intelligence under subsection (b)(4);

(II) any national security vulnerabilities related to the transaction; and

(III) the potential national security consequences of the transaction; and

(ii) an identification of any of the factors described in subsection (f) that the transaction may substantially impact.

(B) ACTIONS OF MEMBERS OF THE COMMITTEE.—

(I) IN GENERAL.—Any member of the Committee who concludes that a covered transaction poses an unresolved national security concern shall recommend to the Committee that the Committee suspend the transaction under paragraph (1), refer the transaction to the President under paragraph (2), or negotiate, enter into or impose, or enforce any agreement or condition under paragraph (3)(A) with respect to the transaction. In making that recommendation, the member shall include—

(i) a written statement justifying the alternative recommendation, and

(ii) as appropriate, a risk-based analysis that supports the alternative recommendation;";

(6) in paragraph (5), as redesignated by paragraph (2), by striking "as defined in the National Security Act of 1947"; and

(7) in paragraph (6), as redesignated by paragraph (2)—

(A) in subparagraph (A)—

(i) by striking "paragraph (1)" and inserting "paragraph (3)"; and

(ii) by striking the second sentence and inserting "as the case may be, the committee may be, and keep updated a plan for monitoring compliance with the agreement;"

(B) ELEMENTS.—Each plan required by clause (i) to be developed with respect to an agreement entered into under paragraph (3)(A), the Committee or lead agency, as the case may be, shall have primary responsibility for monitoring compliance with the agreement; "(II) how compliance with the agreement will be monitored;" and

"(III) how frequently compliance reviews will be conducted;"

(C) by adding at the end the following:

"(IV) whether an independent entity will be utilized under subparagraph (E) to conduct compliance reviews; and

(V) what actions will be taken if the parties fail to cooperate regarding monitoring compliance with the agreement;"

(D) EFFECT OF LACK OF COMPLIANCE.—If, at any time after a mitigation agreement or condition is entered into or imposed under paragraph (3)(A) or to negotiate, enter into or impose, or enforce any agreement or condition under paragraph (3)(A), the Committee or lead agency may, at its discretion, seek and receive the assistance of any entity, including the independent entity, to monitor the agreement or condition under paragraph (3)(A) with respect to the transaction being reviewed or investigated, and whether the President took any action under this section with respect to the transaction;"

(ii) basic information on each party to such transaction;"

(iii) the nature of the business activities or products of the United States business with which the transaction was entered into or intended to be entered into; and

(iv) information about any withdrawal from the process;"

(B) by adding at the end the following:

"(G) Statistics on compliance reviews conducted and actions taken by the Committee pursuant to subparagraph (D) of that subsection, during that period and a description of any actions taken by the Committee to impose penalties or initiatives pursuant to subsection (b)(1)(D)(i)(I);"

"(3) in paragraph (3) —

(A) by striking "CRITICAL TECHNOLOGIES" and all that follows through "In order to assist"; and

inserting "CRITICAL TECHNOLOGIES.—In order to assist;"

(B) by striking subparagraph (B); and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and by moving such clauses, as so redesignated, 2 ems to the left; and

(D) by adding at the end the following:

"(4) BIENNIAL INTELLIGENCE COMMUNITY REPORT.—

(A) IN GENERAL.—The Director of National Intelligence shall transmit to the chairperson, for inclusion in a classified portion of each report required to be submitted under paragraph (1) during fiscal years 2018 and every even-numbered year thereafter, the report of the interagency group established under subparagraph (C).

(B) ELEMENTS.—The report referred to in subparagraph (A) shall include an identification, analysis, and explanation of the following:

(i) any current or projected major threats to the national security of the United States with respect to foreign investment;

(ii) any strategies used by countries of special concern to utilize foreign investment to target the acquisition of critical technologies, critical materials, or critical infrastructure;

(iii) any economic espionage efforts directed at the United States by a foreign country, particularly a country of special concern;

(iv) any foreign areas of special concern;

(v) any foreign persons who are part of the foreign investment; and

(vi) any other matters that the Committee determines to be necessary;"

(B) by adding at the end the following:

"(5) Classification; Availability of Report.—

(A) by amending subparagraph (A) to read as follows:

"(A) A list of all notices filed and all reviews of investigations of covered transactions completed during the period, with—

(i) a description of the outcome of each review or investigation, including whether an agreement was entered into or condition was imposed under subsection (b)(3)(A) with respect to the transaction being reviewed or investigated, and whether the President took any action under this section with respect to the transaction;..."
“(A) CLASSIFICATION.—All appropriate portions of the annual report required by paragraph (1) may be classified.

(B) PUBLIC AVAILABILITY OF UNCLASSIFIED VERSION.—In the unclassified version of the report required by paragraph (1), if appropriate and consistent with safeguarding national security and privacy, shall be made available. Information regarding trade secrets or business confidential information may be included in the classified version and may not be made available to the public in the unclassified version.

“(C) EXCEPTIONS TO FREEDOM OF INFORMATION ACT.—The exceptions to subsection (a) of section 552 of title 5, United States Code, provided for under subsection (b) of that section shall apply with respect to the report required by paragraph (1).

(6) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ‘appropriate congressional committees’ means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, the Committee on Armed Services, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Financial Services, the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on the Judiciary, and the Committee on Homeland Security of the House of Representatives;.

SEC. 18. CERTIFICATION OF NOTICES AND INFORMATION.

Section 721(n) of the Defense Production Act of 1950 (50 U.S.C. 4565(n)) is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (A) and (B), respectively, and by moving such subparagraphs, as so redesignated, 2 ems to the right;

(2) by striking ‘‘Each notice’’ and inserting the following—

‘‘(1) IN GENERAL.—Each notice’’;

and

(3) by adding at the end the following:

‘‘(2) EFFECT OF FAILURE TO SUBMIT.—The Committee shall not complete a review under this section of a covered transaction and may recommend to the President that the President suspend or prohibit the transaction, or terminate the transaction under subsection (d) if the Committee determines that a party to the transaction has—

‘‘(A) failed to submit a statement required by paragraph (1); or

‘‘(B) included false or misleading information in a notice or information described in paragraph (1) or omitted material information from a notice or information.

‘‘(3) APPLICABILITY OF LAW ON FRAUD AND FALSE STATEMENTS.—The Committee shall prescribe regulations expressly providing for the application of section 101 of title 18, United States Code, to all information provided to the Committee under this section by any party to a covered transaction.’’.

SEC. 19. FUNDING.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), as amended by section 19, is further amended by adding at the end the following:

‘‘(r) SPECIAL HIRING AUTHORITY.—The

(1) in subsection (b)(2)(B)(i)(II), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

(2) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 23. CONFORMING AMENDMENTS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), as amended by this Act, is further amended—

(1) in subsection (b)(2)(B)(i)(I), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

and

(2) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 24. ASSESSMENT OF NEED FOR ADDITIONAL RESOURCES FOR COMMITTEE.

The President shall—

(a) determine whether and to what extent the expansion of the responsibilities of the Committee on Foreign Investment in the United States pursuant to the amendments made by this Act necessitates additional resources for the Committee and members of the Committee to perform their functions under section 721 of the Defense Production Act of 1950, as amended by this Act.

(2) if the President determines that additional resources are necessary, include in the budget of the President for fiscal year 2019 submitted to Congress under section 1105(a) of title 31, United States Code, a request for such additional resources.

SEC. 25. AUTHORIZATION FOR DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO LIMIT FOREIGN ACCESS TO TECHNOLOGY THROUGH CONTRACTS OR GRANT AGREEMENTS.

(a) IN GENERAL.—The Director of the Defense Advanced Research Projects Agency, or a designee of the Director, may—

(1) enter an agreement with an entity to perform research, development, testing, or evaluation that includes in the agreement a provision that—

(i) limits access by any foreign person to technology or software that is a part of the covered transaction or grant agreement under terms defined by the Director, including by limiting such access to specific periods of time; and

(ii) in a case in which the person violates the prohibition described in paragraph (1), requires the person to return all amounts that the person received from the Agency under the contract or grant agreement.

(b) TREATMENT OF RETURNED FUNDS.—Any amounts returned to the Defense Advanced Research Projects Agency under subsection (a) shall be credited to the Defense Advanced Research Projects Agency appropriation account from which payment of such amounts was originally made under the contract or grant agreement described in subsection (a).

(c) EXERCISE OF AUTHORITY.—The Director, or the designee of the Director, may exercise the authority provided under this subsection without the need for further approval by, or regulatory implementation within, the Department of Defense.

SEC. 26. EFFECTIVE DATE.

(a) IN GENERAL.—The provisions of this Act and the Committee to carry out the functions of that department or agency under this section.”.

(b) SEC. 22. SPECIAL HIRING AUTHORITY.

(1) in subsection (c)(4)(B)(iv), by striking ‘‘the President’’ and inserting ‘‘the Committee’’.

SEC. 27. APPLICATION OF CERTAIN DEFINITIONS.

(a) in subsection (b)(2)(B)(i)(II), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

and

(b) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 28. EFFECTIVE DATE.

(a) in subsection (b)(2)(B)(i)(II), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

and

(b) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 29. ANNEXATION OF CERTAIN DEFINITIONS.

(a) in subsection (b)(2)(B)(i)(II), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

and

(b) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 30. IMPELLED USE OF TECHNOLOGY THROUGH CONTRACTS OR GRANT AGREEMENTS.

(a) in subsection (b)(2)(B)(i)(II), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

and

(b) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 31. UNIFIED BUDGET REQUEST.

(b) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 32. EFFECTIVE DATE.

(a) in subsection (b)(2)(B)(i)(II), by striking ‘‘that threat’’ and inserting ‘‘the risk’’;

and

(b) in subsection (d)(4)(A), by striking ‘‘the foreign interest exercising control’’ and inserting ‘‘a foreign person that would acquire an interest in a United States business or its assets as a result of the covered transaction’’.

SEC. 33. ANNEXATION OF CERTAIN DEFINITIONS.

SEC. 34. ANNEXATION OF CERTAIN DEFINITIONS.

SEC. 35. ANNEXATION OF CERTAIN DEFINITIONS.

SEC. 36. ANNEXATION OF CERTAIN DEFINITIONS.

SEC. 37. ANNEXATION OF CERTAIN DEFINITIONS.

SEC. 38. ANNEXATION OF CERTAIN DEFINITIONS.
apply with respect to any covered transaction the review or investigation of which is initiated under section 721 of the Defense Production Act of 1950 on or after such date of enactment:

(1) Sections 4, 6, 8, 12, 13, 14, 15, 18, 20, 21, 22, 24, and 25 and the amendments made by those sections;

(2) Section 11 and the amendments made by that section (except for clause (i) of section 721(b)(4)(A) of the Defense Production Act of 1950, as added by section 11);

(3) Paragraphs (5)(C)(iv), (7), and (14) of subsection (a) of section 721 of the Defense Production Act of 1950, as amended by section 3;

(4) Section 721(m)(4) of the Defense Production Act of 1950, as amended by section 17.

B. DILATED APPLICABILITY OF CERTAIN PROVISIONS.

(1) IN GENERAL.—Any provision of or amendment made by this Act not specified in subsection (a) shall—

(A) take effect on the date that is 30 days after publication in the Federal Register of a determination by the chairperson of the Committee on Foreign Investment in the United States that the regulations, organizational structure, personnel, and other resources necessary to administer the new provision or amendment are in place;

(B) apply with respect to any covered transaction the review or investigation of which is initiated under section 721 of the Defense Production Act of 1950 on or after the date described in subparagraph (A).

(2) NONDELEGATION OF DETERMINATION.—The determination of the chairperson of the Committee on Foreign Investment in the United States under paragraph (1)(A) may not be delegated.

(c) AUTHORIZATION FOR PILOT PROGRAMS.—

(1) IN GENERAL.—Beginning on the date of the enactment of this Act and ending on the date described in subsection (b)(1)(A), the Committee on Foreign Investment in the United States may, at its discretion, conduct one or more pilot programs to implement any authority provided pursuant to any provision of or amendment made by this Act not specified in subsection (a).

(2) PUBLICATION IN FEDERAL REGISTER.—A pilot program may not commence until the date that is 30 days after publication in the Federal Register of a determination by the chairperson of the Committee of the scope of and procedures for a pilot program. That determination may not be delegated.

SEC. 27. SEVERABILITY.

If any provision of this Act or an amendment made by this Act, or the application of such a provision or amendment to any person or circumstance, is held to be invalid, the application of that provision or amendment to other persons or circumstances and the remainder of the provisions of this Act and the amendments made by this Act, shall not be affected thereby.

By Mrs. FEINSTEIN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, Mr. SCHUMER, Mr. DURBIN, Mrs. MURphy, Mr. REED, Mr. CARPER, Mr. MENENDEZ, Mr. CARDIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Ms. GILLIBRAND, Mr. FRANKEN, Mr. SCHATZ, Ms. HIRONO, Mr. WARREN, Mr. MARKEY, Mr. ROOKE, Mr. VALENTINO, Mr. LEN, Ms. DUCKWORTH, Ms. HARRIS, Mr. CASEY, and Mr. SANDERS):

S. 205. A bill to regulate assault weapons to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, for the last month, in the wake of the tragedy in Las Vegas, I have been asking my colleagues to show some courage, stand up to the gun lobby, and take weapons of war off of our streets. Not just assault weapons but weapons like the weapon that killed my daughter: the AR-15. This weapon was used to murder another family three days ago, in Sutherland Springs, Texas, a single person armed with an assault rifle murdered 26 people and left another 20 injured. This gunman walked into a church and opened fire on peaceful churchgoers, including children as young as 18-months old. A helpless toddler who barely learned to walk. Eight members of a single family were also lost.

The shooter had 15 magazine clips of ammunition—almost 450 rounds—and used all of them. Ask yourself: how would you feel in those moments, with hundreds of bullets flying around and not knowing whether you will live or die, or whether you will be able to protect your child? Think about those children—terrified, witnessing their loved ones die in a place of worship. It is time that we ask what this says about us as a country. And what does this say about us to the rest of the world?

In 1996, after a mass shooting where a gunman opened fire on tourists at the sea side in Port Arthur, killing 35 people, Australia acted swiftly. Twelve days later, Australia’s government enacted sweeping gun control measures. Since then, there has not been a mass shooting in that country since. Mass shootings in America, however, have become common place. It is no longer a matter of if, but when, another one will happen.

If there are now mass shootings in churches, where are we safe anymore? Not concerts, not schools, not holiday parties. Just a month ago, we experienced the worst mass shooting in our nation’s history. A gunman opened fire with multiple semi-automatic assault rifles that he had legally transformed into automatic weapons, killing more than fifty people and leaving more than 500 wounded. Among the victims were mothers, fathers, brothers, and sisters.

There was Kelsey Meadows, 28 years old, who after graduating from the University of California in Fresno, returned to her hometown of Taft, California to be a substitute teacher at her alma mater, Taft Union High School. She was described by the high school principal as “smart, compassionate, and kind with a “sweet spirit and a love for children.” Her entire family and community was completely devastated. Kelsey could have been any of us attending that concert. My own daughter told me after the Las Vegas shooting that she wanted to be in that city that evening, but her plans had to change. It was only a little more than a year before the Las Vegas shooting that we experienced what had then been the nation’s worst mass shooting in our nation’s history.

That was when 49 people who were enjoying an evening of dancing with friends and loved ones were massacred in Orlando. Victims in Orlando included 22-year old Luis Velma who was working at Universal Studios on a Harry Potter ride. There was also Eddie Justice, a 30-year old accountant who texted his mother from the shooting, telling her: “Mommy I love you.” “In club they shooting.” “He has us.”

I encourage every member of this chamber to imagine receiving these text messages from their son or daughter.

And just six months before that, 14 people were killed and more than 20 injured in San Bernardino, California at a work holiday party.

Among the victims was a father of six. A mother of three. A woman who was eight when she and her mother left Vietnam for a better life in America. The youngest victim was 26, and the oldest was 60.

The list goes on and on. Eight murdered at the Umpqua Community College in Roseburg, Oregon. A police officer and two innocent citizens brutally murdered by a man with an AK–47 style weapon. In Colorado Springs, 12 people fatally shot at the Navy Yard, less than two miles from where I stand today.


Once again, I encourage every member of this body to imagine dropping their young child off at elementary school this morning, only to learn a few hours later that a gunman walked into that school and tried to kill as many people as possible. That is something we could have prevented. But we did not. Instead, we have made it easier for those with mental health issues to get guns. I often remember Sandy Hook and think about how we let these things go down. We.And sadly, the mass shootings have continued to get worse in terms of frequency and lives lost. And I will not sit by while these killings continue.

That is why today I am joining with my colleagues to reintroduce legislation to prohibit the sale, transfer, manufacture, and importation of assault weapons and large capacity ammunition feeding devices that can accept more than ten rounds. I will keep doing this. This legislation must constantly be before this body until it is enacted. Every member must make a decision whether to stand up or let the National Rifle Association win again.

This legislation is not perfect. But it is part of the solution. We must start with reducing the supply of the weapons of war that are used to take the lives of our loved ones.

The deadly assault weapons used by the attackers in each of the devastating shootings I have mentioned would have been banned under the Assault Weapons Ban bill that I am introducing today. The legislation is based off of legislation we previously introduced following the horrific attack committed against young school
Finally, the bill allows local jurisdictions to use existing federal Byrne JAG grant money to support voluntary buyback programs for grandfathered assault weapons and large-capacity ammunition feeding devices. Opponents charge that this legislation impinges upon rights protected by the Second Amendment. I disagree.

The Supreme Court expressly held in District of Columbia v. Heller that "the right secured by the Second Amendment is not unlimited." The Court made it clear that reasonable regulations are allowable under the Constitution.

This bill is simply establishing reasonable regulations for what types of weapons may be sold and used—individuals should not own a nuclear weapon, and they should not own a military-style assault weapon.

In fact, a number of courts have considered challenges to assault weapons laws. This fall, every court that has considered a ban on assault weapons or large capacity magazines has upheld the law as reasonable.

Importantly, the Supreme Court last month ruled the city of Chicago's assault weapons ban. The Court made it clear that reasonable regulations are allowable under the Constitution.

Mr. President, I believe very strongly that the most important duty that government has to its citizens is to protect the nation and the safety of its people.

When 26 churchgoers are killed in cold blood with their loved ones in a Baptist Church on a Sunday morning, when 58 people attending a concert in Las Vegas lose their lives because a madman was able to use laws on the books to make his semi-automatic rifle into a machinegun, all of those who sit in this chamber have failed them.

When 14 people are gunned down during a holiday party by those with assault rifles that let off 65-75 rounds within minutes, our government has failed them.

When 20 elementary school children are slaughtered by an assault weapon, America has failed them.

The firearms used in these massacres are weapons of war. Let me say it as plainly as I can: weapons of war do not belong on our streets, in our churches, in our schools, in our malls, in our theaters, or in our workplaces. Now, I am under no illusions—I know that the gun lobby has a stranglehold on this body. I know we got 40 votes in 2013, and I know Republicans control the Senate today. But I also know this was hard-fought in 1994, and we prevailed—with Republican support—and it was a bipartisan vote. I still believe that, at some point, Americans will come together and realize that we can be a nation that protects its people from the savagery of these weapons.

I urge my colleagues to support this bill. I thank the chair, and I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 324—DESIGNATING NOVEMBER 9, 2017, AS "NATIONAL DIABETES HEART HEALTH AWARENESS DAY", COINCIDING WITH AMERICAN DIABETES MONTH

Mr. NELSON (for himself and Mr. RUBIO) submitted the following resolution; which was considered and agreed to:

S. RES. 324

Whereas 30,300,000 people in the United States, or 9.4 percent of the population, have diabetes, including an estimated 7,200,000 people who are undiagnosed and an additional 34,100,000 people who have prediabetes; Whereas adults with diabetes are 2 to 4 times more likely to die from heart disease than adults without diabetes; Whereas at least 68 percent of people who are 65 or older and who have diabetes die from some form of heart disease; Whereas, among Medicare fee-for-service beneficiaries, diabetes and cardiovascular disease are common, with cardiovascular disease affecting 31 percent of beneficiaries and diabetes affecting 28 percent of beneficiaries; Whereas the American Heart Association considers diabetes to be 1 of the 7 major controllable risk factors for cardiovascular disease; Whereas minority populations are disproportionately affected by both cardiovascular disease and diabetes; Whereas findings from a recent study reveal that 52 percent of adults living with type 2 diabetes are unaware they are at an increased risk for cardiovascular disease and complications from cardiovascular disease; Whereas 2 out of 3 deaths in people with type 2 diabetes are attributed to cardiovascular disease; Whereas obesity, poor diet, and lack of physical activity are major risk factors for type 2 diabetes and cardiovascular disease; Whereas 1,250,000 people in the United States have type 1 diabetes and the incidence of type 1 diabetes is increasing by more than an average of 2 percent each year; Whereas cardiovascular disease is a major cause of mortality for people with type 1 diabetes; Whereas, according to the American Diabetes Association, diagnosed and undiagnosed diabetes cost the United States $322,000,000,000 in 2012; Whereas cardiovascular disease accounts for 26 percent of the hospital inpatient costs of treating people with diabetes; Whereas most of the costs of diabetes, 62 percent, is provided by government insurance, including Medicare, Medicaid, and the military; Whereas appropriate awareness and education about the cardiovascular risks associated with diabetes can effectively reduce the health and financial burden; and Whereas the designation of November 9, 2017, as "National Diabetes Heart Health Awareness Day"
SENATE RESOLUTION 325—EXPRESSING SUPPORT FOR DESIGNATION OF THE WEEK OF OCTOBER 29 THROUGH NOVEMBER 4, 2017, AS "NATIONAL OBESITY CARE WEEK" Mr. CARPER (for himself, Mrs. CAPITO, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. Res. 325

Whereas the disease of obesity is a major source of concern across the United States, and more than 1/3 of adults in the United States are affected by obesity, with the number of people affected by severe obesity in the United States continuing to grow.

Whereas experts and researchers agree that obesity is a complex disease influenced by various physiological, environmental, and genetic factors.

Whereas studies show that bias against and stigma associated with people affected by obesity can be significant barriers to effectively treating the disease.

Whereas research suggests that weight loss of as little as 5 to 10 percent of the total weight of an individual affected by obesity can immensely reduce health risks affecting many patients living with obesity and can thereby support the goals of reducing chronic disease, improving health outcomes, and controlling healthcare costs.

Whereas comprehensive and individualized strategies for weight loss and weight management that consider all treatment options, such as reduced-calorie diets, physical activity modifications, pharmacotherapy, and bariatric surgery, have been identified as important treatment strategies.

Whereas it will take a long-term collaborative effort, which will involve partners in diverse fields taking active roles, to improve obesity care and treatment.

Whereas the week of October 29 through November 4, 2017, would be an appropriate week to designate as "National Obesity Care Week"; Now, therefore, be it

Resolved, That the Senate—

(1) designates November 9, 2017, as "National Diabetes Heart Health Awareness Day";

(2) supports the efforts of the Secretary of Health and Human Services, as well as the entire medical community, to educate people about the risks, symptoms, and treatment of diabetes to include comorbid cardiovascular disease risk factors;

(3) encourages the greater coordination of federally funded efforts that address diabetes or cardiovascular disease independently to incorporate the common comorbidity of diabetes and cardiovascular disease, including education and actions that address both; and

(4) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Health and Human Services.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 6 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 9:45 a.m., to conduct a hearing on the following nominations: Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission, James B. Brandenstein, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, Neel Jaffee, of North Carolina, and Nazakhtar Nikakhtar, of Maryland, both to be an Assistant Secretary of Commerce for Economic Development, of South Carolina, to be a Member of the National Transportation Safety Board, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, and Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary, both of the Department of Transportation, and Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors; to be immediately followed by a hearing to examine protecting consumers in the era of major data breaches.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 10 a.m., in room SD-106 to conduct a hearing entitled "Protecting Consumers in the Era of Major Data Breaches.

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 Wednesday, November 8, 2017, at 10 a.m., in room SD-406 to conduct a hearing on the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security.

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that my energy floor privileges for the remainder of this Congress.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Zach Foote be granted privileges of the floor for the remainder of the day.

Mr. GARDNER. Mr. President, I ask unanimous consent that Tom Kourlis, a member of my staff, be given floor privileges for the rest of the day.

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

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

NATIONAL DIABETES HEART HEALTH AWARENESS DAY

Mr. McCONNEL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 324, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 324) designating November 9, 2017, as "National Diabetes Heart Health Awareness Day" coinciding with American Diabetes Month.

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

Mr. McCONNEL. Mr. President, I ask unanimous consent that the resolution be approved, and motion to reconsider be considered made and laid upon the table with no intervening action or debate.
Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 325, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 325) expressing support for designation of 'National Obesity Care Week'.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 325) was agreed to.

The preamble was agreed to.

Mr. McCONNELL. I ask unanimous consent that notwithstanding standing rule XXII, at 11 a.m. on Thursday, November 9, there be 30 minutes of post-cloture time remaining on the Wehrum nomination, equally divided between the leaders or their designees, and that following the use or yielding back of that time, the Senate vote on the confirmation of the Wehrum nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; further, that following disposition of the Wehrum nomination, the Senate stand in recess until 1:45 p.m., and that at 1:45 p.m., the Senate vote on the motion to invoke cloture on the Kan nomination with no intervening action or debate.

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3243, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 3243) to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the National Defense Authorization Act for Fiscal Year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative, and for other purposes.

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

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

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

The bill (H.R. 3243) was ordered to a third reading, was read the third time, and passed.
Leader PELOSI has called changing the many more. But a couple of examples. There are is still up, and I haven’t seen a single least one statement making this claim said:

I wish this were a single, discredited study we are talking about and that this were the only time something like this has happened since we started to have this debate about changing the Tax Code and making America competitive again. Unfortunately, it is not.

Multiple Members of the minority party said that the tax framework supported by President Trump would raise taxes on families earning less than $86,000 per year. One of my colleagues said: “On average, middle class families earning less than $86,000 will see a tax increase under the Republican ‘tax reform’ plan.”

Another colleague said: “The average tax increase on families nationwide earning up to $86,100 would be $794.00 per year.”

Here is another one: “The average tax increase on families nationwide earning up to $86,100 would be $794.00 per year.”

You begin to think that there is a common thread among many Members in this body about this same story. This talking point is so wrong that even the Washington Post later that day came out and said so. It gave this claim four Pinocchios, which we all know is their highest number against a falsity. That is the worst rating you can get on their fact checking.

The Washington Post’s full ruling said:

Democrats have spread far and wide the false claim that families making less than $86,100 on average will face a hefty tax hike. Actually, it’s the opposite. Most families in that income range would get a tax cut. Any Democrat who spread this claim should delete their tweets and make clear they were in error.

That is from the Washington Post. At least one statement making this claim is still up, and I haven’t seen a single statement admitting error. These are but a couple of examples. There are many more.

As one last example, House Minority Leader PELOSI has called changing the Tax Code a “tax scheme.” Vice president every Democrat has called it a “betrayal of the middle class.” Clearly, the facts do not back up these claims.

The minority party is doing all it can to stop us from getting this done this year because it makes good politics somehow. That is the only explanation I can think of.

Answer this for me; it doesn’t make any sense: Why would someone oppose giving the middle class a tax break? Why would someone oppose making America competitive again? Why would someone oppose bringing billions of dollars of U.S. profits back to the United States so that they can be reinvested in the economy and create jobs? I don’t understand it.

It is time for people in Washington, and even in this body, to stop doing what is best for their own political self-interest on both sides, frankly, and start doing what is right for the national interest. Right now—in the next few days—is clearly one thing, and that is fixing this archaic Tax Code.

Every person in this body is responsible to some degree for the archaic nature of this Tax Code. Both parties are responsible. If they were acting in our national interest, we would be hearing about the study showing that, on average, Americans are projected to get a pay increase of somewhere between $4,000 and $9,000 under this plan. We would be hearing about how families making less than $86,000 a year are actually getting a tax cut. Again, that is a point even the Washington Post has acknowledged.

We would be hearing about how lowering the corporate tax rate, ending the tax on repatriated earnings will make us more competitive with the rest of the world. We would be hearing about the economic growth that could result from these potential changes. We have a historic opportunity before us to deliver results and make a difference in the lives of all Americans.

There are Members of the minority party, however, who have supported these changes in the Tax Code right up until the point when President Trump took office. But that is no excuse for this nonsense that is going on right now.

I think it is our role, on both sides, to call out these untruths. It is also important for us to rectify this nonsense. What the American people want are facts. They don’t want fake news. They want to know that we are here doing their work for them, to make sure that we make America competitive again.

I say to the Presiding Officer, like you, I live in the real world. I have dealt with the nonsense that came out of these bodies that affected our Tax Code in a way that kept us from being competitive. It is time we change that. We have to get it done this year so that we can ignite economic growth next year and give relief to the middle class, who have suffered so much over the last 8 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF WILLIAM WEHRUM

Mr. MERKLEY. Mr. President, we have a very important role in this Senate—to provide advice and consent on nominees. Our forefathers, who wrote the Constitution, envisioned that this power would be used rarely because a President, knowing this power existed, would nominate highly suitable people for the post that they were intended to occupy. But we haven’t seen highly qualified people nominated by this Chamber this year. In fact, we have seen one person after another fabulously unsuited for the office or position to which they were nominated.

We saw Scott Pruitt, who took on a task of regulated industries needed to create clean air across this country time after time, in a very close association with the fossil fuel industry that wanted to allow more particulates, more particulates that cause a tremendous amount of health damage in this country.

We saw Betsy DeVos come through this Chamber, an individual who was nominated to be Secretary of Public Education but had never stepped inside a public school, a public school, hadn’t had children in public schools, hadn’t volunteered in public schools, and wanted to decimate public schools. The best thing we could have done for public schools would have been to turn down that nomination, but this Chamber said: Boy, you know, we are going to do everything we can to damage public education.

Many of us stood up against that and said: No, let’s fight for someone who can make public education better, not tear it down. But that is not what we got.

Now we have another individual to be considered on the floor of the Senate, Bill Wehrum. Bill Wehrum was nominated to head EPA’s Office of Air and Radiation. Bill Wehrum has made a career out of working for powerful special interests and attacking any effort to make the air cleaner. Is that a person suitable for this role of protecting the air we breathe and making it better, someone who has sought to make it worse?

During the nomination hearing, I put up a very simple chart. I wanted to understand his thoughts about what was driving climate disruption. I put up a chart showing what NASA data showed for the solar impact, solar flares, and so forth, about which sometimes people say: Well, maybe it is solar flares that are causing the warming of the planet. NASA had data that showed a flat line on that and then a rising temperature.

I said: Is there any sign of correlation between these two lines? His response was: Well, what do you mean? It is correlation.

He didn’t have any understanding of the basics of how to compare one thing to another. I put up another chart. The other chart showed all of the activities that are considered to be ones that might contribute to global warming, that are not manmade activities, like the solar flares and volcanic activity. Again, the NASA data showed a flat line and the rising temperature.
I said: Does there appear to be any correlation between this flat line and this rise in temperature?

He again said: I just don’t understand the data. I can’t really comment on that.

Yet anyone with any basic ability to digest information would recognize that there was no correlation. You didn’t have two things moving in the same direction.

Then I put up this chart right here. This chart shows that same temperature, observe the black line, and then it shows the line for rising carbon dioxide. I said: Well, are these things correlated? Do you see any relationship between one line rising and the other line rising?

Again, he refused to answer.

How is it that we can put someone into a position who cannot even look at and comment on basic data, who has been a hired hand for the fossil fuel industry, who has fought to make our air filthier and more damaging to our health?

That is the nominee we have, a nominee who has sued on behalf of very powerful interests—the EPA, 31 times—to try to degrade the controls for things like mercury, which is a potent neurotoxin that damages the brains of, particularly, our children. Why should we have somebody who wants more mercury in our air in this position to consider air quality? It, certainly, does not make any sense to me.

He did have a chance to serve in this position, in an acting capacity, back in 2006. So he has been there before. He adopted guidelines on mercury emissions that had entire passages lifted word for word from information that had been provided by the industry. The industry did not want to regulate the mercury, and he just took its language and said that that is what we will do, that we will do what industry says. He was not working for the American people. He was working for the powerful and the privileged.

Then he told an EPA staffer “not to undertake the normal scientific and economic studies” when crafting important rules. He instructed his staff not to look at the scientific information when constructing rules. What did he want them to look at? He wanted them to just take the language from industry. That is certainly not protecting the public interest. As the New York Times wrote, he has sought to “elevate corporate interests above those of the public.”

This is not a position in a company. This is not a position in a corporation. This is a position of public trust. He has failed that test. In fact, he has failed it so badly that, although he was nominated in 2006 when there was a Republican majority in this Chamber, his nomination was subsequently rejected by the Senate. Back then, we had folks who really, actually cared on both sides of the aisle far more about air quality. Now it seems like the enormous amount of funding from the Koch brothers for campaigns across the country has squelched any consideration from my colleagues about the quality of the air or the quality of our water. This nomination is, certainly, a test of that.

If my colleagues do care about the quality of our air, they will act like their predecessors did back in 2006, and they will reject this nomination. An individual who has betrayed the public trust should not be confirmed to a position of public trust.

Thank you.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER (Mr. PERDUE). Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:03 p.m., adjourned until Thursday, November 9, 2017, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 8, 2017:

NATIONAL LABOR RELATIONS BOARD

PETER B. ROBB, OF VERMONT, TO BE GENERAL COUNSEL OF THE NATIONAL LABOR RELATIONS BOARD FOR A TERM OF FOUR YEARS.

DEPARTMENT OF VETERANS AFFAIRS

MELISSA SUE GLYNN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (ENTERPRISE INTEGRATION).

CHERYL L. MASON, OF VIRGINIA, TO BE CHAIRMAN OF THE BOARD OF VETERANS’ APPEALS FOR A TERM OF SIX YEARS.

RANDY REEVES, OF MISSISSIPPI, TO BE UNDER SECRETARY OF VETERANS AFFAIRS FOR MEMORIAL AFFAIRS.
EXTENSIONS OF REMARKS

HONORING DONALD E. ROSPERT,
OHIO VETERANS HALL OF FAME INDUCTEE

HON. JIM JORDAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. JORDAN. Mr. Speaker, the Ohio Veterans Hall of Fame will hold a ceremony in Dublin on November 9 to mark the induction of its 2017 class. I am honored to commend to the House one of these inductees: Donald E. Rospert of Bellevue.

A graduate of Norwalk’s St. Paul High School and of Bowling Green State University, Mr. Rospert is a Marine Corps veteran of the Vietnam War. He speaks regularly at area schools to share his experiences in Vietnam and instruct students on proper flag etiquette and display. He also participates in the color guard during Bellevue High School’s home football games.

He and his brother, Kenn, cofounded the Wounded Soldiers Fund in 2005 to help local families with loved ones injured in Iraq or Afghanistan. The fund has aided more than a dozen area families.

Donn and Kenn also designed, created, and secured funding for Bellevue’s Fallen Soldiers Memorial, and were instrumental in bringing The Wall That Heals (a traveling replica of the Vietnam Veterans Memorial) to Bellevue for display this year.

Mr. Rospert takes great pride in the work of the local branch of Big Brothers and Big Sisters of America, with which he was affiliated for nearly two decades. He personally mentored several local youths and remains in contact with one to this day.

Mr. Speaker, selection for the Hall of Fame is a high honor accorded to no more than 20 Ohioans each year. To be considered for induction, individuals must not only serve the nation honorably in the military but also reflect the high value of service to others in their post-military careers.

I am pleased to join in the accolades for Mr. Donald E. Rospert and his outstanding record of service as he is inducted into the Ohio Veterans Hall of Fame.

HONORING THE SERVICE OF THE JERIKOVSKY BROTHERS

HON. JASON LEWIS
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. LEWIS of Minnesota. Mr. Speaker, I rise today to recognize the service of the Jerikovsky brothers of South Saint Paul, Minnesota. These nine brothers, the sons of Jacob and Stephania Jerikovsky, served bravely in the United States’ Armed Forces during World War II and the Korean War, all of them returning home safely to their family.

Emil, Nick, Jacob Jr., William, Robert, Earl, Edward, George, and Richard Jerikovsky all have the distinction of being a part of a remarkable feat in U.S. military history. It is unprecedented to have nine siblings from one family serve our country in the United States’ Armed Forces, and this feat speaks to their family’s patriotism and selflessness.

These nine first generation Americans were all proud members of VFW Post No. 295 in South Saint Paul, Minnesota. The Jerikovsky brothers have made a positive impact on our city, county, and country, and we are fortunate to have such selfless citizens who make sacrifices to protect our freedoms.

I know that the Jerikovsky brothers’ legacy of service to country and fellow man will inspire all Minnesotans and Americans.

ASIAN AMERICAN MEDICAL ASSOCIATION 41ST ANNUAL GALA

HON. PETER J. VISCLOSKY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. VISCLOSKY. Mr. Speaker, it is with sincere admiration that I recognize the Asian American Medical Association, which hosts its 41st Annual Gala on Saturday, November 11, 2017, at Avalon Manor in Merrillville, Indiana. Each year, the Asian American Medical Association pays tribute to prominent, outstanding citizens and organizations for their contributions to the community. In recognition of their efforts, these honorees are awarded the prestigious Crystal Globe Award.

The Asian American Medical Association has been a tremendous asset to Northwest Indiana. Its members have dedicated themselves to providing quality medical services to the residents of Northwest Indiana and have served their communities through many cultural, scholastic, and charitable endeavors.

At this year’s Annual Gala, the Asian American Medical Association will present the Crystal Globe Award to one of Northwest Indiana’s finest citizens. Mr. Costanza. Mr. Costanza began practicing law after graduating from the Northwestern University School of Law in 1961. Throughout his illustrious career, Mr. Costanza has served as counsel for many organizations including the East Chicago Economic Development and Redevelopment Commissions, East Chicago Parks Department, Ogden Dunes Parks Department, and the former American Trust and Savings Bank of Whiting, Indiana. Mr. Costanza also served as special counsel for the Town of Ogden Dunes and as general counsel for the former First National Bank of East Chicago, Indiana.

Mr. Costanza has volunteered much of his time and efforts to numerous charitable and civic organizations throughout the region, including Calumet College of Saint Joseph, the East Chicago Chamber of Commerce, Saint Catherine Hospital, the Community Foundation of Northwest Indiana, the Indiana Historical Society, and the East Chicago Urban Enterprise Academy, to name a few. For his lifetime of dedication to the community of Northwest Indiana, Joseph is worthy of the highest praise.

Joseph’s commitment to the community and his career is exceeded only by his devotion to his amazing family. He and his beloved wife, Aurelia, have four children, eight grandchildren, and two great-grandchildren.

Mr. Speaker, I ask that you and my distinguished colleagues join me in commending the members of the Asian American Medical Association, as well as this year’s Crystal Globe Award recipient, Mr. Joseph Costanza. For his devotion to his remarkable career and his outstanding service to the community of Northwest Indiana and beyond, Joseph is most deserving of the honor bestowed upon him and serves as an inspiration to us all.

OPPOSING H.R. 2936, THE RESILIENT FEDERAL FORESTS ACT

HON. SUZANNE BONAMICI
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Ms. BONAMICI. Mr. Speaker, I rise today in opposition to H.R. 2936, the Resilient Federal Forests Act of 2017. The fire season this year was devastating in Oregon and across the west. It destroyed forestland, reduced air quality, and left a lasting mark on our communities. Congress must increase funding for wildfire suppression and fire prevention actions on public lands. At the same time, Congress can and must do this while maintaining foundational environmental laws. I cannot support this bill because it undermines the bedrock science-based decision-making processes undertaken by land management agencies, and would make it more difficult for states to receive federal funding for wildfire disasters.

I strongly support provisions in the bill that would find new and innovative ways to use wood as a building material for tall wood buildings. Cross-laminated timber and other innovative wood products create sustainable building materials, generate more value from timber harvests, and translate into more jobs in rural Oregon and around the country.

This legislation does not do enough to help communities fund wildfire suppression. It includes a process that would slow local access to much-needed funds, and it calculates funding without regard to true wildfire disaster needs. I joined my colleague, Congressman SCHRAMER, in submitting an amendment that would address these problems and increase available funding for wildfire suppression. Unfortunately, the amendment was not accepted for floor consideration by the Rules Committee.

I have heard from counties, families, teachers, and school administrators in forest counties in my district who have told me they will...
face great hardship if they do not receive the Secure Rural Schools payments they are owed. The last authorized Secure Rural Schools payment was distributed in FY 2016. Earlier this year, I joined my colleague Congresswoman CATHY MCMORRIS RODGERS in introducing bipartisan legislation to reauthorize the program for FY 2017. I urge my colleagues that the majority did not use this opportunity to reauthorize the Secure Rural Schools program and provide certainty to the forest counties who rely on these funds to educate students.

I am also concerned that this bill limits public participation in land management decisions on public lands. It reduces the consideration of forest management alternatives to two options—action or no action. It creates overly broad exclusions for projects to skirt environmental review under the National Environmental Policy Act and the Endangered Species Act. In addition, it reduces opportunities for the public to engage meaningfully in these decisions. As a former consumer protection attorney, I am concerned about the inclusion of an arbitration pilot program that would force many challenges to federal forest management decisions to go through an agency-run arbitration process instead of through the judicial system.

We must manage our federal forests better, but we can do so without including these harmful provisions. I urge my colleagues to come back to the table and develop a more appropriate and effective solution.

HONORING ROBERT L. SKEWES FOR HIS SERVICE TO THE NATION

HON. ROBERT J. WITTMAN
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 2017

Mr. WITTMAN. Mr. Speaker, I rise today to honor Mr. Robert Skewes upon his retirement from 48 1/2 years of honorable service to the United States Coast Guard, and this great nation.

Mr. Skewes has served as the Chief, Office of Work-Life, within the Coast Guard’s Health, Safety, and Work-Life Directorate, under the direction of the Assistant Commandant of Human Resources. In this role he established work-life policy and interpreted program standards for Coast Guard-wide implementation of a myriad of individual and family support services. These services included health promotion, food services, employee assistance, critical incident stress management, relocation assistance, personal financial management, adoption reimbursement, child and elder care, special needs for family members, family advocacy, addiction and substance abuse prevention, and sexual assault prevention including response.

Mr. Skewes is a 1973 graduate of the United States Coast Guard Academy. He began his Coast Guard career as an Engineering Officer and Damage Control Assistant aboard the USCG Cutter Hamilton in Boston, Massachusetts. Following a tour at the Coast Guard Headquarters Office of Research and Development, and postgraduate training at the University of Michigan, he was assigned to the Third Coast Guard District Merchant Marine Technical Center at Governor’s Island, New York, where he reviewed commercial vessel plans and specifications. In 1983, he was assigned to the Marine Inspection Office in New Orleans, Louisiana, where he served as a Marine Inspector and Investigator, Administrative Officer, and Training Officer. From 1987 to 1990, Mr. Skewes was an instructor and Assistant Chief, Marine Safety Schools, at the Reserve Training Center in Yorktown, Virginia, where he was instrumental in the development and implementation of all marine residen
tent training. He served as the Executive Officer of the Marine Safety Office in Providence, RI, from 1990 to 1993, and as the Commanding Officer of the Marine Safety Office in Milwaukee, Wisconsin, from 1993 to 1995. Skewes was responsible for coordinating the development of international and domestic standards for personnel, vessels, facilities, hazardous materials, and environmental issues, and the activities of five industry Federal Advisory Committees. From 1999 to 2003, he served as the Chief, Office of Work-Life, the same position he currently holds. In July 2003, Mr. Skewes retired as a Captain following a 30-year career with the United States Coast Guard. From July 2003 to June 2007, he served as the Chief, Shore Safety Division within the Office of Safety and Environmental Health, at Coast Guard Headquarters, where he managed programs that focused on the safety concerns of personnel and their dependents that work and live at Coast Guard shore facilities as well as related safety concerns of personnel assigned to afloat units and aviation facilities. In this capacity, he provided oversight for a myriad of programs including risk management, emergency preparedness and response (including oil and emergency response plans), traffic safety (including motor vehicles, motorcycles and trailering), fire prevention and safety, recreational safety, personal risk management and systems safety. Mr. Skewes has a Masters Degree in Mechanical Engineering, and a Masters Degree in Naval Architecture and Marine Engineering, from the University of Michigan. He also has a Bachelor’s Degree in Ocean Science from the U.S. Coast Guard Academy.

HON. JOHN H. RUTHERFORD
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 2017

Mr. RUTHERFORD. Mr. Speaker, I rise today to honor Naval Station Mayport as it marks 75 years of service to the United States Navy and our nation. This base was born of necessity during World War II and has served the United States Navy and our country almost continuously since. Today, it is one of the Navy’s most valued and utilized military bases and is the country’s third-largest naval surface fleet concentration area in the United States.

In April 1939, hearing that the Navy was looking to establish an aircraft carrier base on the East Coast of the United States, citizens from Nassau County promised to purchase the land that would become Naval Station Mayport and give it to the Navy. In July of that year they passed a bond that enabled them to solidify the purchase. In December
newest ships, the littoral combat ships. When the war began in earnest, the Atlantic Fleet was dispersed leaving the shipping lanes along the East Coast vulnerable to attacks from German submarines. The Porgy Patrol, named after the foul-smelling porgy fertilizer processing plant in the Village of Mayport, went on constant patrol hoping to spot submarines and reporting those findings to the radio tower so aircraft could be launched. Then, on April 10, 1942, with citizens watching from the shore in Ponte Vedra, the S.S. Gulf of America was sunk by the German U-boat U-123. Once again, the civilian population stepped up and the Porgy Patrols expanded to include shrimp boats, trawlers and yachts, which were converted by the Gibbs Shipyard, now BA E Systems.

The marine side of the base with its protected harbor was commissioned as Naval Station Mayport in December 1942. On April 14, 1944, Mayport’s air facility, the Admiral David L. McDonald Field, was commissioned as Naval Auxiliary Air Station (NAAS). After the war, both the marine base and the airfield were decommissioned. The United States Coast took over the base and operated small boat camps until 1947. Because its location is so pivotal, less than a year later Naval Station Mayport was reactivated, and within three years, its land area was expanded and its runway extended. Several name changes occurred over the years and during the Cold War, Mayport became the East Coast home for the Light Airborne Multi-Purpose System (LAMPS) squadrons and in 1968 the base was re-designated as a naval air station.

Naval Station Mayport began teeming with life once again. Investments continued and growth in land area, activities and command importance and its value. As Mayport expanded, it began to accommodate more ships and sailors with their families. Its role was crucial during the Cuban Missile Crisis, providing logistical support as well as an advanced staging area for the Second Marine Division. The base has also received visits from Presidents Nixon and Reagan.

The first carrier to be stationed at Mayport was the USS Tarawa (CVS-40) and the last carrier to call Mayport home was the USS John F. Kennedy (CV-67) was decommissioned on March 23, 2007. The Navy continues to entertain the idea of Mayport as a second carrier site on the East Coast but funding is not available.

Today, Naval Station Mayport has undergone major developments in technology, services and infrastructure, making it well positioned to act at a moment’s notice. The station’s protected harbor can accommodate 34 ships and its runway is capable of handling most aircraft in the military’s inventory. It is host to the Navy’s United States Fourth Fleet, and is the designated host for visit and attack from US New York and the USS Fort McHenry. On November 7, 2014, Naval Station Mayport became the East Coast home port for the Navy’s newest ships, the littoral combat ships. Mayport has become an asset not just to Northeast Florida, but to country.

I salute the 75th Anniversary of Naval Station Mayport, which continues to be a major employer and economic stimulus. More importantly, its personnel continue to contribute through their hard work and dedication to the important mission of our nation’s defense. Naval Station Mayport has a long history of supporting both the local community and the country and will continue to do so for years to come. I rise today to congratulate them on 75 successful years and hope Mayport sailors continue to keep their home anchors in Northeast Florida.

PERSONAL EXPLANATION
HON. RICHARD HUDSON
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017
Mr. HUDSON. Mr. Speaker, I was unable to vote on this day because I was attending the memorial service for the 3rd Special Forces Group soldiers who were recently killed in action while serving in Nigeria. Had I been present, I would have voted yea on Roll Call No. 610, 611; nay on Roll Call No. 612, 613; yea on Roll Call No. 614, and 615.

TRIBUTE TO PAUL OREFFICE,
FORMER CHAIRMAN OF THE BOARD OF THE DOW CHEMICAL COMPANY
HON. JOHN R. MOOLENAAR
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017
Mr. MOOLENAAR. Mr. Speaker, I rise today to pay tribute to Paul Oreffice, the former Chairman of the Board of The Dow Chemical Company, upon his 90th birthday.

Paul was born in Venice, Italy and came to the United States with his family when he was 17 years old. He went on to attend Purdue University and graduated with a Bachelor’s Degree in Chemical Engineering in 1949. After serving in the U.S. Army during the Korean conflict, Paul began his career at Dow Chemical in Midland, Michigan.

Following international assignments in Switzerland, Italy, Brazil and Spain, Paul became the first president of Dow Chemical Latin America in Coral Gables, in 1970. In 1971, he was elected as a member of the Board of Directors, and later as president of Dow Chemical U.S.A. in August 1975. Paul was named president and CEO of The Dow Chemical Company in May 1978 and chairman in May 1981.

As a humanitarian, Paul received the Encomienda del Merito Civil (Order of Civil Merit) in 1966 from the government of Spain and in 1978 he was honored with the title “Grand Ufficiale” by the Italian government. Paul is the first person to receive both the Société de Chimie Industrielle’s Palladium medal and SCI America’s Chemical Industry medal, which he received in 1981 and 1983, respectively.

Paul has been especially helpful in giving back to Michigan’s Fourth Congressional District through his intentional engagement of the community. His involvement in bringing the Midland Soccer Club and the Greater Midland Tennis Center to life has not only provided opportunities for the local youth to come together to be active within the community, but also brings tourism to the area through tournaments and other events. Paul’s involvement in philanthropy touches not only the Midland community, but reaches across the country as he is a Trustee of the Rollin M. Gerstacker Foundation, served as a Senior Member of the MD Anderson Cancer Center Visitors Board, and he served as Chairman of the Board of the Parkinson’s Foundation from 2003 to 2007. His strategic thinking and continued contributions have greatly impacted families across the district and the country.

In behalf of the Fourth Congressional District of Michigan, I am honored today to recognize Paul Oreffice for his lifetime of work in chemical engineering and for his commitment to the Midland Community.

PERSONAL EXPLANATION
HON. FREDERICA S. WILSON
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017
Ms. WILSON of Florida. Mr. Speaker, I was not present for the following votes because I...
HONORING PETE CIARROCCHI AND CHICKIE’S AND PETE’S CRAB HOUSE AND SPORTS BAR

HON. ROBERT A. BRADY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 2017

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor my friend Pete Ciarrocchi, Chairman and CEO of the world famous Chickie’s & Pete’s Crab House and Sports Bar. Since 1977, Chickie’s & Pete’s locations have been rightfully called the best sports bars in Philadelphia. None of us were surprised when they were voted ESPN’s No. 1 Sports Bar on the East Coast.

Every Philadelphia knows that Chickie’s & Pete’s and Philly sports go hand-in-hand. The only thing better than pre-game, post-game or game day at the restaurant is enjoying their food at the stadium. And of course, you can’t leave without an order of Pete’s world famous Crabfries®.

But Mr. Speaker, Pete Ciarrocchi is more than a successful businessman. He’s one of Philadelphia’s finest citizens. He is one of the owners of the three time Arena Bowl champions Philadelphia Soul and the Soul Football Team. He is also one of our leading philanthropists serving on the Aria Health Foundation Board of Trustees and on the Holy Family University Business Advisory Board. Pete is a Mummer, who is active with the Polish-American String Band.

But most importantly, Pete is a proud husband and father. His lovely wife Lisa and three sons Peter, Blaise, and Anthony are his first love and the foundation on which the rest of his world is built.

Mr. Speaker, I ask that all of my colleagues join me in honoring Pete Ciarrocchi and Chickie’s & Pete’s Crab House and Sports Bar as they celebrate their 40th Anniversary tonight.

TRIBUTE TO MARY SCONIERS-CHAPMAN

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Mary Sconiers-Chapman, community leader and re-tired higher education administrator, for being named a 2017 Women of Influence honoree by the award-winning central Iowa publication, Business Record.

For 18 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavors throughout the Greater Des Moines Area.

After receiving a degree in elementary education from Drake University in Des Moines, Iowa, Mary began a long and successful career educating our future generations. She immediately began teaching after graduation and worked her way up to principal in the Des Moines Public School system. As her passion for education continued to grow, Mary decided that working in higher education was next and became executive dean of Des Moines Area Community College (DMACC), ultimately retiring in 2013 as the vice president of strategic partnerships after 23 years with the school. While Mary is a dedicated educator, she is also passionate about service to her community. She was instrumental in the creation of the Evelyn K. Davis Center for Working Families that focuses on assisting individuals and families in finding jobs, educational opportunities, and job training.

Mr. Speaker, it is a profound honor to represent community leaders like Mary in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community, and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Mary on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Mary nothing but the best.

RECOGNIZING THE SERVICE OF MR. RICHARD VOUTOUR

HON. JAMES P. McGOVERN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 2017

Mr. McGOVERN. Mr. Speaker, today I rise to recognize the service of Mr. Richard Voutour. Rick is a United States Marine Corps veteran, and he has served for over a decade as a friend and advocate of the veterans of Massachusetts as a distinguished Veterans’ Service Officer.

Rick was born on January 7, 1963, in Webster, Massachusetts. He entered the Marine Corps at age 18 and completed training at Parris Island, South Carolina and Camp Pendleton, California.

Throughout his distinguished career, Rick has consistently received recognition for his exemplary service to our nation, including: the Meritorious Service Medal, the Navy and Marine Corps Commendation Medal, Navy and Marine Corps Achievement Medal with one star, the Navy Unit Commendation, and the Meritorious Unit Commendation.

Mr. Speaker, this alone would be an impressive list of achievements that deserves our respect and gratitude. But after 23 years of service in the Marine Corps, in places as far away as Djibouti, Valetta, and Afghanistan, Rick decided to return home to Massachusetts and serve his nation in a new way as the Director of Veterans Services for Leominster, Massachusetts.

In his 13 years as a Veterans Service Officer, Rick has helped countless veterans and their families throughout Central Massachusetts obtain the benefits and services that they deserve. From obtaining military record and medals—to assisting with medical care and benefits, every veteran that walks into Rick’s office is treated with the dignity and respect he or she deserves. There are thousands of veterans in Massachusetts right now whose lives have been changed for the better by Rick. His dedication to improving the lives of veterans serves as an inspiration to me and an example for our community.

But don’t just take my word for it. Mr. Speaker, many others have seen Rick’s steadfast advocacy for veterans and his dogged determination to assist those who have sacrificed so much to proudly serve this country. Just this year, Rick was named Veterans Service Officer of the Year by Massachusetts Secretary of Veterans Services, Francisco Ureña. Mr. Speaker, on behalf of the United States Congress and of the people of Massachusetts, I would like to thank and recognize Mr. Richard Voutour for his service to our country, and for his work every day to improve the lives of veterans in Massachusetts.

CONGRATULATING CHRISTIAN D. SEARCY AND STEVEN L. DANIELS

HON. LOIS FRANKEL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 8, 2017

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to congratulate Christian D. Searcy and Steven L. Daniels for receiving the 2017 Anti-Defamation League’s (ADL) Palm Beach Jurisprudence Award. This award acknowledges those individuals who have made outstanding contributions to the legal profession as well as the community in which they live. I have had the honor of knowing both these gentleman for many years and commend their worthy recognition.

Christian D. Searcy is President and CEO of Searcy Denney Scarola Barnhart & Shipley, P.A. For 43 years, he has litigated cases primarily involving catastrophic injury and death in venues throughout Florida, as well as other states. He has been honored numerous times for his exceptional advocacy and has made significant contributions to the cause of justice. He is well known for his generous contributions to many non-profit organizations committed to helping the disabled, improving education, and advancing community causes.

Steven Daniels has played a significant role in the South Florida Jewish community since the 1980s. He has been an integral member of the local and national ADL leadership. Steven has also served as President of Temple Beth El in West Palm Beach as well as the Jewish Community Center of the Palm Beaches. He has earned the “Super Lawyer” distinction from Florida Trend magazine, and is currently the managing partner for the West Palm Beach and Boca Raton offices of Saul Ewing Arnstein & Lehr.

Christian Searcy and Steven Daniels share the distinction of excellence in their profession and the advancement of fairness and justice in the community, the founding principles of the ADL. I congratulate and thank them both.
TRIBUTE TO DIANA DEIBLER  
HON. DAVID YOUNG  
OF IOWA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to congratulate and recognize Diana Deibler for being named a 2017 Women of Influence honoree by the award-winning central Iowa publication, Business Record.

For 18 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavours throughout the Greater Des Moines Area.

Diana has spent her life utilizing the work ethic instilled upon her at an early age after growing up on her family’s farm in Donnellson, Iowa. She dreamed of being a television anchor but found herself going down a different path as a broadcast reporter and producer. Later, she used the skills and experience she gained in the news business to have a successful career in marketing and consulting. Her success allowed her to also dedicate her time and talents to the Des Moines community, serving nine years on the board of Mercy Medical Center, and nine years on the Mercy College of Health Sciences board.

Mr. Speaker, it is a profound honor to represent leaders like Diana in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community, and the great state of Iowa. I am assured that my colleagues in the United States House of Representatives join me in congratulating Diana on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Diana nothing but continued success.

VA MANAGEMENT ALIGNMENT ACT OF 2017

SPRECH VON  
HON. DOUG COLLINS  
OF GEORGIA  
IN THE HOUSE OF REPRESENTATIVES  
Monday, November 6, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in support of H.R. 1086, the VA Management Alignment Act.

The men and women who have bravely served our country in uniform deserve the peace of mind that the VA will work for them—not against them.

Over the past few years, our nation’s veterans have too often experienced outrageous wait times, long lines, and mismanagement at VA facilities across the country. In the wake of these scandals, the members of this body have passed multiple bills aimed to right these wrongs and improve VA functions. Unfortunately, we hear far too often of problems continuing to plague the halls of VA medical facilities.

The VA Management Alignment Act directs the Secretary of the VA to report to Congress the steps the Department will take to ensure that the structural integrity of the VA is both efficient and effective.

Supported by groups including the American Legion and the American Federation of Government Employees, this bill seeks to chart a meaningful path forward to better serve those who put their lives on the line to serve us. It is integral that the VA make clear the steps it will take to ensure that our nation’s veterans have access to the quality, timely care that they deserve.

I urge my colleagues to support this legislation, and I thank veterans across the country for their service.

PERSONAL EXPLANATION

HON. FREDERICA S. WILSON  
OF FLORIDA  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, November 8, 2017

Ms. WILSON of Florida. Mr. Speaker, I was not present for the following votes because I chose to remain in my congressional district in Miami for safety reasons due to serious threats I received.

Had I been present, I would have voted in the following manner: YEA on Roll Call No. 569; YEA on Roll Call No. 570; YEA on Roll Call No. 571; NAY on Roll Call No. 572; NAY on Roll Call No. 573; YEA on Roll Call No. 574; YEA on Roll Call No. 575; YEA on Roll Call No. 576; YEA on Roll Call No. 577; YEA on Roll Call No. 578; YEA on Roll Call No. 579; NAY on Roll Call No. 580; NAY on Roll Call No. 581; NAY on Roll Call No. 582; NAY on Roll Call No. 583; NAY on Roll Call No. 584; YEA on Roll Call No. 585; YEA on Roll Call No. 586; YEA on Roll Call No. 587; NAY on Roll Call No. 588; NAY on Roll Call No. 589; and YEA on Roll Call No. 590.

STAND FOR SOMETHING

HON. PETE SESSIONS  
OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES  
Wednesday, November 8, 2017

Mr. SESSIONS of Texas. Mr. Speaker, I include in the RECORD a poem in honor of her sister, Bobbie Lou, at the ship in honor of her sister, Bobbie Lou, at the

Born in St. Petersburg, Jan lived in Tampa for most of her life and grew up with a love for Tampa Bay and its natural environment. She graduated from Hillsborough High School in 1954 and earned a degree in political science from Florida State University, where she graduated Phi Beta Kappa, in 1958. During college, she was President of the Student Senate, Student Body Vice President, and even recognized amongst her peers as the “Most Outstanding Senior Woman” in her graduating class. After graduating, she began her career as a schoolteacher and taught at both Hillsborough and Plant High Schools before finally being elected to serve on the City of Tampa’s City Council in 1974. Four years later, she was elected to Hillsborough County’s Board of County Commission, where she proudly served for 24 years. Jan served her community in countless ways. She established the Agency on Bay Management, the Tampa Bay Estuary Program and the Environmental Lands Acquisition and Protection Program. She led as the President of the Sungold Girl Scout Council and the Hillsborough County Head Start Community Foundation INC. Jan endowed a scholarship in honor of her sister, Bobbie Lou, at the
Florida State University College of Music. She was also an active member of the Friends of the Library. Because of her support for libraries, in her honor, the Tampa-Hillsborough County Public Library named one of their branches, the “Jan Kaminis Platt Regional Library”.

Additionally, Jan was the recipient of the University of South Florida’s Women in Leadership and Philanthropy Lifetime Achievement Award, recipient of the Hillsborough County Bar Association’s Liberty Bell Award, and she was inducted into the Hillsborough County’s Women’s Hall of Fame in 2012.

I was honored to serve alongside Jan during my time on Hillsborough County’s Board of County Commission. She was an inspiration to me and many others throughout her career in elected office. A passionate leader, Jan’s love of the environment led her to devote herself to protect and preserve our community’s natural resources.

Jan Platt inspired me to be a better public servant. She was honest, ethical and loved our Tampa community—from the waters of Tampa Bay to the dense, wooded areas she worked to protect. Throughout her career serving our community, even in times of great change in local governing bodies, Jan was steadfast in her leadership and it was a great honor to learn from her and know her. I hope her commitment to ethics in government will inspire another generation of passionate leaders to serve.

Mr. Speaker, on behalf of the citizens of our Tampa Bay community, I am proud to honor the life of Jan Platt and pay tribute to her outstanding contributions to the Tampa community. Jan is the mother of Bill, son Kevin, her wife Michele and granddaughter Emma. She leaves an indelible legacy for future generations to enjoy our bay and its waters the same way she did.

TRIBUTE TO Jennie Baranczyk
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jennie Baranczyk, head coach of Drake University’s women’s basketball team, for being named a 2017 Women of Influence honoree by the award-winning central Iowa publication, Business Record.

For 18 years, the Business Record has undertaken an exhaustive annual review to identify a standout group of women who have made a significant difference in business, civic and philanthropic endeavors throughout the Greater Des Moines Area.

Jennie is no stranger to success. During her time as a member of the women’s basketball team at the University of Iowa, she was named First Team All-Big Ten in 2003. Her outstanding athletic accomplishments early on in her career have translated into her new role as the head coach of Drake University’s women’s basketball team. In her first year as head coach, Jennie was given a team that finished with a season’s Hall of Fame in the prior year. Her unyielding commitment to excellence and hard work have turned the fortunes of the basketball program around, finishing last season 28-5, champions of the Missouri Valley Conference, and making an appearance in the NCAA Basketball Tournament.

Mr. Speaker, it is an honor to represent leaders like Jennie in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her team, her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Jennie on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Jennie a long and successful career.

RECOGNIZING THE LIFE OF FALL-EN MISSISSIPPI SOLDIER ARMY STAFF SERGEANT (SSG) BRIAN LEE FREEMAN
HON. TREAT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army Staff Sergeant (SSG) Brian Lee Freeman who paid the ultimate sacrifice while defending our great nation on November 7, 2005, during Operation Iraqi Freedom. SSG Freeman was killed when a vehicle-borne improvised explosive device detonated near his dismounted patrol in Baghdad. Also killed were First Lieutenant (1LT) Justin S. Smith, Specialist (SPC) Robert C. Pope, II, and Private First Class (PFC) Marion A. Reyes. SSG Freeman was assigned to the 3rd Squadron, 3rd Armored Cavalry Regiment, Fort Carson, Colorado.

SSG Freeman, a Caledonia, Mississippi native, enlisted in the U.S. Army in 1997. Pat Freeman, SSG Freeman’s mother, said her son was married to his wife, Leah for 14 months. According to the Associated Press, Mrs. Freeman said prayers from family and friends helped them through a difficult time. “The Army has been very kind to us and helped us through this bad time in our lives,” she said. “We know Brian is in a better place and we will see him again someday. We call him our angel now.”

A scholarship was established in his memory of SSG Freeman at Caledonia High School. Twelve scholarships have been awarded over the years. Bill Lawrence, the former mayor of Caledonia, recently said that SSG Freeman’s late father, Glen Freeman, worked hard to build support for the development of the Veterans Memorial, located at the Ola J. Pickett Park. The family also donated an American flag and flagpole to the facility.

Mr. Speaker, on behalf of the citizens of our great state of Iowa, I ask that my colleagues join me in congratulating Jennie on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Jennie a long and successful career.

Mr. Speaker, on behalf of the citizens of our great state of Iowa, I ask that my colleagues join me in congratulating Jennie on receiving this esteemed designation, thanking those at Business Record for their great work, and wishing Jennie a long and successful career.

IN REMEMBRANCE OF MRS. VELORIS “JEAN” WILLIAMS-EDWARDS
HON. SANFORD D. BISHOP, JR.
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a great woman and sincere friend, Veloris “Jean” Williams-Edwards. Jean passed away on October 29, 2017. Funeral services will be held at Mount Calvary Baptist Church in Alexandria, Virginia on Saturday, November 11, 2017 at 11:00 a.m.

A native of Wooten’s Crossroads, North Carolina, Jean was born to George T. and Lacy Ann (Mott) Williams, as the fourth of eight children. A product of the Greene County School System, she graduated from the Greene County Training School in 1959. She went on to attend North Carolina Agricultural and Technical State University (NC A&T) where she earned a Bachelor of Science degree in Special Education. After earning her Bachelor’s degree, she earned a Masters of Arts in Teaching from the University of Maryland.

In 1964, she married the love of her life, Leon Edwards, and they built a life that was based on the love of God, the love of each other, the love of family and the love of people. They knew that the love of these could lead one to a close and lifelong relationship with God because they are an embodiment of His greatest commandments: to love Him with all your “heart, mind and soul” and to “love thy neighbor as thyself.”

Jean’s passion for education persisted during her professional career as a teacher, a vocational development specialist and a transition coordinator, where she taught her students to be of service to others. After her career in education, she went on launch a dress business in the early 1970s and work alongside her husband at Edwards Trucking Company (which evolved in to a productive transportation company), before becoming a staff assistant in the office of former Speaker of the House, Newt Gingrich. The cherished relationships she developed and the ongoing daily operations of the Office of the Speaker made her experience on Capitol Hill beneficial.

Maya Angelou once said, “A great soul serves everyone all the time. A great soul never dies.” Jean was undoubtedly great because of her devotion to her work, and the compassion she showed for her friends and loved ones.

On a personal note, Jean became a trusted friend on Capitol Hill. I was truly blessed by
her friendship as I started my congressional career. Her advice, counsel and assistance were invaluable.

Jean was preceded in death by her siblings; Gerald Lee Williams, Marjorie (Daisy) Williams, George Earl (Bob) Williams, and Melvin (BoBo) Williams.

She is survived by her husband of 53 years, Leon A. Edwards; her son, Reginald Edwards (Sherry); her daughter, Tiena Edwards; two sisters, Dorothy Clark (Washington, D.C.); Sabrina Hickman (Greenville, NC); two grand-children, Reggie (Chaz), and Miesha; two great-grandchildren, Miayah-Joy Keith and Somer-Hope Keith; two God-children, Julia Chaney (Winston) and Malikia Taylor-Phillips; and a host of relatives and friends.

Mr. Speaker, I ask my colleagues in the House to join my wife, Vivian, and me in extending our deepest sympathies to Jean’s family and friends during this difficult time. May they be consoled and comforted by their abiding faith and the Holy Spirit in the days, weeks, and months ahead.

Tribute to Zach Barnes
HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Zach Barnes of Southeast Polk High School for winning the Class 3A, 145 pound bracket at the Iowa High School State Wrestling tournament earlier this year.

Iowa has a long and proud history of strong wrestling programs, producing college and Olympic champions for years. Winning state championships is the culmination of years of hard work and commitment, not only on the part of Zach, but also his parents, his family, coaches and fellow teammates.

Mr. Speaker, the example set by Zach demonstrates the rewards of dedication, and perseverance. I am proud to represent him and his family in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Zach on competing in this rigorous competition and in wishing him nothing but continued success.

Personal Explanation
HON. CHERI BUSTOS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mrs. BUSTOS. Mr. Speaker, on the Legislative Day of November 7, 2017, a series of votes were held. Had I been present for the first of these roll call votes, I would have cast the following vote:

Roll Call 613—I vote YES.

Veteran Urgent Access to Mental Health Care Act
SPEECH OF
HON. DOUG COLLINS
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 7, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in support of H.R. 918, the Veteran Urgent Access to Mental Healthcare Act.

As Veterans Day approaches, we remember the debt of gratitude we owe our nation’s veterans, who have sacrificed greatly to protect our freedoms.

Tragically, about 11 to 20 out of every 100 veterans who served in Operations Iraqi Freedom or Enduring Freedom have PTSD in a given year. As researchers work diligently to understand the increase in veteran suicides—now at a troubling 22 veterans per day—it is important to understand that service-related mental stress is not limited to veterans who receive honorable discharges.

The Army has released at least 22,000 combat veterans diagnosed with mental health conditions or traumatic brain injuries since 2009 for alleged misconduct—meaning that many who have served in uniform may fall through the VA’s cracks as they attempt to access mental health services.

The lack of access to mental health care remains an unfortunate reality for too many veterans. This bill would extend a helping hand to combat veterans struggling with the effects that their service has on their mental health. It would ensure that a population at high-risk for suicide receives the care and support its men and women deserve.

I urge my colleagues to support this legislation, and I thank veterans across the country for their service.

Celebrating the 25th Anniversary of the Keweenaw National Historical Park
HON. JACK BERGMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. BERGMAN. Mr. Speaker, it is my honor to recognize the Keweenaw National Historical Park upon the occasion of its 25th Anniversary.

Through committed preservation and community engagement, the Keweenaw National Historical Park has become an indispensable part of Northern Michigan.

For over 7,000 years, the Keweenaw area has been a source of natural resources and cultural enrichment. Native peoples first utilized its easily accessible and workable copper to create tools and items for trade. Later, copper became the center of growing industries and communities in the Keweenaw. This rich history is preserved through the hard work of the rangers and volunteers at the Keweenaw National Historical Park.

The celebration of the park’s anniversary is the perfect recognition of efforts to preserve our history, culture, and beautiful landscapes. Today, the park continues to raise the bar of innovation through programs and partnerships with state and local governments, private businesses, and nonprofit organizations. Its steadfast work has helped give the people of the Keweenaw Peninsula and all of the Upper Peninsula a sense of unity and common heritage.

Mr. Speaker, I congratulate the Keweenaw National Historical Park for its 25 years of success and community investment. Michiganders can take immense pride in knowing that the First District is home to such an important institution of historical, cultural, and environmental preservation. On behalf of my constituents, I wish the Keweenaw National Historical Park all the best in its future endeavors.

Commenting the President on Griffin Nomination
HON. ROBERT B. ADERHOLT
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. ADERHOLT. Mr. Speaker, I would like to commend President Trump for nominating Michael D. Griffin to be Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics (USD/ATL).

There is a saying that a person was made for a certain job. In the case of Dr. Griffin, this is true.

We currently have a convergence of space and national security factors which are matched only by a handful of circumstances in the past.

I am thinking of Russia placing Sputnik in space, and President Kennedy refusing to accept missiles in Cuba, and of President Reagan’s placement of Pershing missiles in Europe and starting the SDI, or Strategic Defense Initiative Office.

With the nomination of Mike Griffin, we have a person with the experience of working in SDI yet also being the initiator of new ideas, such as the commercial cargo resupply program for NASA’s ISS (International Space Station).

For this particular job at the Pentagon, that is what we need—a person who knows how to utilize best practices of the past, combined with the openness and boldness to recommend to the Secretary of Defense the decisive actions which will keep America pre-eminent in technology, and give America the edge, when and if we must engage in armed conflict.

Dr. Griffin holds degrees from six separate universities, his management experience in business and as former Administrator at NASA, as well as his work serving as a professor and as a consultant on Department of Defense review panels such as the Mitchell Commission (rocket launch engines), all prepare him well for this assignment and for the rising challenges facing our military around the world.

After his confirmation, I look forward to working with him and the rest of our Department of Defense to help provide what is necessary for our national security.
HON. TRENT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Mississippi Army National Guard Specialist (SPC) James Anderson Chance, III, who paid the ultimate sacrifice while defending our nation on November 6, 2003, during Operation Iraqi Freedom. SPC Chance was killed when his vehicle struck a landmine in Husaybah, Iraq. SPC Chance was assigned to C Company, 890th Engineer Battalion, Army National Guard, based in Columbia, Mississippi.

According to the Associated Press, SPC Chance volunteered to lead his convoy. He did not want his comrades to risk their lives if they had spouses or children. SPC Chance, a Kokomo, Mississippi native, was close to his parents, James and Patricia Ann Chance. Allen Chance, SPC Chance’s brother, said he always lived close to his parents so he could look after them. “He was worried and he was trying to get it where he could come home for a few days to see her,” Allen said. Mrs. Chance recently said her son was a good man who always made her laugh.

SPC Chance was remembered in a post on a memorial website. “SPC Chance, a true soldier, never complained, and moved out at a moment’s notice,” First Lieutenant (LT) Robert Enochs of Saucier, Mississippi wrote. “Thanks for your love, dedication, and sacrifice for our country. I wish there were many more like you. We love and miss you dearly. We will never forget you.”

SPC Chance joined the U.S. Army in 1997 after he graduated from Kokomo High School. He served one tour of duty in the Army. In 2002, he joined the Mississippi Army National Guard to pursue higher education opportunities.

A memorial service was held for SPC Chance at the Kokomo United Methodist Church which is located across the street from his childhood home. He was laid to rest at the Kokomo Community Cemetery.

SPC Chance was survived by his mother, Patricia Ann Chance; his brother, John Allen Chance; and his nephew, Samuel Chance. SPC Chance will always be remembered for the sacrifice he made to protect America. He made his family and our nation proud.

TRIBUTE TO ROBERT THOMPSON

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Robert Thompson, of Atton, Iowa, for receiving the 2017 East Union’s Military Service Recognition Award.

The Afton Star Enterprise reported that “Robert Thompson was a 1957 Afton High School graduate who enlisted in the U.S. Army, serving from 1957 to 1979. He had two assignment periods in Viet Nam during the Viet Nam War, and while there received two Bronze Star Awards and a Silver Star for his action in combat and a Purple Heart for a combat-related injury.” In addition to his service in Vietnam, Robert was stationed in other locations, like Iceland and Panama, before returning home to Atton with his family. He retired from the Army in 1979.

Mr. Speaker, I’m proud to represent Iowans like Robert in the United States Congress and it is with great pride that I recognize him today and ask that my colleagues in the United States House of Representatives join me in congratulating Robert for receiving this outstanding designation and in wishing him nothing but the best.

RECOGNIZING BILL STANLEY

HON. JOE COURTNEY
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. COURTNEY. Mr. Speaker, I rise today to congratulate my dear friend Mr. Bill Stanley on being named this year’s William Crawford Distinguished Service Award winner by the Chamber of Commerce of Eastern Connecticut.

A native of Norwich, CT, Bill began his outstanding public service career in journalism, writing for local publications like the Norwich Bulletin and the New London Day. He then transitioned to government, working briefly as a campaign press secretary for Governor O’Neill before spending the next six years at Rome, Frankel & Kennelly. In 1996, Bill became Director of Corporate Communications for the William W. Backus Hospital in Norwich, where he worked until 1999. He currently serves as vice president of Development and Community Relations at Lawrence + Memorial Hospital. On a personal note, I have known Bill since my days as a rookie state legislator at the Connecticut General Assembly. He is deeply involved in politics and community affairs of his beloved Southeastern Connecticut, willing to throw himself into any cause that improves the region. Although passionate in his beliefs, he is a true gentleman and respectful of any and all people he interacts with, which is a lot.

Throughout his full and prestigious career, Bill has always found time to volunteer for numerous causes across Eastern CT. Currently he is Board Chairman of his alma mater’s foundation, the Three Rivers Community College Foundation. He also sits on the United Way of Southeastern Connecticut’s board of directors. Bill served nearly 20 years on the board of directors for the Chamber of Commerce of Eastern Connecticut, including two terms as chairman. He previously served as chairman of the New London Redevelopment Agency and was a board member at St. Jude Common and the USS Connecticut Commissioning Committee. From 1996 to 1999, he was Chairman of the American Heart Association’s Southeastern Connecticut Heart Walk and continues to serve on its Executive Leadership Team.

Mr. Speaker, please join me in congratulating my dear friend Bill on receiving this noble recognition. May others always look to him for a great example of leadership and service.

RECOGNIZING THE LIFE OF FALL-EN MISSISSIPPI SOLDIER SER-GEANT (SGT) COURTLAND ANSHUN KENNARD

HON. TRENT KELLY
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Army (SGT) Courtland Anshun Kennard who paid the ultimate sacrifice while defending our great nation on November 9, 2006, during Operation Iraqi Freedom. SGT Kennard was killed when an improvised explosive device detonated near his vehicle in Baghdad, Iraq. Also killed was Staff Sergeant (SSG) Gregory W.G. McCoy of Webberville, Michigan. SGT Kennard was assigned to the 416th Military Police Company, 720th Military Police Battalion, 89th Military Police Brigade, Fort Hood, Texas.
Retired Army Sergeant (SGT) Douglas Kennard, SGT Kennard's father, recently said his son grew up living on military bases in the United States and Germany. SGT Kennard graduated from General H.H. Arnold High School in Weisbaden, Germany in 2002. SGT Kennard followed in his father's footsteps when he enlisted in the U.S. Army in 2003. "He wanted to join the Army," Mr. Kennard said. "I am extremely proud of him. I was always proud of him."

Pamela Pleasant, SGT Kennard's aunt, said she was always proud of her nephew. "He was an awesome kid," Mrs. Pleasant said. "He had a smile that would light up a room. He was so humble. I miss him terribly."

SGT Kennard was remembered by a fellow soldier on a memorial website. "I will always remember your smile, Kennard," Sergeant (SGT) Michele Martin wrote. "He is a very special person and a soldier. He was always there for his fellow comrades. When you were down, his smile always cheered you up. I will always cherish Kennard in my heart and always remember the great sacrifice he took for this great country and his family to be free.

A funeral was held for SGT Kennard at Mount Pelier Missionary Baptist Church in Starkville, Mississippi. SGT Kennard was laid to rest at Memorial Garden Park, which is located near Mississippi State University in Starkville.

SGT Kennard is survived by his parents, Douglas and Darlene Kennard; his brother, Jamahi Kennard; and his aunt, Pamela Pleasant.

SGT Kennard gave his life to protect our nation. His service will always be remembered.

HONORING RONALD JOHNSON

HON. BARBARA LEE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Ms.LEE. Mr. Speaker, I rise today to honor the longstanding career of Ronald Johnson, a fearless leader for more than three decades in the fight against HIV/AIDS. His leadership spans numerous esteemed organizations and agencies including the Gay Men's Health Crisis, Minority Task Force on AIDS, City of New York, Presidential Advisory Council, AIDS Action, and United AIDS from which he is now retiring.

Following the Stonewall Uprising in 1969, the gay community of New York City witnessed the rising swell of the HIV/AIDS epidemic. Throughout the 1980's, the number of AIDS-related deaths climbed higher each year. In 1981, amidst widespread fear and uncertainty, Dr. Lawrence Mistilis and Larry Kramer founded the first New York City nonprofit devoted to HIV and AIDS awareness, testing, education, advocacy, and prevention. They called it the Gay Men's Health Crisis (GMHC).

Mr. Johnson began volunteering with GMHC in 1984, while continuing his service as the Assistant Executive Director of the University Settlement, a nonprofit social service program that assisted immigrants and low-income families with fulfilling their health, education, and housing needs. After volunteering for a few years, Mr. Johnson was invited to join the GMHC's Board of Directors.

Mr. Johnson served as Executive Director of the Minority Task Force on AIDS and in 1992 was appointed the Citywide Coordinator for AIDS Policy for the City of New York. Known for being both forceful and persuasive yet guided by facts, Mr. Johnson helped the city develop a comprehensive strategy for stemming the HIV/AIDS epidemic through proactive education, prevention, and treatment. He strengthened the city's AIDS hotline and testing programs, needle-exchange program, and housing and medical care services for AIDS patients.

By 1996, Mr. Johnson was rewarded for his efforts as he witnessed a sharp decline in New York City's HIV and AIDS-related deaths. His programs were working and he had the data to prove it. He later joined the Presidential Advisory Council on HIV/AIDS, where he helped design the policy thinking and best practices for the President's Emergency Plans for AIDS Relief (PEPFAR).

Today, on behalf of California's 13th Congressional District, I am honored to commend Ronald Johnson for his long career advocating for the prevention and treatment of HIV and AIDS. His service has saved lives, inspired hope, and made this world a remarkably safer and better place.

HONOR THE LIFE OF GREG WOOD

HON. STEPHANIE N. MURPHY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mrs. MURPHY of Florida. Mr. Speaker, I rise to honor the life of one of my constituents, Greg Wood, who passed away on October 14, 2017, at the age of 70.

In tribute to Greg, who served in the United States Marine Corps and was wounded in action during the Vietnam War, my office arranged for an American flag to be flown over the U.S. Capitol. I am so glad that our country raised the flag in Greg's honor, because Greg did so much to support and defend this country. Greg fought to protect the fundamental freedoms that our flag represents.

This Saturday is Veterans Day, when our nation pauses to express gratitude to all those who honorably served, both living and departed. The day before, I will attend a ceremony at the Park Maitland School in Orlando, where we will formally present the flag to Greg's widow, Donna. Donna was kind enough to talk to my office about her late husband, about what mattered most to him, and about how he lived his life.

Greg was many things—a Texan at heart despite spending most of his life in the Sunshine State; a well-educated man who earned a master's degree in finance; an adventure-seeker, motorcyclist, and a family man. These two roles defined him. They were the core of who he was. They gave his life purpose and meaning.

In a speech that he delivered many years ago to members of the Marine Corps, President Reagan said: "Some people spend an entire lifetime wondering if they made a difference in the world. But the Marines don't have that problem."

Greg volunteered to serve in the Marine Corps in March 1966, when he was only 18 years old. After basic training, Greg was sent to Vietnam, where he served as a forward observer—directing artillery fire onto enemy targets. Working as a forward observer, especially in Vietnam, was an exceptionally dangerous job.

The Marines are famous for their bravery, discipline and toughness. Greg was a Marine's Marine—respected and even revered by his brothers in arms for his courage and commitment. Despite his youth, Greg was a natural leader of men. They followed him, and they trusted him. Some even thought he might be invincible, and did not want to go out on patrols unless Greg was going with them.

Friendships forged in war are uniquely deep and intense. Greg lost many good friends in Vietnam—and, as Donna tells us, he carried these losses with him for the remainder of his life. On some days, the memories haunted Greg, and he struggled with feelings of sadness and guilt. Like any warrior who has seen his fellow warriors fall, Greg naturally asked himself: "Why them and not me?"

Physically, as well as psychologically, Greg did not leave Vietnam unscathed. One fateful day, while out on a mission, he was shot and critically wounded—earning a Purple Heart. When Greg awoke hours later in a military hospital, a priest was administering his last rites. Although he survived, doctors told him he was unlikely to live past age 35. In a sense, then, Greg's entire life was one big case of beating the odds.

After being honorably discharged from the Marines, Greg was determined to become successful professionally and personally—in part to honor his fallen comrades who never had the chance to build a career or a family of their own. As Donna told us, nearly everything that Greg did later in life was shaped by his formative experience in Vietnam, whether for better or for worse.

One of Greg's daughters, Kristina, told me that her father loved war movies, but they always made him cry. It is clear that Greg had complex feelings about war itself, but that he cherished the American soldiers, sailors, airmen, and—of course—Marines who fought these wars. It didn't matter whether they served in World War II, Korea, Vietnam, Afghanistan, or Iraq. He felt a sacred bond with all of them.

In addition to his military family, of course, Greg treasured his own family—which includes Donna, four children, and eight grandchildren. By all accounts, he was a loving husband and father, who coached Little League, served as a Boy Scout leader, and did all the big things and little things that great dads do.

So, I hope Greg has been reunited with the friends he lost in Vietnam. I hope he is happy and at peace. And I hope he knows how much his life mattered to his family and to the country he so nobly served.

TRIBUTE TO McGWIRE MICKOFF

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate McGwire
Midkiff of Carter Lake, Iowa, for winning the Class 3A, 126-pound bracket at the Iowa High School State Wrestling tournament earlier this year. McGwire is a student at Thomas Jefferson High School in Council Bluffs, Iowa.

Iowa has a long and proud history of strong wrestling programs in our state, producing college and Olympic champions for years. Wrestlers who have established a state championship is the culmination of years of hard work and commitment, not only on the part of McGwire, but his family and coaches, as well.

Mr. Speaker, the example set by McGwire demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent him and his family in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating McGwire on competing in this rigorous competition and in wishing him nothing but continued success in his education and his wrestling career.

IN RECOGNITION OF THE 60TH ANNIVERSARY OF THE CITY OF PACIFICA

HON. JACKIE SPEIER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Ms. SPEIER. Mr. Speaker, I rise to honor Pacifica, California, a sea-sprayed city in my district blessed by salty breezes, soaring shorebirds, and the collective smile of residents that rival in intensity the warmth of the sun itself. On November 22, 2017, Pacifica is a spritely 60 years old.

Residents love this town, and there’s no doubt as to why. The views of the Pacific Ocean are spectacular, the shoreline is captivating. If you wish to stroll through the sand and to hunt for seashells, bring your children to the beach and spend a few hours listening to the waves and gazing at the gulls overhead or the snowy plover nearby. Pacifica is the place to be.

Although sunshine is the predominant feature of Pacifica, fog occasionally arises. Well, actually, more than occasionally. But it is quiet and serene in Pacifica when fog shrouds the shore and the mountains.

For hundreds of years, Pacifica was home to a village of the Ohlone tribe. Pacifica’s creeks and ample supply of fish and nuts fed generations. These residents lived in balance with nature, thriving on the ocean side of the San Francisco Peninsula and trading with other villages on the bay side.

The Spanish explorer Don Gaspar de Portolá arrived in 1769 and climbed the mountain behind Pacifica to a point now known as Sweeney Ridge. From that point, Portolá was the first European to discover the existence of San Francisco Bay. In the next decades, thousands of workers followed, leading to the establishment of Mission Dolores and the creation of early San Francisco. Pacifica fed San Francisco from crops planted throughout the San Pedro Valley. In 1839, a Mexican land grant to Don Francisco Sanchez was made and it almost exactly matched the boundaries of modern-day Pacifica.

While much of modern-day Pacifica might be unrecognized to the Ohlone or to Don Francisco Sanchez, one characteristic of those early times would easily be recognized: families. Both in the distant past and today, Pacifica teems with families. The school district is highly regarded and has over 3,000 students from grades K through 8. Parents from biotech companies and other global corporations drive a few extra miles to work every day knowing their children will have new friends and opportunities with quality schools and a web of soccer teams and gymnastics programs that allow children to thrive amidst friends. The annual friendly-facility Pacifica Fog Fest draws tens of thousands from throughout the Bay Area to enjoy the sun, music, a hometown parade, and all of the cheese and nachos needed to earn a mother’s scorn.

Civic life in Pacifica is energetic, to say the least. In recent years, the city has completed such notable projects as the undergrounding of utilities, the creation of a dog park, the commencement of a parking program at state beaches, improvements to the senior/community center, protection of environmental resources around the creeks and on the beaches, and numerous other public improvements that augment Pacifica’s natural splendor.

The city’s leadership is as strong today as ever, and it meets the challenges of modern governance head on. For example, City government illustrates its love-hate relationship with Mother Nature by joyfully paying to protect the snowy plover’s nesting areas while scrambling to pay to prevent the erosion of bluffs to the beaches below. The council knows that if you walk along the beach near Pedro Point, you’re probably walking on the sand that once existed as the bluffs, the area north, that supports Espinadel Boulevard. Such is the duty of leadership in Pacifica where a councilmember must pay to maintain infrastructure in the coin of the realm while delivering sand and refurbished habitats for endangered species for free to the ultimate administrator of Pacifica’s fate: Mother Nature.

Congratulations to the City of Pacifica upon 60 years of formal incorporation, from November 22, 1957 to the present. From tall fins on cars to shark fins in the ocean, the city has done well for itself. With its loving population and visionary leadership, there are many more adventures to come for this little place by the sea that 39,000 call home and celebrate as a place to embrace life, family and neighbors.

CELEBRATING THE 50TH ANNIVERSARY OF THE NORTHWESTERN MICHIGAN COLLEGE AVIATION PROGRAM

HON. JACK BERGMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. BERGMAN. Mr. Speaker, it’s my honor to recognize the Northwestern Michigan College Aviation Program upon the occasion of its 50th Anniversary. Through innovation, passion, and dedication, NMC Aviation has become an indispensable part of Northern Michigan.

Founded in 1967, NMC Aviation came from small beginnings with three planes and five instructors. In just 50 years, it has grown to be one of the most respected aviation programs in the country. Today, they continue to raise the bar of innovation through ground-breaking courses and program partnerships with Michigan high schools and colleges across the world. Its instructors have real life experience, and its students have access to exceptional training and resources.

As a commercial pilot of 22 years, I know the great need for quality pilots in our global economy, as well as the dedication and skill this profession requires. NMC Aviation has proven itself to be one of the best institutions of its kind at training the next generation of pilots.

Mr. Speaker, it’s my honor to congratulate the NMC Aviation Program for its 50 years of success and community investment. Michiganders can take immense pride in knowing that the First District is home to this outstanding institution. On behalf of my constituents, I wish the Northwestern Michigan College Aviation Program all the best in its future endeavors.

TRIBUTE TO WILLIAM K. “BILL” MCALLISTER

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bill McAllister of Clarinda, Iowa who recently retired from the Page County Sheriff’s Department with 37 years of service in law enforcement.

Bill’s service to our country began as a member of the United States Army Military Police. He later began his career in law enforcement in 1980 with the Nebraska City, Nebraska Police Department, as well as graduating from the Nebraska Law Enforcement Training Center. He joined the Clarinda Police Department in 1982 as a patrolman and was eventually promoted to Sergeant. Bill graduated from the Iowa Law Enforcement Academy and was awarded the 1987 Silver Star for Bravery from the American Police Hall of Fame and was selected as the Outstanding Executive of the Year by the Clarinda Optimist Club in 1997, and that year, joined the Page County Sheriff’s Department as a Deputy Sheriff.

Page County Sheriff Lyle Palmer said, “Bill earned numerous certificates and attended classes every year to continue his knowledge of law enforcement. Bill had the ability to read people and he was a great benefit to the Sheriff’s Department. He served the citizens of Page County with dignity and honor.”

Mr. Speaker, I’m proud to represent community leaders like Bill in the United States Congress and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Bill for this outstanding achievement and in wishing him nothing but the best in his retirement.

HONORING THE LIFE OF VIRGIL HANKS

HON. JODY B. HICE
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to honor the life and legacy of one
of my constituents and an American hero, Corporal Virgil Hanks. Corporal Hanks passed away last week at the age of 96, just a few days before Veterans Day.

Corporal Hanks joined the United States Army Air Corps in 1942 and was honorably discharged at the end of World War II following four years of service. In 2015, in his hometown of Social Circle, Georgia, I had the distinct honor of presenting Corporal Hanks with a certificate of Congressional Recognition and a World War II Victory Medal for his valuable and selfless contribution to our Nation.

Corporal Hanks will be remembered as an incredibly kind and humble man, dedicated to his late wife, siblings, and children, whom he loved fiercely. His legacy of service survives to this day throughout Georgia’s 10th Congressional District, and he will be buried at the Georgia National Cemetery with his other brothers and sisters in arms.

Mr. Speaker, I ask my colleagues to join me in a moment of silence to honor the life of Corporal Virgil Hanks, a hero who deserves the respect of all Americans and will be sorely missed by so many in the community.

CELEBRATING THE 100TH ANNIVERSARY OF HONOR BANK

HON. JACK BERGMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. BERGMAN. Mr. Speaker, it’s my honor to recognize Honor Bank upon the occasion of its 100th Anniversary. Through its trusted services, reliable staff, and community engagement, Honor Bank has become an indispensable part of Northern Michigan.

Founded in 1917 as Honor State Bank, just $20,000 in capital and a determined staff built the bank into the community institution it is today. Over the course of 100 years, Honor Bank forged its path to success through World Wars and financial crises, all while maintaining its commitment to the community it was built upon. Today, the bank’s capital has grown, yet it still promotes its ideals of independent community banking.

The bank’s Honor Code of integrity, hard work, responsibility, teamwork, and reliability is illustrated through its Giving Back to our Communities program. During each month of this year’s anniversary celebrations, Honor Bank is highlighting the work of a local non-profit agency chosen by the bank’s employees. Through this Agency Spotlight, customers and employees are encouraged to donate needed items, and employees volunteer on average 100 minutes per month to the selected agency. These charities have included the Betsie Valley District Library, Michigan Blood, and the Benzie Food Pantry. Honor Bank continues to set a positive example of what can be achieved when a company is built around a community.

Mr. Speaker, it’s my honor to congratulate Honor Bank and its staff for 100 years of success, service, and community investments. Michiganders can take great pride in knowing the Fox Valley is home to such dedicated citizens. On behalf of my constituents, I wish Honor Bank all the best in its future endeavors.

TRIBUTE TO BLUE STAR MOTHERS

HON. TODD ROKITA
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute Blue Star Mothers in honor of Military Family Appreciation Month. Blue Star Mothers are mothers, stepmothers, grandmothers, foster mothers and female legal guardians who have children serving in the military, federal, or state armed forces.

These women provide support for the service members that make up our military, the veterans on the homefront, and the families of our service members and veterans.

The Blue Star Mothers started in the United States 75 years ago during World War II in Flint, Michigan. On January 22, 1942, the Flint News Advertiser printed a coupon asking mothers of servicemen to return the coupon after filling it out. The following February, 300 mothers came together for their first meeting and decided to form a permanent organization.

They started working in hospitals and train stations, packed care packages for soldiers, and became a working part of homeland security during times of war.

Today, Blue Star Mothers have a presence in 48 states consisting of almost 300 chapters nationwide. In the State of Indiana, we have seven chapters that I would like to recognize directly. These chapters are the Blue Star Mothers of Indiana out of Muncie, the Blue Star Hoosier Mothers out of Crawfordsville, the North Central Indiana Blue Star Mothers out of Kokomo, the St. Joe Valley Blue Star Mothers out of South Bend, the Fort Wayne Area Blue Star Mothers out of Fort Wayne, the Hoosier Heartland Blue Star Mothers out of Kokomo, and the Indy Blue Star Mothers out of Indianapolis. Each of these groups has had an incredible impact on our community and on the Hoosier service members and their families.

These women know what it means to serve our country. They live it each and every day. It is with their help and strength that we are able to have the greatest military the world has ever seen. Behind each of our heroes, both at home and abroad, you will likely find a Blue Star Mother providing them the support, encouragement, and courage they need to fight our foes. Mr. Speaker, we need more Americans like the Blue Star Mothers.

TRIBUTE TO MARTIN ALDRICH

HON. DAVID YOUNG
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 8, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Martin Aldrich of Clarinda, Iowa for being selected as the 2016–17 Educator of the Year by Schmitt Music Company. The Schmitt Music Company operates music stores in 7 Midwest states, offering help to over 13,000 students per year with music lessons, and employing nearly 400 employees, mostly high school and college musicians. They are dedicated to recognizing teachers who go above and beyond in their musical careers.

Martin is the Band Director at Clarinda Middle School in Clarinda, Iowa. He has served in that position since 2003. A graduate of Morningide College and the University of Kansas, he serves as the Southwest Iowa Bandmaster’s Association representative for middle school affairs and has served as district president of the Southwest Iowa Bandmaster’s Association. He also fills a leadership role in the Journey of Excellence Mentor Program for first year teachers and is a member of the District Leadership Team, which focuses on teacher professional development activities for visual arts, music, and physical education.

Mr. Speaker, I applaud and congratulate Martin for earning this award. He is an excellent example of how hard work and dedication can affect the future of our youth and their education. I ask that my colleagues in the United States House of Representatives join me in congratulating Martin for this outstanding recognition and in wishing him nothing but continued success.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, November 9, 2017 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

NOVEMBER 14
9:30 a.m. Committee on Energy and Natural Resources
To hold an oversight hearing to examine hurricane recovery efforts in Puerto Rico and the United States Virgin Islands.
SD–366
10 a.m. Committee on Armed Services
To hold hearings to examine the nominations of Anthony Kurta, of Montana, to be a Principal Deputy Under Secretary, and James E. McPherson, of Virginia, to be General Counsel of the Department of the Army, both of the Department of Defense, and Gregory E. Maggs, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces.
SD–650
To hold hearings to examine S. 1857, to establish a review of United States policies on the view from Beijing. SD–419

To hold hearings to examine the authority to order the use of nuclear weapons. SD–406

To hold hearings to examine the nomination of Mitchell Zais, of South Carolina, to be Deputy Secretary, James B. Stewart, of California, to be Assistant Secretary for Planning, Evaluation, and Policy Development, and Timothy Snyder, of Michigan, to be Assistant Secretary for Career, Technical, and Adult Education, and Kate S. O’Scannlain, of Maryland, to be Solicitor, and Preston Rutledge, of the District of Columbia, to be an Assistant Secretary, both of the Department of Labor. SD–430

To hold hearings to examine the nomination of John C. Rood, of Arizona, to be Under Secretary for Policy, and Randall G. Schriver, of Virginia, to be an Assistant Secretary, both of the Department of Defense. SD–226

To receive a closed briefing on new counterterrorism guidance. SVC–217
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7071–S7123

Measures Introduced: Thirteen bills and two resolutions were introduced, as follows: S. 2094–2106, and S. Res. 324–325.

Measures Reported:

- S. 873, to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund, with an amendment. (S. Rept. No. 115–183)

Measures Passed:

- National Diabetes Heart Health Awareness Day: Senate agreed to S. Res. 324, designating November 9, 2017, as "National Diabetes Heart Health Awareness Day", coinciding with American Diabetes Month.

- National Obesity Care Week: Senate agreed to S. Res. 325, expressing support for designation of the week of October 29 through November 4, 2017, as "National Obesity Care Week".

- FITARA Enhancement Act: Senate passed H.R. 3243, to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the National Defense Authorization Act for Fiscal Year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative.

- Federal Agency Mail Management Act: Senate passed H.R. 194, to ensure the effective processing of mail by Federal agencies.

- Wehrum Nomination—Agreement: Senate resumed consideration of the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency.

During consideration of this nomination today, Senate also took the following action:

By 49 yeas to 46 nays (Vote No. 267), Senate agreed to the motion to close further debate on the nomination.

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 9:30 a.m., on Thursday, November 9, 2017.

Nominations—Agreement: A unanimous-consent-time agreement was reached providing that notwithstanding Rule XXII, at 11 a.m., on Thursday, November 9, 2017, there be 30 minutes of post-cloture time remaining on the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency, equally divided between the two Leaders or their designees, and that following the use or yielding back of that time, Senate vote on confirmation of the nomination; and that following disposition of the Wehrum nomination, Senate stand in recess until 1:45 p.m.; and that at 1:45 p.m., Senate vote on the motion to invoke cloture on the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy, with no intervening action or debate.

Nominations Confirmed: Senate confirmed the following nominations:

- By 49 yeas to 46 nays (Vote No. EX. 266), Peter B. Robb, of Vermont, to be General Counsel of the National Labor Relations Board for a term of four years.
- Melissa Sue Glynn, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs (Enterprise Integration).
- Cheryl L. Mason, of Virginia, to be Chairman of the Board of Veterans’ Appeals for a term of six years.
- Randy Reeves, of Mississippi, to be Under Secretary of Veterans Affairs for Memorial Affairs.

Messages from the House: Pages S7077–98

Measures Referred: Pages S7107–08

Executive Communications: Pages S7108

Petitions and Memorials: Pages S7108–09
Committee Meetings

(Committee not listed did not meet)

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

- S. 1693, to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking, with an amendment in the nature of a substitute;
- S. 1668, to rename a waterway in the State of New York as the “Joseph Sanford Jr. Channel”; and

The nominations of Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission, James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, Neil Jacobs, of North Carolina, and Nazakhtar Nikakhtar, of Maryland, both to be an Assistant Secretary of Commerce, Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, and Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary, both of the Department of Transportation, and Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors.

DATA BREACHES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine protecting consumers in the era of major data breaches, after receiving testimony from Paulino do Rego Barros, Jr., Atlanta, Georgia, and Richard F. Smith, Los Angeles, California, both of Equifax; Marissa Mayer, Yahoo, San Francisco, California; Karen Zacharia, Verizon, New York, New York; and Todd Wilkinson, Entrust Datacard, Shakopee, Minnesota.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Kathleen Hartnett White, of Texas, to be a Member of the Council on Environmental Quality, and Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency, who was introduced by Representative Stivers, after the nominees testified and answered questions in their own behalf.

AFRICA

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy received a closed briefing on a readout of Ambassador Haley’s recent trip to Africa from Nikki R. Haley, Permanent Representative to the United Nations, Department of State.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security, after the nominee, who was introduced by Senators Portman and Rubio, testified and answered questions in their own behalf.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1400, to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and S. 465, to provide for an independent outside audit of the Indian Health Service, after receiving testimony from John Tahsuda III, Acting Assistant Secretary—Indian Affairs, Department of the Interior; Elizabeth A. Fowler, Deputy Director for Management Operations, Indian Health Service, Department of Health and Human Services; David Flute, Sisseton-Wahpeton Sioux Tribe, Agency Village, South Dakota; and Kurt Riley, Pueblo of Acoma, Acoma, New Mexico.

LAWSUIT ABUSE ON AMERICAN SMALL BUSINESSES

Committee on the Judiciary: Committee concluded a hearing to examine the impact of lawsuit abuse on American small businesses and job creators, including S. 237, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, after receiving testimony from Elizabeth Milito, National Federation of Independent Business Small Business Legal Center, and John H. Beisner,
Skadden, Arps, Slate, Meagher and Flom LLP, on behalf of the U.S. Chamber Institute for Legal Reform, both of Washington, D.C.; and Myriam Gilles, Yeshiva University Benjamin N. Cardozo School of Law, New York, New York.

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**House of Representatives**

**Chamber Action**

**Public Bills and Resolutions Introduced:** 24 public bills, H.R. 4294–4317; and 1 resolution, H. Con. Res. 91, were introduced.  
**Pages H8660–61**

**Additional Cosponsors:**  
**Pages H8662–63**

**Reports Filed:** Reports were filed today as follows:  
- H.R. 3071, to require executive agencies to consider equipment rental in any cost-effectiveness analysis for equipment acquisition, and for other purposes (H. Rept. 115–402); and  
- H.R. 3244, to amend title 5, United States Code, to provide for annual surveys of Federal employees, and for other purposes, with an amendment (H. Rept. 115–403).  
**Page H8660**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Bacon to act as Speaker pro tempore for today.  
**Page H8599**

**Recess:** The House recessed at 10:57 a.m. and reconvened at 12 noon.  
**Page H8605**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Pastor Jeff Williams, Faith Community Church, Janesville, WI.  
**Page H8605**

**Micro Offering Safe Harbor Act—Rule for Consideration:** The House agreed to H. Res. 609, providing for consideration of the bill (H.R. 2201) to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, by a yea-and-nay vote of 233 yea to 190 nays, Roll No. 617, after the previous question was ordered by a yea-and-nay vote of 224 yea to 190 nays, Roll No. 616.  
**Pages H8609–14**

**Recess:** The House recessed at 3:20 p.m. and reconvened at 4:30 p.m.  
**Page H8641**

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, November 9.  
**Page H8641**

**Hydropower Policy Modernization Act of 2017:** The House passed H.R. 3043, to modernize hydropower policy, by a recorded vote of 257 yea to 166 noes, Roll No. 620.  
**Pages H8614–42**

Pursuant to the Rule, it shall be in order to consider as an original bill for the purpose of amend-
Veterans Crisis Line Study Act of 2017: H.R. 4173, amended, to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line, by a 2/3 yea-and-nay vote of 420 yeas with none voting “nay”, Roll No. 618; and Veterans Fair Debt Notice Act of 2017: H.R. 3705, amended, to direct the Secretary of Veterans Affairs to require the use of certified mail and plain language in certain debt collection activities, by a 2/3 yea-and-nay vote of 422 yeas with none voting “nay”, Roll No. 621.

Senate Referrals: S. 1088 was referred to the Committee on Oversight and Government Reform. S. 1015 was referred to the Committee on Energy and Commerce and the Committee on Veterans’ Affairs.

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H8609.

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H8612–13, H8613–14, H8614, H8641–42, H8642, and H8643. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:57 p.m.

Committee Meetings

CLOSE TO HOME: HOW OPIOIDS ARE IMPACTING COMMUNITIES
Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education; and Subcommittee on Higher Education and Workforce Development held a joint hearing entitled “Close to Home: How Opioids are Impacting Communities”. Testimony was heard from Leana Wen, Commissioner, Baltimore City Health Department; David Cox, Superintendent, Allegany County, Maryland; and public witnesses.

MACRA AND ALTERNATIVE PAYMENT MODELS: DEVELOPING OPTIONS FOR VALUE-BASED CARE
Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled “MACRA and Alternative Payment Models: Developing Options for Value-based Care”. Testimony was heard from Jeffrey Bailet, Chairperson, Physician-Focused Payment Model Technical Advisory Committee, Department of Health and Human Services; and public witnesses.

ADMINISTRATION PRIORITIES FOR THE INTERNATIONAL FINANCIAL INSTITUTIONS
Committee on Financial Services: Subcommittee on Monetary Policy and Trade held a hearing entitled “Administration Priorities for the International Financial Institutions”. Testimony was heard from David Malpass, Under Secretary for International Affairs, Department of the Treasury.

FINANCIAL INTELLIGENCE AND ENFORCEMENT: TREASURY’S ROLE IN SAFEGUARDING THE AMERICAN FINANCIAL SYSTEM
Committee on Financial Services: Subcommittee on Terrorism and Illicit Finance held a hearing entitled “Financial Intelligence and Enforcement: Treasury’s Role in Safeguarding the American Financial System”. Testimony was heard from Sigal Mandelker, Under Secretary for Terrorism and Financial Intelligence, Department of the Treasury.

THE PRESIDENT’S PLAN FOR AFGHANISTAN AND PAKISTAN: OBJECTIVES AND RESOURCES
Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa; and Subcommittee on Asia and the Pacific held a joint hearing entitled “The President’s Plan for Afghanistan and Pakistan: Objectives and Resources”. Testimony was heard from Alice G. Wells, Acting Assistant Secretary, Acting Special Representative for Afghanistan and Pakistan, Bureau of South and Central Asian Affairs, Department of State; and Gregory Huger, Assistant to the Administrator, Office of Afghanistan and Pakistan Affairs, U.S. Agency for International Development.

EXAMINING THE EFFECTIVENESS OF THE KINGPIN DESIGNATION ACT IN THE WESTERN HEMISPHERE
Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing entitled “Examining the Effectiveness of the Kingpin Designation Act in the Western Hemisphere”. Testimony was heard from public witnesses.

PREVENTING THE NEXT ATTACK: TSA’S ROLE IN KEEPING OUR TRANSPORTATION SYSTEMS SECURE
Committee on Homeland Security: Full Committee held a hearing entitled “Preventing the Next Attack: TSA’s Role in Keeping Our Transportation Systems Secure”. Testimony was heard from David P. Pekoske, Administrator, Transportation Security Administration, Department of Homeland Security.
MISCELLANEOUS MEASURES
Committee on the Judiciary: Full Committee held a markup on H.R. 3989, the “USA Liberty Act of 2017”. H.R. 3989 was ordered reported, as amended.

MISCELLANEOUS MEASURES
Committee on Natural Resources: Full Committee concluded a markup on H.R. 995, the “21st Century Respect Act”; H.R. 1532, the “Poarch Band of Creek Indians Land Reaffirmation Act”; H.R. 180, to direct the Secretary of Agriculture to transfer certain Federal land to facilitate scientific research supporting Federal space and defense programs; H.R. 2504, to ensure fair treatment in licensing requirements for the export of certain echinoderms; H.R. 2907, the “Planning for American Energy Act of 2017”; H.R. 3469, to designate the bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as ‘Bridge 2’) as the “Dean Stone Bridge”; H.R. 3905, the “Minnesota’s Economic Rights in the Superior National Forest Act”; H.R. 4239, the “SECURE American Energy Act”; and S. 140, to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund. H.R. 995, H.R. 1800, and H.R. 4239 were ordered reported, as amended. H.R. 1532, H.R. 2504, H.R. 2907, H.R. 3469, H.R. 3905, and S. 140 were ordered reported, without amendment.

MOVING THE AMERICAN EMBASSY IN ISRAEL TO JERUSALEM: CHALLENGES AND OPPORTUNITIES
Committee on Oversight and Government Reform: Subcommittee on National Security held a hearing entitled “Moving the American Embassy in Israel to Jerusalem: Challenges and Opportunities”. Testimony was heard from public witnesses.

GEOENGINEERING: INNOVATION, RESEARCH, AND TECHNOLOGY
Committee on Science, Space, and Technology: Subcommittee on Environment; and Subcommittee on Energy held a joint hearing entitled “Geoengineering: Innovation, Research, and Technology”. Testimony was heard from Phil Rasch, Chief Scientist for Climate Science, Laboratory Fellow, Pacific Northwest National Laboratory; and public witnesses.

HIRING MORE HEROES: A REVIEW OF SBA’S OFFICE OF VETERANS BUSINESS DEVELOPMENT
Committee on Small Business: Full Committee held a hearing entitled “Hiring More Heroes: A Review of SBA’s Office of Veterans Business Development”. Testimony was heard from Barbara Carson, Associate Administrator, Office of Veterans Business Development, Small Business Administration.

MISCELLANEOUS MEASURES
Committee on Veterans’ Affairs: Full Committee held a markup on H.R. 4243, the “VA Asset and Infrastructure Review Act of 2017”. H.R. 4243 was ordered reported, as amended.

A REVIEW OF THE INTERAGENCY TRANSITION ASSISTANCE PROGRAM AND THE NEED FOR ENHANCED OUTCOME MEASUREMENTS
Committee on Veterans’ Affairs: Subcommittee on Economic Opportunity held a hearing entitled “A Review of the Interagency Transition Assistance Program and the Need for Enhanced Outcome Measurements”. Testimony was heard from Cindy Brown Barnes, Director, Education, Workforce and Income Security, Government Accountability Office; Margarita Devlin, Executive Director, Benefits Assistance Service, Veterans Benefits Administration, Department of Veterans Affairs; Ivan E. Denton, Director, Office of National Programs, Veterans’ Employment and Training Service, Department of Labor; Judd H. Lyons, Director, Defense Personnel and Family Support Center, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense; Brigadier General Robert Bennett, Adjutant General, U.S. Army; Rear Admiral Karl O. Thomas, Director, 21st Century Sailor Office, Office of the Chief of Naval Operations, U.S. Navy; Brigadier General Kathleen A. Cook, Director, Air Force Services, Manpower, Personnel and Services; and Brigadier General Kurt W. Stein, Director, Marine and Family Programs, U.S. Marine Corps.

MISCELLANEOUS MEASURE
Committee on Ways and Means: Full Committee continued a markup on H.R. 1, the “Tax Cuts and Jobs Act”.

Joint Meetings
NATIONAL DEFENSE AUTHORIZATION ACT
Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.
COMMITTEE MEETINGS FOR THURSDAY, NOVEMBER 9, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider S. 2099, to provide for the management by the Secretary of Agriculture of certain Federal land; to be immediately followed by a hearing to examine the nominations of Glen R. Smith, of Iowa, to be a Member of the Farm Credit Administration Board, and Stephen Alexander Vaden, of Tennessee, to be General Counsel of the Department of Agriculture, 9:30 a.m., SR–328A.

Committee on Armed Services: to hold hearings to examine the nominations of Robert H. McMahon, of Georgia, to be an Assistant Secretary, R. D. James, of Missouri, and Bruce D. Jette, of Virginia, both to be an Assistant Secretary of the Army, and Shon J. Manasco, of Texas, to be an Assistant Secretary of the Air Force, all of the Department of Defense, 10 a.m., SD–G50.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nominations of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security, Ernest W. Dubester, of Virginia, Colleen Kiko, of North Dakota, and James Thomas Abbott, of Virginia, each to be a Member of the Federal Labor Relations Authority, and Jonathan H. Pittman, to be an Associate Judge of the Superior Court of the District of Columbia, 10:30 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 2070, to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism, and the nominations of Gregory G. Katsas, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, Jeffrey Uhlman Beaverstock, to be United States District Judge for the Southern District of Alabama, Emily Coody Marks, and Brett Joseph Talley, both to be a United States District Judge for the Middle District of Alabama, Holly Lou Teeter, to be United States District Judge for the District of Kansas, and Bobby L. Christine, to be United States Attorney for the Southern District of Georgia, and David J. Freed, to be United States Attorney for the Middle District of Pennsylvania, both of the Department of Justice, 10 a.m., SD–226.

House

Committee on Armed Services, Subcommittee on Readiness, hearing entitled “Aviation Readiness: What’s the Flight Plan?”, 10:30 a.m., 2212 Rayburn.


Subcommittee on Environment, hearing on legislation on the Farm Regulatory Certainty Act, 10:15 a.m., 2322 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled “Resolving the Political Crisis in the Democratic Republic of the Congo”, 9 a.m., 2172 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Space, hearing entitled “An Update on NASA Exploration Systems Development”, 9:30 a.m., 2318 Rayburn.
Next Meeting of the SENATE
9:30 a.m., Thursday, November 9

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of William L. Wehrum, of Delaware, to be an Assistant Administrator of the Environmental Protection Agency, and vote on confirmation of the nomination at approximately 11:30 a.m.

Following disposition of the nomination of William L. Wehrum, Senate will stand in recess until 1:45 p.m.

At 1:45 p.m., Senate will vote on the motion to invoke cloture on the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy.

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Thursday, November 9

House Chamber


Extensions of Remarks, as inserted in this issue

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