



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, WEDNESDAY, JANUARY 17, 2018

No. 10

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC.

January 17, 2018.

I hereby appoint the Honorable DAVID G. VALADAO 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 8, 2018, 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.

### GOVERNMENT SHUTDOWN

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

Mr. BLUMENAUER. Mr. Speaker, here we are again, facing the possibility of a government shutdown. It is one of the most foolish acts possible. What we have seen in the past when this occurs where there are some people who decide they want to force the government to shut down.

It only hurts our employees, and it hurts the public, having a denial of

service in many instances. The employees are sent home. They are off the payroll temporarily. But what has always happened is that we always end up paying them because it is not their fault, and, as a result, the taxpayer loses twice. They lose the services, and they end up having to pay, essentially, public employees to take a forced vacation.

Now, the current controversy is largely about the fate of almost 700,000 undocumented young people who were brought here as children. This shouldn't be a matter of major debate. We can take care of the immigration issues if we allow the process to work.

Remember a couple years ago the Senate passed a bipartisan immigration reform bill—not perfect, maybe a C-plus on the scale, but it would have fixed the problem in the short and intermediate term. Unfortunately, the House leadership never allowed us to vote on it, probably because they knew it would pass.

Now we are facing anxiety again. We have had people arguing about what vulgarity the President used or who is acting in good faith, but the fact is that we have a proposal from Senator DURBIN and Senator GRAHAM, a bipartisan proposal, that met the broad outlines that the President earlier talked about that looks as though it will pass the Senate, and we have a strong possibility of passing here in the House.

Now, there is some controversy. People are suggesting Democrats want to shut the government down. Absolutely not. My Republican friends are in complete control of the House and the Senate and the White House, and they can, as they did recently with the short-term extension, pass it themselves. But if they want to work with us, they ought to include us in this effort.

I would suggest that we stop governing behind closed doors and having the majority party cater to a small handful of people who are making de-

mands that would not be acceptable to the broad House and probably aren't even acceptable to most Republicans. Let's bring the best approaches forward.

It is pretty simple. Allow the House to vote on the Graham-Durbin proposal. I understand there is one from our friend Mr. GOODLATTE, Congressman MCCAUL. Bring them forward.

There are legislative processes—queen of the Hill, king of the Hill—where you can have multiple votes on issues that are related, and at the end there is one that is left standing that represents the majority.

I would suggest that there is no reason to play games with the integrity of government services, play games with our employees, and play games with providing key services to the public; and, most importantly, stop using almost 700,000 young people and millions of their family members, their employers, and their fellow workers as pawns.

Let's bring the proposals forward, allow an up-or-down vote, and resolve this rather than threaten the possibility of wasting money, wasting services, and further frustrating the American public. They deserve better. This is a simple resolution that was in our capacity this week.

### COMMEMORATING NATIONAL SCHOOL CHOICE WEEK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, each year we commemorate National School Choice Week to celebrate a family's right to select the best school for their children. This year we are starting the celebration on January 21.

Americans like to have options, and when it comes to options in postsecondary education, there are more opportunities than ever. School choice is

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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also about bringing those options to America's children in elementary and secondary schools.

One of the best examples of options is the expansion of school choice. In the expansion of school choice is the growth of charter schools. Over the last 12 years, public charter school enrollment has tripled, and America now has 3 million students attending these schools.

Along with the growing demand for charter schools, homeschooling and private school choice programs are increasing. There are 2.3 million students being homeschooled, and enrollment in private school choice programs has increased more than 100 percent.

Making school choice available to more families should be a priority for all of us. It is clear that parents are looking for options, and we want opportunity for them to be open to everyone.

#### HONORING CRYSTAL WINEBARGER

Ms. FOXX. Mr. Speaker, today I rise to wish Crystal Winebarger of the Fifth District a very peaceful and happy retirement. For the last 16 years, Ms. Winebarger selflessly served as the Hunger and Health Coalition director of operations located in Watauga County, North Carolina. The Hunger and Health Coalition's mission is to lift up the community by providing resources such as food, medications, and heat in the winter to those in need.

Crystal worked with members in the faith community and local churches to ensure the well-being of many individuals and families. It is my belief that North Carolina will benefit from her tireless efforts for years to come.

A lasting legacy of service is something that is becoming all too rare in our neighborhoods today. I will remain forever grateful to Ms. Winebarger for her service to our community. I wish her a happy retirement.

#### RECENT RHETORIC

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

Mr. POCAN. Mr. Speaker, in bizarre Washington news of the last week, the raging controversy is whether the President of the United States referred to other countries and a continent as s---holes or s---houses. As if either word means a drop of difference, especially when you insult other nations in the world as our President did.

Equally worrisome is that the leadership of this branch of government, the U.S. House of Representatives, a coequal branch of government, has been complicit or silent about how to respond to the comments made by our President. In fact, Speaker PAUL RYAN took 19 hours and 53 minutes to respond.

And with all of that time, enough time to have driven from Washington, D.C., to Dallas, Texas, or to watch the movie "Jaws" nine times, what was his stinging and necessary rebuke after

that much time and thought? "Unfortunate." The Speaker said the President's comments were unfortunate and unhelpful.

Look, it is unfortunate when you walk outside and step in a puddle of water. This was more like walking into a global-sized pile of S.

We are not on the staff of the White House. We are a coequal branch of government, and it is about time we acted like it. Saying nothing, or basically nothing, is unacceptable. We need to put our country before our political party.

Calling other countries, and even a continent, names like s---holes or s---houses puts our servicemembers and our Americans overseas at greater risk. Weak words or silence makes Congress complicit with the President's racist rhetoric.

And, by the way, people outside the beltway just think Congress is full of S. Everyone else had the proper response to the President's comments, that they were pure BS.

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

#### HONORING BOB DOLE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today I rise because today former Senator Bob Dole will receive the Nation's highest civilian honor to recognize his decades of service as a soldier, a lawmaker, and a statesman. House and Senate leaders will present the 94-year-old former Senator with the Congressional Gold Medal.

Senator Dole represented Kansas for 35 years: first as a Representative of this House, and later lending his leadership to the U.S. Senate. In 1996, he was the GOP candidate for President.

President Ronald Reagan, in 1989, said that Senator Dole served America heroically and "has . . . been a friend to veterans, farmers, and Americans from every walk of life. Bob Dole has stood for integrity, straight talk, and achievement throughout his years of distinguished public service."

Senator Dole has served this country, this Nation, on the battlefield, enlisting with the U.S. Army during World War II. During a military offensive in Italy, he was seriously wounded while trying to save a fellow soldier. Despite his grave injuries, Dole recovered and was awarded two Purple Hearts and a Bronze Star with an oak cluster for his service, among other medals.

I am proud that we will honor Senator Dole today for his life of service to the United States both in the military and here on Capitol Hill. It is sure to be a moving ceremony in honor of a real American hero.

#### HONORING ARMY SECRETARY MARK ESPER

Mr. THOMPSON of Pennsylvania. Mr. Speaker, service to one's country

is among the most notable and selfless acts throughout history. Our military men and women have shown uncompromising honor, dedication to duty, and genuine love of country.

This evening, Members of Congress will have an opportunity to meet the 23rd Secretary of the Army, the Honorable Mark T. Esper. Secretary Esper is a 1986 graduate of the U.S. Military Academy at West Point. He served on Active Duty for more than 10 years before transitioning into the Reserve, achieving the rank of lieutenant colonel.

Secretary Esper's service included deployment with the 101st Airborne Division during Operation Desert Storm. For his valor during that operation, he was awarded the Bronze Star Medal.

Proudly, the Secretary is a Pennsylvania native. He graduated from Laurel Highlands High School in Uniontown, Pennsylvania, in 1982. Secretary Esper later earned a master's degree in public administration from Harvard and a doctorate from George Washington University.

I am looking forward to meeting the Secretary tonight thanks to the reception hosted by the House Army Caucus.

In addition to the Secretary, we will be joined by General Mark Milley, the 39th Chief of Staff of the Army. The Army senior leaders and members of the Army staff will also attend.

This reception provides an important opportunity for Members to meet directly with Secretary Esper and General Milley as well as the Army staff to gain their perspectives on the strategic environment facing the Army during the 115th Congress and discuss issues facing our Army, our soldiers, and their families.

Two outstanding events will take place today in the Capitol, and I look forward to both of these historic occasions.

#### CONGRATULATING THE PENNSYLVANIA STATE SHOWMEN'S ASSOCIATION

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to congratulate the Pennsylvania State Showmen's Association on the occasion of their 50th anniversary. I look forward to joining them Friday evening at their annual Pennsylvania State Showmen's Association convention as they celebrate this monumental milestone.

The Pennsylvania State Showmen's Association has served to keep the outdoor amusement industry alive and strong through their combined efforts. The PSSA has grown because its members have learned to put their individual goals aside for the common goals of the industry. This unity really has given them the strength and foresight necessary to continue their work into the next century.

Their annual convention and trade show brings together board members, volunteers, and staff from most of the 109 Pennsylvania county and local fairs.

For 14 years, their supportive scholarships have generated more than \$200,000.

□ 1015

Their investment in our Commonwealth's next generation of leadership is to be commended.

Thanks to all the members of the Pennsylvania State Showmen's Association for the work that they do, to the best of their human ability, to keep the outdoor amusement industry the best of America's family entertainment. Congratulations and happy 50th.

#### HONORING TOBY COSGROVE

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

Ms. FUDGE. Mr. Speaker, today I rise to recognize Dr. Toby Cosgrove, an innovative leader and the recently retired president and CEO of the Cleveland Clinic Hospital System. I am fortunate to know Dr. Cosgrove personally, and I am privileged to call him a friend.

Some say a picture is worth 1,000 words. That was certainly true of Toby Cosgrove. Toby was an accomplished sailor as a young man. That was his path until he saw a photo of his neighbor in an operating room. That photo inspired Dr. Cosgrove to become a surgeon.

He graduated from Williams College in Massachusetts and earned his medical degree from the University of Virginia School of Medicine.

After medical school, Dr. Cosgrove served our Nation in Vietnam as a captain in the U.S. Air Force. He was awarded a Bronze Star and the Republic of Vietnam Commendation Medal for his service during the war.

Dr. Cosgrove joined the Cleveland Clinic staff in 1976. Dr. Cosgrove was a world-renowned heart surgeon for more than 30 years. He performed more than 22,000 operations and pioneered the first minimally invasive heart valve surgery. Throughout his remarkable career, he acquired 31 registered patents.

Dr. Cosgrove took the helm of the Cleveland Clinic in 2004 and made the health of the clinic employees a priority. Some of his wellness initiatives included implementing a smoking ban on all campuses, ensuring healthier food options in cafeterias, and opening weekly farmers' markets.

During his tenure, Dr. Cosgrove focused on enhancing patient outcomes and a better patient experience. Dr. Cosgrove is credited with instilling a vision and culture that has led to the Cleveland Clinic being described as "a role model of healthcare delivery."

He coined the phrase "Patients First" and made headlines by hiring America's first chief experience officer to ensure caregivers were meeting the medical, physical, and emotional needs of patients.

Dr. Cosgrove led the expansion of Cleveland Clinic's footprint to over 100 locations in northeast Ohio, including 10 regional hospitals and 21 family health centers.

Under his leadership, the Cleveland Clinic has become Ohio's largest employer. Total visits increased to 7.1 million and research funding grew to \$260 million.

The Cleveland Clinic health system includes facilities in Florida, Nevada, Canada, Abu Dhabi, and a new London facility scheduled to open in 2020.

Dr. Cosgrove stepped down at the end of 2017. In tribute, the Cleveland Clinic community came together to raise over \$50 million for the Cosgrove Transformation Campaign to honor his career and legacy.

The Cosgrove Transformation Campaign will ensure Cleveland Clinic remains a world leader in innovation, research, education, and improving the patient experience.

On behalf of the people of the 11th Congressional District of Ohio, I thank Dr. Cosgrove for his years of innovative leadership at Cleveland Clinic and his commitment to improving the health and wellness of those we serve.

Mr. Speaker, there is no question that Dr. Cosgrove's impact will continue to be felt for decades to come.

#### HONORING THOMAS COWARD

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

Mr. YOHIO. Mr. Speaker, I rise today in honor of one of Alachua County, Florida's, true trailblazers—Alachua County, Florida, is my home county in northeast central Florida—Mr. Thomas Coward, who passed away on December 23, 2017.

Mr. Coward was drafted into the Navy in 1942 and served during World War II. After his honorable discharge, he went on to pursue higher education, graduated with his bachelor of science in social studies from Lincoln University in Missouri, and followed it with a master of science from Tuskegee University in Alabama.

Upon completion of his master's, he returned to his alma mater, Lincoln High School in Gainesville, to teach civics and history. His interactive style of teaching that included mock government scenarios encouraged students to get involved in government affairs.

He later went on to serve as the dean of students for Lincoln High School, then transferred as the dean of students to the newly opened Buchholz High School in Gainesville, Florida, in 1971.

He ended his career in the school system in the county administrator's office, having served in the Alachua County school system for over 31 years.

While his students remember him for his dedication to shaping young minds, Mr. Coward is known in the community at large for being the first African American elected to serve on the Alachua County Commission in 1974. It is a seat he held for over 18 years. Incidentally, it was the first time since the Reconstruction Era that an African American had been elected to the Alachua County Commission.

During his tenure, he helped to establish the first Office of Equal Opportunity and focused on economic development through the community, in particular east Gainesville.

In fact, his document "Plan East Gainesville" is still frequently referred to as a planned vision for that community.

His time on the county commission inspired him to help found the National Forum for Black Public Administrators and the National Association of Black County Commissioners.

Additionally, he owned and operated Thomas Coward Realty for 25 years, he was the first African American to receive his brokerage license in Alachua County, and he was a member of the National Association of Realtors.

Throughout his life, he continued to lead and inspire his community through positions such as the president of the State Regional Planning Board and as a board member for the East Gainesville Task Force and the Chamber of Commerce.

Additionally, he was involved in organizations such as the Gainesville Cotton Club, the Elks, the Phi Beta Sigma fraternity, all of which focused on serving the community and, in the case of the Cotton Club, helping to preserve history while revitalizing the building to reopen as a museum and cultural center.

His leadership and dedication to our community led to the Alachua County Commission dedicating their Community Support Services Auditorium to him in 2016.

Once quoted as saying "My idea is if you are going to change things, then you have got to be involved," Mr. Coward embodied this idea and held the title of many firsts throughout his life. I have no doubt his legacy of leadership and service will go on to better our community through future generations.

Mr. Speaker, his legacy has and will inspire the future of our county, our State, and yes, our Nation. Mr. Speaker, I thank Mr. Coward for his service to all. He will be missed.

#### UNIVERSITY OF ALABAMA 2018 NCAA FOOTBALL NATIONAL CHAMPIONS

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 congratulate the University of Alabama Crimson Tide on their NCAA Football National Championship win against the University of Georgia Bulldogs.

In a historic comeback, the Crimson Tide overcame a 13-0 deficit to win the game in overtime and to return the title to Tuscaloosa. With this year's victory, the University of Alabama wins its 17th national title, by far the most of any school in the modern era of football.

This is head coach Nick Saban's fifth championship win in just nine seasons.

Mr. Speaker, no other school has won, even, any more than three national championships in any 10-year period.

This year's victory is an extraordinary record which further cements Coach Saban's status as one of the greatest college football coaches of all times.

Likewise, I want to congratulate the players. As Coach Saban said, this was a true team victory. From running backs Bo Scarbrough and Damien Harris to wide receivers Calvin Ridley and Devonta Smith to defensive powerhouses Minkah Fitzpatrick and Raekwon Davis to true freshman quarterback Tua Tagovailoa, every player stepped up to the challenge and demonstrated resilience and grit for all four quarters and into overtime.

I also want to recognize quarterback Jalen Hurts. While he did not finish the game, Jalen led the Tide all the way to the national championships twice, with an impressive 25-2 record in his two seasons. Thank you to Jalen for his leadership and his gracious sportsmanship and being such a good sport throughout the whole game.

Finally, I want to commend the Georgia Bulldogs on a fantastic season and a hard-fought championship game. Coach Kerby Smart and the Dogs were a worthy opponent, and I know that they will give us a run for our title next season.

My friend Representative JODY HICE, who represents the University of Georgia, made a friendly bet with me before the game, and he will honor his wager this week. On Thursday, he will join me on the Capitol steps wearing a Bear Bryant houndstooth hat, as well as an Alabama tie, to commemorate and celebrate Alabama's victory.

He will also serve Georgia barbecue to my staff for lunch. I thank JODY for being such a good sport.

In closing, I want to again congratulate the University of Alabama Crimson Tide on their 17th national football title. What a game. And as we say in Alabama: Roll Tide.

#### ADDRESSING THE PENSION CRISIS

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

Mr. MCKINLEY. Mr. Speaker, gradually, many of America's largest multi-employer pension funds are slipping into insolvency, threatening the retirement income of millions of Americans. Funds such as the United Mine Workers of America, the Central States Pension Fund, the Boilermakers, the IBEW, and over 50 others are in critical condition.

Failure of these funds would leave retirees who have paid their dues throughout their entire career without the income that they were expecting and promised.

This pending economic crisis for families could mean a loss of hundreds of billions of dollars in funds and must be avoided.

I have worked with representatives of the coal miners and the construction building trades preparing a resolution. If we fail to act soon, our options become increasingly limited and extremely expensive.

For example, the UMWA pension fund has been predicted to collapse by 2022, or sooner. But the real culprit to their pension crisis comes not from Wall Street, the management of the operations, but from right here in Washington. Environmental regulations aimed at putting coal out of business have resulted in the loss of over 470 coal mines, 350 coal-fired generating plants, and 86,000 coal jobs as a result of the bankruptcy of mining companies.

Some have suggested that the funds could fall into the Pension Benefits Guaranty Corporation, but the Pension Benefits Guaranty Corporation says it, too, is underfunded. Assuming the liability of one or more of these troubled funds will lead to their own insolvency.

H.R. 3913, the American Miners Pension Act, would allow their funds to recover by borrowing funds that will be paid back. It is important to emphasize this point. The loans are designed to be paid back. It is not a bailout.

A bipartisanship Pension Protection Caucus that I co-chair with Representatives RICHARD NOLAN and DEBBIE DINGELL shares this common goal of raising attention to this crisis before it is too late.

Congress must come together and find a bipartisanship solution that works for all of these critical funds and takes care of the families that need peace of mind.

So on behalf of the American coal miners, the Teamsters, the builders, bakers, boilermakers, and many others, we must act now.

□ 1030

INJUSTICE ANYWHERE IS A  
THREAT TO JUSTICE EVERY-  
WHERE

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

Mr. AL GREEN of Texas. Mr. Speaker, I am always honored to stand here in the well of the House. Today is no exception. I love my country, but I am not proud of my President.

Mr. Speaker, I am saddened to say that the level of discourse in our country has been brought to an all-time low. There are people who were very much concerned when the President indicated that there would be a ban on persons from certain countries, a ban on Muslims, if you will.

There were people who were saddened when they learned that the President was of the opinion that members of the LGBTQ community could not serve in the military.

There were people who were saddened by the President's comments about SOBs playing football. Others were dis-

heartened by the President's comment with reference to Charlottesville and some very fine people being among the racists, the bigots, the KKK.

Well, Mr. Speaker, the latest commentary has really caused an international uproar. People around the world cannot believe that the President has made his latest comments. Mr. Speaker, these comments are words that are hurtful and harmful, but this is just not another person making these comments. This is the President of the United States of America.

The President of the United States of America has the ability, the power, and the wherewithal to do more than simply speak these words. These words can be converted into policy, into policy of the United States of America.

The Muslim ban comments, there was an attempt that is still going on to ban Muslim persons from certain countries.

The comments about Charlottesville were encouraging persons who were there, many of whom were interacting with persons of color, minorities, and Jewish people on their jobs and in other places. It encouraged them to continue to do those dastardly things that they do and had in mind when they were saying: "Jews will not replace us."

The comments that were made about the s---hole, or s---house, the kind of profanity that ought not emanate from the Presidency, those comments were made as there was an effort afoot to deal with immigration, to draft an immigration policy.

The President can put his comments into policy. The President can drive policy with these ugly comments. The President's comments are not only hurtful when you hear them, but they are hurtful to people who have to suffer when they become policy.

Mr. Speaker, I refuse to accept what the President is doing. I refuse to accept it because if you tolerate something, you will not change it. You will do little to change it. I am going to do everything that I can to change it, and it is within my power as a Member of the Congress of the United States of America to bring Articles of Impeachment against this President for what he has done. I have done it before, and I will do it again and again and again. I will not allow it to happen unchallenged.

I know that there are many who would say that this is not appropriate, but I can only say, "Injustice anywhere is a threat to justice everywhere," since we are just now removed 1 or 2 days from Dr. King's celebration. We are still celebrating him in my neck of the woods. But injustice anywhere is a threat to justice everywhere.

If we allow this injustice to persist, then what is happening and said in the White House is going to impact every house in this country. We must take a stand against this President and his bigoted comments.

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

#### REPEAL MEDICAL DEVICE TAX

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

Mr. CURTIS. Mr. Speaker, I rise today to speak about the burdensome medical device tax. Originally passed as part of the Affordable Care Act, this ill-conceived tax places a 2.3 percent sales tax on manufacturers of medical devices.

Although Congress successfully suspended the tax, it, unfortunately, went back into effect on January 1, 2018, and is beginning to derail much of the progress we have made to foster job growth and innovation.

The medical device industry has a significant impact in my State's economy. It employs more than 4,000 individuals. Merit Medical Systems, Inc., a local Utah company, believes this tax could cost them over \$7 million, having a devastating impact on their ability to expand jobs and continue medical research.

The current situation is a lose-lose for everybody. Not only does it increase medical healthcare costs, the tax is stifling job growth of our best medical technology innovators and slowing the cutting-edge research that leads to breakthroughs in patient care and treatment.

Surely, we can do better for the American people. I call upon my colleagues to join me and, together again, repeal this tax once and for all.

#### MEDICAL DEVICE TAX BURDENS HOOSIERS

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

Mr. MESSER. Mr. Speaker, after a 2-year delay, one of the worst parts of ObamaCare went back into effect at the first of this year. The medical device tax prevents Indiana companies from innovating, expanding, and hiring. This tax was created when ObamaCare was created, and that result has been a burden for the tens of thousands of Hoosier workers all over the State, including those in Warsaw, Bloomington, Mishawaka, and Indianapolis. It must be repealed.

This tax is bad for patients because it drives up the cost of much-needed medical devices, and it is bad for workers because it makes America's medical device industry less competitive around the globe.

Fortunately, this week, some relief may soon be on the way. After weeks of debate and a lot of work, the government funding bill we are voting on this week would provide immediate relief by repealing the medical device tax for another 2 years.

This result will be good for Hoosier workers and good for Indiana's econ-

omy. In the long run, repealing the medical device tax will provide certainty in the marketplace and help keep good-paying jobs in Indiana.

Mr. Speaker, I urge my colleagues to join me in supporting the 2-year repeal of the medical device tax in the bill this week, and then continue working to find a long-term solution by permanently repealing the medical device tax.

#### WESTERN HEMISPHERE ELECTIONS

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

Ms. ROS-LEHTINEN. Mr. Speaker, the Western Hemisphere is set to see many key Presidential, parliamentary, and municipal elections this year, and those will have far-reaching implications.

Sadly, one place where we know we won't see elections is in my native country of Cuba. The Cuban people continue to be denied the right to choose their own leaders. The system in Cuba is a farce. The President of Cuba—using that term loosely—is selected by the National Assembly, and the National Assembly is selected by the regime in what can only be described as a circle of corruption.

Raul Castro claims that he will step down and allow for a transition of power in April. The reality is, even if there is a so-called transition, the balance of power will remain with Raul Castro and the Cuban people will continue to suffer.

The U.S. must not give Castro any concessions until we see the regime meet the basic conditions laid out in our laws, U.S. law. We want to help the people of Cuba work toward freedom of expression; freedom of assembly; and free, fair, and transparent elections.

Then there is Castro's protege in Venezuela: Maduro. Venezuela is set to hold elections this year, but with Maduro in power, there is little that we can expect. Even if elections are held, Mr. Speaker, we know that it will be a fraudulent process, just as the municipal elections were last year.

Maduro's grip on the supreme court and the supreme electoral tribunal make it impossible for the voice of the people to be heard. The administration has, thankfully, taken action against Maduro regime officials, but there is so much more that we can do, Mr. Speaker. There is a severe food and medicine shortage in Venezuela as a result of Maduro's failed and oppressive socialist policies.

That is why ELIOT ENGEL and I introduced and the House passed last month the Venezuelan Humanitarian Assistance and Defense of Democratic Governance Act. Our bill mandates a strategy from the USAID to provide humanitarian aid to the people of Venezuela. The bill also aims to fight widespread corruption among Venezuelan govern-

mental officials. I hope that our colleagues in the Senate will take action and pass this measure so we can get help to these individuals rapidly.

Mr. Speaker, Brazil is another country that has important Presidential elections this year. With public opinion at an all-time low, increasing public debt, and high-profile corruption allegations reaching the highest levels in Brazil, the country is at a crossroads.

In December 2016, the Department of Justice reached a plea agreement with Brazilian conglomerate, Odebrecht, for at least \$3.5 billion in global penalties to resolve charges of bribery and what has amounted to be the largest case of its kind in history.

Last January I wrote a letter to then-Attorney General Lynch urging the DOJ to disclose the names of the officials referenced in the Odebrecht case. I again followed up this month, but, unfortunately, the Department of Justice will not disclose the names of officials in Latin America that it knows to have been involved in these corruption schemes. It is very troubling because many of these officials could very well be standing for elections in the region this year.

Mr. Speaker, we worked so hard over the years to help root out corruption in these countries, and it would be a shame to set progress back if these corrupt officials are allowed to continue to act with impunity.

We will also see critical Presidential elections in Colombia this year. Colombia is still at a pivotal point in the aftermath of the failed agreements between the government and the terror group, FARC. Colombia still has a way to go in bringing justice to the victims of the FARC. With members of the FARC, a terror group, aspiring to government positions, I worry that FARC terrorists will soon be elected officials. Their so-called peace deal allows these terrorists to run for public office.

Mr. Speaker, as you can see, this year will be a crucial year. It is crucial for the United States to be engaged and for election observation missions to monitor the electoral process closely to ensure that they are indeed free, that they are fair, and that they are transparent.

#### RECESS

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

Accordingly (at 10 o'clock and 42 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

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

## PRAYER

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

Lord God, architect of the universe and advocate for us all, thank You for giving us another day.

When we rise from sleep, activities of the day stir the mind. Having a job to fulfill sets us into routine as a people with purpose.

Daily work, O Lord, invites us to demonstrate responsibility and manifests our participation in Your creative power. Mind and body together become engaged in productivity, sustenance, or service beyond ourselves.

Because human work bestows a special dignity upon a person and is a way to achieve a just society, we know how important it is for us to pray for the unemployed and those who work but still struggle to make ends meet.

Bless the work of Congress today. May this chosen labor be creative, prove responsible, and have lasting results to the benefit of our Nation. And may all that is done be for Your greater honor and glory.

Amen.

## THE JOURNAL

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

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

Mr. FITZPATRICK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. FITZPATRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Oregon (Ms. BONAMICI) come forward and lead the House in the Pledge of Allegiance.

Ms. BONAMICI 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.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Gabrielle Cuccia, one of his secretaries.

## ANNOUNCEMENT BY THE SPEAKER

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

## THE MARCH FOR LIFE

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, this very Nation was founded upon the belief that all men are entitled to the most precious right to life. It is a right that I fought to defend in the United States Air Force, and it is a right I continue to defend in this United States Congress. That is why, this week, I will proudly vote in support of the Born-Alive Abortion Survivors Protection Act.

It is my hope folks across the country are brought together with the uplifting message that life is a blessing.

## RESCINDING THE COLE MEMO

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

Ms. BONAMICI. Mr. Speaker, I am deeply disappointed that the Department of Justice is ignoring States' rights and encouraging the prosecution of small cannabis businesses, many of which are in Oregon.

Earlier this month, the Department of Justice rescinded the Cole memo, which had provided Federal guidance to discourage prosecutors from charging individuals and businesses with Federal marijuana-related crimes in States where marijuana is legal. Oregon is one of those States.

Today, more than 700 small cannabis businesses operate across the State, where, like with alcohol, marijuana businesses are licensed, regulated, and taxed. These small businesses follow State law, create jobs in their communities, and pay taxes, yet now their livelihood is threatened because this administration wants to revive the futile war on weed.

This is absurd, especially when the Department of Justice should be putting its efforts and its resources into the extremely dangerous and addictive heroin and fentanyl.

Our small cannabis businesses should not be jeopardized by this misguided Federal policy. The voters have spoken. Their will must be respected.

## PEMBROKE, NORTH CAROLINA, 2017 SMALL TOWN OF THE YEAR

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of Pembroke, North Carolina, named 2017 Small Town of the Year by the North Carolina Rural Assembly.

Pembroke, population 3,000, is home to the University of North Carolina at Pembroke, as well as the Lumbee Indian Tribe, two wonderful organizations with whom I am actively involved.

Much of southeastern North Carolina has been decimated by poorly negotiated international trade deals and the loss of traditional industries. Pembroke is fighting back by participating in a first-in-the-Nation innovation and entrepreneurship program and is working to build its economy by focusing on healthcare, construction, and agribusiness.

Congratulations to Mayor Charles Gregory Cummings, Council Members Locklear, Jones, Sampson, and McNeill, Town Manager Tyler Thomas, UNC Pembroke Chancellor Robin Cummings, Lumbee Tribal Chairman Harvey Godwin, and the entire Pembroke community on this outstanding achievement.

## WE MUST FIGHT CLIMATE CHANGE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, in 2017 alone, there were 16 extreme weather and climate events that devastated the United States and its territories, including Hurricane Harvey, which ravaged my great State of Texas and brought Houston's third 500-year flood in 3 years. Since 2006, the contiguous U.S. has experienced five of the warmest years on record. Year after year, new temperature and weather severity records are broken.

As researchers attempt to answer why this is occurring, it has become clear that there is a link between the severity of these events and human-caused climate change. Last year, in a study published by Nature magazine, scientists concluded that the frequency of extreme weather events in the Northern Hemisphere were amplified by anthropogenic climate change.

It is time to face the fact that climate change is real and admit that we are directly contributing to it. We must continue to find innovative ways to address this challenge before it is too late.

I will continue to speak out in support of all research that furthers our understanding of our planet's climate and helps identify ways of reducing the harmful impacts on it.

## RECOGNIZING DR. TIMOTHY M. BLOCK

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize my constituent Dr. Timothy M. Block, president of the Hepatitis B Foundation, Baruch S. Blumberg Institute, and the Pennsylvania Biotechnology Center in my district in Doylestown, Pennsylvania.

Dr. Block was recently named as a fellow of the U.S. National Academy of Inventors. Being elected as an NAI fellow is the highest professional recognition for academic inventors who have shown a lifelong commitment to innovation, specifically by facilitating or creating inventions that make a measurable impact on quality of life, economic development, and the welfare of society.

Dr. Block is being recognized for his contributions to therapeutic drug and biomarker of disease screening and discovery. Dr. Block also holds more than nine patents and has been involved, for more than 30 years, in viral hepatitis research.

Mr. Speaker, the House of Representatives thanks Dr. Block for the work that he has done in this field, which has undoubtedly impacted the lives of constituents in my district and people around the world.

#### RISING TO SAVE LIVES PROTECTION ACT

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

Ms. JACKSON LEE. Mr. Speaker, I rise today to save lives.

Mr. Speaker, I oppose the CR for its repetitiveness and its inability to save lives, frankly, the lives of DREAMers or the lives of those who depend upon the Children's Health Insurance Program.

In the vulgar statement that was made by the White House, how shocking this week of Dr. King's birthday of the deafening silence of my Republican friends and the faith community, the broad-based faith community.

Let me read from the network:

The slave codes created servitude for natural life for African laborers. 250-plus years slave labor of millions of African and Black people was the foundation of the American economy and global force that it eventually became. On the eve of the Civil War, Black slaves were valued at an estimated \$3.5 billion—and that is scaled for modern inflation—and none of the Black slaves were able to cash in on that value.

That is the vulgar statement about Africa from which many of us have come. And so I would argue that it is time, now, for this House to stand up for people such as those who are starving in Somalia, those who are starving in Sudan and Nigeria, those who have been called a vulgar word.

Where is the morality of this Congress, the morality of this administration, the morality of this Nation?

Enough is enough.

#### RISING IN SUPPORT OF THE BORN- ALIVE SURVIVORS PROTECTION ACT

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

Mr. ALLEN. Mr. Speaker, I rise today in support of H.R. 4712, the Born-

Alive Survivors Protection Act. I am proud to be a cosponsor of this important pro-life legislation.

The Born-Alive Survivors Protection Act is a simple but critical bill to strengthen the protections for babies who survive abortion. It ensures that these precious babies are provided with the same degree of medical care that any other child would receive in order to save their life.

We all expect doctors and nurses to follow their oath to help and heal. This bill simply codifies that expectation into law for babies who survive abortion and deserve a chance at life.

Just think about this. Right now we are debating whether a living, breathing baby should be given a chance to live. I know that my colleagues on both sides of the aisle agree that these babies deserve our compassion, and most importantly, our protection, and I hope they will join in me in supporting this important legislation.

#### HONORING THE LIFE OF DR. JIM MELIUS

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

Mr. HIGGINS of New York. Mr. Speaker, today I rise to honor the life of Dr. Jim Melius, who passed away on January 1.

Possessed of a technical expertise and a fierce sense of justice, Dr. Melius was a tireless advocate for people who, due to no fault of their own, were exposed to toxic and deadly substances in the workplace. He was a powerful force in our efforts in helping thousands of western New Yorkers get long overdue relief for suffering caused by their unknowing exposure to uranium at long-shuttered plants like Linde Ceramics, Hooker Chemical, Carborundum, and Bethlehem Steel, where, today, over \$300 million in compensation and medical bills have been paid out to former employees. With a calm and steady demeanor, he gave instant credibility to any fight. He was a tremendous resource and he was a good man.

While our fight to provide full and fair relief for all of these citizens continues, we will never forget this fighter for all the Cold War warriors.

#### KATE'S KART MARKS 10 YEARS

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

Mr. BANKS of Indiana. Mr. Speaker, I rise today to honor Kate's Kart, a group founded in memory of Kate Layman.

Monday marked 10 years since Kate's life was cut short due to a heart condition at the age of 18 months. During Kate's final moments here on Earth, listening to stories brought a sense of comfort and joy.

Today, Kate's memory lives on through Kate's Kart. This organization brings joy to thousands of hospitalized

children throughout northeast Indiana by giving them free books. In the 10 years that it has operated, Kate's Kart has passed out over 186,000 books.

Kate's Kart is particularly near and dear to my heart because Mr. Layman, Kate's father, was my middle school history teacher, and he helped spark my interest in government.

I want to recognize the life-changing work of Kate's Kart. Truly, Kate's legacy lives on through this organization and its impact on children throughout northeast Indiana.

□ 1215

#### ATTORNEY GENERAL SESSIONS' CANNABIS DECISION

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

Ms. LEE. Mr. Speaker, I rise today in strong opposition to Attorney General Sessions' unproductive and backwards marijuana policies. By rescinding the Cole memorandum on legal marijuana enforcement, Jeff Sessions proved that he has one goal as Attorney General, and that is reviving the failed war on drugs.

These policies have proven to be devastating for communities of color. For example, African Americans are four times more likely to be arrested and incarcerated for marijuana possession than their White counterparts. Instead of embracing outdated drug laws, the Attorney General should be working to create a criminal justice system that treats everyone fairly.

What is worse, by going after legal marijuana businesses and consumers, the Attorney General is really showing a blatant disregard for the will of the American people who have voted, mind you, in their States for more reasonable and fairer laws.

That is why I am proud to introduce H.R. 4779. Actually, we introduced it last week, along with my friend, Congressman DON YOUNG. It is a bipartisan bill called the REFER Act, which would prevent harmful Federal overreach. Also, today we are introducing a bill that will end the Federal prohibition.

#### BORN-ALIVE ABORTIONS

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

Mr. MARSHALL. Mr. Speaker, it is hard to believe that it has been 30 years since it was my first night alone as an OB/GYN resident at Bayfront Health in St. Petersburg, Florida. As fate would have it, I was called about 2 in the morning, stat, to the OB floor.

When I got there, I went into a patient's room and reviewed a lady that I had never met before. I quickly looked at her and determined that she might be 24 weeks pregnant. But more alarmingly, she had blood oozing from the bed, soaking into the cloth beneath the



bed, filling buckets of blood, and I knew I had seconds or minutes to make a decision whether to do a C-section on this lady.

As we rushed her back to the OR and quickly did a C-section, I was calling in neonatologists, anesthesiologists, anybody I could. And you can't imagine, when I reached in there to pull the first baby out, that there was a second baby. We did everything we could to save those babies' lives.

But what I can't really believe, Mr. Speaker, is that an abortion clinic across town where botched abortions occur and babies born this same gestational age are executed in inhumane fashion.

Mr. Speaker, we have a chance Friday to pass the Born-Alive Abortion Survivors Protection Act, and I look forward to passing that legislation.

#### URGENT NATIONAL PRIORITIES

(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, the Republican Party has total control of Washington. Yet, instead of fulfilling their responsibilities to fund the government, President Trump and the Republicans wasted the last 4 months on their tax scam.

Because they haven't done their jobs, Republicans now tell us we need to kick the can down the road again. Minnesotans and Americans deserve better. We need a budget deal that keeps our government open, protects our national security, meets our commitments to hardworking families. We need to reauthorize community health centers which will otherwise be forced to lay off healthcare workers. We need to protect workers' retirements by enacting responsible pension reform. And, yes, we must pass the Dream Act.

There is bipartisan support for these priorities. The only thing standing in the way is Republican's failure to govern responsibly.

Mr. Speaker, it is time for President Trump and the Republicans to end the chaos and to work across the aisle to meet the urgent needs of the American people.

#### NORTH TEXANS ARE BENEFITING FROM HISTORIC TAX REFORM

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

Mr. MARCHANT. Mr. Speaker, Texas businesses are putting more money in their employees' pockets because of the Tax Cuts and Jobs Act. Companies that employ tens of thousands of my constituents in north Texas are giving bonuses to their employees, increasing investment in their operations, and donating millions of dollars to charities.

These Texas companies are joining thousands of others across the country and doing the same for their workers.

They are growing the American economy because of tax reform. The Tax Cuts and Jobs Act reforms an unfair and uncompetitive Tax Code, and that is being fixed in this Tax Code. It provides tax relief at every income level and helps Americans and American businesses to succeed in the future.

#### COMMEMORATING THE LIFE AND ACHIEVEMENTS OF PROFESSOR BEN BARRES

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

Mr. MCNERNEY. Mr. Speaker, I rise to commemorate the life and achievements of Ben Barres, a Stanford neurobiologist.

Professor Barres started life as "Barbara." He received a BS from MIT in 1976, an MD from Dartmouth in 1979, and a Ph.D. in neuroscience and neurobiology from Harvard in 1990. Ben started at Stanford in 1993 and made the transition to male in 1997, always championing the cause of women in academia and dignity for everyone.

Ben had 160 scientific publications. Perhaps his greatest achievements were about the glial cells in the brain that are responsible for the formation and regeneration of neurons. He found that the glial cells play a central role in developing the wiring of the brain. Prior to his work, these cells were thought of as the insulation for neurons, much like packing peanuts of the brain.

Professor Barres cofounded Annexon Biosciences, Inc., a company that makes drugs to block neurodegeneration in Alzheimer's. Ben Barres died on December 27 of pancreatic cancer.

#### RECOGNIZING MARIA ALONSO

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to congratulate and recognize the president and CEO of United Way of Miami-Dade County, Maria Alonso.

The United Way of Miami-Dade is an organization committed to helping those most in need to lead successful lives. As its new president and CEO of the United Way chapter of Miami-Dade, Maria will continue to build on its mission of changing lives through education, financial stability, and health.

For more than 3 decades, Maria has dedicated her life to improving the lives of others. Ms. Alonso has also chaired numerous south Florida institutions, such as the Greater Miami Chamber of Commerce, and served on the boards of The Miami Foundation, Camillus House, the Miami-Dade College Foundation, the March of Dimes, and Teach For America.

Maria's vision of a stronger and united Miami is not only inspiring, but

the very foundation of the work of the United Way of Miami-Dade that it brings to our community.

Mr. Speaker, I am so proud to represent individuals like Maria, and I thank her for this invaluable work to empower individuals to live healthier and more fulfilling lives.

#### RECOGNIZING THE LIFE AND LEGACY OF PAMELA PALANQUE-NORTH

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

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize the life and legacy of Pamela Palanque-North, a dedicated advocate for northern Manhattan and the citywide New York City community.

Ms. North was an unstoppable force of good in her own community. Beginning at Queens College, when she spoke out to increase minority student admissions, she since then served on numerous influential advisory boards across the city. She was the chair of Manhattan Community Board 12, where she served with distinction.

She was also the chair of and president of the Metropolitan Chapter, Jack and Jill, Inc., and founder of the Metropolitan Museum of Art's trustees' Multicultural Audience Development Initiative Advisory Committee. Her legacy should and will be remembered in her enthusiasm for giving back and the strong work that the entities she influenced continue to do.

Ms. North left a permanent mark in the northern Manhattan community, for which she will be forever fondly remembered for years to come.

#### PROVIDE PERMANENT STATUS FOR DREAMERS

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

Mr. POLIS. Mr. Speaker, the situation that so many DREAMers—aspired Americans who know no other country—face is becoming more and more urgent in the face of President Trump's cancellation of their legal status in March.

I want to point out that over 100 are losing status every day and losing their permission to be able to go to work—their legal status—in our country. If we fail to act, one million aspired Americans will be unable to work legally and live legally in the only country they know, instantly creating over one million more people who are here illegally—the opposite of what President Trump ran on and the opposite of what the American people want.

I know that we can pass a solution through this body. I have heard so many Republicans and Democrats talk passionately about providing permanent status for the DREAMers. Let's pass the Dream Act, any of these bills.



Mr. Speaker, I am proud to cosponsor a new one yesterday that will finally provide some certainty for young people who want to do nothing more than work hard, play by the rules, and contribute to make our country, the only country they know, the United States of America, even greater.

COMMUNICATION FROM THE  
CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MITCHELL) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 17, 2018.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 17, 2018, at 11:20 a.m.:

Appointment:  
Health Information Technology Advisory  
Committee.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION  
OF H.R. 3326, WORLD BANK AC-  
COUNTABILITY ACT OF 2017, AND  
PROVIDING FOR CONSIDERATION  
OF H.R. 2954, HOME MORTGAGE  
DISCLOSURE ADJUSTMENT ACT

Mr. BUCK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 693 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 693

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3326) to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member des-

ignated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 2954) to amend the Home Mortgage Disclosure Act of 1975 to specify which depository institutions are subject to the maintenance of records and disclosure requirements of such Act, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

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

Mr. BUCK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1230

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of the rule and the underlying legislation.

This rule makes in order two bills reported favorably by the Committee on Financial Services. In addition, the rule makes in order a majority of the amendments submitted.

These bills were the subject of hearings in the Financial Services Com-

mittee, and both were marked up and reported favorably to the House. Both bills received bipartisan support in the committee, and I expect that we will see bipartisan support for both bills on the floor this week.

Mr. Speaker, formed in 1944, the World Bank is the oldest multilateral development bank. As a post-World War II effort of international cooperation, the goal of the World Bank was to fund reconstruction efforts in war-torn nations.

In 1960, the United States pushed for the creation of the International Development Association within the World Bank. Where the original World Bank division funded middle-income countries, the IDA was created to make concessional loans; that is, loans with low interest rates and long repayment periods to the world's poorest countries.

The number of countries served by the IDA currently stands at 75. The IDA is typically the single largest source of funding for critical social programs in these low-income countries. However, the bill before us reduces the United States' contribution to the IDA.

The IDA is funded through replenishments by donor countries. We are currently in the 18th replenishment period, known as IDA-18. The bill reduces the United States' contribution in IDA-18 by 15 percent. Further, the bill requires that the Treasury Department certify that the World Bank reform its practices and lending controls in relation to the IDA.

A 2016 report commissioned by the World Bank reveals serious problems with one particular IDA project in Uganda. While IDA's role is to reduce inequality and support the development of civil society, the report outlines numerous failures to achieve these objectives on the part of the IDA.

The report details how IDA financing of a project in Uganda led to systemic spreading of HIV/AIDS, sexual abuse of minors, child labor, retaliation against local citizens, gender-based violence, and other gross abuses of powerless Ugandans. While the IDA took several steps, including withdrawing some loans from this particular project, there is much concern that this project is indicative of many others.

The House Committee on Financial Services held a hearing at which testimony was received from the International Consortium of Investigative Journalists indicating that governments that allow or participate in the abuse of their citizens and the subjugation of the poor have not been turned away by the World Bank.

The testimony reads in part: "We found instead that the bank repeatedly funded governments that not only failed to adequately resettle communities, but in some cases were accused of human rights abuses such as rape, murder, and violent evictions associated with bank projects. We found in several cases that the World Bank continued to bankroll these borrowers

even after evidence of these abuses came to light.”

Mr. Speaker, the IDA has a quality control problem, and we are right in reducing their funding.

As if the abuse of citizens by corrupt governments is not enough, the committee has also uncovered evidence that the World Bank has serious internal problems as well.

According to the World Bank's Independent Evaluation Group, World Bank staff has long been incentivized to simply get more loans out the door without any incentive to ensure the quality of the projects. This has been a longstanding trend documented since the early 1990s.

But it is not just perverse incentives. The World Bank has not focused enough on rigidly guarding itself against internal corruption. A professor from Caltech testified before the committee that it was common for World Bank projects to be captured by corrupt governments and that World Bank staff try to suppress corruption investigations.

She said: “Corruption investigations can shut down projects and derail careers. They are also inconvenient for senior management in the bank who are balancing delicate relationships with their country clients.”

Due to these problems, the underlying bill protects American taxpayers by withholding funding from the World Bank until these deficiencies are fixed.

Mr. Speaker, not only should we be holding international organizations accountable, we should also be holding our own government accountable, and the second bill made in order under this rule does just that.

In 2011, Dodd-Frank transferred to the Consumer Financial Protection Bureau regulatory authority over home mortgages. Since then, CFPB has made information reporting by lenders more extensive.

The impact of these increased regulations has led to greater costs to lenders. Consequently, smaller lenders have had to pass on these costs directly to potential borrowers. This has reduced access to affordable credit to borrowers who would typically seek out smaller lending institutions.

The underlying bill is simple: exempt small lenders from CFPB's onerous reporting requirements.

Under the leadership of Chairman HENSARLING, House Republicans have consistently put forward a plan to reform the CFPB. However, until we can pass broader reforms, we should do everything we can to protect Americans from harmful regulations pushed on them by the CFPB.

Today, we have two bills before us that hold powerful organizations accountable to American taxpayers.

Mr. Speaker, I urge my colleagues to support this rule and these bills, and I reserve the balance of my time.

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

I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, once again, Congress finds itself rushing to try to pass legislation to keep the government open; ensure that our youngest, most vulnerable Americans have access to health insurance; and protect young, aspiring Americans from being deported from the only country they have known as home. Yet here we are debating other things with the clock running out in the eleventh hour—issues that, no doubt, have a few people here and there who care about them, but zero people have called my office on, Mr. Speaker.

My constituents are demanding that we address access to the childhood healthcare insurance program and demanding that we act on the DREAMers with the deadline approaching and 100-plus DREAMers every day losing their status.

It sounds like, from all we are hearing, that the House is going to consider yet another short-term spending bill to maybe keep the government running for another 4 weeks or 6 weeks. It is actually the fourth short-term spending bill for this year, not allowing the Department of Defense to plan to keep our country safe and not allowing any of the departments across the Federal Government to make any of the investments they need or have any degree of certainty that contractors will be paid.

It is no way to govern, Mr. Speaker. Part of the reason that we are left doing this is we are using our precious floor time on all of these other issues like the ones before us today.

It is not that these issues don't deserve their day in the sun, and we will talk about them for the rest of the day today, apparently, but we are facing the closure of the entire Federal Government in 3 days if we don't act. We are doing the equivalent of fiddling while Rome burns. This is an absurd exercise in doing some narrowly tailored special interest bills rather than addressing what we all know to be the 1,000-pound gorillas in the room.

Seniors, military veterans, and people with disabilities shouldn't have to question whether they will actually receive their benefits month to month because we don't know whether the government will remain open. In the meanwhile, Republicans, Democrats, and the White House are all trying to put forward bipartisan solutions for the hundreds of thousands of Deferred Action for Childhood Arrivals recipients and DREAMers, and we could be debating that on the floor and putting together the final package now to do that by this Friday. But instead, we are discussing these bills that my constituents aren't telling me that they are sending me to Washington to pass.

A lot of my colleagues say that the deadline for DACA isn't until March, but, in reality, over 100 deferred action DREAMers every day lose their protected status as their benefits expire. Every day the Republicans fail to act, they are creating over 100 more illegal immigrants in this country. If Republicans fail to act by March, they will

have created over 800,000 more people here illegally in our country.

We have about 18,000 DREAMers in Colorado able to work legally today. They have come from countries near and far in search of a better life for themselves and their families. They grew up in our schools, sports teams, cheerleaders, don't know any other country, and many of them don't speak any other language.

One DREAMer that I have gotten to know from Colorado is Anarely, whose family stayed in Colorado to help take care of their grandmother. Anarely is a triple major at Colorado State University, studying political science, ethnic studies, and international relations. She has built a life in Colorado—the only life she knows—and continues to build a bright future in the U.S. if we can give her the certainty with regard to her legal ability to work and, of course, take her place alongside other American citizens.

What makes America so great is we are a country of immigrants made up of people from all backgrounds, all quarters of the world. We embrace people from different cultures and different countries. We value the contributions based on the individual and the values of individual responsibility and hard work. That is what makes our country and our communities vibrant and our economy successful.

Mr. Speaker, a group of bipartisan House and Senate Members are working together to find a solution to protect DREAMers and improve border security. I am proud to cosponsor the USA Act, which we dropped yesterday with Mr. HURD and Mr. AGUILAR which would provide DREAMers long-term protections and improve our border security to prevent this kind of situation from happening again.

But instead of legislation that addresses long-term funding or protects aspiring Americans, here we are bringing bills to talk around the fringes about consumer protections and, of course, a bill that would chip away at reproductive health rights.

The rule we are debating today considers two pieces of legislation that are not anything to do with the expiration at the end of this week of government funding or the over 100 DREAMers who lose their status every day—the Home Mortgage Disclosure Act and the World Bank Accountability Act.

The Home Mortgage Disclosure Act has long been a tool to monitor the mortgage lending practices and patterns of financial institutions to ensure equal and fair access to credit. The information that lenders are required to report shows that they are meeting the housing financing needs of their communities. HMDA data is very important in fair lending assessments and helps make determinations of where to target community development resources.

Congress has made changes to HMDA as a response to legitimate concerns about the role that widespread predatory lending played in the financial

crisis. The Consumer Financial Protection Bureau was charged with updating how lenders report HMDA.

The Consumer Financial Protection Bureau adopted a standard for the new reporting requirements that took into account the burdens imposed on banks by new standards to ensure that the data is being reported to monitor fair lending practices to prevent another systemic meltdown like we had in 2008 and 2009.

The Consumer Financial Protection Bureau even temporarily raised the reporting threshold eliminating the need for low-volume banks to report through 2019, in order to conduct research to determine the right way to document open-ended loans. We should not codify this threshold, removing the flexibility of the agency that we in Congress set up to prevent another financial meltdown. It would literally tie their hands and prevent them from acting, even if there was a need to, to prevent a financial meltdown.

I strongly support regulatory relief for community banks and small financial institutions. This bill would actually exempt 85 percent of depository financial institutions and 48 percent of nondepository lenders.

Congress should want to encourage increased access to housing finance and combat unlawful practices that can prey on vulnerable home buyers or lead to systemic risk which leads to people coming to this town demanding another Republican taxpayer bailout.

This rule also considers debate for H.R. 3326, the World Bank Accountability Act—another issue that does not relate to the expiration of government funding at the end of the week, does not relate to the illegal aliens that the Republicans are creating every day, and does not relate to the Children's Health Insurance Program expiring.

What it does is it places a restriction on funding to the World Bank International Development Association—again, something I am not hearing from my constituents on, that they are not sending me to Washington and demanding that I take action on—and try to get them to reform to improve their management accountability and fight extremism, which I am sure is fine. It is true that, of course, they probably need to improve accountability and oversight, and Congress can have this discussion, but here we are, backs to the wall, the government is about to close, DREAMers are facing deportation, children are going without healthcare, and, yes, of course, World Bank accountability, great, let's discuss it, but can't we do it next week after we get through this?

In fact, I believe the Republicans are sending us all on vacation next week. I think most Americans wish they had 10 days off at the end of January. I don't understand this. It makes no sense. I think Congress is about to do a last-minute funding bill and then send every Member of Congress on a 10-day

vacation saying: Good job, we dealt with World Bank accountability. That is what the voters want. Forget about government shutdowns, forget about Republicans creating more illegal aliens, forget about Republicans plunging our Nation deeper into debt with their tax-and-spend policies. That is where we are headed, Mr. Speaker.

□ 1245

Of course, we should have a debate on the best way to make reforms in the U.S. and engage the World Bank to encourage those reforms.

Again, fiddling while Rome burns, Mr. Speaker, it is a common theme over here, and the American people are seeing through it, which is why the approval rating of this institution is under 15 percent—no shock.

We can be debating World Bank accountability every day for the next year if you want. That is why people think this body is out of touch. We are just not addressing or dealing with the issues the American people sent us here to deal with: skyrocketing debt; over 12 million people who are here illegally, and yet this Congress fails to take up comprehensive immigration reform; expiration of the Children's Health Insurance Program; fixing the Affordable Care Act.

Withholding funds to the IDA has a lot of positives and negatives. We could influence them to act. Others fear it could punish people in the developing world. It could hamper their ability to fight famine. It could force the necessary reforms.

Again, fine, we will have that discussion under this rule for an hour or two and Congress will debate that. Congress will pass a bill, and we will see whether the Senate even takes it up. They often don't.

But, again, it is backs to the wall, fiddling while Rome burns, the eleventh hour, record debt, Republicans creating more illegal immigrants every day, and here we are debating accountability for different aid programs.

The 15 percent must be, like, the family members and cousins of the Republican Members. I don't know anybody who is satisfied with this Congress, Mr. Speaker.

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

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

Mr. Speaker, I remind my friend from Colorado that the House did pass the Children's Health Insurance Program bill in November. We did send it to the Senate. Perhaps if he could talk to the leadership in his party over in the Senate, we could get that bill passed in the Senate instead of blocked, and we could deal with a very important issue, an issue in Colorado that is absolutely essential, because the money is running out in Colorado, one of the few States where it is even more important than many of the other States.

I appreciate my colleague's concern on this issue. I share his concern. The

House acted responsibly in a broad, bipartisan bill. Hopefully, we can get our friends over in the Senate to get more done.

Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. EMMER), my good friend and the sponsor of one of the bills today.

Mr. EMMER. Mr. Speaker, every citizen in our Nation deserves a chance to achieve their American Dream. For thousands across the country, their American Dream consists of owning a home or starting their own business. Some laws have proven helpful in achieving this dream; others have created obstacles by codifying government overreach.

In 1975, the Home Mortgage Disclosure Act was enacted. This important law exposed and helped eliminate discriminatory lending practices, particularly against minorities. In short, this law helped more Americans realize their dream of owning a house.

Over the years, however, the disclosure required by the law has expanded away from the original intent and has actually become an obstacle preventing small, medium, and local lenders from helping aspiring homeowners.

In 2015, the Dodd-Frank-created agency, the Consumer Financial Protection Bureau, or CFPB, demanded from lenders more than double the amount of data originally required under the Home Mortgage Disclosure Act. That double-the-data rule took effect on the first of this month.

Larger financial firms are able to adapt. In fact, most, if not all, continue to be in the home mortgage business; but for smaller financial firms, for the family-owned bank on Main Street, USA, the double-the-data rule means making fewer mortgages or none at all. This unintended result is something each of us has heard over and over again in our home districts.

Again, these are not the Wells Fargos, Bank of Americas, or J.P. Morgans. These are the small guys on Main Street, in small towns all across Minnesota and our country.

As a direct result of having fewer and fewer small, medium, and local lenders in the home mortgage business or offering the capital necessary for their neighbor's small business to get off the ground, the CFPB's rule has put the American Dream out of reach for many Americans.

Mr. Speaker, today we have an opportunity to rightsize government regulation to create more opportunity. We have the opportunity to encourage small and medium financial institutions in our local communities to keep their doors open, to make mortgages again, to make loans to would-be entrepreneurs, in short, to fund the dreams of their neighbors and friends. We have the opportunity to expand not the law but, rather and instead, the number of Americans who can own a home or start their own business.

I first introduced the Home Mortgage Disclosure Adjustment Act when I

came to Congress in 2015. It is a bill that will keep the original intent of the 1975 HMDA law. Nothing will overwrite or exempt any financial institution, big or small, from reporting data related to race or gender. It is a bill that will put a stop to the loss of lenders we see in our home districts by providing desperately needed regulatory relief for Main Street banks and credit unions. I am proud to say it is a bill that has been perfected with input from both sides of the aisle and in both Chambers.

Our goal today shouldn't be to expand the law. Our goal today should be to expand the number of Americans who want to get one step closer to achieving their American Dream, whether it is owning a home or starting a business. Mr. Speaker, H.R. 2954 will help us achieve this goal.

If my colleagues share the goal, then I ask you to vote "yes" on H.R. 2954 and pass the Home Mortgage Disclosure Adjustment Act.

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

Mr. Speaker, last week, President Trump tweeted: "The Democrats are all talk and no action. They are doing nothing to fix DACA." That is deeply insulting to those of us who have worked so hard for years. I was even here when the Democrats passed the DREAM Act in December of 2010.

This is the 18th time we have attempted to bring up the bipartisan bill, H.R. 3440. We are about to do it again with my colleague, Mr. GOMEZ. The Dream Act makes our position clear. We want immigration policies that make America safer. We want to make sure that our aspiring, de facto Americans can take their place alongside of us with the rights and responsibilities of citizenship.

Unfortunately, President Trump made his position clear, as well. I am not sure which position; he changes every other day. But at times, he said he will sign whatever we do. At other times, he said:

My standard is very simple: America first, and Make America Great Again.

That is an easy one. This bill we bring up if we defeat the previous question will absolutely make America greater. According to the conservative think tank CATO, repealing DACA would actually cost the government over \$60 billion, reduce economic growth by \$280 billion, and make us all poorer.

We just want to make America wealthier, make us better, and recognize the aspiring Americans and let them work hard and play by the rules and pay taxes and live the American Dream. That is an America first policy that we can all get behind.

This is the 18th attempt here to do this. But I am a Jewish American, and 18 is actually a lucky number. "Chai" means "life," when you do the numerology. Mr. GOMEZ is lucky to be here for number 18. For our Jewish friends watching on C-SPAN, Mr. Speaker,

they will recognize that. It is kind of like seven. I don't know if seven is a Christian lucky number or pagan or what, but I have heard seven is a lucky number, too.

But 18 means life, and this is life for the DREAMers. That is what Mr. GOMEZ's motion is all about: it is letting young people who have that uncertainty and don't even know if they can go to their job and work hard come March, or even come today or tomorrow for the over 100 a day whose status is expiring.

I really hope that my Republican colleagues join Mr. GOMEZ and me in defeating the previous question so we can bring up H.R. 3440, the Dream Act, which would pass this body, Mr. Speaker. You and I know that. It is bipartisan, bicameral. It would help thousands of young people who are Americans in every single way—de facto Americans, aspiring Americans—except on paper.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. GOMEZ) to discuss our proposal for the 18th time: chai, or life.

Mr. GOMEZ. Mr. Speaker, I rise today to ask my colleagues about the American Dream and why their families came to our great country.

Was it to build a better future for their children so they could live and attend school in the greatest country in the history of the world?

Was it so they could work and live in a safe place without fear of violence?

Was it because they knew that, if they came here, no matter where they are from, no matter what God they worship, if they work hard, contribute to our country, and believe in the ideals of America that all men and women are created equal, then you deserve a place here in the United States of America?

The answer to these questions is "yes." Our ancestors and parents came to the United States for all these reasons and more.

That answer holds true for hundreds of thousands of DREAMers and their parents who live and work and attend school here in the United States without fear of deportation thanks to DACA. Yet, on September 5, the Trump administration destroyed the American Dream for 800,000 young people and their families by recklessly terminating DACA.

One of those 800,000 DREAMers is Itayu Torres, a proud DACA recipient from my district, the 34th Congressional District of California. She was born in Oaxaca, Mexico, and arrived in my district before she turned 1. The United States is the only place she has

ever known as her country, and she is as American as you and I, but she was forced to live with the burden of her legal status.

At the age of 14, she found out she didn't have legal status when she tried to travel out of State to play in a soccer tournament. That fear of being deported if she left her State of California prevented her from leaving.

But her life changed when she became a DACA recipient. Thanks to DACA, she enrolled in a liberal arts college in Maryland. She no longer had to live in crippling fear as she goes about her day-to-day life.

DREAMers like Itayu deserve the chance to succeed and contribute to our great country. That is why I urge my colleagues to defeat the previous question, so we can bring up the Dream Act to give 800,000 DREAMers a shot at the American Dream.

Mr. BUCK. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. BARR), chair of the Subcommittee on Monetary Policy and Trade.

Mr. BARR. Mr. Speaker, I rise today in support of this combined rule that will enable the people's House to consider both the World Bank Accountability Act and the Home Mortgage Disclosure Adjustment Act.

Before I speak about why I support this rule, I do want to respond to the other gentleman from Colorado saying that this House is not doing the people's business. In fact, this House is dealing with year-end spending, and we are doing it right now. We are working on immigration reforms. To suggest otherwise is simply not true.

In fact, on year-end spending, this House passed all appropriations bills ahead of time, ahead of schedule, before the end of the fiscal year. Those bills were sent over to the Senate.

This House also dealt with the issues related to the Children's Health Insurance Program, dealt with community health centers and a whole range of other issues. Those pieces of legislation went over to the Senate.

So the issue is really with the Senate, it is not with this House.

Furthermore, this House has passed historic tax reform that has become law. It has passed over 16 Congressional Review Acts rolling back Obama-era regulations and rules that were holding back our economy. The result is millions of jobs were created and the best economy we have seen in a decade.

So it is just simply not true to suggest that this House is not doing the people's business. We are dealing with some important additional issues this week. We can do both: plan for the year-end spending debates with the Senate and also reauthorize the World Bank.

The World Bank's mission is to reduce poverty around the globe. However, during congressional oversight hearings, it has become clear that the World Bank is falling short of its anti-poverty mission.

As early as 1992, outside reviews of the World Bank—and, later, its own reviews—concluded that a “pressure to lend” on staff, through the staff evaluation process, has created perverse incentives for some World Bank employees to focus on loan volume in order to receive a raise or a promotion rather than what really matters, which is poverty reduction outcomes.

In addition, there are numerous examples of where the very group of people that was supposed to be helped through World Bank assistance was actually harmed by a corrupt government or its cronies. From violent evictions to rape, to murder, the list of human rights violations goes on and on.

One of the most egregious examples of human rights violations was the Uganda crisis, where contractors were sexually abusing a dozen or more girls, and it took the World Bank years to stop it. Even more perplexing, the World Bank’s country manager for the Uganda project was, disturbingly, promoted to become World Bank country director for the Democratic Republic of the Congo, where allegations, not surprisingly, of sexual and gender-based violence have resurfaced in 2017.

□ 1300

For these reasons and more, I support the World Bank Accountability Act, which requires the World Bank to fix its problems or face a 15 to 30 percent reduction of the U.S. contribution to the World Bank’s International Development Association fund, or, as it is commonly called, IDA.

More specifically, the bill authorizes \$3.3 billion for IDA over the next 3 years and mandates that the World Bank must align its incentives for employees with the World Bank’s goals of poverty reduction, ending the “pressure to lend” problem that is pervasive today. Throwing money at this problem is not the answer, but getting results and doing so without these kind of terrible, horrific scandals is critically important.

The legislation also requires the World Bank to fix failures identified in the Uganda sexual abuse crisis so that nothing like that ever happens again.

Additionally, the legislation requires the World Bank, through its various tools, to support property rights, due process of law, and economic freedom. The World Bank must also demonstrate that none of its resources have been used to fund terrorism, and must also improve its ability to detect and minimize corruption. If the World Bank does all of these commonsense reforms, then it will receive its full U.S. contribution for IDA. But if it fails to do this, then the World Bank doesn’t deserve the full funding backed by U.S. taxpayers.

Mr. Speaker, I also am a strong supporter of the Home Mortgage Disclosure Adjustment Act. This much-needed legislation exempts community financial institutions, such as small

banks and credit unions, from the onerous doubling of Home Mortgage Disclosure Adjustment Act reporting requirements if they make 500 or fewer mortgages and 500 or fewer home equity lines of credit each of the preceding 2 years.

The lenders I have spoken to say that, without relief, they will have to devote more resources to compliance costs, rather than deploying more capital into our economies to benefit working families and businesses.

Instead of having to collect superfluous redundant data, let’s allow and liberate our community financial institutions to do what they want to do, and what they should be doing, in their core mission, and that is serving their customers and providing loans.

Mr. Speaker, I thank Congressman EMMER for his hard work on the Home Mortgage Disclosure Adjustment Act. I thank Chairman HENSARLING also for his leadership on both of these bills.

Mr. Speaker, I urge my colleagues to support both of these important pieces of legislation.

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

Mr. Speaker, here we go. We are finding ourselves staring down self-created deadlines, and I want to be clear about that. The deadline for the expiration of the DREAMers in March and the fact that 100 are expiring every day is self-created by President Trump. It is a manufactured crisis. We, of course, could do immigration reform while not having our backs to the wall on that issue.

This shutdown of the government is a construct of this body, this House. They said that they would only fund the government through January 19. So we are facing another deadline. Again, I believe, from what I am hearing, that Congress will then create another artificial crisis sometime in February, when we are going to be facing a government shutdown again.

All in the face of record deficits and tax-and-spend Republican policies, the American people have had enough.

Hundreds of thousands of DREAMers are at risk of deportation by this administration.

Millions of children are at risk of losing their health insurance.

We are all being plunged deeper and deeper into debt, not just for ourselves, but our future generations: my kids and many of our grandkids, for those who have them.

We are facing another government shutdown of necessary, important government services, including economic drivers in areas I represent, like Rocky Mountain National Park, with over 3 million tourists a year. It would close down if the government shuts down.

Air traffic controllers. So many other important parts of our necessary infrastructure to succeed as a country faces an expiration this Friday.

Even if somehow the Republicans say, “Okay, here is another 2 or 3 weeks of funding,” the uncertainty

that that creates—meaning they can’t plan for short- to medium-term capital projects: a simple repair that might take more than 3 weeks; knocking down a wall; fixing a building; making a hire and an employee not knowing whether they are going to have a job in 3 weeks, or contractors not knowing whether they are going to be paid, and then having to reflect that in their pricing and ultimately charging the taxpayers more for the work they are doing because they don’t know if the government will pay.

What kind of country are we running, Mr. Speaker?

I know we can do better, and that starts by defeating the previous question so that we can just pass the Dream Act and move on. It will pass. Sixty, seventy, or eighty percent of this body will probably vote for it. I know there are people who don’t like it. Let the people’s House work its will. Let us vote. That is what we are here to do, Mr. Speaker—Republicans and Democrats. Let us work our will.

We have the votes on the Dream Act and we have the votes to keep the government open, if you simply allow us to have an open process to do it. That is what this floor time should be used for today. This is precious floor time—the time that we are in session debating—especially considering Republicans are sending Congress on a 10-day vacation at the end of this week. Let’s use this floor time to do what matters.

Sure, there will be a day to discuss the finer points of World Bank policies and the finer points of the threshold for regulatory forbearance for mortgage cutoffs. Those things are fine, Mr. Speaker. Those are fine to discuss, but not while the Republicans are creating over 100 more illegal immigrants a day and they are going to create 800,000 more in just a couple of months; not when the Republicans are plunging our Nation deeper and deeper into debt with their tax-and-spend policies; not when Republicans are forcing another government shutdown, if not this week, then in 3 weeks or in 4 weeks.

Crisis to crisis to crisis, manufactured crisis to manufactured crisis to manufactured crisis, the American people count on us to be stewards of the greatest Republic that has ever been created on the face of this Earth. Frankly, Mr. Speaker, Congress is letting them down. Let’s defeat the previous question and defeat this rule.

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

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

Overlooking corruption and abuse is unacceptable in any governing body, particularly one funded by the United States.

It is clear that serious reforms and oversight are needed at the World Bank. The International Development Association has strayed from its mission to help combat inequality around the world.

The World Bank Accountability Act puts our international partners on notice that the United States is not simply going to stand by and allow abuses to continue.

And while we stand up for the underprivileged around the world, we also must ensure that every American has equal access to our own financial institutions.

The Home Mortgage Disclosure Act amendment Act ensures that CFPB regulations do not shut out certain groups of Americans.

I thank Chairman HENSARLING for putting these bills forward. I thank my colleagues on the Financial Services Committee, who have joined me on the floor today to make the case for these efforts. I thank Chairman SESSIONS for his leadership on the Rules Committee and for providing the debate on these issues today.

Mr. Speaker, I urge my colleagues to join me in supporting the rule and supporting the underlying bills. We must ensure that American taxpayer money is not spent on corrupt regimes and that all Americans have access to financing here in the U.S.

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

AN AMENDMENT TO H. RES. 693 OFFERED BY  
MR. POLIS

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT  
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and

a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore (Mr. WOMACK). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

Adopting House Resolution 693, if ordered; and

Suspending the rules and passing H.R. 4258.

The vote was taken by electronic device, and there were—yeas 230, nays 187, not voting 13, as follows:

[Roll No. 20]

YEAS—230

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



## NAYS—187

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

## NOT VOTING—13

Amodei	Lewis (GA)	Scalise
Barletta	Long	Schneider
Brady (TX)	Noem	Vela
Cummings	Poe (TX)	
Kind	Rush	

□ 1335

Mr. GUTIERREZ and Ms. GABBARD changed their vote from “yea” to “nay.”

Messrs. BUDD and BISHOP of Michigan changed their vote from “nay” to “yea.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

## RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 228, noes 188, not voting 14, as follows:

[Roll No. 21]

## AYES—228

Abraham	Goodlatte
Aderholt	Gosar
Allen	Gowdy
Amash	Granger
Arrington	Graves (GA)
Babin	Graves (LA)
Bacon	Graves (MO)
Banks (IN)	Griffith
Barletta	Grothman
Barr	Guthrie
Barton	Handel
Bergman	Harper
Biggs	Harris
Bilirakis	Hartzer
Bishop (MI)	Hensarling
Bishop (UT)	Herrera Beutler
Black	Hice, Jody B.
Blackburn	Higgins (LA)
Blum	Hill
Bost	Holding
Brat	Hollingsworth
Bridenstine	Hudson
Brooks (AL)	Huizenga
Brooks (IN)	Hultgren
Buchanan	Hunter
Buck	Hurd
Bucshon	Issa
Budd	Jenkins (KS)
Burgess	Jenkins (WV)
Byrne	Johnson (LA)
Calvert	Johnson (OH)
Carter (GA)	Johnson, Sam
Carter (TX)	Jones
Chabot	Jordan
Cheney	Joyce (OH)
Coffman	Katko
Cole	Kelly (MS)
Collins (GA)	Kelly (PA)
Collins (NY)	King (NY)
Comer	Kinzing
Comstock	Knight
Conaway	Kustoff (TN)
Cook	Labrador
Costello (PA)	LaHood
Cramer	Lamborn
Crawford	Lance
Culberson	Latta
Curbelo (FL)	Lewis (MN)
Curtis	LoBiondo
Davidson	Loudermilk
Davis, Rodney	Love
Denham	Lucas
Dent	Luetkemeyer
DeSantis	MacArthur
DesJarlais	Marchant
Diaz-Balart	Marino
Donovan	Marshall
Duffy	Massie
Duncan (SC)	Mast
Duncan (TN)	McCarthy
Dunn	McCaul
Emmer	McClintock
Estes (KS)	McHenry
Farenthold	McKinley
Faso	McMorris
Ferguson	Rodgers
Fitzpatrick	McSally
Fleischmann	Meadows
Flores	Meehan
Fortenberry	Messer
Fox	Mitchell
Frelinghuysen	Moolenaar
Gallagher	Mooney (WV)
Garrett	Mullin
Gianforte	Newhouse
Gibbs	Norman
Gohmert	Nunes

## NOES—188

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

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

## NOT VOTING—14

Amodei	King (IA)	Poe (TX)
Brady (TX)	LaMalfa	Scalise
Cummings	Lewis (GA)	Schneider
Gaetz	Long	Vela
Kind	Noem	

□ 1345

So the resolution was agreed to.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## FAMILY SELF-SUFFICIENCY ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4258) 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, 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 Wisconsin (Mr. DUFFY) 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 412, nays 5, not voting 13, as follows:



[Roll No. 22]

## YEAS—412

Abraham	Demings	Jordan
Adams	Denham	Joyce (OH)
Aderholt	Dent	Kaptur
Aguilar	DeSantis	Katko
Allen	DeSaulnier	Keating
Arrington	DesJarlais	Kelly (IL)
Babin	Deutch	Kelly (MS)
Bacon	Diaz-Balart	Kelly (PA)
Banks (IN)	Dingell	Kennedy
Barletta	Doggett	Khanna
Barr	Donovan	Kihuen
Barragán	Doyle, Michael	Kildee
Barton	F.	Kilmer
Bass	Duffy	King (IA)
Beatty	Duncan (SC)	King (NY)
Bera	Duncan (TN)	Kinzinger
Bergman	Dunn	Knight
Beyer	Ellison	Krishnamoorthi
Bilirakis	Emmer	Kuster (NH)
Bishop (GA)	Engel	Kustoff (TN)
Bishop (MI)	Eshoo	Labrador
Bishop (UT)	Españal	LaHood
Black	Estes (KS)	LaMalfa
Blackburn	Esty (CT)	Lamborn
Blum	Evans	Lance
Blumenauer	Farenthold	Langevin
Blunt Rochester	Faso	Larsen (WA)
Bonamici	Ferguson	Larson (CT)
Bost	Fitzpatrick	Latta
Boyle, Brendan	Fleischmann	Lawrence
F.	Flores	Lawson (FL)
Brady (PA)	Fortenberry	Lee
Brat	Foster	Levin
Bridenstine	Fox	Lewis (MN)
Brooks (IN)	Frankel (FL)	Lieu, Ted
Brown (MD)	Frelinghuysen	Lipinski
Brownley (CA)	Fudge	LoBiondo
Buchanan	Gabbard	Loeb
Buck	Gallagher	Loeb
Bucshon	Gallagher	Loeb
Budd	Garamendi	Love
Burgess	Garrett	Lowenthal
Bustos	Gianforte	Lowey
Butterfield	Gibbs	Lucas
Byrne	Gohmert	Luetkemeyer
Calvert	Gomez	Lujan Grisham,
Capuano	Gonzalez (TX)	M.
Carbajal	Goodlatte	Lujan, Ben Ray
Cárdenas	Gosar	Lynch
Carson (IN)	Gottheimer	MacArthur
Carter (GA)	Gowdy	Maloney,
Carter (TX)	Granger	Carolyn B.
Cartwright	Graves (GA)	Maloney, Sean
Castor (FL)	Graves (LA)	Marchant
Castro (TX)	Graves (MO)	Marino
Chabot	Green, Al	Marshall
Cheney	Green, Gene	Mast
Chu, Judy	Griffith	Matsui
Ciçilline	Grijalva	McCarthy
Clark (MA)	Grothman	McCaul
Clarke (NY)	Guthrie	McClintock
Clay	Gutiérrez	McCollum
Cleaver	Hanabusa	McEachin
Clyburn	Handel	McGovern
Coffman	Harper	McHenry
Cohen	Harris	McKinley
Cole	Hartzler	McMorris
Collins (GA)	Hastings	Rodgers
Collins (NY)	Heck	McNerney
Comer	Hensarling	McSally
Comstock	Herrera Beutler	Meadows
Conaway	Hice, Jody B.	Meehan
Cannolly	Higgins (LA)	Meeks
Cook	Higgins (NY)	Meng
Cooper	Hill	Messer
Correa	Himes	Mitchell
Costa	Holding	Moolenaar
Costello (PA)	Hollingsworth	Mooney (WV)
Courtney	Hoyer	Moore
Cramer	Hudson	Moulton
Crawford	Huffman	Mullin
Crist	Huizenga	Murphy (FL)
Crowley	Hultgren	Nadler
Cuellar	Hunter	Napolitano
Culberson	Hurd	Neal
Curbeo (FL)	Issa	Newhouse
Curtis	Jackson Lee	Nolan
Davidson	Jayapal	Norcross
Davis (CA)	Jeffries	Norman
Davis, Danny	Jenkins (KS)	Nunes
Davis, Rodney	Jenkins (WV)	O'Halloran
DeFazio	Johnson (GA)	O'Rourke
DeGette	Johnson (LA)	Olson
Delaney	Johnson (OH)	Palazzo
DeLauro	Johnson, E. B.	Pallone
DeBene	Johnson, Sam	Palmer

Panetta	Ruppersberger	Thompson (PA)
Pascrell	Rush	Thornberry
Paulsen	Russell	Tipton
Payne	Rutherford	Titus
Pearce	Ryan (OH)	Tonko
Pelosi	Sánchez	Torres
Perlmutter	Sanford	Trott
Perry	Sarbanes	Tsongas
Peters	Schakowsky	Turner
Peterson	Schiff	Upton
Pingree	Schrader	Valadao
Pittenger	Schweikert	Vargas
Pocan	Scott (VA)	Veasey
Poliquin	Scott, Austin	Velázquez
Polis	Scott, David	Visclosky
Posey	Sensenbrenner	Wagner
Price (NC)	Serrano	Walberg
Quigley	Sessions	Walden
Raskin	Sewell (AL)	Walker
Ratcliffe	Shea-Porter	Walorski
Reed	Sherman	Walters, Mimi
Reichert	Shimkus	Walz
Renacci	Shuster	Wasserman
Rice (NY)	Simpson	Schultz
Rice (SC)	Sinema	Waters, Maxine
Richmond	Sires	Watson Coleman
Roby	Slaughter	Weber (TX)
Roe (TN)	Smith (MO)	Webster (FL)
Rogers (AL)	Smith (NE)	Welch
Rogers (KY)	Smith (NJ)	Wenstrup
Rohrabacher	Smith (WA)	Westerman
Rokita	Smucker	Williams
Rooney, Francis	Soto	Wilson (FL)
Rooney, Thomas	Speier	Wilson (SC)
J.	Stefanik	Wittman
Ros-Lehtinen	Stewart	Womack
Rosen	Stivers	Woodall
Roskam	Suozzi	Yarmuth
Ross	Swalwell (CA)	Yoder
Rothfus	Takano	Yoho
Rouzer	Taylor	Young (AK)
Roysal-Allard	Tenney	Young (IA)
Royce (CA)	Thompson (CA)	Zeldin
Ruiz	Thompson (MS)	

## NAYS—5

Amash	Brooks (AL)	Massie
Biggs	Jones	

## NOT VOTING—13

Amodei	Lewis (GA)	Schneider
Brady (TX)	Long	Smith (TX)
Cummings	Noem	Vela
Gaetz	Poe (TX)	
Kind	Scalise	

□ 1354

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. BRADY of Texas. Mr. Speaker, due to inclement weather, I am unavoidably prevented from voting on today's legislation. Had I been present, I would have voted "yea" on rollcall No. 20, "yea" on rollcall No. 21, and "yea" on rollcall No. 22.

# CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-90)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process declared in Executive Order 12947 of January 23, 1995, is to continue in effect beyond January 23, 2018.

The crisis with respect to grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process that led to the declaration of a national emergency on January 23, 1995, has not been resolved. Terrorist groups continue to engage in activities that have the purpose or effect of threatening the Middle East peace process and that are hostile to United States interests in the region. Such actions continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. I have, therefore, determined that it is necessary to continue the national emergency declared in Executive Order 12947 with respect to foreign terrorists who threaten to disrupt the Middle East peace process and to maintain in force the sanctions against them to respond to this threat.

DONALD J. TRUMP.  
THE WHITE HOUSE, January 17, 2018.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

## AFRICAN GROWTH AND OPPORTUNITY ACT AND MILLENNIUM CHALLENGE ACT MODERNIZATION ACT

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3445) to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge Corporation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3445

*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 “African Growth and Opportunity Act and Millennium Challenge Act Modernization Act” or the “AGOA and MCA Modernization Act”.

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

**TITLE I—ENHANCEMENT OF THE AFRICAN GROWTH AND OPPORTUNITY ACT**

- Sec. 101. Statement of policy.
- Sec. 102. Definitions.
- Sec. 103. Activities in support of transparency.
- Sec. 104. Activities in support of trade capacity building.

**TITLE II—MODERNIZATION OF THE MILLENNIUM CHALLENGE CORPORATION**

- Sec. 201. Candidacy status.
- Sec. 202. Carryover authority for private-sector members of board of directors.
- Sec. 203. Additional reporting to the board on the treatment of civil society in an eligible country.
- Sec. 204. Concurrent compacts under the Millennium Challenge Act of 2003.
- Sec. 205. Public notification of entering into a compact.
- Sec. 206. Disclosure.
- Sec. 207. Restriction on the use of assistance under section 616.
- Sec. 208. Study on subnational compacts.

**TITLE I—ENHANCEMENT OF THE AFRICAN GROWTH AND OPPORTUNITY ACT****SEC. 101. STATEMENT OF POLICY.**

It is the policy of the United States to support efforts to—

- (1) improve the rule of law, promote free and fair elections, strengthen and expand the private sector, and fight corruption in sub-Saharan Africa; and
- (2) promote the role of women in social, political, and economic development in sub-Saharan Africa.

**SEC. 102. DEFINITIONS.**

In this title—

(1) **AGOA WEBSITE.**—The term “AGOA Website” means the website established pursuant to section 103(a).

(2) **ELIGIBLE SUB-SAHARAN AFRICAN COUNTRY.**—The term “eligible sub-Saharan African country” means a country that the President has determined meets the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act (19 U.S.C. 3703).

**SEC. 103. ACTIVITIES IN SUPPORT OF TRANSPARENCY.**

(a) **AGOA WEBSITE.**—

(1) **IN GENERAL.**—The President shall establish a publicly available website for the collection and dissemination of information regarding the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(2) **CONTENTS.**—The President shall publish on the AGOA Website the information described in paragraph (1), including—

(A) information and technical assistance provided at United States Agency for International Development regional trade hubs; and

(B) a link to the websites of United States embassies located in eligible sub-Saharan African countries.

(3) **ACTIONS BY UNITED STATES EMBASSIES.**—The Secretary of State should direct United States embassies located in eligible sub-Saharan African countries to—

(A) encourage individuals and businesses in such countries to use the benefits available under the African Growth and Opportunity Act; and

(B) include a link to the AGOA Website on the websites of such diplomatic missions.

(b) **AGOA FORUM.**—After each meeting of the United States–Sub-Saharan Africa Trade and Economic Cooperation Forum, the President should publish on the AGOA Website the following:

(1) The outcomes of the meeting of the Forum, including any commitments made by member countries and the private sector.

(2) An assessment of progress made with respect to any commitments made by member countries and the private sector from the previous meeting of the Forum.

(c) **OTHER INFORMATION.**—The President should disseminate the information required under this section in a digital format to the public and publish such information on the AGOA Website.

**SEC. 104. ACTIVITIES IN SUPPORT OF TRADE CAPACITY BUILDING.**

The President should—

(1) develop and implement policies that—

(A) encourage and facilitate cross-boundary cooperation among eligible sub-Saharan African countries in order to facilitate trade; and

(B) encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development;

(2) provide specific training for businesses in eligible sub-Saharan African countries and government trade officials of such countries on accessing the benefits under the African Growth and Opportunity Act and other trade preference programs;

(3) provide capacity building for African entrepreneurs and trade associations on production strategies, quality standards, formation of cooperatives, market research, and market development;

(4) provide capacity building training to promote diversification of African products and value-added processing; and

(5) provide capacity building and technical assistance funding for African businesses and institutions to help such businesses and institutions comply with United States counterterrorism initiatives and policies.

**TITLE II—MODERNIZATION OF THE MILLENNIUM CHALLENGE CORPORATION****SEC. 201. CANDIDACY STATUS.**

(a) **LOW INCOME COUNTRIES.**—Section 606(a) of the Millennium Challenge Act of 2003 (22 U.S.C. 7705(a)) is amended—

(1) in paragraph (1)(B), by striking “(3)” and inserting “(4)”;

(2) in paragraph (2)—

(A) by amending the paragraph heading to read as follows: “FISCAL YEARS 2005 THROUGH 2012”; and

(B) by striking “fiscal year 2005 or a subsequent fiscal year” and inserting “each of fiscal years 2005 through 2012”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) **FISCAL YEAR 2013 AND SUBSEQUENT FISCAL YEARS.**—A country shall be a candidate country for purposes of eligibility for assistance for fiscal year 2013 or a subsequent fiscal year if the country—

“(A) has a per capita income not greater than the lower middle income country threshold established by the International Bank for Reconstruction and Development for such fiscal year;

“(B) is among the 75 countries identified by the International Bank for Reconstruction and Development as having the lowest per capita income; and

“(C) meets the requirements under paragraph (1)(B).”.

(b) **LOWER MIDDLE INCOME COUNTRIES.**—Section 606(b) of the Millennium Challenge Act of 2003 (22 U.S.C. 7705(b)) is amended—

(1) in paragraph (1)—

(A) by amending the paragraph heading to read as follows: “FISCAL YEARS 2006 THROUGH 2012”; and

(B) in the matter preceding subparagraph (A), by striking “fiscal year 2006 or a subsequent fiscal year” and inserting “fiscal years 2006 through 2012”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) **FISCAL YEAR 2013 AND SUBSEQUENT FISCAL YEARS.**—In addition to the countries described in subsection (a), a country shall be a candidate country for purposes of eligibility for assistance for fiscal year 2013 or a subsequent fiscal year if the country—

“(A) has a per capita income not greater than the lower middle income country threshold established by the International Bank for Reconstruction and Development for the fiscal year;

“(B) is not among the 75 countries identified by the International Bank for Reconstruction and Development as having the lowest per capita income; and

“(C) meets the requirements under subsection (a)(1)(B).”.

(c) **RECLASSIFICATION.**—Section 606 of the Millennium Challenge Act of 2003 (22 U.S.C. 7705) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) **TREATMENT OF COUNTRIES WITH PER CAPITA INCOME CHANGES.**—A country qualifying for candidate status under this section with a per capita income that changes during the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country shall retain its candidacy status in its former income classification for such fiscal year and the two subsequent fiscal years.”.

**SEC. 202. CARRYOVER AUTHORITY FOR PRIVATE-SECTOR MEMBERS OF BOARD OF DIRECTORS.**

Section 604(c)(4)(B) of the Millennium Challenge Act of 2003 (22 U.S.C. 7703(c)(4)(B)) is amended to read as follows:

“(B) **OTHER MEMBERS.**—Each member of the Board described in paragraph (3)(B)—

“(i) shall be appointed for a term of 3 years;

“(ii) may be reappointed for a term of an additional 2 years; and

“(iii) may continue to serve in each such appointment until the earlier of—

“(I) the date on which his or her successor is appointed; or

“(II) the date that is one year after the expiration of his or her appointment or reappointment, as the case may be.”.

**SEC. 203. ADDITIONAL REPORTING TO THE BOARD ON THE TREATMENT OF CIVIL SOCIETY IN AN ELIGIBLE COUNTRY.**

Section 607 of the Millennium Challenge Act of 2003 (22 U.S.C. 7706) is amended—

(1) in subsection (a), by adding at the end the following: “A determination whether a country is eligible for a subsequent, non-concurrent Millennium Challenge Compact shall also be based, to the extent practicable, on significantly improved performance across the criteria in subsection (b) that, at a minimum, are relevant to the preceding Compact, compared to the country’s performance with respect to such criteria when selected for such preceding Compact.”

(2) in subsection (b)(1)—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by adding “and” at the end; and

(C) by adding at the end the following:

“(F) the quality of the civil society enabling environment;”;

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(4) by inserting after subsection (c) the following:

“(d) REPORTING ON TREATMENT OF CIVIL SOCIETY.—For the 7-year period beginning on the date of the enactment of this subsection, before the Board selects an eligible country for a Compact under subsection (c), the Corporation shall provide information to the Board regarding the country's treatment of civil society, including classified information, as appropriate. The information shall include an assessment and analysis of factors including—

“(1) any relevant laws governing the formation or establishment of a civil society organization, particularly laws intended to curb the activities of foreign civil society organizations;

“(2) any relevant laws governing the operations of a civil society organization, particularly those laws seeking to define or otherwise regulate the actions of foreign civil society organizations;

“(3) laws relating to the legal status of civil society organizations, including laws which effectively discriminate against foreign civil society organizations as compared to similarly situated domestic organizations;

“(4) laws regulating the freedom of expression and peaceful assembly; and

“(5) laws regulating the usage of the Internet, particularly by foreign civil society organizations.”.

#### SEC. 204. CONCURRENT COMPACTS UNDER THE MILLENNIUM CHALLENGE ACT OF 2003.

(a) IN GENERAL.—Section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) is amended—

(1) by striking the first sentence of subsection (k);

(2) by redesignating subsection (k) (as so amended) as subsection (l); and

(3) by inserting after subsection (j) the following:

“(k) CONCURRENT COMPACTS.—An eligible country that has entered into and has in effect a Compact under this section may enter into and have in effect at the same time not more than one additional Compact in accordance with the requirements of this title if—

“(1) one or both of the Compacts are or will be for purposes of regional economic integration, increased regional trade, or cross-border collaborations; and

“(2) the Board determines that the country is making considerable and demonstrable progress in implementing the terms of the existing Compact and supplementary agreements thereto.”.

(b) CONFORMING AMENDMENT.—Section 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is amended by striking “the” before “Compact” and inserting “any”.

(c) APPLICABILITY.—The amendments made by this section apply with respect to Compacts entered into between the United States and an eligible country under the Millennium Challenge Act of 2003 before, on, or after the date of the enactment of this Act.

#### SEC. 205. PUBLIC NOTIFICATION OF ENTERING INTO A COMPACT.

Section 610 of the Millennium Challenge Act of 2003 (22 U.S.C. 7709) is amended to read as follows:

#### “SEC. 610. CONGRESSIONAL AND PUBLIC NOTIFICATION.

“(a) CONGRESSIONAL CONSULTATIONS AND NOTIFICATIONS.—

“(1) IN GENERAL.—The Board, acting through the Chief Executive Officer, shall consult with and notify the appropriate con-

gressional committees not later than 15 days before taking any of the actions described in paragraph (2).

“(2) ACTIONS DESCRIBED.—The actions described in this paragraph are—

“(A) providing assistance for an eligible country under section 609(g);

“(B) commencing negotiations with an eligible country to provide assistance for—

“(i) a Compact under section 605; or

“(ii) an agreement under section 616;

“(C) signing such a Compact or agreement; and

“(D) terminating assistance under such a Compact or agreement.

“(3) ECONOMIC JUSTIFICATION.—Any notification relating to the intent to negotiate or sign a Compact shall include a report describing the projected economic justification for the Compact, including, as applicable—

“(A) the expected economic rate of return of the Compact;

“(B) a cost-benefit analysis of the Compact;

“(C) a description of the impact on beneficiary populations;

“(D) the likelihood that the investment will catalyze private sector investments; and

“(E) any other applicable economic factors that justify each project to be funded under such a Compact to the extent practicable and appropriate.

“(4) RISK MANAGEMENT PLAN.—Not later than 60 days before signing each concurrent Compact, as authorized under section 609, the Board, acting through the Chief Executive Officer, shall consult with and provide to the appropriate congressional committees—

“(A) an assessment and, as appropriate, the identification of potential measures to mitigate risks, of—

“(i) the countries' commitment to regional integration and cross-border cooperation and capacity to carry out commitments;

“(ii) political and policy risks, including risks that could affect country eligibility;

“(iii) risks associated with realizing economic returns;

“(iv) time and completion risks; and

“(v) cost and financial risks; and

“(B) an assessment of measures to be taken to mitigate any identified risks, including—

“(i) securing other potential donors to finance projects or parts of projects as needed; and

“(ii) partnering with regional organizations to support and oversee effective cross-border cooperation.

“(b) CONGRESSIONAL AND PUBLIC NOTIFICATION AFTER ENTERING INTO A COMPACT.—Not later than 10 days after entering into a Compact with an eligible country, the Board, acting through the Chief Executive Officer, shall—

“(1) publish the text of the Compact on the website of the Corporation;

“(2) provide the appropriate congressional committees with a detailed summary of the Compact and, upon request, the text of the Compact; and

“(3) publish in the Federal Register a detailed summary of the Compact and a notice of availability of the text of the Compact on the website of the Corporation.”.

#### SEC. 206. DISCLOSURE.

(a) REQUIREMENT FOR TIMELY DISCLOSURE.—Section 612(a) of the Millennium Challenge Act of 2003 (22 U.S.C. 7711(a)) is amended—

(1) in the subsection heading, by inserting “TIMELY” before “DISCLOSURE”; and

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

(A) by striking “The Corporation” and inserting “Not later than 90 days after the last day of each fiscal quarter, the Corporation”; and

(B) by striking “on at least a quarterly basis.”.

(b) DISSEMINATION.—Section 612(b) of the Millennium Challenge Act of 2003 (22 U.S.C. 7711(b)) is amended to read as follows:

“(b) DISSEMINATION.—The Board, acting through the Chief Executive Officer, shall make the information required to be disclosed under subsection (a) available to the public—

“(1) by publishing it on the website of the Corporation;

“(2) by providing notice of the availability of such information in the Federal Register; and

“(3) by any other methods that the Board determines to be appropriate.”.

#### SEC. 207. RESTRICTION ON THE USE OF ASSISTANCE UNDER SECTION 616.

Section 616(d) of the Millennium Challenge Act of 2003 (22 U.S.C. 7715(d)) is amended to read as follows:

“(d) FUNDING.—

“(1) LIMITATION.—Not more than 10 percent of the amounts made available to carry out this Act for a fiscal year may be made available to carry out this section.

“(2) RESTRICTION RELATING TO ASSISTANCE.—None of the funds authorized to carry out the purposes of this Act shall be available for assistance under this section to a country that does not qualify as a candidate country under section 606 for the fiscal year during which such assistance is provided.”.

#### SEC. 208. STUDY ON SUBNATIONAL COMPACTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Board of the Millennium Challenge Corporation, acting through the Chief Executive Officer, shall submit a study to the appropriate congressional committees that assesses the feasibility and desirability of developing partnerships at the subnational level within candidate countries that would be complementary to, and, as applicable, concurrent with, any Millennium Challenge Corporation national-level or regional investments.

(b) CONTENT.—The study required under subsection (a) shall examine—

(1) the extent to which targeting investments at the subnational level might provide new opportunities for reducing poverty through economic growth;

(2) the extent to which traditional approaches to defining poverty may not adequately capture the nature of poverty within a country;

(3) the types of subnational entities that might be appropriate partners for subnational Millennium Challenge Corporation compacts;

(4) how candidates for subnational partners might best be identified; and

(5) what role each national government should play in creating or implementing a subnational partnership.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. SIREN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

## GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials in the RECORD.

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

There was no objection.

□ 1400

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have been honored to serve as chairman of the House Foreign Affairs Committee for the past 5 years. Over this period, there has been no shortage of threats to our national security. But I must share with you, there have also been great opportunities—opportunities to make America safer, to make this country more prosperous through strategic investments in diplomacy, and also investments in development.

This bill before us today is one example. The African Growth and Opportunity Act and Millennium Challenge Act Modernization Act seeks to facilitate trade and private sector growth in poor but relatively well-governed countries. This is particularly true in sub-Saharan Africa.

Mr. Speaker, I would share with my colleagues the goal here is so that they can grow their own way out of poverty. What this legislation does is it seeks to help countries graduate from the need for foreign aid, while simultaneously opening doors for American businesses to break into the most promising emerging markets. For those of you who have followed this, you have watched trade double and then triple with sub-Saharan Africa.

Through AGOA—as we call this African Growth and Opportunity Act—goods produced in eligible African countries enter the United States on a duty-free basis. But to be eligible, countries must be committed to the rule of law, to eliminating barriers to U.S. trade and investment, to combating corruption, and to supporting counterterrorism activities.

So AGOA, as you can see, advances U.S. interests on so many different levels. I am proud to be a member of the AGOA coalition from the beginning. I was one of the original authors of the bill and I have witnessed its transformative impact.

So despite its benefits, AGOA does remain underutilized in too many countries. Prior to its reauthorization in 2015, I set out to learn why, and I traveled to many countries in southern and eastern Africa, where I met with U.S. and African trade officials, business leaders, and entrepreneurs. I visited garment factories and power stations. We saw trade hubs.

I heard a lot about poor infrastructure. I heard a lot about competition with China and burdensome U.S. regulations that are difficult to understand.

Then I walked into an artisan shop in Addis Ababa, and it was run by a remarkable woman. Her name was Sara Abera. I learned that she, in fact, had benefited from technical assistance through the U.S.-East Africa Trade and Investment Hub. She was now exporting to the United States through AGOA. I learned that she was, though, an exception to the rule. She is not the rule.

Other than Sara, there were very few businesses and very few business leaders and entrepreneurs that seemed to have the knowledge of how to access AGOA. To fix this, the bill before us today would make information about AGOA available to an easily accessible public website. This bill also urges U.S. Embassies in eligible countries to more consistently promote AGOA and trade hubs, and it seeks to bring greater transparency to commitments made at annual AGOA forums to followup on these commitments.

So this bill strengthens the Millennium Challenge Corporation, which is already one of our most effective tools for incentivizing policy reform and unlocking market-based growth in developing countries. It increases the MCC's flexibility to promote regional trade, collaboration, economic integration. It does this by allowing up to two simultaneous compacts with an eligible country. It also improves transparency and accountability. It does that by streamlining and strengthening congressional oversight.

Trade and free-market principles, frankly, if we think about it, have helped lift more than 1 billion people out of poverty over the last decade. But it is not just this humanitarian goal that leads us to invest in communities abroad. It is clear that investments targeted towards greater health, towards growing a healthier society, and towards growing a more sustainable society also helps advance U.S. security and economic interests.

It is, therefore, vital that we ensure that two of our most impactful development and trade facilitation tools—that is the African Growth and Opportunity Act, and our Millennium Challenge Corporation—are efficient, effective, and fully utilized. This bill will do exactly that.

Mr. Speaker, I urge Members to support this important measure, and I reserve the balance of my time.

COMMITTEE ON FOREIGN AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 8, 2017.

Hon. KEVIN BRADY,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee and agreeing to forgo a sequential referral request on H.R. 3445, the AGOA and MCA Modernization Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future.

I will seek to place our letters on H.R. 3445 into the Congressional Record during floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, December 14, 2017.

Hon. CHRISTOPHER H. SMITH,  
Chairman, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing regarding H.R. 3445, the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act, which the Committee on Foreign Affairs marked up on September 28, 2017.

As the author of H.R. 3445, the Chairman of the Committee on Foreign Affairs, and a legislator committed to the protection of life, I have confirmed that nothing in H.R. 3445, including the amendments made by this bill, alters existing statutory or policy prohibitions against the performance or promotion of abortion under section 104 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b) or any other provision of law, which categorically prohibits the Millennium Challenge Corporation from utilizing U.S. foreign assistance dollars—including funds reserved for administrative expenses—to support the performance or promotion of abortion overseas. This includes longstanding prohibitions on the use of funds “to lobby for or against abortion,” most recently enacted in Title III of Division J of the Consolidated Appropriations Act, 2017 (P.L. 115-31), which preclude U.S. foreign assistance agencies, including MCC, from using their activities to promote changes in the abortion laws of foreign countries.

I will place this letter into the Congressional Record during Floor consideration of H.R. 3445, and thank you for your cosponsorship and support for this important legislation.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

COMMITTEE ON WAYS AND MEANS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 3, 2018.

Hon. EDWARD R. ROYCE,  
Chairman, Committee on Foreign Affairs,  
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 3445, the “AGOA and MCA Modernization Act.” As a result of your having consulted with us on this legislation, I agree not to request a sequential referral on this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing formal consideration of H.R. 3445, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the

Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,  
*Chairman.*

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

Mr. Speaker, I rise in support of this measure.

I would like to begin by thanking the chairman of the Foreign Affairs Committee, ED ROYCE; and the ranking member of the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee, KAREN BASS, for their hard work on this legislation.

The Africa Growth and Opportunity Act, AGOA, first passed by Congress in the year 2000, has helped to foster a more robust trade relationship between the United States and the nations of sub-Saharan Africa. AGOA has helped to create economic opportunities for thousands of people in Africa, while also benefiting U.S. farmers, manufacturers, and small businesses by providing new markets for their goods.

The bill before us today will make AGOA even more effective. It requires the creation of a website to make information about AGOA benefits more readily available to both sub-Saharan partners and the American people, and it provides much-needed technical assistance to help eligible partners fully utilize the available trade benefits.

The legislation also provides new authorities for the Millennium Challenge Corporation, an independent agency that is charged with promoting economic growth, reducing poverty, and strengthening institutions in eligible countries. Specifically, it will give MCC the ability to enter into regional compacts by simultaneously engaging several countries to fund investments that could benefit all of them.

We know economies fail if they are isolated. Coordinated investments across the region will have an enormous beneficial impact on trade, development, regional stability, and international investment.

There are several good opportunities for regional compacts. In west Africa, MCC currently partners with 10 countries. In southern Africa, MCC partners with three countries.

Mr. Speaker, I urge my colleagues to support this bipartisan measure. The Africa Growth and Opportunity Act is a critical piece of legislation that increases ties and helps foster deeper relationships with partners throughout Africa.

Mr. Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

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

Mr. SIRES. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. BASS), the lead cosponsor of this legislation and the ranking member of the Foreign Affairs' Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Ms. BASS. Mr. Speaker, I rise today in strong support of H.R. 3445, AGOA and MCA Modernization Act.

The African Growth and Opportunity Act and the Millennium Challenge Corporation have proven track records of spurring economic development. Expanding these programs advances our position as international leaders, strengthens our domestic job market and economy, while protecting our national security interests.

Trade and development go hand in hand. U.S. investments around the world increases trade opportunities and opens new markets for U.S. goods and services. Africa's consumer spending is expected to reach \$1 trillion.

We must act now in order to solidify this important trade relationship. If we fail to act, rest assured that other nations are ready, willing, and able to fill our void. We have the opportunity through AGOA and MCA to advance stability, security, and business growth on the continent and here at home.

This is in our best interest. That is why I joined my colleagues, Chairman ROYCE, Ranking Member ENGEL, and Representative SMITH, to introduce H.R. 3445, the AGOA and MCA Modernization Act earlier this year.

Moving developing countries away from foreign aid and towards trade also helps U.S. manufacturers, farmers, and small businesses. We are building long-term trading partners for our goods and services. By using trade, we can also address the root causes of violent extremism and terrorism. This legislation strengthens the AGOA and the MCA—key laws in the effort to promote U.S.-Africa trade.

For example, AGOA and MCA gives MCC greater flexibility to promote trade, collaboration, and economic integration by allowing up to two simultaneous compacts with an eligible country. This is important because, as most of us know, African countries are still grappling with the legacy of colonialism.

For example, only a few hundred miles separate Lagos, Nigeria, from Accra, Ghana. In the United States, traveling this distance would take a few hours. For traders on the continent, the same trip can take up to a full day. They have to contend with inadequate roads, arduous border checks, or high tariffs.

MCC recently signed a compact with Cote d'Ivoire, an economic and cultural hub in west Africa and a longtime strategic and economic partner of the U.S. This compact will diversify the nation's economy by targeting two constraints to growth: access to a skilled workforce and the mobility of goods and people in the nation's capital, Abidjan, Cote d'Ivoire's commercial capital.

The Transport Project will focus on rehabilitating key roads in the capital to enable people and goods to move freely throughout the busy city and its strategic port. With 20 percent of the nation's population living in the cap-

ital, unlocking congestion will create opportunities to buy and sell products, expand businesses, improve access to key services, and open up greater trade. This compact is expected to benefit more than 11 million people. In a country where more than half of the population is under the age of 24, it will help to shape a strong, stable future for Cote d'Ivoire.

This compact is all about creating opportunities and stabilities for citizens and businesses in Cote d'Ivoire, west Africa, and in the U.S. By making coordinated investments across countries, MCC could help these nations work together to grow regional markets and facilitate trade. Passage of this bill in the House is an important step toward increasing regional integration across Africa, advancing stability and security and opening new markets for trade.

I believe strongly that it is in our economic and political interest to expand our economic relationships with the nations of Africa. I have said this before and I will continue to reiterate this point. I also believe that the African Growth and Opportunity Act is the key to development of stronger, mutually beneficial economic relations between this country and African nations.

Mr. ROYCE of California. Mr. Speaker, I would like to close if the gentleman has no other speakers. I reserve the balance of my time.

□ 1415

Mr. SIRES. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from New Jersey for his leadership, and I thank Mr. ROYCE, Mr. ENGEL, Mr. SMITH, and Ms. BASS for establishing a real, viable African policy, a policy that I have had the privilege of being part of for all of the years that I have served in the United States Congress.

I remember making the first inaugural trip to do the research and to meet with heads of state in Africa on the question of the African Growth and Opportunity Act.

Over the years, we worked with the Bush administration on the Millennium Challenge Corporation. So I am delighted that we have a bill that improves the benefits.

It is even more important, in this time, to make sure that the policies of the United States toward Africa and the African countries are clear and precise. They are strong allies and a very viable trade partner.

This, of course, Mr. Speaker, is crucial in the backdrop of very vulgar statements that, unfortunately, have come from the Commander in Chief. Therefore, this is the policy that is real, an ongoing partnership, the fact that Africa represents a growing population of 1 billion people. When we last traveled with a President of the United States—which then was President

Barack Obama—and visited a number of African countries, in particular Kenya, we were there to look at the rising population of small- and medium-sized entrepreneurs, young millennials, and others who were eager to engage in business.

The African Growth and Opportunity Act will be a pathway for sub-Saharan African countries in that area that will create the pathway for trade for the goods of those produced on the continent.

Peace and the economy go together. If we have an economic engine partnership with the United States, looking at good quality investment, and if we have the work of the Millennium Challenge to challenge countries to become more democratic, to open the doors of opportunity, to have a better fiscal system, and to be a real partner in these improvements, that is a real African policy.

So I rise to support the underlying bill, H.R. 3445. I rise to support it because it is an advancement to the work that has been done over the years by the United States Congress and the many partners that we have had.

I am a student of Africa, having gone to school in Accra and Kumasi in Ghana and, of course, in Lagos and Ibadan in Nigeria. I have traveled often, and I understand the ingenuity, the eagerness, and the commitment to democratic principles and, of course, the opportunities for their young generation.

So I rise today to support the bill. I thank the sponsors for this very excellent legislation. It is good work.

Mr. Speaker, I don't know if it is appropriate, but I ask unanimous consent to cosponsor the legislation at this time.

The SPEAKER pro tempore. The gentleman's request to be added as a cosponsor cannot be entertained at this point on this bill.

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

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will sum up here. What this bill does is unlock a greater potential for AGOA, for the African Growth and Opportunity Act, so communities in Africa can strengthen their own economies and become U.S. trade partners rather than aid recipients. It also enhances the impact of MCC by accelerating regional economic integration trade.

It is good for American taxpayers. It is certainly good for job creators in the United States. It is good for our national security. It is good for Africa—for the people of Africa.

I think this legislation is the product of more than 2 years of negotiations. It enjoys very broad support. As I say, it doesn't cost the taxpayers anything.

I really want to thank some of the Members who worked hard on this. I thank Representative KAREN BASS for her good work, Congresswoman SHEILA

JACKSON LEE, Ranking Member ENGEL, and Representative CHRIS SMITH; Senators CORKER, CARDIN, ISAKSON, and COONS. I thank them for their help on my measure here today and for their continued commitment to reducing poverty through market-based economic growth.

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

Mr. SMITH of New Jersey. Mr. Speaker, I rise today in support of H.R. 3445, the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act.

I am an original cosponsor of H.R. 3445, and as Chairman of the House Foreign Affairs Africa subcommittee, I want to applaud Chairman ROYCE, Ranking Member ELLIOT ENGEL, and the Ranking Member of my subcommittee, KAREN BASS, for their commitment to Africa and to enhancing trade, and all the benefits in terms of closer relationships that flow from trade, between the people of the United States and the people of Africa.

The original AGOA Act of 2000 has been called a "cornerstone" of our trade policy toward the continent, and it has served us well. Over the years, however, our subcommittee has had numerous hearings—not to mention meetings with African heads of state and ambassadors—on AGOA, increasing exports to Africa, and on cultivating the rule-of-law reforms necessary to attract business and investment to Africa. In past Congresses I introduced the Increasing American Jobs Through Greater Exports to Africa Act. It has become apparent that, as well as AGOA has served us, there is room for improvement and innovation.

H.R. 3445 marks a step toward that, by emphasizing capacity building and training and encouraging entrepreneurship in Africa. Importantly, it acknowledges that the world has changed since 2000, and that Africa has been targeted by radical extremists such as Boko Haram and al-Shabaab. Recognizing that we now live in a post-2001 world, H.R. 3445 fosters compliance with our counterterrorism initiatives by African businesses and institutions.

Africa, and much of the developing world, has also benefited from the Millennium Challenge Corporation since passage of the Millennium Challenge Act of 2003. MCC is a critical partner, for example, in our Global Food Security strategy, which fosters agriculture-led economic development.

Though MCC has played a key role, there are also room for improvements. Sometimes during the country selection process, narratives about a country become set, and there is not a fresh appraisal of evidence regarding improvements, or backsliding, in the conditions of that country.

I'd like to thank Chairman ROYCE for working to ensure that MCC remains a vehicle focused on assisting countries with development, and does not become diverted from its original mission.

I urge my colleagues to join me in support of H.R. 3445, the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3445, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### CYBER DIPLOMACY ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3776) to support United States international cyber diplomacy, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3776

*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 "Cyber Diplomacy Act of 2017".*

#### SEC. 2. FINDINGS.

*Congress finds the following:*

(1) *The stated goal of the United States International Strategy for Cyberspace, launched on May 16, 2011, is to "work internationally to promote an open, interoperable, secure, and reliable information and communications infrastructure that supports international trade and commerce, strengthens international security, and fosters free expression and innovation . . . in which norms of responsible behavior guide States' actions, sustain partnerships, and support the rule of law in cyberspace."*

(2) *The Group of Governmental Experts (GGE) on Developments in the Field of Information and Telecommunications in the Context of International Security, established by the United Nations General Assembly, concluded in its June 24, 2013, report "that State sovereignty and the international norms and principles that flow from it apply to States' conduct of [information and communications technology or ICT] related activities and to their jurisdiction over ICT infrastructure with their territory."*

(3) *On January 13, 2015, China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan proposed a troubling international code of conduct for information security which defines responsible State behavior in cyberspace to include "curbing the dissemination of information" and the "right to independent control of information and communications technology" when a country's political security is threatened.*

(4) *The July 22, 2015, GGE consensus report found that, "norms of responsible State behavior can reduce risks to international peace, security and stability."*

(5) *On September 25, 2015, the United States and China announced a commitment "that neither country's government will conduct or knowingly support cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors."*

(6) *At the Antalya Summit from November 15-16, 2015, the Group of 20 (G20) Leaders' Communiqué affirmed the applicability of international law to State behavior in cyberspace, called on States to refrain from cyber-enabled theft of intellectual property for commercial gain, and endorsed the view that all States should abide by norms of responsible behavior.*

(7) *The March 2016 Department of State International Cyberspace Policy Strategy noted that, "the Department of State anticipates a continued increase and expansion of our cyber-focused diplomatic efforts for the foreseeable future."*

(8) *On December 1, 2016, the Commission on Enhancing National Cybersecurity established*



within the Department of Commerce recommended “the President should appoint an Ambassador for Cybersecurity to lead U.S. engagement with the international community on cybersecurity strategies, standards, and practices.”.

(9) The 2017 Group of 7 (G7) Declaration on Responsible States Behavior in Cyberspace recognized on April 11, 2017, “the urgent necessity of increased international cooperation to promote security and stability in cyberspace . . . consisting of the applicability of existing international law to State behavior in cyberspace, the promotion of voluntary, non-binding norms of responsible State behavior during peacetime” and reaffirmed “that the same rights that people have offline must also be protected online.”.

(10) In testimony before the Select Committee on Intelligence of the Senate on May 11, 2017, the Director of National Intelligence identified six cyber threat actors, including Russia for “efforts to influence the 2016 US election”; China, for “actively targeting the US Government, its allies, and US companies for cyber espionage”; Iran for “leverage[ing] cyber espionage, propaganda, and attacks to support its security priorities, influence events and foreign perceptions, and counter threats”; North Korea for “previously conduct[ing] cyber-attacks against US commercial entities—specifically, Sony Pictures Entertainment in 2014”; terrorists, who “use the Internet to organize, recruit, spread propaganda, raise funds, collect intelligence, inspire action by followers, and coordinate operations”; and criminals who “are also developing and using sophisticated cyber tools for a variety of purposes including theft, extortion, and facilitation of other criminal activities”.

(11) On May 11, 2017, President Trump issued Presidential Executive Order 13800 on Strengthening the Cybersecurity of Federal Networks and Infrastructure which designated the Secretary of State to lead an interagency effort to develop strategic options for the President to deter adversaries from cyber threats and an engagement strategy for international cooperation in cybersecurity, noting that “the United States is especially dependent on a globally secure and resilient internet and must work with allies and other partners” toward maintaining “the policy of the executive branch to promote an open, interoperable, reliable, and secure internet that fosters efficiency, innovation, communication, and economic prosperity, while respecting privacy and guarding against deception, fraud, and theft.”.

### SEC. 3. UNITED STATES INTERNATIONAL CYBERSPACE POLICY.

(a) IN GENERAL.—Congress declares that it is the policy of the United States to work internationally with allies and other partners to promote an open, interoperable, reliable, unfettered, and secure internet governed by the multistakeholder model which promotes human rights, democracy, and rule of law, including freedom of expression, innovation, communication, and economic prosperity, while respecting privacy and guarding against deception, fraud, and theft.

(b) IMPLEMENTATION.—In implementing the policy described in subsection (a), the President, in consultation with outside actors, including technology companies, nongovernmental organizations, security researchers, and other relevant stakeholders, shall pursue the following objectives in the conduct of bilateral and multilateral relations:

(1) Clarifying the applicability of international laws and norms, including the law of armed conflict, to the use of ICT.

(2) Clarifying that countries that fall victim to malicious cyber activities have the right to take proportionate countermeasures under international law, provided such measures do not violate a fundamental human right or peremptory norm.

(3) Reducing and limiting the risk of escalation and retaliation in cyberspace, such as

massive denial-of-service attacks, damage to critical infrastructure, or other malicious cyber activity that impairs the use and operation of critical infrastructure that provides services to the public.

(4) Cooperating with like-minded democratic countries that share common values and cyberspace policies with the United States, including respect for human rights, democracy, and rule of law, to advance such values and policies internationally.

(5) Securing and implementing commitments on responsible country behavior in cyberspace based upon accepted norms, including the following:

(A) Countries should not conduct or knowingly support cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors.

(B) Countries should cooperate in developing and applying measures to increase stability and security in the use of ICTs and to prevent ICT practices that are acknowledged to be harmful or that may pose threats to international peace and security.

(C) Countries should take all appropriate and reasonable efforts to keep their territories clear of intentionally wrongful acts using ICTs in violation of international commitments.

(D) Countries should not conduct or knowingly support ICT activity that, contrary to international law, intentionally damages or otherwise impairs the use and operation of critical infrastructure, and should take appropriate measures to protect their critical infrastructure from ICT threats.

(E) Countries should not conduct or knowingly support malicious international activity that, contrary to international law, harms the information systems of authorized emergency response teams (sometimes known as “computer emergency response teams” or “cybersecurity incident response teams”) or related private sector companies of another country.

(F) Countries should identify economic drivers and incentives to promote securely-designed ICT products and to develop policy and legal frameworks to promote the development of secure internet architecture.

(G) Countries should respond to appropriate requests for assistance to mitigate malicious ICT activity aimed at the critical infrastructure of another country emanating from their territory.

(H) Countries should not restrict cross-border data flows or require local storage or processing of data.

(I) Countries should protect the exercise of human rights and fundamental freedoms on the Internet and commit to the principle that the human rights that people have offline enjoy the same protections online.

### SEC. 4. DEPARTMENT OF STATE RESPONSIBILITIES.

(a) OFFICE OF CYBER ISSUES.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection:

“(g) OFFICE OF CYBER ISSUES.—

“(1) IN GENERAL.—There is established an Office of Cyber Issues (in this subsection referred to as the ‘Office’). The head of the Office shall have the rank and status of ambassador and be appointed by the President, by and with the advice and consent of the Senate.

“(2) DUTIES.—

“(A) IN GENERAL.—The head of the Office shall perform such duties and exercise such powers as the Secretary of State shall prescribe, including implementing the policy of the United States described in section 3 of the Cyber Diplomacy Act of 2017.

“(B) DUTIES DESCRIBED.—The principal duties of the head of the Office shall be to—

“(i) serve as the principal cyber-policy official within the senior management of the Department of State and advisor to the Secretary of State for cyber issues;

“(ii) lead the Department of State’s diplomatic cyberspace efforts generally, including relating to international cybersecurity, internet access, internet freedom, digital economy, cybercrime, deterrence and international responses to cyber threats;

“(iii) promote an open, interoperable, reliable, unfettered, and secure information and communications technology infrastructure globally;

“(iv) represent the Secretary of State in interagency efforts to develop and advance the United States international cyberspace policy;

“(v) coordinate within the Department of State and with other components of the United States Government cyberspace efforts and other relevant functions, including countering terrorists’ use of cyberspace; and

“(vi) act as liaison to public and private sector entities on relevant cyberspace issues.

“(3) QUALIFICATIONS.—The head of the Office should be an individual of demonstrated competency in the field of—

“(A) cybersecurity and other relevant cyber issues; and

“(B) international diplomacy.

“(4) ORGANIZATIONAL PLACEMENT.—The head of the Office shall report to the Under Secretary for Political Affairs or official holding a higher position in the Department of State.

“(5) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as precluding—

“(A) the Office from being elevated to a Bureau of the Department of State; and

“(B) the head of the Office from being elevated to an Assistant Secretary, if such an Assistant Secretary position does not increase the number of Assistant Secretary positions at the Department above the number authorized under subsection (c)(1).”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Office of Cyber Issues established under section 1(g) of the State Department Basic Authorities Act of 1956 (as amended by subsection (a) of this section) should be a Bureau of the Department of State headed by an Assistant Secretary, subject to the rule of construction specified in paragraph (5)(B) of such section 1(g).

(c) UNITED NATIONS.—The Permanent Representative of the United States to the United Nations shall use the voice, vote, and influence of the United States to oppose any measure that is inconsistent with the United States international cyberspace policy described in section 3.

### SEC. 5. INTERNATIONAL CYBERSPACE EXECUTIVE ARRANGEMENTS.

(a) IN GENERAL.—The President is encouraged to enter into executive arrangements with foreign governments that support the United States international cyberspace policy described in section 3.

(b) TRANSMISSION TO CONGRESS.—The text of any executive arrangement (including the text of any oral arrangement, which shall be reduced to writing) entered into by the United States under subsection (a) shall be transmitted to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate not later than five days after such arrangement is signed or otherwise agreed to, together with an explanation of such arrangement, its purpose, how such arrangement is consistent with the United States international cyberspace policy described in section 3, and how such arrangement will be implemented.

(c) STATUS REPORT.—Not later than one year after the text of an executive arrangement is transmitted to Congress pursuant to subsection (b) and annually thereafter for seven years, or



until such an arrangement has been discontinued, the President shall report to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on the status of such arrangement, including an evidence-based assessment of whether all parties to such arrangement have fulfilled their commitments under such arrangement and if not, what steps the United States has taken or plans to take to ensure all such commitments are fulfilled, whether the stated purpose of such arrangement is being achieved, and whether such arrangement positively impacts building of cyber norms internationally. Each such report shall include metrics to support its findings.

(d) **EXISTING EXECUTIVE ARRANGEMENTS.**—Not later than 60 days after the date of the enactment of this Act, the President shall satisfy the requirements of subsection (c) for the following executive arrangements already in effect:

(1) The arrangement announced between the United States and Japan on April 25, 2014.

(2) The arrangement announced between the United States and the United Kingdom on January 16, 2015.

(3) The arrangement announced between the United States and China on September 25, 2015.

(4) The arrangement announced between the United States and Korea on October 16, 2015.

(5) The arrangement announced between the United States and Australia on January 19, 2016.

(6) The arrangement announced between the United States and India on June 7, 2016.

(7) The arrangement announced between the United States and Argentina on April 27, 2017.

(8) The arrangement announced between the United States and Kenya on June 22, 2017.

(9) The arrangement announced between the United States and Israel on June 26, 2017.

(10) Any other similar bilateral or multilateral arrangement announced before the date of the enactment of this Act.

#### **SEC. 6. INTERNATIONAL STRATEGY FOR CYBERSPACE.**

(a) **STRATEGY REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other relevant Federal departments and agencies, shall produce a strategy relating to United States international policy with regard to cyberspace.

(b) **ELEMENTS.**—The strategy required under subsection (a) shall include the following:

(1) A review of actions and activities undertaken to support the United States international cyberspace policy described in section 3.

(2) A plan of action to guide the diplomacy of the Department of State with regard to foreign countries, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and status review of existing efforts in multilateral fora to obtain agreements on international norms in cyberspace.

(3) A review of alternative concepts with regard to international norms in cyberspace offered by foreign countries.

(4) A detailed description of new and evolving threats to United States national security in cyberspace from foreign countries, State-sponsored actors, and private actors to Federal and private sector infrastructure of the United States, intellectual property in the United States, and the privacy of citizens of the United States.

(5) A review of policy tools available to the President to deter and de-escalate tensions with foreign countries, State-sponsored actors, and private actors regarding threats in cyberspace, and to what degree such tools have been used and whether or not such tools have been effective.

(6) A review of resources required to conduct activities to build responsible norms of international cyber behavior.

(7) A clarification of the applicability of international laws and norms, including the law of armed conflict, to the use of ICT.

(8) A clarification that countries that fall victim to malicious cyber activities have the right to take proportionate countermeasures under international law, including exercising the right to collective and individual self-defense.

(9) A plan of action to guide the diplomacy of the Department of State with regard to existing mutual defense agreements, including the inclusion in such agreements of information relating to the applicability of malicious cyber activities in triggering mutual defense obligations.

(c) **FORM OF STRATEGY.**—

(1) **PUBLIC AVAILABILITY.**—The strategy required under subsection (a) shall be available to the public in unclassified form, including through publication in the Federal Register.

(2) **CLASSIFIED ANNEX.**—

(A) **IN GENERAL.**—If the Secretary of State determines that such is appropriate, the strategy required under subsection (a) may include a classified annex consistent with United States national security interests.

(B) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed as authorizing the public disclosure of an unclassified annex under subparagraph (A).

(d) **BRIEFING.**—Not later than 30 days after the production of the strategy required under subsection (a), the Secretary of State shall brief the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate on such strategy, including any material contained in a classified annex.

(e) **UPDATES.**—The strategy required under subsection (a) shall be updated—

(1) not later than 90 days after there has been any material change to United States policy as described in such strategy; and

(2) not later than one year after each inauguration of a new President.

(f) **PREEXISTING REQUIREMENT.**—Upon the production and publication of the report required under section 3(c) of the Presidential Executive Order 13800 on Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure on May 11, 2017, such report shall be considered as satisfying the requirement under subsection (a) of this section.

#### **SEC. 7. ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES.**

(a) **REPORT RELATING TO ECONOMIC ASSISTANCE.**—Section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n) is amended by adding at the end the following new subsection:

“(h)(1) The report required by subsection (d) shall include an assessment of freedom of expression with respect to electronic information in each foreign country. Such assessment shall consist of the following:

“(A) An assessment of the extent to which government authorities in each country inappropriately attempt to filter, censor, or otherwise block or remove nonviolent expression of political or religious opinion or belief via the internet, including electronic mail, as well as a description of the means by which such authorities attempt to block or remove such expression.

“(B) An assessment of the extent to which government authorities in each country have persecuted or otherwise punished an individual or group for the nonviolent expression of political, religious, or ideological opinion or belief via the internet, including electronic mail.

“(C) An assessment of the extent to which government authorities in each country have sought to inappropriately collect, request, obtain, or disclose personally identifiable information of a person in connection with such person’s nonviolent expression of political, religious, or ideological opinion or belief, including expression that would be protected by the International Covenant on Civil and Political Rights.

“(D) An assessment of the extent to which wire communications and electronic communications are monitored without regard to the principles of privacy, human rights, democracy, and rule of law.

“(2) In compiling data and making assessments for the purposes of paragraph (1), United States diplomatic personnel shall consult with human rights organizations, technology and internet companies, and other appropriate nongovernmental organizations.

“(3) In this subsection—

“(A) the term ‘electronic communication’ has the meaning given such term in section 2510 of title 18, United States Code;

“(B) the term ‘internet’ has the meaning given such term in section 231(e)(3) of the Communications Act of 1934 (47 U.S.C. 231(e)(3));

“(C) the term ‘personally identifiable information’ means data in a form that identifies a particular person; and

“(D) the term ‘wire communication’ has the meaning given such term in section 2510 of title 18, United States Code.”.

(b) **REPORT RELATING TO SECURITY ASSISTANCE.**—Section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304) is amended—

(1) by redesignating the second subsection (i) (relating to child marriage status) as subsection (j); and

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

“(k)(1) The report required by subsection (b) shall include an assessment of freedom of expression with respect to electronic information in each foreign country. Such assessment shall consist of the following:

“(A) An assessment of the extent to which government authorities in each country inappropriately attempt to filter, censor, or otherwise block or remove nonviolent expression of political or religious opinion or belief via the internet, including electronic mail, as well as a description of the means by which such authorities attempt to block or remove such expression.

“(B) An assessment of the extent to which government authorities in each country have persecuted or otherwise punished an individual or group for the nonviolent expression of political, religious, or ideological opinion or belief via the internet, including electronic mail.

“(C) An assessment of the extent to which government authorities in each country have sought to inappropriately collect, request, obtain, or disclose personally identifiable information of a person in connection with such person’s nonviolent expression of political, religious, or ideological opinion or belief, including expression that would be protected by the International Covenant on Civil and Political Rights.

“(D) An assessment of the extent to which wire communications and electronic communications are monitored without regard to the principles of privacy, human rights, democracy, and rule of law.

“(2) In compiling data and making assessments for the purposes of paragraph (1), United States diplomatic personnel shall consult with human rights organizations, technology and internet companies, and other appropriate nongovernmental organizations.

“(3) In this subsection—

“(A) the term ‘electronic communication’ has the meaning given such term in section 2510 of title 18, United States Code;

“(B) the term ‘internet’ has the meaning given such term in section 231(e)(3) of the Communications Act of 1934 (47 U.S.C. 231(e)(3));

“(C) the term ‘personally identifiable information’ means data in a form that identifies a particular person; and

“(D) the term ‘wire communication’ has the meaning given such term in section 2510 of title 18, United States Code.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. SIREN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

## GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by saying the United States is increasingly under attack by foreign actors online. Nobody knows this better than our members on the Foreign Affairs Committee, but especially MIKE MCCAUL, who assisted me on this bill. As you know, MIKE MCCAUL also chairs the Homeland Security Committee.

So this legislation is focused on correcting a serious threat.

Malicious cyber activities by state and non-state actors threaten our U.S. foreign policy, our security, and our economic interests right now around the globe.

Last year, the intelligence community's Worldwide Threat Assessment summed this up well. As they looked at the problem, they said: "Our adversaries are becoming more adept at using cyberspace to threaten our interests and advance their own, and despite improving our cyber defenses, nearly all information, communication networks, and systems will be at risk for years."

But it is not just the security of our networks that the United States needs to protect. It is the very fabric of the internet itself that is increasingly under assault by governments that want to erect digital borders, that want to impose more control, and that want censorship online.

The State Department has a critical role to play in promoting an open and secure cyberspace by developing international norms of responsible state behavior and deterring malicious actors from carrying out destructive cyber operations.

Last year, the President signed an executive order charging the Secretary of State with creating an interagency strategy to protect the American people from cyber threats along with a plan to improve international cooperation in cybersecurity.

Despite the prominent role assigned to the Department by the President's executive order and support from this body for such work, the office tasked with leading this effort for the State Department was merged into the Bureau of Economic and Business Affairs. The concern is that this limits the Department's ability to confront the full range of issues in cyberspace—such as security, internet access, online human rights, and cybercrime—beyond the clear economic challenges.

So I believe this sends the wrong signal to Moscow, to Beijing, and to other

governments around the world. The United States should make it clear that we place a high priority on the whole range of cyber issues, including cybersecurity, internet access, online rights, deterrence, and cybercrime.

In testimony before the Foreign Affairs Committee—and here is the good news—I was relieved to hear our Deputy Secretary Sullivan say that this was just an interim step and that he expects cyber issues will ultimately be elevated to a Senate-confirmed role. This is exactly what this bill requires.

So now, more than ever, we need a high-ranking cyber diplomat at the State Department to prioritize these efforts to ensure that we keep the internet open, keep it reliable, and keep it secure. The bipartisan Cyber Diplomacy Act is going to help counter foreign threats on the internet, it is going to promote human rights abroad, and it is going to also, by the way, create new jobs and economic growth here at home.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

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

I rise today in support of this measure.

Mr. Speaker, let me first thank our chairman of the Foreign Affairs Committee, ED ROYCE, and Ranking Member ELIOT ENGEL, for their leadership on this issue.

Mr. Speaker, malicious cyber activity has become a grave threat to the United States and our allies.

In 2014, North Korea hacked Sony Pictures. In 2015, the Chinese stole the personal data of millions of people from the Office of Personnel Management.

In 2016, Russia illegally interfered in our Presidential election, stealing election data and doing real damage to American democracy.

Now, in 2018, our midterm elections are at risk. Putin and his cronies were not finished after the last election. They have hacked our allies, and they will hack our elections again and again unless we do something about it.

We cannot allow foreign governments to meddle in democracy and steal data from our networks. To stand up against these threats, this bill establishes a high-level ambassador to lead the State Department's cyber diplomacy efforts. It also requires the Secretary of State to create an international cyber policy that will improve international cyber norms on security and democratic principles, including a commitment to keep the internet free, open, and interoperable.

America cannot cede cyberspace to China or Russia. Now, more than ever, we need to use all the tools we have to help shape international norms, ramp up coordination with our partners, and stiffen our defenses.

Mr. Speaker, I urge my colleagues to support this bipartisan measure, and I reserve the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. MCCAUL), who is the chairman of the Homeland Security Committee.

Mr. MCCAUL. Mr. Speaker, I rise today in support of the Cyber Diplomacy Act, and I want to thank Chairman ROYCE and ELIOT ENGEL for their strong work on this very important issue.

As chairman of the Homeland Security Committee, I have passed numerous bills to strengthen our cyber operations to defend the American people and the homeland. Now, I am pleased to see that we are doing the same at the State Department.

As we have seen, rapid technological advancements have increased our dependence on computer networks. With this growing dependence comes exposure to the myriad vulnerabilities and threats from cybercriminals and hackers but also nation states who continue to launch malicious attacks against us.

Currently, as the chairman stated, there are no real international norms or standards to follow when it comes to cybersecurity. As the threat landscape continues to evolve, I believe that Congress must put forth responsible policies to keep pace—protecting our systems, our critical infrastructure, and American citizens' information and privacy.

This legislation helps ensure the open, reliable, and secure use of the internet by establishing the Office of Cyber Issues within the Department of State, headed by an ambassador responsible for advancing U.S. national security and foreign policy interests on cybersecurity and issues of internet freedom around the globe.

This legislation also requires the Secretary of State to produce a strategy on cyberspace to guide U.S. policy.

Lastly, it requires the State Department to add a section to its annual report on human rights detailing governments—such as Iran, Russia, and China—silence of their opposition through internet censorship.

Mr. Speaker, I stand proud to be with my colleagues in the House in a bipartisan fashion to propose solutions to these very grave challenges that face the United States and the world.

□ 1430

Mr. SIREs. Mr. Speaker, I yield 4 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), co-chair of the Congressional Cybersecurity Caucus.

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

Mr. Speaker, I rise today in strong support of the Cyber Diplomacy Act and efforts to increase international cooperation and promote global stability in cyberspace.

As the cofounder and co-chair of the Congressional Cybersecurity Caucus, I firmly believe that cybersecurity is the national and economic security challenge of the 21st century, and we must integrate cyberspace into our foreign

policy if we are to successfully mitigate the many threats that we face in this new domain.

Then-Secretary of State Hillary Clinton recognized this when she created the Office of the Cyber Coordinator within the State Department in 2011, and her successor, Secretary John Kerry, continued American leadership in cyber diplomacy.

I had the privilege of working with the inaugural cyber coordinator, Chris Painter, and we are deeply indebted for his 6 years of service in that role. I cannot remember a meeting I had with a cybersecurity expert from a foreign government where his name did not come up as someone who is actively promoting American interest in a free, open, and secure internet.

I am deeply grateful for the leadership of Chairman ROYCE and Ranking Member ENGEL in recognizing the importance of this role and bringing this bill forward to codify and expand it.

This effort is particularly timely as, since Mr. Painter left, there has been some confusion about whether the position would even be filled or if the office would be reorganized under the Bureau of Economic and Business Affairs. It is my goal to see that that does not happen and that this bill prevails. That position deeply needs to be in the State Department, where we can show American leadership on a diplomatic front in cyber.

As a Member who serves on two national security committees, I must emphasize that cybersecurity is not just an economic issue, and this bill appropriately recognizes the broad scope of cyber diplomacy.

Mr. Speaker, every armed conflict going forward in the world today has—and all future conflicts will have—a cyber component. We have seen our cyber adversaries like Russia use cyber tools as instruments of statecraft, including efforts to undermine faith in the bedrock of our democracy, our elections.

We must engage bilaterally and multilaterally with our international partners and even our adversaries in order to protect our interests and allow us to continue to reap the benefits of a connected society.

The lack of policies, norms, and precedents in this new sphere of state interaction continues to increase the potential for a cyber incident to lead to escalating conflict. It is up to the hard-working and, sadly, underappreciated members of our foreign service to change this paradigm and encourage generally stabilizing rules of the road in cyberspace, and this bill will ensure they have the leadership structure to do just that.

Mr. Speaker, let me again thank the chairman and ranking member for their extraordinary work on this important bill.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

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

In closing, keeping the internet open, interoperable, and secure is of critical importance to America's national security, economy, and domestic values. We must use all the diplomatic tools to develop strong international norms, bolster our cyber defenses, and promote internet freedom. H.R. 3776 is a necessary step to ensure the United States stays engaged on these critical issues.

Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to thank Mr. SIRES. I appreciate his efforts in supporting this legislation. I thank Mr. ENGEL and Mr. MCCAUL, as well.

As the birthplace of the internet, it is the United States that has been most impacted. We have a foreign policy and economic interests and have been working internationally to ensure that the internet remains open. Part of our idea is that this would be capable of carrying the free flow of ideas. We thought it should remain reliable and secure.

But increasingly authoritarian regimes are very aggressively promoting a different vision from the one that Americans brought to the table, their vision of cyber sovereignty, which they sometimes call it. What cyber sovereignty means for these governments is state control over cyberspace. That does run counter to the values of a free people and the values of individual and economic liberty.

Working with our allies and partners, I think the United States has got to be prepared to advance our own vision of cyberspace when it is under this kind of attack and censorship. The Cyber Diplomacy Act will give us the tools to do just that.

Mr. Speaker, I thank my colleagues for their help with this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3776, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GLOBAL HEALTH INNOVATION ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1660) to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1660

*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 “Global Health Innovation Act of 2017”.

#### SEC. 2. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for a period of 4 years, the Administrator of the United States Agency for International Development shall submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of—  
(A) the extent to which global health innovations described in subsection (a) include drugs, diagnostics, devices, vaccines, electronic and mobile health technologies, and related behavior change and service delivery innovations;

(B) how innovation has advanced the Agency's commitments to achieving an HIV/AIDS-free generation, ending preventable child and maternal deaths, and protecting communities from infectious diseases, as well as furthered by the Global Health Strategic Framework;

(C) how goals are set for health product development in relation to the Agency's health-related goals and how progress and impact are measured towards those goals;

(D) how the Agency's investments in innovation relate to its stated goals; and

(E) progress made towards health product development goals.

(2) How the Agency, both independently and with partners, donors, and public-private partnerships, is—

(A) leveraging United States investments to achieve greater impact in health innovation;

(B) engaging in activities to develop, advance, and introduce affordable, available, and appropriate global health products; and

(C) scaling up appropriate health innovations in the development pipeline.

(3) A description of collaboration and coordination with other Federal departments and agencies, including the Centers for Disease Control and Prevention, in support of global health product development, including a description of how the Agency is working to ensure critical gaps in product development for global health are being filled.

(4) A description of how the Agency is coordinating and aligning global health innovation activities between the Global Development Lab, the Center for Accelerating Innovation and Impact, and the Bureau for Global Health.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New Jersey (Mr. SIRES) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material on the bill.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1660, the Global Health Innovation Act. I thank Mr. SIREs of New Jersey, the ranking member of the Subcommittee on the Western Hemisphere, for bringing this forward in a timely manner.

Over the past two decades, we have made unprecedented progress in addressing some of the most difficult global health challenges of our time. When you think about it, global rates of child mortality have dropped by 53 percent. The prevalence of tuberculosis has been cut, in fact, by half. Malaria deaths are now down 47 percent.

Five countries in sub-Saharan Africa once ravaged by HIV/AIDS are on the verge of controlling their epidemics. The eradication of polio is within reach. The only place it still exists is on the Pakistani-Afghan border, which the Taliban resists vaccinations. They, in fact, assassinate health workers who vaccinate. That is the only reason we have not been able to eradicate this last spot where polio continues to create damage to young lives.

Yet, despite these successes, we still do have a long way to go. Part of that is reflected in the 2014 Ebola outbreak in West Africa that resulted in 11,000 deaths in 10 countries. It serves as a very stark reminder of the global threat of infectious diseases.

Though global child and maternal death rates have been cut in half, there is still an estimated 830 mothers around the world who continue to die from preventable causes every day. That is why we talk about maternal health.

USAID is working to address these global health challenges by harnessing the power of science, technology, and innovation to develop low-cost, high-impact health technologies. They are devoting considerable time and resources to developing these innovations.

This bill makes sure that we ensure that they are being effectively deployed. It supports USAID's efforts, while also enhancing congressional oversight. It directs the Administrator of USAID to report on the development and use of global health innovations in its programs, particularly those related to HIV/AIDS, maternal and child health, and combating infectious diseases to ensure that our investments in global health are deployed and are delivering results.

Mr. Speaker, I urge Members to support the bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of this measure. I want to start by thanking Chairman ROYCE and Ranking Member ENGEL for their work on global health and their efforts to bring this bill to the floor. Chairman ROYCE has put in

the time and effort to make sure the Foreign Affairs Committee is frequently thought of as the most bipartisan committee in Congress, and I thank him for his public service.

I also thank the Members who have cosponsored this bill, especially Congressman MARIO DIAZ-BALART, who has graciously acted as the Republican lead. Additionally, I thank the staffers who worked hard to bring H.R. 1660 to the floor for consideration.

Infectious diseases and other health conditions still claim the lives of nearly 9 million people each year. Emerging health threats, such as drug resistance, pose a serious threat to human health across the globe. New vaccines, drugs, tests, and other health tools are desperately needed, but progress cannot be made without a sustained investment in research and development.

U.S. investments in global health research are central components of U.S. foreign policy to increase national security, strengthen U.S. relations around the world, and reduce infectious diseases. The U.S. has a legacy of leadership in global health research through agencies like USAID.

This is why I was proud to introduce H.R. 1660, the Global Health Innovation Act. This will provide the oversight needed to gain a clearer picture of USAID's global health research and development.

Over the years, research and development projects have greatly expanded at USAID, searching for advancements towards an HIV/AIDS-free generation, preventable maternal and childhood deaths, and preventable infectious diseases.

This legislation is an effort to keep up with USAID's efforts and ensure their research and development activities reflect our goals and priorities. This report asks them to provide clarity on their goals and metrics to better understand their work.

H.R. 1660 directs the USAID Administrator to report annually to Congress on the development and use of global health innovations in USAID programs, projects, and activities. The report must also include how the Agency measures progress towards their health-related goals.

I urge my colleagues to vote in support of H.R. 1660 to allow Congress to exercise its oversight powers and ensure USAID's research and development efforts reflect their priorities.

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

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I thank Mr. SIREs of New Jersey, ranking member of the Subcommittee on the Western Hemisphere. I thank him for bringing forward this timely measure.

The Global Health Innovation Act seeks to accelerate USAID's work to identify, develop, and expand access to low-cost, high-impact health technologies that will enhance the U.S.

global health security agenda. Frankly, that will save a lot of lives.

□ 1445

What it does is ensure that the time and the resources that are being directed toward developing these technologies are put to good use, and are put to good use quickly.

Mr. Speaker, I support this bill and I urge its adoption.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1660.

The question was taken.

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

Mr. ROYCE of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### WORLD BANK ACCOUNTABILITY ACT OF 2017

##### GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to submit extraneous material on the bill under consideration.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 693 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. 3326.

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

□ 1449

##### 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. 3326) to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

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

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise today in support of H.R. 3326, the World Bank Accountability Act. Frankly, I don't quite understand why every Member is not rising in support of H.R. 3326.

This is important legislation, which is sponsored by my friend from Kentucky (Mr. BARR), the chairman of the Monetary Policy and Trade Subcommittee. It was cosponsored by a senior Democrat on our committee, the gentleman from California (Mr. SHERMAN). Mr. Chairman, it passed our committee by a unanimous vote 60-0. Again, Mr. Chairman, this measure passed our committee by a unanimous vote of 60-0.

H.R. 3326 makes a share of future World Bank appropriations contingent upon vitally needed reforms, with focus on the World Bank's International Development Association, known as IDA, which is the World Bank's concessional lending window, dedicated to 75 of the world's poorest countries.

Mr. Chairman, the reforms in this bill have emerged from five different oversight hearings held in our committee over the past 2 years and they all enjoy bipartisan support.

The bill also supports the administration's goal of ensuring that the World Bank's work is consistent with U.S. priorities that are, obviously, financed by the U.S. taxpayer. In the President's FY 2018 budget, the administration called for a holding to account international organizations whose missions don't advance U.S. foreign policy's interest or which haven't been well managed. H.R. 3326 would enact the administration's request for a 15 percent reduction on authorized funds for IDA.

In addition, Mr. BARR's legislation contains crucial national security provisions, including a prohibition on World Bank assistance to countries that knowingly violate U.N. Security Council sanctions on North Korea.

Also, safeguarding our national security is a provision that helps ensure World Bank assistance won't be used for state sponsors of terrorism.

Mr. Chairman, this is a commonsense requirement that benefited from the input of our democratic colleague on the committee: again, Mr. SHERMAN from California.

So, again, Mr. Chairman, it does kind of beg the questions: Why are we here today? Why are we debating a bill that received support from every single Republican and Democrat on the committee?

As some who may be viewing our proceedings know, there is such a thing known as a suspension calendar for relatively noncontroversial items. This bill should have been dispensed with on what is known as a suspension calendar since it passed our committee 60-0.

But now, apparently, the ranking member has had a change of heart on opposing a bill that she voted for on committee. So some may be confused, and indeed we are confused. It is interesting that we now see opposition to linking these IDA payments to reforms, but that is exactly what Democrats on the Financial Services Committee did in 2005. It is exactly what they did when they voted to withhold

25 percent of IDA funds in a foreign operation's appropriations bill. Last July, the ranking member, the gentlewoman from California (Ms. MAXINE WATERS), consistent with her earlier vote, voted in support of H.R. 3326 as well. So, again, some of us are confused as to why it is being opposed now if she has voted for the policy of withholding twice, including voting for the very bill we are debating today.

It is also important to note, Mr. Chairman, that the reforms included in this bill are those that the World Bank itself deems are important. As far back as 1992, a bank management review highlighted its perverse staff incentives that made pushing money out the door more important than making a dent in global poverty. And as recently as 2014, a bank evaluation report confirmed that these very same perverse incentives are still in place.

Then there is the notorious case of mismanagement in the Uganda Transport Sector Development Project: a scandalous bank initiative, where basic lack of project oversight led to sexual exploitation of underage girls, repeated harassment of female staff, and deficient safety measures that very well may have resulted in five fatalities—lest we forget.

In 2015, the World Bank's president had this to say:

The multiple failures we have seen in this project on the part of the World Bank, the government of Uganda, and a government contractor are unacceptable. It is our obligation to properly supervise all investment projects to ensure that the poor and vulnerable are protected in our work. In this case, we did not.

I am committed to making sure that we do everything in our power, working with other stakeholders first, to fully review the circumstance of this project, and then to quickly learn from our, and other's, failures so they do not happen again.

Mr. Chairman, if the World Bank thinks these reforms are necessary, shouldn't we all think these reforms are necessary?

And how about the testimony of Sasha Chavkin, a reporter for the International Consortium of Investigative Journalists, who testified before our committee?

Sasha said:

We found that, over a decade, spanning from 2004 to 2013, projects financed by the World Bank physically or economically displaced an estimated 3.4 million people around the world.

Mr. Chairman, these are some of the world's most vulnerable displaced by the World Bank that screams out for more reforms.

Mr. Chairman, I thank Mr. BARR for saying with his legislation that enough is enough. He has produced a serious, long overdue reform bill, one that was supported in our committee unanimously 60-0. We typically could not get a 60-0 vote on a Mother's Day resolution, yet we have it for this bill. Again, it just begs credibility and credulity as to why are we here today debating a bill that was passed unanimously in

committee. I urge the House to adopt it unanimously.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 3326, the World Bank Accountability Act of 2017.

Last year, Democrats on the Financial Services Committee joined our Republican colleagues in favorably reporting H.R. 3326 out of committee to support the bill's authorization of a U.S. contribution of \$3.29 billion to multilateral development efforts and to enforce the importance of U.S. leadership at the international financial institutions, but the favorable report in committee came with clear conditions for the future of the bill.

Democrats made it clear during consideration of this bill in committee that our ongoing support for the measure would depend upon changes to provisions in the bill moving forward that put critical U.S. funding at risk. But here we are today and Republicans have not made any effort at all to address our very specific concerns.

Namely, the bill would cut up to 30 percent of the U.S. contribution to the International Development Association—IDA—in any year in which the Treasury Secretary does not certify to Congress that the World Bank has adopted or is taking steps to implement two sets of reforms mandated in the bill.

IDA is the arm of the World Bank that provides grants and other assistance to the world's 77 poorest countries, which are home to more than 450 million people living in extreme poverty. Cuts to U.S. funds to IDA would punish millions of children and other vulnerable people in Africa, Latin America, and Asia, who are living in extreme poverty, who are suffering from famine, or who are emerging from conflict.

Democrats do not believe that cutting U.S. funds for, and diminishing U.S. influence at, the international financial institutions is an effective approach to reform.

□ 1500

To remedy this problem with the bill, Representative MOORE, who is the ranking member on our committee's Subcommittee on Monetary Policy and Trade, had sought to offer an amendment on the floor to strike the provisions in the bill that would give the administration cover to cut U.S. funding from multilateral efforts aimed at alleviating global poverty. The amendment would have maintained both sets of reforms currently in the bill and directed the Secretary of the Treasury to actively promote these policy goals through advocacy and direct engagement with World Bank management as well as the World Bank's other major shareholders.

Unfortunately, the Rules Committee refused to make this amendment in

order, thus depriving the House of the opportunity to decide for itself which approach it prefers to take: reforming the World Bank by fiat with a threat to cut funding or reforming the World Bank through the exercise of U.S. influence and power at the World Bank based on the merits of the reforms themselves.

Mr. Chairman, the process by which this bill has come to the floor stands in stark contrast to our committee's long history of working together on issues relating to global economic governance.

For many years, the Financial Services Committee has worked in a bipartisan fashion to achieve a number of important reforms at the World Bank, including increased transparency, the creation of the inspection panel, more disclosure of information, and closer consultation with local communities most affected by World Bank projects.

We were able to successfully advance these policy goals through serious and direct negotiations and sustained engagement with both the Department of the Treasury and the World Bank itself, not by threatening to walk away from our commitments, but the Trump administration has consistently demonstrated troubling attitudes toward the role of the U.S. in the world.

In November of last year, in testimony before the Financial Services Committee, David Malpass, Treasury's Under Secretary for International Affairs, expressed the administration's view that globalism and multilateralism have gone substantially too far.

In December, the Trump administration refused to pledge any funds for the next replenishment of the International Fund for Agricultural Development, a small multilateral development bank that helps the poor in remote, rural areas where few donors operate. Of course, just last week, this President made ignorant, racist, and deplorable comments about Africa, where, as it happens, IDA focuses a great deal of its resources and energy.

Mr. Chairman, the more committed we are to our goals and to our ideals, the more morally obligated we are to do everything we can to advance those goals.

The legislation before us today, in its current form, fails to meet that test, so I will be opposing this legislation, and I urge my colleagues to do the same. We can, and we should, do better.

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

Mr. HENSARLING. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. BARR), the sponsor of the legislation that passed unanimously 60-0 in our committee and the chairman of the Financial Services Subcommittee on Monetary Policy and Trade.

Mr. BARR. Mr. Chairman, I thank the chairman for yielding, and I thank him for his support and leadership in bringing my legislation to the floor.

As Chairman HENSARLING has already noted, H.R. 3326 passed the House Financial Services Committee by a unanimous vote of 60-0. No amendments were offered by any of our Democratic colleagues during that markup. So it is disappointing to me that the ranking member is standing in opposition today, despite voting for this bill in committee and then waiting half a year before proposing any changes.

Nonetheless, I want to address the gentlewoman's criticism of the withholding mechanism in this legislation, because she seems to share a philosophy endemic at the World Bank, which basically says this: money equals impact. But this runs counter to the evidence we have heard again and again during multiple oversight hearings.

It also runs counter to how the World Bank itself operates with its borrowers. The World Bank lends to poor countries by attaching conditions. People can disagree if that conditionality is too much or too little, but the World Bank affects behavior by telling governments that there are no blank checks. The ranking member knows this, and it goes without saying that there are many elements to World Bank conditionality that the ranking member and her Democratic colleagues passionately support, but if the gentlewoman from California would never tolerate the World Bank writing blank checks to governments, it is odd that she wants Congress to write a blank check to the World Bank.

Here is how a former, longtime senior staff member of the World Bank put it in testimony before our subcommittee last Congress: "... the reality is that bank staff are assessed by the volume of their lending, dollars of money lent. And that is just a poor indicator of impact on poverty. You have impact on poverty sometimes when you don't lend at all."

This perverse lending culture at the World Bank has been documented for at least a quarter century and documented by the World Bank itself.

Mr. Chairman, I want to draw your attention to a 1992 bank management review entitled, "Effective Implementation: Key to Development Impact", commonly known as the Wapenhans Report, which details a pressure to lend that distorts staff incentives at the expense of management and project implementation. Again, this is from 1992.

Well, fast forward to 2014, and a report by the bank's own evaluation office entitled, "Learning and Results in World Bank Operations: How the Bank Learns," concludes that the pressure to lend is alive and well.

In addition to focusing on better incentives and management at the World Bank, H.R. 3326 requires the World Bank to more effectively support secure property rights, due process, and economic freedom. As distinguished academics such as Nobel economics laureate Angus Deaton, New York Uni-

versity's William Easterly, and the University of Chicago's James Robinson have found, foreign aid makes little positive difference if we are indifferent to the poor's right to exert control over their livelihoods, own land and other assets, and be free from arbitrary government interference.

Now, Mr. Chairman, if the World Bank supports a corrupt government, that doesn't mean that it is going to help the condition of the impoverished in that country that is denied economic freedom.

Why doesn't the ranking member support these commonsense principles? If the bank doesn't lend with the rights of the poor in mind, then the ranking member's concerns about withholding money aren't serious. If money is being squandered and it isn't helping the poor to begin with, why would you not want to withhold it?

Again, our Democratic friends love conditionality at the World Bank; they just had a change of heart when a Republican-sponsored bill is holding the World Bank to high standards. So let no one watching this debate be fooled by crocodile tears.

Let me close by touching on the national security elements of this bill, which the ranking member also plans to vote against.

H.R. 3326 incentivizes the World Bank to strengthen its work to fight violent extremism and keep state sponsors of terrorism away from World Bank resources. This latter provision was a direct result of bipartisan discussions that we had in our subcommittee, so it is shocking to see anyone on the other side of the aisle oppose the legislation.

Finally, this bill would also ensure that the U.S. oppose World Bank financial assistance to countries that knowingly fail to enforce U.N. Security Council sanctions against North Korea. Our committee passed nearly identical language as part of the Otto Warmbier North Korea Nuclear Sanctions Act, which I am proud to have sponsored, and the provision benefitted directly from input from my subcommittee ranking member, Ms. MOORE. The committee vote, yet again, was unanimous on that bill, and the House went on to pass it by a vote of 415-2.

It boggles the mind that any Member of this body would vote against that language as part of H.R. 3326.

In closing, if the ranking member is upset that we take the interests of the poor more seriously than the interests of the World Bank, then so be it, but I believe the World Bank's interests and the poor's interests should be aligned, not just in theory, but in practice, and if they are not, it is the World Bank that should look at itself in the mirror.

Mr. Chairman, I urge my colleagues to support H.R. 3326.

Ms. MAXINE WATERS of California. Mr. Chairman, the gentleman from Texas really has presented rather hollow arguments that have no place in this debate. This is about our humanitarianism and about our strategic position in the world.



Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I thank the ranking member for yielding.

Mr. Chairman, I rise in opposition to H.R. 3326, the World Bank Accountability Act of 2017.

Let me be clear, from the outset, that I support the World Bank and its mission. The World Bank is a vital source of financial and technical assistance to developing countries. It works to reduce poverty and support development around the globe.

Let me also be clear that I support this bill's authorization of \$3.29 billion to the World Bank's International Development Association, which provides grants and very low-interest loans to the poorest 77 countries on the planet. These countries use this funding for a wide array of investments in areas like education, health, public administration, infrastructure, and resource development, but when I voted for this bill in committee, I joined the ranking member and the rest of my Democratic colleagues in making clear that my support was dependent on working together on making changes to the bill as we moved to the floor.

This is about the right of the minority to provide meaningful input into legislation, and that was an agreement that we struck before we voted on the bill.

Despite Democrats' best efforts, that did not happen, and there continue to be provisions in this bill that need to be addressed.

For example, the bill calls for withholding 30 percent of the U.S. contribution to IDA in any year over a 6-year period in which the Treasury Secretary cannot certify to Congress that the World Bank has adopted or is taking steps to implement two sets of reforms mandated in the bill.

In addition, if the Treasury Department cannot report that the World Bank has met either or both of these reforms in any given year, the bill forces U.S. funding to the World Bank to be withheld and makes it more difficult for the World Bank to implement these reforms going forward.

As currently drafted, this bill reflects a total misunderstanding of how the international system works. Multilateral institutions, like the World Bank, which we set up, require sustained U.S. involvement and leadership.

It is unrealistic to think that the U.S. can impose its will on the World Bank. Withholding funds is not an effective approach to reform. The only way to achieve the reforms we are seeking at the World Bank is through our participation and commitment.

At times like this, we must not retreat from our involvement or responsibility on the world stage.

The Acting CHAIR (Mr. CURTIS). The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield an additional 30 seconds to the gentlewoman.

Ms. VELÁZQUEZ. Placing restrictions on our involvement or undermining international efforts that promote growth and reduce poverty is not something that we should support.

Mr. Chairman, I encourage every Member in the House to vote "no" on this bill.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds just to say when my colleague on the other side of the aisle talks about meaningful participation, not one single amendment was offered by my Democratic friends. It was a perfect bill. It passed 60-0.

I would also point out the only leverage we have as the United States is our contribution, and that is what this bill does.

Mr. Chairman, I yield 4 minutes to the gentleman from Michigan (Mr. HUIZENGA), the chairman of the Financial Services Subcommittee on Capital Markets, Securities, and Investments.

□ 1515

Mr. HUIZENGA. Mr. Chairman, I rise in strong support of the World Bank Accountability Act, sponsored by my friend from Kentucky (Mr. BARR).

Having had the opportunity last Congress to chair the subcommittee that Mr. BARR now leads, I can tell my colleagues that the reforms in this bill are real and they're urgent.

Let me highlight one case of management failure at the World Bank that I focused on last Congress, alongside with my ranking member, the distinguished gentlewoman from Wisconsin (Ms. MOORE). I think the scandal will illuminate not only the reasoning behind the reforms demanded by H.R. 3326 but, also, the mechanism for achieving those reforms, as the chairman was pointing out. It is the power of our purse that will effect change.

In 2015, the World Bank canceled an IDA—International Development Association, as has been referred to—road project in Uganda. This initiative saw appalling lapses in basic management by the Bank which, literally, enabled sexual exploitation of children to happen. When local Ugandans complained to the Bank staff, they were ignored. Only after the Bank's ombudsman became involved directly did the Bank really investigate the abuses.

My colleagues on the Financial Services Committee and I were so outraged by the scandal that I, along with Ms. MOORE, my ranking member, wrote a letter on July 14 of 2016 to the World Bank demanding corrective action.

Here is the thing: To underscore the gravity of the Bank's management failures, we originally proposed a letter at the highest levels of the committee, including the chairman and the ranking member. In fact, the letter as it went out—and I will include it in the RECORD—was on the letterhead of Chairman HENSARLING and Ranking Member MAXINE WATERS. And, unfortunately, the ranking member then refused to sign the letter, then just leaving it as a subcommittee letter that

went out by myself and Ranking Member MOORE.

COMMITTEE ON FINANCIAL SERVICES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 14, 2016.

DR. JIM YONG KIM,  
President, World Bank Group,  
Washington, DC.

DEAR DR. KIM: We are writing to express our alarm over the World Bank's cancelled Uganda Transport Sector Development Project. As you know, the Bank is facing serious allegations related to misconduct by a Chinese contractor, including sexual exploitation of minors, repeated harassment of female staff, and deficient safety measures that may have resulted in five fatalities. The Bank has admitted that its supervision of the project was inadequate, particularly with respect to protecting Ugandan girls.

In addition to negligent supervision, the Bank's slow response to local communities' accusations is troubling. According to the Bank's own timeline, Ugandans had to wait six months from the time they first voiced their complaints until the Bank's Country Director wrote to public authorities requesting follow-up by law enforcement. Ten months elapsed before the Bank suspended the project, and delays in the Management Response meant that the Bank's Inspection Panel did not visit Uganda until one year following the initial allegations. As the Panel continues to investigate this case, we urge you and Bank management to cooperate fully while respecting the Panel's independence. We also ask that any findings of negligence and wrongdoing lead to appropriate disciplinary action.

The failure of this project to protect, let alone benefit, Ugandans should inform supervision in all sectors and regions going forward. We believe that the Bank must strengthen its role in supervising and monitoring its projects to ensure that the poor are protected in the Bank's work. Any actions by the Bank that would weaken its oversight could undermine support for the institution.

Additionally, the Bank has long faced criticism, including from its own staff, for a culture that too often places the volume of lending above concerns for the effectiveness of that lending. Last October, the Subcommittee on Monetary Policy and Trade held a hearing on the multilateral development banks that explored this very problem, and a report by the Bank's Independent Evaluation Group notes how the "pressure to lend" has characterized the Bank's culture for decades, often at the expense of development outcomes. It is clear that such a culture can distract from the proper preparation and administration of projects, including monitoring and supervision, thus putting development at risk.

In the case of Uganda, the Bank clearly should have made supervision a higher priority. We hope that future beneficiaries, be they in Africa or elsewhere, will encounter more capable and responsive partners at the Bank.

Sincerely,

BILL HUIZENGA,  
Chairman, Subcommittee on Monetary Policy and Trade.

GWEN MOORE,  
Ranking Member, Subcommittee on Monetary Policy and Trade.

Mr. HUIZENGA. Mr. Chair, I think what America just heard from the last two speakers on the other side of the aisle was that, literally, the Democrats



wanted the money to the World Bank but not the reforms. That is why they voted for the \$3 million-plus to go into that account, that IDA account.

How cynical. I mean, funding of IDA is about as good as putting a Band-Aid on a car accident victim; right? It is not doing anything, ultimately, if there is such woeful inadequacy in trying to provide the true issues that need to be addressed.

So, the sexual abuse of underage Ugandans, not really interested in talking to you about that; harassment of female project staff, not really interested in talking about that on the other side of the aisle; deficient project safety that may have resulted in five fatalities, not interested in talking about that. So, when they rise, talking about how much they care about the poor and those who are underserved—forgive me if I am cynical, Mr. Chairman—it rings a bit hollow.

For the Bank, it got even worse. After sending this letter with Ms. MOORE, we received a response that the Bank was undertaking cosmetic steps to improve their projects and their actions, such as creating a task force.

Again, forgive me for being a little cynical about the task force, but not only was the country manager associated with the Ugandan project not held accountable, he was promoted to country director for the Congo.

It still gets worse. Last November, we learned that the Bank was suspending yet another road project in the Congo due to allegations of sexual violence against women. The investigation is still underway today, Mr. Chairman. And the Bank has already admitted that it ignored repeated requests to the beneficiaries in the Congo to look at the other complaints, but we are beginning to see a theme: let's just keep the money flowing anyway.

Here is the thing: it was the same projects, the same people in place. I am just wondering why they—whether it is the ranking member or others who voted for this in subcommittee—refused to keep the Bank's feet to the fire.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HENSARLING. Mr. Chairman, I yield the gentleman from Michigan an additional 30 seconds.

Mr. HUIZENGA. Mr. Chairman, I am just confused as to why my colleagues on the other side of the aisle refuse to hold the Bank's feet to the fire because we have known about these issues for several years. Task forces haven't been sufficient; rhetoric hasn't been sufficient. We need real accountability in the Bank, and we need it now. It needs to be initiated immediately, and then it needs to be maintained and institutionalized.

So I thank my friend from Kentucky for taking this commonsense approach and for demanding that the World Bank live up to its commitments to the poor, whether they are in Africa or in other places in the world.

I urge my colleagues to support H.R. 3326.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 3 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Chair, I thank the gentlewoman for yielding time.

Today, I rise in opposition to H.R. 3326, the World Bank Accountability Act of 2017.

Let me start by stating how important our Nation's contributions are to the World Bank's International Development Association, IDA. Those funds support the largest source of development finance for the world's poorest nations, including those in Africa, Latin America, and Asia. That is why, at the committee level, I voted in favor.

Both Democrats and Republicans agreed that funding the World Bank's development finance for poor nations represented America's highest ideals and interests. And, naturally, I would support a bill like this, but we had agreed that it wasn't the last word, that we would work and there would be additions thereto and/or subtractions in reviewing the bill.

In my estimation, looking at the bill, it also cedes too much authority to the executive, and those concerns have not been addressed in the final bill. For me, particularly in light of this administration's statements just a few days ago, it is troubling that it could be misused by this administration.

As written, the President, who has indicated a complete disdain for poor nations and people of color, could withhold foreign assistance if the World Bank does not conform to his administration's policies. It would be a mistake to allow the President to coerce the World Bank to fit his flawed world view, especially this President whose world view is inconsistent with America's past leadership around the globe, and that is whether it was a Democrat or Republican President.

Furthermore, the procedures in this bill do little to rebuild the world's faith in our Nation because we are having a problem with all of our allies, particularly the poor nations of the world, as to where we stand.

So, clearly, our vision, this Nation, has deteriorated under the current administration. Under this bill, our Nation could lose further credibility around the world during a time when countries, especially our allies, are uncertain about where our country stands on fundamental democratic values.

Ultimately, the procedures in this bill could punish millions of children and the vulnerable families in Africa, Latin America, and Asia who could go without food and basic resources.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Chair, I yield the gentleman from New York an additional 30 seconds.

Mr. MEEKS. Mr. Chair, since we know of the President and his will to withdraw from multilateral organiza-

tions and not work with others and just work by himself, we know what his position is. I urge my colleagues to vote "no" on H.R. 3326.

Mr. HENSARLING. Mr. Chairman, I am pleased now to yield 4 minutes to the gentleman from Texas (Mr. Williams), the vice chairman of Financial Services Subcommittee on Monetary Policy and Trade.

Mr. WILLIAMS. Mr. Chairman, I rise today in strong support of H.R. 3326, the World Bank Accountability Act. I would like to thank the chairman of the Subcommittee on Monetary Policy and Trade, Mr. ANDY BARR, for his hard work on this piece of legislation and for his leadership on this important issue.

H.R. 3326 passed through the Financial Services Committee unanimously, with an overwhelmingly bipartisan vote of 60–0.

Mr. Chair, right now, the World Bank's International Development Association, IDA, is an irresponsible benefactor for the world's neediest nations. At the core of my concerns within the World Bank, I take great issue with the Bank's offering employee incentives for approving new loans. The Bank, itself, has even documented that they harvest a culture that encourages loan volume rather than approval based on merit and approval based on need.

H.R. 3326 will help eliminate these illogical incentives at the World Bank that prioritize pushing money out the door rather than delivering authentic and helpful solutions.

In addition to mass lending from the Bank, careless lending is equally disconcerting and has made it easier for corrupt regimes to abuse their citizens and exploit the money for terrorism-related efforts. To address this issue, H.R. 3326 ensures that the World Bank cannot approve funds for a country that has been classified by the United States as a state sponsor of terrorism, and it demands that the U.S. decline Bank loans to countries that knowingly fail to impose U.N. Security Council sanctions against the North Korean regime.

Additionally, this bill will encourage improvements within the World Bank by withholding up to 30 percent of future appropriations for the World Bank's IDA until the Treasury reports that the Bank has undertaken meaningful reforms in order to combat corruption, strengthen management accountability, and undermine violent extremism. By passing this legislation, we require the World Bank to put more faith in free enterprise as opposed to corrupt regimes that abuse the poor.

If the World Bank is serious about helping those who need it most, it should make certain that borrowing governments are committed to the welfare of their citizens. The World Bank has been slipping through the cracks far too long, and it is time to implement meaningful and lasting reforms.

Once again, I commend Representative BARR for introducing this necessary legislation. I encourage the House to follow the Financial Services Committee's lead by passing H.R. 3326.

In God we trust.

Ms. MAXINE WATERS of California. Mr. Chair, I yield 3 minutes to the gentleman from Illinois (Mr. FOSTER), the senior member of the Subcommittee on Monetary Policy and Trade of the Financial Services Committee.

Mr. FOSTER. Mr. Chairman, I rise today in opposition to H.R. 3326 as it currently stands.

This is a disappointment to me. I, like many of my colleagues, originally voted to support this legislation in committee, with the understanding that both sides of the aisle would continue to work to allay the concerns that elements of this bill would give the Trump administration new and disruptive tools that would likely be used to the detriment of the World Bank's mission and our relationships with other countries.

There was an understanding to negotiate changes, but this legislation we will be voting on today does not reflect that promise. In light of that failure, my colleague, GWEN MOORE, offered an amendment that would have set aside our concerns, but this amendment was not made in order, so we will not be voting on that either.

This bill does have elements that are important to our country's obligation to some of the poorest countries in the world. The World Bank provides grants and highly concessional loans through the International Development Association, the IDA, to the world's 77 poorest countries. This money goes a long way towards raising the standard of living, public health, and economic growth for the 450 million people who live there.

Since World War II, the United States has stood as a strong partner and a leader in the multilateral work to improve the quality of life around the world. Our success has relied on the diligent support of American lawmakers, diplomats, and groups around the world that work closely with allies and partner organizations throughout the world to provide assistance in times of great crisis.

But our confidence that this administration's broad discretion to defund the IDA—provided in the bill we will be voting on—would not be abused, frankly, was not improved by the President's recent racist remarks last week.

We are constantly reminded of the continuing importance of this mission and the need to pledge our support to the poorest countries in the world, to offer aid for the neediest individuals. Time after time, however, the Trump administration has shown itself incapable of using the resources that Congress gives it to work in constructive ways within multilateral organizations, instead, alienating our allies and undermining our country's reputation and mission. While I support this legis-

lation's authorization of \$3.29 billion for multilateral development efforts for these countries, the poorly conceived and defined conditions in this legislation make it impossible to support.

Any withholding of U.S. contributions to IDA is a serious action that would have devastating consequences. It would punish millions of children and other vulnerable groups in Africa, Latin America, and Asia, many of whom live in absolute poverty. It would also limit our ability to help individuals in famine-ridden parts of the world and refugees in fragile areas. They rely on humanitarian assistance for food and water.

The Acting CHAIR. The time of the gentleman has expired.

Ms. MAXINE WATERS of California. Mr. Chair, I yield an additional 30 seconds to the gentleman from Illinois.

Mr. FOSTER. Mr. Chair, they rely on humanitarian assistance for food, water, and basic medical care and could face death without this assistance.

Many of the provisions in this bill, as written, would place conditions on U.S. contributions to IDA that, in the hands of the Trump administration, would not be an effective approach to reform and could very well undermine efforts to reduce poverty and promote growth. This would damage our country's historic and noble mission to lead the world in assisting the poorest countries with food, clean water, and medical help.

So, with reluctance, I have to encourage my colleagues to vote "no" on this bill and hope that it comes back to the floor with the bipartisan input that we were promised.

The Acting CHAIR. Members are reminded to refrain from engaging in personalities toward the President.

□ 1530

Mr. HENSARLING. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. DAVIDSON), another hard-working member of the Financial Services Committee who knows this bill passed 60-0 with no Democratic amendments offered.

Mr. DAVIDSON. Mr. Chairman, I thank the chairman of our committee and the chairman of our subcommittee for making great points and for pushing forward this great legislation.

The Members opposed to this legislation were for it before they were against it, as has been pointed out. But the other thing is the premise of the argument that is being made in opposition to this bill: that the United States should somehow give money, just spend the money, regardless of how poorly the World Bank will deploy this capital, regardless of whether they are effective or not in accomplishing the important mission of helping address poverty in some of the poorest nations in the world.

The specific purpose of this fund is to address poverty, and it has not done a

very good job of doing that. Frankly, they have abused the funds they have had. So the premise would be that somehow we can just spend the money and trust that somehow they are going to get better.

Well, thankfully, when we were talking about it in committee and when we have talked about it on this side of the argument here—and I hope there is truly broad bipartisanship support for this bill to show to the American people we do expect a return on our dollars. We expect results for the money that comes to this body to spend on behalf of the United States of America.

I think the other premise is that somehow, unless we just send the money with no strings attached and no expectation of results, then we are not engaged in the world, that somehow we have withdrawn from the world and we don't care.

Nothing could be further from the truth. Because we do care, we are putting terms and conditions on the money. Because we do care about poverty and the results, we care that the World Bank operates, frankly, to accomplish its mission.

So while some would look for bigger, bolder reforms and maybe better use of U.S. tax dollars, we certainly expect some accountability for those results. This is a very measured objective in this bill, and I commend our committee for coming to this consensus 60-0 in committee.

Mr. Chairman, I hope for a similar outcome when we call the vote on the floor of the House.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE), the vice ranking member of the Financial Services Committee.

Mr. KILDEE. Mr. Chairman, I thank the ranking member for yielding. I appreciate the opportunity to express my concerns with the way this bill has moved to the floor today.

Mr. Chairman, I support the bill's authorization of a U.S. contribution to the International Development Association, IDA, the part of the World Bank that helps the world's poorest countries through loans and grants to boost economic growth, to reduce inequality, and to improve the standard of living across the world.

The IDA provides assistance for basic healthcare, primary education, clean water and sanitation, and infrastructure.

I also support the idea that the bill would reestablish the U.S.' engagement on global economic cooperation. When this bill came up in the Financial Services Committee markup, as has been pointed out, I, along with many of my colleagues, expressed concerns over the bill making a U.S. contribution contingent on President Trump's determination that the World Bank is implementing these important reforms.

Our support for the bill was based on the understanding that those concerns would be addressed. So we supported

the bill in good faith, hoping that, in fact, those issues would be addressed.

It has been pointed out that no Democratic amendments were offered in committee. We took on faith that those issues would be addressed.

Ms. MOORE, a member of the committee on the Democratic side and a leader on this issue, offered an amendment, which the majority rejected in the Rules Committee and did not allow this House to vote on in order to—what we would say would be—improve the legislation. The amendment was not even made in order.

We support good governance and accountability, but those goals ought to be advanced on their own merits. Allowing President Trump to make the determination to withhold money from these countries based on his interpretation as to whether they have met his standard was a bridge too far for many of us.

The nature of the reforms outlined in the bill give some pause when we consider the recent actions and the recent words. It is impossible for any of us to, first of all, erase the hateful comments made by the President of the United States in reference to countries such as those that benefit from the work of the IDA.

So setting aside for a moment the concerns that members of the committee addressed—and this happens from time to time in committee, let's not pretend that it doesn't, where there are concerns that we decide we will address as the bill goes forward. Very often those are worked out. When they are not, we are not going to be put in the position as members of the committee of having to say: Well, that never happened.

It did happen.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I yield an additional 1 minute to the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, I understand we may come to different conclusions ultimately on how the bill comes to the floor, and Members ought to feel free to vote their conscience, but it is not the case that we did not express those concerns with the hope that they would be addressed before the legislation moved to the floor.

Nobody saw it as a perfect bill, unless, of course, those individuals were not listening to the issues being raised by Democratic Members during the debate in committee.

Mr. Chairman, I will end with this: when the President of the United States, just in recent days, uses vulgar and hateful terms to depict entire populations, many of whom live in countries that are the principal beneficiaries and people who themselves are the principal beneficiaries of this work, I have a very difficult time granting authority to that same administration to make a determination as to whether those countries are worthy of the help that the United States would offer.

Mr. HENSARLING. Mr. Chairman, I yield myself 10 seconds again to say it is an interesting narrative being told by the minority, but they offered no amendments, voted for the bill 60-0. We have heard nothing for 6 months until last Friday, the first time they decided to articulate a specific concern about a bill they had already supported.

Mr. Chairman, I yield 4 minutes to the gentleman from Arkansas (Mr. HILL), the majority whip of the Financial Services Committee.

Mr. HILL. Mr. Chairman, I thank our chairman of the full committee and the chairman of the subcommittee, Mr. BARR from Kentucky, for bringing this bill, H.R. 3326, to the floor today because this is precisely what the American people want out of their government in Washington, D.C.: accountability.

Mr. Chairman, our constituents ask us all the time: Do you monitor the money that you send and spend around the world to further America's interests?

There are always a lot of people just kind of looking around. And how do we verify that?

Well, Mr. Chairman, here is an opportunity to verify that. This important piece of legislation would require the World Bank to implement real incentives, particularly through staff evaluation standards, that prioritize anti-poverty results and capable project management over just the volume of loans they produce. It is that classic management expertise, quality over quantity.

Of course we want poverty eradicated. The taxpayers of this country wouldn't vote for us to approve spending like this if it wasn't done right to further America's interests around the world and to alleviate poverty around the world.

If the World Bank is serious about that, then it would defend the poorest's freedoms more vigorously. In other words, Mr. Chairman, no reforms like we propose, then poverty is not eradicated; the poor are not helped.

So H.R. 3326 insists on greater efforts by the World Bank to fight corruption in its projects. Just because the World Bank may have to work in corrupt environments does not mean it needs to add to the graft by pouring money in it for the taking. No one is for that. That is why the vote was 60-0.

That is why the gentlewoman from Wisconsin (Ms. MOORE) was so supportive of this in our subcommittee. It withholds appropriations until the World Bank raises the quality of its work, raises the quality of its forensic audits, which are designed to unmask the systemic corruption we find in the Third World, inadvertently or advertently supported by the efforts of the World Bank.

We are tired of it. That is why, on a bipartisanship basis, we support the foreign policy goals contained in H.R. 3326.

Mr. Chairman, I thank my friend, Mr. BARR, for his thoughtful work to im-

plement this. These are needed changes. These are bipartisanship changes. These improve transparency, end corruption, better spend our taxpayer resources, and demand accountability of the World Bank, which is notoriously unaccountable. I thank Mr. BARR and I thank Mr. HENSARLING for their efforts.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Nevada (Mr. KIHUEN), a member of the Financial Services Committee.

Mr. KIHUEN. Mr. Chairman, I rise to briefly speak about H.R. 3326, the World Bank Accountability Act, which the House is voting on this afternoon.

Mr. Chairman, last summer, I joined my Democratic and Republican colleagues in supporting H.R. 3326 in the Financial Services Committee to authorize the United States to participate in replenishing the International Development Association, the IDA.

However, Democrats made it clear during consideration of this bill in committee that our support depended on changes to certain provisions. Specifically, we believe that prohibitions in the bill put the U.S. funding at risk and make it too easy for the administration to cut off funding for vulnerable nations.

Mr. Chairman, I am disappointed that my Republican colleagues have chosen not to uphold our agreement and address these concerns. Given the recent events and remarks by President Trump degrading developing nations and the people who live in them, we should be concerned about giving the administration this power.

It is critical that Congress provide moral leadership and demonstrate to the world that the United States will not ignore or punish countries that are struggling with poverty or conflict. We must send a strong signal that the United States Congress respects people of all backgrounds and nationalities.

Mr. Chairman, for these reasons, I urge my colleagues to vote "no."

Ms. MAXINE WATERS of California. Mr. Chairman, I yield myself the balance of my time.

In closing, let me say that Democrats did view this legislation as an important marker of international engagement from our committee, which has not in recent times demonstrated a great deal of interest in global economic leadership. We viewed this measure as an opportunity to reinforce the importance of global economic cooperation. Given that, it seemed to us a mistake to then reject the possibility of cooperation with our own Republican colleagues. So we supported the bill for that reason as well, and I regret we couldn't come to an accommodation.

□ 1545

On another matter, let me also say that I won't question the sincerity of my Republican colleagues' commitment to reforming the World Bank, but

I do wonder why, if these reforms are as pressing and as urgent and as critical as they say, why did they take so long?

Chairman HENSARLING has been at the helm of our committee for over 5 years, and, during that time, the Obama administration requested legislation to authorize U.S. participation in three other replenishments, including the previous IDA-17. But the committee refused to act on any of these requests, not only shirking its oversight responsibility, but also missing a number of opportunities to press for reforms which presumably were as urgent then as they are now.

In fact, in November of 2014, near the end of the 113th Congress, I wrote to Chairman HENSARLING urging him to turn his attention to the three pending authorization requests before Congress adjourned. I made a number of arguments in support of the multilateral development banks, the MDBs, which apparently did not persuade the chairman.

Mr. Chairman, I include that letter in the RECORD.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, November 19, 2014.

Hon. JEB HENSARLING,  
Chairman, Committee on Financial Services,  
Washington, DC.

DEAR CHAIRMAN HENSARLING: I write to urge you to turn your attention before Congress adjourns to the Administration's requests for authorizations for U.S. participation in the replenishments of three concessional windows at the multilateral development banks (MDBs)—namely, the World Bank's International Development Association (IDA-17), the Asian Development Fund (AsDF-11), and the African Development Fund (AfDF-13).

As you know, these concessional facilities provide grants and low-cost development financing to the world's poorest countries. They support projects that combat hunger and poverty while promoting private-sector growth and global stability. Well-designed multilateral aid programs help create more equitable societies and more stable democracies. It is also crucial to U.S. interests that developing nations continue to grow. Exports have been the most rapidly growing share of our economy, and exports to developing countries have been an important part of that.

America is also fighting a war on terrorism, and while the forces that give rise to terrorism are complex, poverty and despair provide a fertile feeding ground. Moreover, U.S. contributions to the development banks also provide tremendous value for the money. Every dollar we commit is leveraged many times over by contributions from other donor nations, as well as from the internal resources of the institutions themselves.

Today, we have another very important, and potentially far-reaching, reason why the U.S. should promptly meet its commitments to the MDBs. The last few years have unfortunately seen a weakening of the commitment to multilateralism by the United States, which has led to widespread doubt about U.S. leadership on global economic governance.

In response, a number of developing countries, led by China, have begun to act independently, with initiatives viewed as the first serious, coordinated effort to reshape

the global financial architecture and challenge western dominance in the world economy.

Last month, China announced an agreement with 21 other developing countries to create a multilateral development bank called the Asian Infrastructure Investment Bank (AIIB), which will focus on financing infrastructure development projects in the Asia-Pacific region. A clear rival to the Asian Development Bank, the AIIB will be led by China, its largest shareholder, and headquartered in Beijing.

Separately, in July, the so-called BRICS nations (Brazil, Russia, India, China and South Africa) announced plans to launch an international development bank of their own, which they hope will rival the strength and influence of the World Bank. The "New Development Bank," as it is called, will be headquartered in Shanghai and focus on infrastructure investment throughout the developing world.

Development experts agree that global infrastructure needs in developing countries is tremendous, and there are many who welcome the contribution that the new development banks can make in helping to build sustainable economic infrastructure both in Asia and elsewhere. But these new institutions also reflect frustration by the world's major emerging economies with the slow pace of governance reforms at the Bretton Woods institutions, especially the IMF. In fact, the now-stalled agreement to realign the quota shares at the IMF, negotiated by the Bush Administration, was a critical effort to preserve its legitimacy and keep emerging economies firmly anchored in the multilateral system that the U.S. helped design.

U.S. inaction in meeting its commitments to the MDBs, as well as its refusal to ratify IMF governance reforms, is what led, in large part, to the creation of these new institutions that will increasingly pose a challenge to the global financial order created by western powers after World War II. We should be mindful that a world in which countries such as China and Russia are acting outside of the established international financial institutions, or other global bodies, is one that could drift beyond our control. Moreover, it remains to be seen what values these new rising powers will articulate and promote in their vision of a new global economy.

I believe this makes U.S. leadership at the multilateral development institutions today more important than ever. They are directed at some of the most central challenges faced by the U.S.—strategic, economic, political and moral—and, in many ways, they are often our most effective means for responding to those challenges.

I strongly urge you to take prompt action to affirm U.S. support for, and U.S. leadership at, these institutions, which have served both U.S. interests and the global public good for so many years.

Sincerely,

MAXINE WATERS,  
Ranking Member.

Ms. MAXINE WATERS of California. Nevertheless, here we are, at a historic moment when U.S. credibility on the global stage is in serious question.

We have the option of choosing to lead and show the community of nations that the hateful words of the President will not be followed by misguided and enabling actions by Congress.

Today, I speak on behalf of the world's poorest countries and their people. Today, I stand with Africa, and

I urge my colleagues to oppose this legislation and its misguided, cynical approach to multilateralism.

Mr. Chairman, I urge my colleagues to reject this legislation as a signal to the world that Trump doctrine is not the American doctrine or a broader sign of American unreliability and indifference.

Mr. Chairman, I would like to take a moment to tell you what is being said about us from some of these countries and around the world.

From Haiti, Trump comments saying that they were "based on stereotypes."

"In the spirit of the people of Haiti, we feel in the statements, if they were made, the President was either misinformed or miseducated about Haiti and its people."

From Laurent Lamothe, the former Haitian Prime Minister: "It shows a lack of respect," he says, "and ignorance never seen before in the recent history of the U.S. by any President."

Let's see what Jessie Duarte, Deputy Secretary General of the African National Congress, has to say. He said, "Ours is not a s—hole country, neither is Haiti or any other country in distress."

From the Government of El Salvador: "We have addressed a note of protest to the Government of the United States highlighting in this document also the high value of Salvadorans."

From Salvador Sanchez, President of El Salvador:

The statement by the President of the United States hits the dignity of the Salvadoran people. El Salvador demands within the framework of the principles governing relations among states respect for the dignity of their noble and courageous people.

Hugo Martinez, El Salvador's Foreign Minister, said:

"It's always been a foreign policy priority of our government to fight for the respect and dignity of our countrymen independent of the immigration status."

"Our countrymen are hardworking people who are always contributing to the countries where they are living and, of course, also to our country."

And according to the State Department, Senegal also summoned the U.S. Ambassador for an explanation. And so Macky Sall, President of Senegal, said: "I am shocked by the words of President Trump on Haiti and Africa. I reject them and condemn them vigorously. Africa and the Black race deserves the respect and consideration of all."

And then there is John Mahama, former President of Ghana. He said: "Africans and Haitians come from s—hole countries? Isn't Trump demonstrating that he is nothing but a racist and pursuing a policy of 'Make America White Again'? I congratulate Botswana for showing the way. Our AU Presidents must respond strongly to this insult."

I could go on and on about comments that are coming from our friends and

our allies. Some of them may be poor countries but who have had respect for us in the past and who have stood with us in times of adversity.

I absolutely know that this country has demonstrated, time and time again, that we are humanitarians, that we understand the importance of giving support to the poorest countries in this world, and they appreciate us so much. They honor us, they have respected us, and they have done everything to show that they will stand with us when they need us to do that.

And here we are at a time when we are willing to put them at risk with a piece of legislation where we have some Members on the opposite side of the aisle who think they know better than the World Bank, who think they know better than all of the Members, Democrats and Republicans, who have worked together for years in our support of the World Bank; in our support of giving support to the 77 poorest countries in the world; and giving our support to the 450 million people, many of them who are living in abject poverty, many of them who don't know where the next meal is going to come from, and many of them whose lives are at risk every day.

How can we, the richest country in the world, turn our nose up at them, talk about somehow they are not credible, talk about somehow they are all corrupt? I reject it, and I ask the Members of this Congress to vote "no" on this misplaced, misguided piece of legislation.

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

The Acting CHAIR. The Chair would remind Members that remarks in debate may not engage in personalities toward the President, including by repeating remarks carried elsewhere that would be improper if spoken in the Member's own words.

Mr. HENSARLING. Mr. Chairman, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman has 4¾ minutes remaining.

Mr. HENSARLING. Mr. Chair, I yield myself the balance of my time.

First, Mr. Chairman, let me get the whole process debate out of the way. Anybody who is watching this debate has got to be scratching their head at the proposition that every single one of my Democratic colleagues who come to the floor to denounce H.R. 3326 have already voted for it. They voted for it 60-0 in committee.

Mr. Chairman, do you know how many amendments they offered in that markup, their opportunity to refine the legislation, their opportunity to improve the legislation, their opportunity to put their imprimatur on the legislation? Do you know how many amendments they offered? Zero. Zero amendments were offered by the minority who now claim that somehow they were cut out of the process.

For 6 months, we have been waiting, waiting to bring this bill, waiting to

hear about these improvements, and only three legislative days ago did, finally, the Democrats deign to offer any new improvement to this bill.

So I think, Mr. Chairman, she doth protest too much. And now what I don't understand, Mr. Chairman, is how my Democratic colleagues can defend some of these rogue regimes and some of the activities of the World Bank.

Dr. Jean Enslinger, Edie and Lew Wasserman professor of social science at Caltech, testified that there is corruption throughout World Bank projects in remote areas of Kenya near the Somali border.

She said: "As I dug more deeply, it became apparent that corruption had been entrenched in the project since 2000." And we are talking about the poorest of the poor.

She goes on to say:

As the board was about to renew the project for 5 years, finally, the internal investigation showed that 62 percent of the transactions were fraudulent.

Except my friends on the other side of the aisle: It doesn't matter. Don't worry about the fraud. Just send them U.S. taxpayer money. It doesn't matter that the poor aren't actually helped. Just send them money because it makes us feel good.

Sasha Chavkin from the International Consortium of Investigative Journalists testified—and I alluded to this earlier about the forced displacement of the poorest of the poor caused by projects financed by the World Bank.

He went on to testify: "We found, instead, that the bank repeatedly funded governments that not only failed to adequately resettle communities, but, in some cases, were accused of human rights abuses such as rape, murder, and violent evictions associated with bank projects. We found in several cases that the World Bank continued to bankroll these borrowers even after evidence of these abuses came to light."

We have a bill to reform that, to make sure the poor are actually helped, to ensure that instead of taxpayer money going to rape, murder, and violent evictions, that it actually goes to help the poor. And why my Democratic colleagues who were once for it are now against it is beyond me.

We certainly know about the infamous World Bank project, road project, in western Uganda where it was associated with an increase in sexual exploitation of young girls. Teenage girls were being sexually harassed on the way to school. Many were sexually exploited or wagged by project workers, and once this became known, the World Bank denied it.

So we have the simple bill to say that the U.S. taxpayer will demand accountability. We will demand reforms. People should be aghast at how this money has been spent at the World Bank. It is not how much money you spend. It is how you spend the money. And if we want reforms, we are going

to have some accountability, something that my friends on the other side of the aisle used to support, and they should be ashamed that they are not supporting it today.

We must all support H.R. 3326. I very much commend the gentleman from Kentucky for bringing this valuable piece of legislation to the floor.

Mr. Chairman, I urge its adoption, and I yield back the balance of my time.

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

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

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services 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. 3326

*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 "World Bank Accountability Act of 2017".*

**SEC. 2. WITHHOLDING OF FUNDS UNTIL CERTAIN CONDITIONS ARE MET.**

**(a) INSTITUTIONAL REFORMS.—**

**(1) IN GENERAL.**—With respect to each of fiscal years 2018 through 2023, in addition to any amounts withheld from disbursement under subsection (b), 15 percent of the amounts provided in appropriations Acts for the International Development Association for the fiscal year—

**(A)** shall be withheld from disbursement until the conditions of paragraph (2) or (3) are satisfied; and

**(B)(i)** shall be disbursed after the conditions of paragraph (2) are satisfied; and

**(ii)** may be disbursed after the conditions of paragraph (3) are satisfied

**(2) INITIAL CONDITIONS.**—The conditions of this paragraph are satisfied with respect to the amounts provided in appropriations Acts for a fiscal year if, in the fiscal year, the Secretary of the Treasury reports to the appropriate congressional committees that the International Bank for Reconstruction and Development—

**(A)** is implementing institutional incentives, including through formal staff evaluation criteria, that prioritize poverty reduction, development outcomes, and capable project management over the volume of the Bank's lending and grantmaking;

**(B)** is taking steps to address the management failures described in Inspection Panel Investigation Report 106710UG, and to prevent their recurrence in countries that are eligible for World Bank support; and

**(C)** is taking measures to strengthen its management of trust funds, with the goal of increasing the accountability of the trust funds for poverty reduction and development outcomes.

**(3) SUBSEQUENT CONDITIONS.**—The conditions of this paragraph are satisfied if the Secretary of the Treasury reports to the appropriate congressional committees, in each of the 3 fiscal years most recently preceding the fiscal year in which the report is made, that the International Bank for Reconstruction and Development has instituted the measures described in paragraph (2) of this subsection and the measures described in subsection (b)(2).

(b) GOVERNANCE AND ANTICORRUPTION REFORMS.—

(1) IN GENERAL.—With respect to each of fiscal years 2018 through 2023, in addition to any amounts withheld from disbursement under subsection (a), 15 percent of the amounts provided in appropriations Acts for the International Development Association for the fiscal year—

(A) shall be withheld from disbursement until the conditions of paragraph (2) or (3) are satisfied; and

(B)(i) shall be disbursed after the conditions of paragraph (2) are satisfied; and

(ii) may be disbursed after the conditions of paragraph (3) are satisfied

(2) INITIAL CONDITIONS.—The conditions of this paragraph are satisfied with respect to the amounts provided in appropriations Acts for a fiscal year if, in the fiscal year, the Secretary of the Treasury reports to the appropriate congressional committees that the International Bank for Reconstruction and Development—

(A) is emphasizing in appropriate operational policies, directives, and country strategies its support for secure property rights, due process of law, and economic freedom as essential conditions for sustained poverty reduction in World Bank borrowing countries;

(B)(i) in the preceding fiscal year, has not approved any loans or grants assistance by the Bank to a country designated by the United States as a state sponsor of terrorism; and

(ii) is strengthening the ability of Bank-funded projects to undermine violent extremism;

(C) is taking steps to conduct forensic audits of projects receiving assistance from the Bank, increase the number of the forensic audits, and strengthen the capacity of the Bank's Integrity Vice Presidency, and that not less than 50 percent of the forensic audits initiated by the Bank in each fiscal year are of projects randomly selected from among International Development Association borrowing countries; and

(D) is taking measures to detect and minimize corruption in all World Bank projects involving development policy lending.

(3) SUBSEQUENT CONDITIONS.—The conditions of this paragraph are satisfied if the Secretary of the Treasury reports to the appropriate congressional committees, in each of the 3 fiscal years most recently preceding the fiscal year in which the report is made that the International Bank for Reconstruction and Development has instituted the measures described in paragraph (2) of this subsection and the measures described in subsection (a)(2).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the Committees on Financial Services and on Appropriations of the House of Representatives and the Committees on Foreign Relations and on Appropriations of the Senate.

### SEC. 3. REPORTS TO CONGRESS.

The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the report required by section 1701 of the International Financial Institutions Act for each of fiscal years 2018 through 2023 a detailed description of the actions undertaken by the International Bank for Reconstruction and Development in the fiscal year covered by the report to institute the measures described in subsections (a)(2) and (b)(2) of section 2 of this Act.

### SEC. 4. OPPOSITION TO WORLD BANK ASSISTANCE FOR GOVERNMENT THAT FAILS TO IMPLEMENT OR ENFORCE MEASURES REQUIRED UNDER AN APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION.

The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end the following:

### “SEC. 73. OPPOSITION TO ASSISTANCE FOR GOVERNMENT THAT FAILS TO IMPLEMENT OR ENFORCE MEASURES REQUIRED UNDER AN APPLICABLE UNITED NATIONS SECURITY COUNCIL RESOLUTION.

“The Secretary of the Treasury shall instruct the United States Executive Director at the International Bank for Reconstruction and Development to use the voice and vote of the United States to oppose the provision of assistance to the government of a borrowing country of the International Development Association if the President of the United States determines that the government has knowingly failed to implement or enforce sanctions required under an applicable United Nations Security Council resolution (as defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114122; 22 U.S.C. 9202)) that is in effect.”.

### SEC. 5. EIGHTEENTH REPLENISHMENT OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION; REDUCTION FROM IDA-17 AUTHORIZED LEVEL.

The International Development Association Act (22 U.S.C. 284 et seq.) is amended by adding at the end the following:

### “SEC. 30. EIGHTEENTH REPLENISHMENT.

“(a) CONTRIBUTION AUTHORITY.—The United States Governor of the International Development Association may contribute on behalf of the United States \$3,291,030,000 to the eighteenth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

“(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—In order to pay for the contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$3,291,030,000 for payment by the Secretary of the Treasury.”.

The Acting CHAIR. No amendment to that committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 115-518. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. NORMAN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115-518.

Mr. NORMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 2, after “economic freedom” insert “, including reduction of government barriers to entrepreneurship.”.

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from South Carolina (Mr. NORMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. NORMAN. Mr. Chairman, I rise today to support my amendment to H.R. 3326, the World Bank Accountability Act. I also want to thank the chairman of the full committee and ANDY BARR, who is the subcommittee

chairman, for introducing this legislation and working with me on this amendment.

The purpose of the underlying bill is simple: to ensure that the World Bank is effective in supporting projects abroad that work and actually reduce poverty. One aspect of the bill requires that the U.S. may withhold part of its funding from the World Bank unless the Treasury Department reports that the World Bank is emphasizing proven antipoverty solutions such as secure property rights, due process under the law, and economic freedom.

My amendment would make a small and positive change to the bill which clarifies that the World Bank should also focus on reducing government barriers to entrepreneurship in addition to the other requirements.

□ 1600

This simple modification is important for a couple of reasons:

First, multiple studies have found that entrepreneurship is an essential part of reducing poverty abroad because it gives people the ability to use their skills and God-given talents to foster innovation and create jobs in their individual communities. Foreign governments often create barriers to entrepreneurship through excessive fees, burdensome licensing requirements, and lengthy permitting processes.

Second, this modification is consistent with United States foreign policy, which, in part, is to promote market solutions to international poverty. This will ensure that individuals will have the capability to pull themselves out of poverty without excessive barriers put up by their government, ultimately improve the efficiency of United States development assistance and improve the economic situation in impoverished nations.

For these reasons, I urge my colleagues to support my amendment. I appreciate the committee's willingness to work with me on this issue.

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

Mr. BARR. Mr. Chairman, I rise in opposition to the amendment, although I am not opposed to the amendment.

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. PALMER). Is the gentleman opposed to the amendment?

Ms. MAXINE WATERS of California. Yes, I am opposed to the amendment.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from South Carolina (Mr. NORMAN).

While the amendment speaks to reducing government barriers to entrepreneurship, the real-world impact of adopting this amendment would be to enlist the World Bank in the business



of really what they are going for, diminishing labor standards.

The World Bank's prior "doing business" report is a prime example of why we must reject this amendment. The World Bank should be encouraging sustainable and inclusive growth, not policies that diminish workers' rights. So I would urge all Members to oppose this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I want to thank the gentleman from South Carolina for his very thoughtful amendment. His amendment addresses an issue dear to our heart, and that is economic freedom. By making the bill even more explicit in its support for entrepreneurship, his contribution makes a good piece of legislation better. Still, it is important to remember that the poor, wherever they may be in the world, can succeed if their government lets them, and that is a principle we should all wholeheartedly support. I hope the World Bank will subscribe to it as well.

I would just say one other thing about the debate that has transpired here today. This is hardworking American taxpayers' generosity. It is their charity. It is the American taxpayers trying to help people who live in impoverished countries.

It is unfair to hardworking taxpayers and it dishonors the generosity of the American people to not hold the World Bank accountable.

I applaud the gentleman, Mr. NORMAN, for his amendment, which will unleash entrepreneurship in these lesser developed countries.

Ms. MAXINE WATERS of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. NORMAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-518.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 22, insert "to institute the measures described in section 203 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c), and to ensure that persons to whom a G-5 visa (as defined in such section 203) has been issued and who are employed by a diplomat or staff of the Bank are informed of their rights and protections under such section 203" before the period.

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

Mr. Chairman, I rise today to offer an anti-human trafficking amendment to the World Bank Accountability Act.

The chairman of the National Advisory Council on International Monetary and Financial Policies is already required by law to submit to the Speaker of the House, the President of the Senate, and the President of the United States an annual report on the effectiveness and operations of international financial institutions as well as other goals for development assistance and financing already specified by Congress.

The base text of the World Bank Accountability Act already includes several additions to the chairman's annual report. This amendment would make one addition to that report. The amendment would require the chairman to report on the detailed actions undertaken by the World Bank to institute certain protections for G-5 nonimmigrant visa holders and inform these individuals of the rights afforded to them by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. That legislation was sponsored by my good friend and former chairman of the House Foreign Affairs Committee, Howard Ber- man.

G-5 nonimmigrant visas are reserved for foreign domestic employees of diplomats and international organizations, such as the World Bank.

Prior to the enactment of the William Wilberforce Trafficking Victims Protection Reauthorization Act, these foreign domestic employees had very few protections.

However, the bill enacted several important reforms on how we prevent abuse and trafficking of foreign domestic employees in the United States on G-5 nonimmigrant visas.

The law mandated that all such visa holders have an employer-employee contract that includes, inter alia:

One, an agreement by the employer to abide by all Federal, State, and local laws;

Two, information on the frequency and form of payment, work duties, weekly work hours, holidays, sick days, and vacation days; and

Three, have an agreement by the employer not to withhold the passport, employment contract, or other personal property and documents of the employee.

Among other things, the law also permits these foreign domestic employees to remain legally and work in the United States while seeking legal redress against their employers, as required.

As a Representative from Northern Virginia, I count among the residents of my district many of the hardworking and dedicated employees of the World Bank who work in offices throughout the D.C. metropolitan area. As a result, I also represent the foreign

domestic employees of those who work in the World Bank and such institutions. Unfortunately, sometimes, some of these individuals have been subject to abuse by their employers.

Since 2010, there have been at least five Federal civil trafficking cases in the United States involving the World Bank, and a majority of those cases were filed in the Eastern District of Virginia. All of these cases resulted in either a settlement, a default judgment for the plaintiff, or a guilty plea—all of them.

According to the GAO report on household workers for foreign diplomats, "The people who come to the United States on G-5 visas are among the most vulnerable who enter our borders legally. They are often poor, uneducated, and unfamiliar with their rights under United States law. If they find themselves in an abusive situation, their ability to hold their employers accountable can be limited, particularly if their employers hold full diplomatic immunity and inviolability."

According to a 2017 survey, 85 percent of domestic worker trafficking survivors report having pay withheld or being paid well below minimum wage, in violation of our own domestic laws. Seventy-eight percent have had employers threaten to report them for deportation if they complained. Sixty-two percent report having their passports or other identification documents taken away or withheld illegally by their employers.

We must empower all individuals who find themselves victims of abuse or human trafficking and provide them with a way out. Too often their plight is obscured by their vulnerability and their susceptibility to these kinds of threats.

I hope this amendment helps shed more light on one corner of this problem and offers victims currently suffering under an abusive employer a way out of the shadows. This is a matter of human decency, human freedom, and a reaffirmation of human autonomy.

Mr. Chairman, I urge its adoption. I thank the chairman and his staff and the ranking member and her staff for their cooperation fashioning this amendment.

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

Mr. BARR. Mr. Chairman, I rise in opposition to the amendment, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Kentucky is recognized for 5 minutes.

There was no objection.

Mr. BARR. Mr. Chairman, I thank the gentleman from Virginia for his efforts, and I am willing to accept his amendment.

The language he proposes would ensure that the Treasury keeps Congress updated on the World Bank's efforts to ensure that certain visa holders at the World Bank are aware of the provisions of current law.

This addition to the bill is unobjectionable. I am pleased to support it.

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

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. BARR

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115-518.

Mr. BARR. Mr. Chairman I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 13, insert "(a) IN GENERAL.—" before "The Secretary".

Page 8, line 13, strike "should" and insert "shall".

Page 8, line 16, insert "financial" before "assist".

Page 8, line 17, after "ance" insert ", other than assistance to support basic human needs,".

Page 8, line 24, strike the close quotation marks and the period that follows.

Page 8, after line 24, insert the following:

"(b) WAIVER.—The President may waive subsection (a) for not more than 180 days at a time with respect to a foreign government if the President reports to the Congress that—

"(1) the failure described in subsection (a) by the foreign government is due exclusively to a lack of capacity of the foreign government;

"(2) the foreign government is taking effective steps to prevent the failure from recurring; or

"(3) the waiver is vital to the national security interests of the United States.".

The Acting CHAIR. Pursuant to House Resolution 693, the gentleman from Kentucky (Mr. BARR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. BARR. Mr. Chairman, I rise to offer a straightforward amendment that would simply make this bill's language more consistent with legislation the House has already passed with an overwhelming bipartisan majority.

As reported, H.R. 3326 calls on the Treasury Department to oppose World Bank assistance to IDA countries that knowingly fail to enforce U.N. Security Council sanctions against North Korea.

As the U.N. Panel of Experts has concluded, lax enforcement, including in developing countries eligible for IDA support, has significantly undermined the effectiveness of U.N. sanctions against the Kim regime.

All my amendment does is change the word "should" to "shall," making

U.S. opposition to World Bank assistance for those countries mandatory. At the same time, the amendment adds Presidential waiver authority so that the administration can exempt countries that may be facing limits to their government capacity or which are making an effort to correct their enforcement failures. There is also a national interest waiver included in this provision.

The Financial Services Committee has already passed this stronger mandatory provision in the Otto Warmbier North Korea Nuclear Sanctions Act, which I am proud to have sponsored along with my subcommittee ranking member, Ms. MOORE from Wisconsin. Ms. MOORE's input was important to making this provision both tough and flexible enough to incentivize foreign countries to work harder on sanctions enforcement.

Our committee passed the Otto Warmbier sanctions bill unanimously, and it passed the full House in October by a vote of 415-2. Again, this is a minor change to align this bill's language with a policy that the House has already endorsed on a bipartisan basis.

Mr. Chairman, I urge my colleagues' support.

Before I conclude, I do want to just make a general comment about the wisdom of this legislation and the approach to enforce accountability on the World Bank. We heard some of the arguments from our friends on the other side of the aisle—our colleagues on the other side of the aisle. I would just say, on a bipartisan basis, we are the guardians and the custodians of the American taxpayers' charity. We are the guardians of their hard-earned income that they pay in the form of taxes to their government, and they ask us to be wise stewards of those tax dollars.

These taxpayers work hard to pay their taxes. So when that money comes to Washington, they expect when we are fighting poverty in Third World countries with their tax dollars that we make it work because the American people—and we all agree here—want to fight poverty in these Third World countries.

We want to make sure that these Third World countries are not either knowingly or unknowingly supporting circumventing these sanctions against North Korea.

We want to make sure that they are promoting economic freedom and actually helping people rise out of poverty and achieve their God-given potential in these countries that need our humanitarian assistance.

So for goodness' sake, let's support accountability at the World Bank so that we don't have rape, murder, and violent evictions associated with World Bank projects, which is what everybody knows the testimony has been in our oversight.

This is not about turning our backs on the poor. It is about standing up for the poor. It is about making sure that the money that our taxpayers are giv-

ing to the World Bank is actually helping alleviate poverty and not exacerbating the problems in these poor countries.

□ 1615

If the Bank can't undertake the reforms in this bill—again, reforms that the minority supported—then, by definition, the Bank's money is not benefiting the poor. If it is not benefiting the poor, how could withholding a portion of it be punishing the poor?

For goodness' sake, let's honor the charity of the American taxpayers. Let's not dishonor it. Let's honor it by actually making reforms to the World Bank so that it can fulfill its important mission and not undermine its important antipoverty mission.

Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. HENSARLING), the distinguished chairman of the full committee.

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

Mr. Chairman, not only do I want to thank him for his leadership in providing accountability to the World Bank to ensure that the poorest of the poor are truly helped and that the hardworking, beleaguered taxpayer has his funds respected, but I also want to thank him for this amendment and his previous work to ensure that sanctions on one of the most dangerous regimes on the face of the planet, North Korea, are actually effective. We know the threat that North Korea presents to all of our constituents and our country.

So I thank the gentleman from Kentucky for his leadership, and I urge the adoption of his amendment.

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

Ms. MAXINE WATERS of California. Mr. Chairman, I rise in opposition to the amendment, though I do not intend to oppose it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Ms. MAXINE WATERS of California. Mr. Chairman, this amendment, offered by the gentleman from Kentucky, Representative BARR, would make changes to section 4 of the underlying bill dealing with opposing World Bank assistance for governments that fail to enforce U.N. Security Council sanctions against North Korea.

These changes are welcome and would bring this section of the bill in line with a provision that was adopted on a bipartisan basis in the Financial Services Committee as part of our commitment in the Otto Warmbier North Korea Nuclear Sanctions Act.

Just as the bipartisan measure that was passed through our committee included a clearly defined waiver authority, the amendment offered by Representative BARR would add, in this same waiver, provisions to the underlying bill. In doing so, the amendment not only makes section 4 of the bill consistent with the approach used in

other contexts, but, more importantly, it ensures that we allow the President to waive the withholding of assistance for countries that fall short in applying sanctions on North Korea when such failure is due exclusively to a lack of capacity of the foreign government and the foreign government is taking effective steps to prevent the failure from recurring.

While I do not believe the underlying bill should become law in its current form, I do believe we should take a consistent and thoughtful approach to cutting off World Bank assistance to the poorest countries that are unable to fulfill their U.N. Security Council obligations. This amendment would address this concern.

Mr. Chairman, I thank the gentleman for giving credit to Ms. MOORE for her work and her assistance with the work that was being done to deny North Korea any kind of assistance from any of our allies, as I understand it. This is not something that is done by the Republicans or the Democrats. This is truly bipartisan. We all feel the same way about North Korea, and we all feel that the sanctions should be honored. We all feel that no country, in particular those countries that we are supporting, in any way should do anything to give support to North Korea.

In saying that, let me also point out that we don't come to this floor with any kind of empty rhetoric, talking about all of those countries are corrupt and somehow all of these countries in Africa and other places that are very poor are somehow disregarding the fact that the United States is being of assistance to them. Most of them know that their lives oftentimes depend on our generosity. They love us and support us. They want to emulate us.

They get a little bit confused when we have people who charge them with being corrupt and irresponsible and noncaring and not having an appreciation for what the citizens of the United States are doing for them. That is not the kind of rhetoric that we need in order to enhance our posture or our image with our constituents and have them believe that we are saving them from these poor countries who are getting taxpayer money and don't care about them. That is not true.

I cringe when I hear that kind of rhetoric on the floor of Congress. I cringe when I hear us using our position, our influence, to send a message that somehow we don't trust, we don't believe, we don't honor, and we don't respect many of those very, very poor countries. We are talking about 77 of the poorest countries in the world.

You will see ads on television, from time to time, of nonprofit organizations that are trying to save the lives of little children who are dying from malnutrition. You see them every night, and they tell you: Send \$21; send some money to this organization so we can save these children who are dying because they don't have clean drinking water, who are dying because they are

victims of malaria, who are dying because they don't have any healthcare whatsoever, living practically outdoors. When we see these ads, many people are responding, joining in with their government to show our humanitarianism and helping the least of these.

I want us to take credit, but I want us to be respectful. I want us not to join in calling names. I want us to say to the President of the United States: "Don't keep doing this." I want to say to the Members on the opposite side of the aisle: "You are better than this, and you don't need this for your reelection. You don't need this to send a message to your citizens that you are saving them from poor, corrupt countries."

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

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

The amendment was agreed to.

Mr. HENSARLING. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. PALMER, 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. 3326) to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank, 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 4 o'clock and 23 minutes p.m.), the House stood in recess.

□ 1702

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS of Kentucky) at 5 o'clock and 2 minutes p.m.

## WORLD BANK ACCOUNTABILITY ACT OF 2017

The SPEAKER pro tempore. Pursuant to House Resolution 693 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. 3326.

Will the gentleman from Georgia (Mr. CARTER) kindly take the chair.

□ 1702

## 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.

3326) to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank, with Mr. CARTER of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 3 printed in part A of House Report 115-518 by the gentleman from Kentucky (Mr. BARR) had been disposed of.

## AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 2 printed in part A of House Report 115-518 offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 0, not voting 10, as follows:

[Roll No. 23]

AYES—420

Abraham	Carson (IN)	Deutch
Adams	Carter (GA)	Diaz-Balart
Aderholt	Carter (TX)	Dingell
Aguilar	Cartwright	Doggett
Allen	Castor (FL)	Donovan
Amash	Castro (TX)	Doyle, Michael
Amodei	Chabot	F.
Arrington	Cheney	Duffy
Babin	Chu, Judy	Duncan (SC)
Bacon	Cicilline	Duncan (TN)
Banks (IN)	Clark (MA)	Dunn
Barletta	Clarke (NY)	Ellison
Barr	Clay	Emmer
Barragán	Cleaver	Engel
Barton	Clyburn	Eshoo
Bass	Coffman	Española
Beatty	Cohen	Estes (KS)
Bera	Cole	Esty (CT)
Bergman	Collins (GA)	Evans
Beyer	Collins (NY)	Farenthold
Biggs	Cramer	Faso
Bilirakis	Comstock	Ferguson
Bishop (GA)	Conaway	Fitzpatrick
Bishop (MI)	Connolly	Fleischmann
Bishop (UT)	Cook	Flora
Black	Cooper	Fortenberry
Blackburn	Correa	Foster
Blum	Costa	Fox
Blumenauer	Costello (PA)	Frankel (FL)
Blunt	Courtney	Frelinghuysen
Bonamici	Cramer	Fudge
Bost	Crawford	Gabbard
Boyle, Brendan	Crist	Gaetz
F.	Crowley	Gallagher
Brady (PA)	Cuellar	Gallego
Brat	Culberson	Garamendi
Bridenstine	Curbelo (FL)	Garrett
Brooks (AL)	Curtis	Gianforte
Brooks (IN)	Davidson	Gibbs
Brown (MD)	Davis (CA)	Gohmert
Brownley (CA)	Davis, Danny	Gomez
Buchanan	Davis, Rodney	Gonzalez (TX)
Buck	DeFazio	Goodlatte
Bucshon	DeGette	Gosar
Budd	Delaney	Gotthardt
Burgess	DeLauro	Gowdy
Bustos	DelBene	Granger
Butterfield	Demings	Graves (GA)
Byrne	Denham	Graves (LA)
Calvert	Dent	Graves (MO)
Capuano	DeSantis	Green, Al
Carbajal	DeSaulnier	Green, Gene
Cárdenas	DesJarlais	Griffith

□ 1726

Grijalva  
Grothman  
Guthrie  
Gutiérrez  
Hanabusa  
Handel  
Harper  
Harris  
Hartzler  
Hastings  
Heck  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Higgins (NY)  
Hill  
Himes  
Holding  
Hollingsworth  
Hoyer  
Hudson  
Huffman  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jackson Lee  
Jayapal  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (LA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Krishnamoorthi  
Kuster (NH)  
Kustoff (TN)  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (MN)  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Love  
Lowenthal  
Lowey  
Lucas  
Luetkemeyer  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
MacArthur  
Maloney,  
Carolyn B.

Maloney, Sean  
Marchant  
Marino  
Marshall  
Massie  
Mast  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McEachin  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Newhouse  
Nolan  
Norcross  
Norman  
Nunes  
O'Halleran  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Panetta  
Pascrell  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pocan  
Poliquin  
Polis  
Posey  
Price (NC)  
Quigley  
Raskin  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (NY)  
Rice (SC)  
Richmond  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Rosen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce (CA)  
Ruiz  
Ruppersberger

Rush  
Russell  
Rutherford  
Ryan (OH)  
Sánchez  
Sanford  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Soto  
Speier  
Stefanik  
Stewart  
Stivers  
Suozi  
Swalwell (CA)  
Takano  
Taylor  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tipton  
Titus  
Tonko  
Torres  
Trotter  
Tsongas  
Turner  
Upton  
Valadao  
Vargas  
Veasey  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOT VOTING—10

Brady (TX)  
Cummings  
Kind  
Lewis (GA)

Long  
Loudermilk  
Noem  
Poe (TX)

Scalise  
Vela

Mr. CRAWFORD, Ms. TSONGAS, Messrs. FARENTHOLD and MCCAUL changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. ROGERS of Kentucky). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

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

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mr. ROGERS of Kentucky, Acting Chair of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill (H.R. 3326) to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank, and, pursuant to House Resolution 693, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

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

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

The amendment was agreed to.

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

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

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

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

## RECORDED VOTE

Ms. MAXINE WATERS of California.

Mr. Speaker, I demand a recorded vote.

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 5-minute votes on:

Suspending the rules and passing H.R. 4279; and

Agreeing to the Speaker's approval of the Journal, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 184, not voting 9, as follows:

[Roll No. 24]

AYES—237

Abraham  
Aderholt  
Allen  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barietta

Barr  
Barton  
Bergman  
Billakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum

Bost  
Brat  
Bridenstine  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess

Byrne  
Calvert  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Correa  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Frelinghuysen  
Gallagher  
Garamendi  
Garrett  
Gianforte  
Gibbs  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gottheimer  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill

Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lawson (FL)  
Lewis (MN)  
Lipinski  
LoBiondo  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Maloney, Sean  
Marino  
Marshall  
Mast  
McCarthy  
McCaul  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (FL)  
Newhouse  
Norman  
Nunes  
O'Halleran  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Peters  
Peterson  
Pittenger  
Poliquin  
Polis  
Posey  
Ratcliffe

## NOES—184

Adams  
Aguilar  
Amash  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Biggs  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brooks (AL)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Cartwright  
Castor (FL)

Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Courtney  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett

Doyle, Michael  
F.  
Duncan (TN)  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gaetz  
Gallego  
Gohmert  
Gomez  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Harris  
Hastings  
Heck  
Higgins (NY)

Himes	Marchant	Sanford	Bridenstine	Frelinghuysen	Loeb	Royce (CA)	Smith (NE)	Visclosky
Hoyer	Massie	Sarbanes	Brooks (AL)	Fudge	Loifgren	Ruiz	Smith (NJ)	Wagner
Huffman	Matsui	Schakowsky	Brooks (IN)	Gabbard	Loudermilk	Ruppersberger	Smith (TX)	Walberg
Jackson Lee	McClintock	Shiff	Brown (MD)	Gaetz	Love	Rush	Smith (WA)	Walden
Jayapal	McCollum	Scott (VA)	Brownley (CA)	Gallagher	Lowenthal	Russell	Smucker	Walker
Jeffries	McEachin	Scott, David	Buchanan	Gallego	Lowe	Rutherford	Soto	Walorski
Johnson (GA)	McGovern	Serrano	Buck	Garamendi	Lucas	Ryan (OH)	Speier	Walters, Mimi
Johnson, E. B.	McNerney	Sewell (AL)	Bucshon	Garrett	Luetkemeyer	Sánchez	Stefanik	Walz
Jones	Meeks	Shea-Porter	Budd	Gianforte	Lujan Grisham,	Sanford	Stewart	Wasserman
Jordan	Meng	Sires	Burgess	Gibbs	M.	Sarbanes	Stivers	Schultz
Kaptur	Moore	Slaughter	Bustos	Gohmert	Luján, Ben Ray	Schakowsky	Suozi	Waters, Maxine
Keating	Moulton	Smith (WA)	Butterfield	Gomez	MacArthur	Schiff	Swalwell (CA)	Watson Coleman
Kelly (IL)	Nadler	Soto	Byrne	Gonzalez (TX)	Maloney,	Schneider	Takano	Weber (TX)
Kennedy	Napolitano	Speier	Calvert	Goodlatte	Carolyn B.	Schrader	Taylor	Webster (FL)
Khanna	Neal	Swalwell (CA)	Capuano	Gosar	Maloney, Sean	Schweikert	Tenney	Welch
Kihuen	Nolan	Takano	Cardenas	Marchant	Marchant	Scott (VA)	Thompson (CA)	Westrup
Kildee	Norcross	Thompson (CA)	Carson (IN)	Marino	Marino	Scott, Austin	Thompson (MS)	Westerman
Kilmer	O'Rourke	Thompson (MS)	Carter (GA)	Granger	Marshall	Scott, David	Thompson (PA)	Williams
Krishnamoorthi	Pallone	Titus	Carter (TX)	Graves (GA)	Massie	Sensenbrenner	Thornberry	Wilson (FL)
Kuster (NH)	Panetta	Tonko	Cartwright	Graves (LA)	Mast	Serrano	Tipton	Wilson (SC)
Labrador	Pascarell	Torres	Castor (FL)	Graves (MO)	Matsui	Sessions	Titus	Wittman
Langevin	Payne	Tsongas	Castro (TX)	Green, Al	McCarthy	Scott (VA)	Tonko	Womack
Larsen (WA)	Pelosi	Vargas	Chabot	Green, Gene	McCaul	Shea-Porter	Torres	Woodall
Larson (CT)	Perlmutter	Veasey	Cheney	Griffith	McClintock	Sherman	Trott	Yarmuth
Lawrence	Perry	Velázquez	Chu, Judy	Grijalva	McCollum	Shimkus	Tsongas	Yoder
Lee	Pingree	Visclosky	Cicilline	Grothman	McEachin	Shuster	Turner	Upton
Levin	Pocan	Walz	Clark (MA)	Guthrie	McGovern	Simpson	Upton	Valadao
Lieu, Ted	Price (NC)	Wasserman	Clarke (NY)	Gutiérrez	McHenry	Sinema	Valadao	Vargas
Loeb	Quigley	Schultz	Clay	Hanabusa	McKinley	Sires	Veasey	Velázquez
Lofgren	Raskin	Waters, Maxine	Cleaver	Harper	McMorris	Slaughter	Smith (MO)	
Lowenthal	Rice (NY)	Watson Coleman	Clyburn	Harris	McNerney	Handel		
Lowe	Richmond	Welch	Coffman	Hartzer	Rodgers	McSally		
Lujan Grisham,	Roybal-Allard	Wilson (FL)	Cohen	Hastings	McSally	Meadows		
M.	Ruiz	Yarmuth	Cole	Heck	Meahan	Jones		
Luján, Ben Ray	Ruppersberger	Yoho	Collins (GA)	Hensarling	Meeks	Lynch		
Lynch	Rush		Collins (NY)	Herrera Beutler	Meng			
Maloney,	Ryan (OH)		Comer	Hice, Jody B.	Messer			
Carolyn B.	Sánchez		Comstock	Higgins (LA)	Mitchell			
			Conaway	Higgins (NY)	Moolenaar			
			Connolly	Hill	Mooney (WV)			
			Cook	Himes	Moore			
			Cooper	Holding	Moulton			
			Correa	Hollingsworth	Mullin			
			Costa	Hoyer	Murphy (FL)			
			Costello (PA)	Hudson	Nadler			
			Courtney	Huffman	Napolitano			
			Cramer	Huizenga	Neal			
			Crawford	Hultgren	Newhouse			
			Crist	Hunter	Nolan			
			Crowley	Hurd	Norcross			
			Cuellar	Issa	Norman			
			Culberson	Jackson Lee	Nunes			
			Curbelo (FL)	Jayapal	O'Halleran			
			Curtis	Jeffries	O'Rourke			
			Davidson	Jenkins (KS)	Olson			
			Davis (CA)	Jenkins (WV)	Palazzo			
			Davis, Danny	Johnson (GA)	Pallone			
			Davis, Rodney	Johnson (LA)	Palmer			
			DeFazio	Johnson (OH)	Panetta			
			DeGette	Johnson, E. B.	Pascarell			
			Delaney	Johnson, Sam	Paulsen			
			DeLauro	Jordan	Payne			
			DeBene	Joyce (OH)	Pearce			
			Demings	Kaptur	Pelosi			
			Denham	Katko	Perlmutter			
			Dent	Keating	Perry			
			DeSantis	Kelly (IL)	Peters			
			DeSaulnier	Kelly (MS)	Peterson			
			DesJarlais	Kelly (PA)	Pingree			
			Deutsch	Kennedy	Pittenger			
			Diaz-Balart	Khanna	Pocan			
			Dingell	Kihuen	Poliquin			
			Doggett	Kildee	Polis			
			Donovan	Kilmer	Posey			
			Doyle, Michael	King (IA)	Price (NC)			
			F.	King (NY)	Quigley			
			Duffy	Kinzie	Raskin			
			Duncan (SC)	Knight	Ratcliffe			
			Duncan (TN)	Krishnamoorthi	Reed			
			Dunn	Kuster (NH)	Reichert			
			Ellison	Kustoff (TN)	Renacci			
			Emmer	Labrador	Rice (NY)			
			Engel	LaHood	Rice (SC)			
			Eshoo	LaMalfa	Richmond			
			Española	Lamborn	Roby			
			Estes (KS)	Lance	Roe (TN)			
			Esty (CT)	Langevin	Rogers (AL)			
			Evans	Larsen (WA)	Rogers (KY)			
			Farenthold	Larson (CT)	Rohrabacher			
			Faso	Latta	Rokita			
			Ferguson	Lawrence	Rooney, Francis			
			Fitzpatrick	Lawson (FL)	Ros-Lehtinen			
			Fleischmann	Lee	Rosen			
			Flores	Levin	Roskam			
			Fortenberry	Lewis (MN)	Ross			
			Foster	Lieu, Ted	Rothfus			
			Fox	Lipinski	Rouzer			
			Frankel (FL)	LoBiondo	Roybal-Allard			

## NOT VOTING—9

Brady (TX) Lewis (GA) Poe (TX)  
 Cummings Long Scalise  
 Kind Noem Vela

□ 1737

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## EXPANDING INVESTMENT OPPORTUNITIES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4279) to direct the Securities and Exchange Commission to revise any rules necessary to enable closed-end companies to use the securities offering and proxy rules that are available to other issuers of securities, 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 Wisconsin (Mr. DUFFY) 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 418, nays 2, not voting 10, as follows:

[Roll No. 25]

YEAS—418

Abraham	Barr	Bishop (UT)
Adams	Barragán	Black
Aderholt	Barton	Blackburn
Aguilar	Bass	Blum
Allen	Beatty	Blumenauer
Amash	Bera	Blunt Rochester
Amodel	Bergman	Bonamici
Arrington	Beyer	Bost
Babin	Biggs	Boyle, Brendan
Bacon	Bilirakis	F.
Banks (IN)	Bishop (GA)	Brady (PA)
Barletta	Bishop (MI)	Brat

## NAYS—2

Jones	Lynch
Brady (TX)	Long
Cummings	Noem
Kind	Poe (TX)
Lewis (GA)	

## NOT VOTING—10

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1744

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

Mr. COLLINS of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 225, nays 185, answered “present” 1, not voting 19, as follows:

[Roll No. 26]

YEAS—225

Abraham	Barton	Brooks (IN)
Aderholt	Beatty	Brown (MD)
Aguilar	Bilirakis	Buchanan
Allen	Bishop (UT)	Bucshon
Amodel	Black	Budd
Arrington	Blumenauer	Bustos
Bacon	Blunt Rochester	Butterfield
Banks (IN)	Bonamici	Byrne
Barletta	Brat	Calvert
Barr	Bridenstine	Carson (IN)

Carter (TX) Himes  
Cartwright Hollingsworth  
Chabot Huffman  
Chu, Judy Huizenga  
Ciicilline Hultgren  
Clay Hunter  
Cole Issa  
Collins (GA) Jeffries  
Collins (NY) Johnson (GA)  
Comer Johnson (LA)  
Comstock Johnson, Sam  
Cook Joyce (OH)  
Cooper Kaptur  
Courtney Kelly (IL)  
Cramer Kelly (MS)  
Cuellar Kelly (PA)  
Davidson Kennedy  
Davis (CA) Kildee  
Davis, Rodney King (IA)  
DeGette King (NY)  
DeLauro Knight  
DelBene Kuster (NH)  
Demings Kustoff (TN)  
Dent Labrador  
DeSaulnier LaMalfa  
DesJarlais Lamborn  
Deutch Larsen (WA)  
Diaz-Balart Lewis (MN)  
Dingell Lipinski  
Doggett Loudermilk  
Donovan Love  
Duffy Lucas  
Duncan (SC) Luetkemeyer  
Duncan (TN) Lujan Grisham,  
Ellison M.  
Engel Lujan, Ben Ray  
Eshoo Marino  
Estes (KS) Massie  
Evans McCarthy  
Farenthold McCaul  
Ferguson McClintock  
Fleischmann McEachin  
Fortenberry McHenry  
Foster McMorris  
Frankel (FL) Rodgers  
Frelinghuysen McNerney  
Gabbard Meadows  
Garamendi Meng  
Garrett Messer  
Gianforte Mitchell  
Gibbs Moolenaar  
Gonzalez (TX) Mooney (WV)  
Goodlatte Moore  
Gosar Moulton  
Gowdy Mullin  
Granger Murphy (FL)  
Griffith Nadler  
Grothman Napolitano  
Guthrie Newhouse  
Handel Norman  
Harper Nunes  
Harris O'Rourke  
Hartzler Olson  
Heck Palmer  
Hensarling Panetta  
Higgins (LA) Pelosi

## NAYS—185

Adams Coffman  
Amash Cohen  
Babin Conaway  
Barragán Connolly  
Bass Correa  
Bera Costa  
Bergman Costello (PA)  
Beyer Crawford  
Biggs Crist  
Bishop (GA) Crowley  
Bishop (MI) Culberson  
Blackburn Curbelo (FL)  
Blum Curtis  
Bost Davis, Danny  
Boyle, Brendan DeFazio  
F. Delaney  
Brady (PA) Denham  
Brooks (AL) DeSantis  
Brownley (CA) Doyle, Michael  
Buck F.  
Burgess Emmer  
Capuano Espallat  
Carbajal Esty (CT)  
Cárdenas Faso  
Carter (GA) Fitzpatrick  
Castor (FL) Flores  
Cheney Foxx  
Clark (MA) Fudge  
Clarke (NY) Gaetz  
Cleaver Gallagher  
Clyburn Gallego

Perlmutter  
Peters  
Pocan  
Polis  
Posey  
Quigley  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (KY)  
Rohrabacher  
Rooney, Francis  
Ross  
Rothfus  
Royce (CA)  
Ruppersberger  
Russell  
Rutherford  
Sanford  
Schiff  
Schneider  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Shea-Porter  
Sherman  
Shinkus  
Shuster  
Simpson  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Smucker  
Speier  
Stefanik  
Stewart  
Taylor  
Thornberry  
Titus  
Torres  
Trott  
Wagner  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Weber (TX)  
Webster (FL)  
Welch  
Westerman  
Williams  
Wilson (FL)  
Wilson (SC)  
Womack  
Yarmuth  
Yoho  
Young (IA)

Kilmer  
Kinzinger  
Krishnamoorthi  
LaHood  
Lance  
Langevin  
Larson (CT)  
Latta  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lieu, Ted  
LoBiondo  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Lynch  
MacArthur  
Maloney  
Carolyn B.  
Maloney, Sean  
Marchant  
Marshall  
Mast  
Matsui  
McGovern  
McKinley  
McSally  
Meehan  
Meeks  
Neal  
Nolan  
Norcross  
O'Halleran  
Palazzo  
Pallone  
Pascrell  
Paulsen  
Payne  
Pearce  
Perry  
Peterson  
Pittenger  
Poliquin  
Price (NC)  
Raskin  
Ratcliffe  
Reed  
Renacci  
Rice (NY)  
Richmond  
Rogers (AL)  
Rokita  
Ros-Lehtinen  
Rosen  
Roskam  
Rouzer  
Ruiz  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes

Schakowsky  
Schrader  
Sewell (AL)  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Soto  
Stivers  
Suozi  
Swalwell (CA)  
Tenney  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Tipton  
Turner  
Upton  
Valadao  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walberg  
Watson Coleman  
Wenstrup  
Wittman  
Woodall  
Yoder  
Young (AK)  
Zeldin

## ANSWERED "PRESENT"—1

Tonko

## NOT VOTING—19

Brady (TX) Long  
Castro (TX) McCollum  
Cummings Noem  
Dunn Pingree  
Hoyer Poe (TX)  
Kind Reichert  
Lewis (GA)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1752

So the Journal was approved.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. BRADY of Texas. Mr. Speaker, due to inclement weather, I am unavoidably prevented from voting on today's legislation. Had I been present, I would have voted "yea" on rollcall No. 23, "yea" on rollcall No. 24, "yea" on rollcall No. 25, and "yea" on rollcall No. 26.

## CONGRATULATING MAYOR BRUNO CARNOVALE ON MORE THAN 50 YEARS OF SERVICE

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Emporium Borough Mayor Bruno Carnovale on his upcoming retirement after more than 50 years of service to the community.

Mayor Carnovale first served as a council person for 18 years, then as civil service chairperson for the Emporium Borough Police Department for 4 years, and, most recently, as mayor beginning in 1988.

It was 1966 when Bruno Carnovale ran for office with the goal of finding a solution to continual flooding problems near Oak Street. He stuck around long after that goal was achieved.

Mayor Carnovale grew up in Johnsonburg, but he has had connec-

tions to Emporium since spending childhood summers working on his grandfather's farm. After high school graduation, he moved to Emporium and briefly went to work for Sylvania before joining the Navy during World War II. After the war, he returned to Sylvania and became a senior electrical designer, certified electrical inspector, and master electrician.

Mayor Carnovale has been active with The American Legion, Lions Club, Cameron County Republican Committee, the American Cancer Society, and he is an active member of St. Mark's Church.

Mr. Speaker, I wish him the best in his well-deserved retirement, and I thank him for his service.

## DIVERSITY VISAS

(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, 8 years ago, a devastating earthquake in Haiti killed hundreds of thousands of people. Still today, our neighbor is suffering from the remnants of that disaster.

But instead of extending American hospitality to Haitians, the President cursed them out, laying bare his racist intention to destroy the fundamental ideals of our immigration policy.

Mr. Speaker, the American Dream must remain open to anyone from anywhere who wants to come here for any reason, especially if they are seeking refuge from disease, famine, or oppression, just as generations have come here in our history.

The diversity visa program does just that. It helps people—particularly the African diaspora—achieve the American Dream.

We must protect the diversity visa program and not sacrifice ourselves to the false promise of America-first nationalism.

Mr. Speaker, we are a nation of inclusion. We are a nation of open-armed freedom for all people, not just Norwegians. The President may speak for the alt-right, but he does not speak for America.

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

□ 1800

## TAX REFORM

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

Mr. PALAZZO. Mr. Speaker, I rise today to talk about the benefits that many Americans across the country are already seeing from the Tax Cuts and Jobs Act.

After hearing leaders of the Democratic Party call \$1,000 "crumbs," I wanted to make sure my colleagues on



the other side of the aisle understood that our tax reform and relief plan is more than just crumbs to over 2 million Americans.

Immediately following the passage of the Tax Cuts and Jobs Act, we saw an outpouring of businesses announce they would offer bonuses to their employees, and some even increased their wages. This money was instantly invested back into American workers.

I would like to see one of my colleagues from the other side of the aisle come to Mississippi and see the response they get after they tell the Levins and the Ladners in Saucier, Mississippi, that \$1,000 is only crumbs. I promise you they would only say it once.

As we go into 2018, I will continue highlighting real stories of Mississippi businesses that are benefiting from our new Tax Code.

#### GOVERNMENT SHUTDOWN

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

Mr. CICILLINE. Mr. Speaker, this Friday, the Federal Government runs out of money. We owe the American people a long-term solution to keep the government open.

Democrats insist that this solution address the urgent issues facing the American people, those we represent. That means long-term funding for the Children's Health Insurance Program; funding for communities fighting the deadly opioid epidemic; funding for the VA Choice Program so that our heroic veterans get the care they need and deserve; passing the Dream Act; and providing additional disaster recovery funds for Puerto Rico, the U.S. Virgin Islands, Texas, Florida, and Colorado.

I urge my Republican colleagues to be sure that these issues are addressed in the continuing resolution. Work with the Democrats. Let's get this done for the American people.

#### NATIONAL SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH

(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, January is National Slavery and Human Trafficking Prevention Month.

With as many as 25 million people enslaved worldwide, human trafficking is an abhorrent practice that has become one of the most important human rights issues of our time.

Here in the United States, there are an estimated 100,000 minors at risk of being trafficked. We have taken positive, bipartisan action on a number of bills—18 this past year, Mr. Speaker—to combat trafficking, fight child abuse and exploitation, support and protect victims, and strengthen law enforcement's ability to go after the traffickers.

While we can be proud of the progress we have made, clearly there is more that needs to be done, including cracking down on the demand side of the equation and holding websites accountable for advertising sex with juveniles.

Mr. Speaker, I will continue to make this effort a priority and work with law enforcement, victims service groups, and other stakeholders to end human trafficking.

#### FINDING LEGISLATIVE SOLUTIONS FOR DREAMERS

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

Mrs. LAWRENCE. Mr. Speaker, I rise today to urge Congress to move quickly on finding a legislative solution for DREAMers before January 19.

With every passing day that Congress delays action from now until March 5, approximately 122 people will lose their DACA protection. We cannot forget about the consequences that DACA termination will have on women and their families.

Mr. Speaker, 53 percent of active DACA recipients are women. As the vice chair of the Democratic Women's Working Group, I am here to say that we need to represent all women and their families. All women just want a better future for themselves and their children. Without safety from deportation, families will be torn apart. Many DREAMers now have children of their own.

It is time for Congress to act. I am standing here today speaking for women in this country.

#### AMERICAN HOCKEY LEAGUE ALL-STAR GAME

(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 celebrate the Utica Comets of the American Hockey League, the team that has been selected to host the AHL All-Star game on Sunday, January 28, through Monday, January 29, at the Adirondack Bank Center in our own home city at the Utica Memorial Auditorium.

Central New York has a strong hockey tradition, from the AHL's Comets and Binghamton Devils to the classic powerhouse teams of the past, the legendary Clinton Comets.

Many other collegiate hockey teams hail from our region: the Hamilton College Continentals; my own home alma mater, the Colgate Raiders; and the Utica College Pioneers.

Fans are passionate for hockey in the Mohawk Valley and Southern Tier, which the AHL recognized by awarding the Utica Comets with the 2015 All-Star game. The success of this event was, in large part, due to the Comets organization, including former National Hockey League goalie Rob

Esche; the amazing Comets fans; and the greater Utica community, whose hospitality showcased the enthusiasm and warmth of our region.

Our entire community is thrilled that AHL has again awarded the 2018 All-Star game to the Utica Comets, and it is my hope that fans across the United States and Canada will come to Utica to see great hockey and to enjoy the great spirit of our community.

#### HONORING THE LIFE OF STANLEY JOHN KACZOROWSKI

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of Mr. Stanley John Kaczorowski, who passed away on December 23 at the age of 78.

Mr. Kaczorowski dedicated much of his life to public service in our Nation's judicial system. Originally from New Jersey, Mr. Kaczorowski graduated from Seton Hall University Law School before being hired as the assistant prosecutor for Union County, New Jersey. As assistant prosecutor, he tried his first murder trial at the age of 25.

After a number of years with the prosecutor's office in New Jersey, he moved with his family to Georgia's First Congressional District, specifically Skidaway Island. Here, he continued his dedication to public service by serving on the Chatham County Board of Elections.

He is survived by his wife, Carole, of 30 years, along with a number of children, grandchildren, and great grandchildren. Mr. Kaczorowski will be missed.

#### 150TH ANNIVERSARY OF THE FOUNDING OF LOUISBURG, KANSAS

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

Mr. YODER. Mr. Speaker, I rise today to celebrate the 150th anniversary of the founding of Louisburg, Kansas.

Today, Louisburg kicks off its celebration at Louisburg City Hall, and although I cannot be there, I am honored to join in the celebration of this community I have the privilege of representing in Congress. Congratulations to Mayor Marty Southard, City Manager Nathan Law, and all the community leaders who have come together to recognize the 150th anniversary.

Founded in 1868, Louisburg is a town of wonderful history, great people, outstanding public schools, booming businesses, and beautiful parks and lakes. Louisburg is home to a number of small businesses that have contributed to its success and growth.

One of my favorite stops each fall is the Louisburg Cider Mill. Brooke and I

always have a great time watching the girls choose pumpkins, enjoy cider donuts, and take in all the fun fall activities.

I am proud to represent Louisburg resident Joe Steffy of Poppin' Joe's Gourmet Kettle Korn, started in 2005. As a young man with Down syndrome and autism, Joe has testified before Congress as a small-business leader, and I had the pleasure of meeting him on Capitol Hill.

Mr. Speaker, these small businesses are just two examples of what makes Louisburg great. Congratulations to Louisburg, and I look forward to another great 150 years.

#### TAX PLAN GOOD FOR OUR ECONOMY

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

Mr. LAMALFA. Mr. Speaker, we heard last week about \$1,000 being crumbs and how the Tax Cuts and Jobs Act doesn't really mean anything for normal people.

Where I come from, this means a lot to people. \$100 bills and \$50 bills adding up to \$1,000 is real money to real people, maybe not in San Francisco, but in my district and a lot of places in this country.

The Tax Cuts and Jobs Act is working. These dollars are coming home. I just read today that Apple is going to repatriate billions of dollars and pay \$38 billion of new taxes because they see a fair tax rate, and they want to come back and reinvest in America once again. That is \$38 billion for the good of the economy that may not have come back home, but now will, because now we have a tax rate that is friendly to the people who provide jobs and make the economy happen in this country.

Mr. Speaker, I don't know anybody who would step over a dollar instead of stopping to pick it up. These aren't crumbs on the ground. These are the things that make America strong again and our economy good again. They are not just merely crumbs that elitists in San Francisco or coastal counties in California think don't mean anything. We are on the right track with this. The Tax Cuts and Jobs Act will mean more for Americans and their pocketbooks, lower taxes, and a better economy.

#### DACA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. CASTRO) is recognized for 60 minutes as the designee of the minority leader.

#### GENERAL LEAVE

Mr. CASTRO of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to re-

vises 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 Texas?

There was no objection.

Mr. CASTRO of Texas. Mr. Speaker, I speak tonight on the issue of the DACA program.

In 2012, President Obama issued an executive action to allow 800,000 young people, known as DACA kids, to remain in the United States. These are young immigrants who were brought here at an early age by their parents, people who had no choice in whether to come to the United States, but, for many, this is the only home and only Nation they have ever known.

These young people now face the threat of deportation if Congress does not act as soon as possible. And certainly, by March 5, 800,000 young people will become subject to deportation. Already, there has been a cost to Congress' inaction. Every day, 122 of these folks become subject to deportation.

We all understand in this body the long history of immigration to the United States and the incredible contributions that immigrants from around the world have made to our Nation. These are people from Germany, Ireland, Latin America, Africa, and Asia. From literally every corner of the globe, people have come here lending their talents, their energy, their creativity, and their passion to making sure that the United States remains the greatest Nation on Earth. That is the case with the DACA kids.

Today, I am joined by several of my colleagues who are going to share some stories about DACA recipients, their lives, and the contributions they are making in our American communities and in American life.

But before I yield to my first colleague, I want to run through, for a minute, the requirements for somebody to be a DACA recipient. This has sometimes been, obviously, a very passionate, sometimes heated debate about what should happen with the DACA recipients and whether the Congress should even commit itself to coming up with a DACA solution. Whether it is people making comments on television or sometimes comments you read online, it is clear that there is a lot of misinformation out there—sometimes, willful misinformation—about who these people are.

So I want to read real quickly the requirements for somebody to be a DACA recipient.

□ 1815

First, they were under the age of 31 as of June 15, 2012.

Second, they came to the United States before reaching their 16th birthday.

Third, they have continuously resided in the United States since June 15, 2007, up to the present time.

Fourth, they were physically present in the United States on June 15, 2012,

and at the time of making the request for consideration of deferred action with USCIS.

Fifth, they had no lawful status on June 15, 2012.

Sixth, they are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general equivalency development—GED—certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States.

And, seventh, they have not been convicted of a felony, significant misdemeanor, or three or more misdemeanors, and did not otherwise pose a threat to national security or public safety.

This addresses two of the common questions or, sometimes, criticisms that you hear about the DACA program, which, first, is the idea that some of these folks are criminals. Well, it makes very clear in these requirements that that cannot be the case.

And then, second, this idea that, hey, these folks, if they wanted to, they could have just become citizens. Again, number five was: had no lawful status on June 15, 2012, when the program commenced.

These are energetic, hardworking folks that we can be very proud of who are making significant contributions to American society.

Congress must act—and we should act this week—to come up with a DACA solution, to make sure that no more of these kids are subject to deportation, that their lives are no longer left in the balance, and that their futures are secure. These are folks who are in college, who have graduated and have gone into different fields, different professions, teachers and many other different professions that are represented by the DACA students now. Congress must act to make sure that they can stay in the country.

Mr. Speaker, I yield to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the DREAMers issue, DACA recipients, is very personal for me. My district is 70 percent Latino, and I have an estimated 8,000 DACA recipients. I also have a cousin who is a recipient of DACA.

It is heartbreaking to hear the stories of recipients who are living in uncertainty, living in fear, and who tell you firsthand of the sense of urgency that they feel. It is a sense of urgency that, frankly, I don't feel is happening here in Congress.

Now, I will talk to my colleagues across the aisle, and they will tell me: "I support a solution. I want to do something to help DACA recipients." But we can't get a vote. The leadership will not give us a vote on the Dream Act. They won't give us a vote on any legislation that involves DACA.

Just today, we had White House Chief of Staff Kelly come in to meet

with members of the Hispanic Caucus to talk about this issue. We continue to hear that the President is committed to finding a fix, yet he is using DACA recipients as a political pawn, a political pawn to get a wall that he said Mexico would pay for.

Frankly, as a member of the Homeland Security Committee, I know that putting money into a wall is not the best use of our dollars.

This issue is urgent; it is real. These are people's lives. They are doctors, they are nurses, and they are teachers.

In my very district, I have a DACA recipient named Roque Pech. He was my guest for the State of the Union last year, somebody who is now teaching our children, somebody who is giving back to our community.

DACA recipients are good folks. They are our neighbors. They are our friends. They are our family members. There is overwhelming support, on a bipartisan basis, to give them the protections that they need and deserve. Members of our military who are serving are also DACA recipients.

I urge us all to come together to find a solution, so that we can deliver on providing the protections that DACA recipients so urgently need and so urgently want, and stop making this a political football so that we can also move on to other issues.

Mr. CASTRO of Texas. Mr. Speaker, before I bring up my next colleague, Congresswoman BARRAGÁN talked about the incredible DREAMers, DACA recipients that are in her district, and I have many in my district. I represent a very large city in Texas, the city of San Antonio—I have the main San Antonio district—and you can imagine that we have our fair share of DACA recipients in San Antonio.

I want to read, really quickly, the story of just one of them. Her name is Lisa.

Lisa is a first-generation American who immigrated to the United States from Canada in October 1996 at the age of 6. Lisa learned she had, unknowingly, overstayed her visa on December 19, 2010, just a day after the DREAM Act stalled in the Senate, when she received, in the mail, a notice to appear in immigration court, which is the first step in deportation proceedings.

She went to elementary, middle, and high school in San Antonio. During that time, she was a Girl Scout, logged more than 700 hours of community service during her high school years, and spearheaded a fundraiser that raised \$10,000 to help pay for the bone marrow transplant of a young leukemia patient whom she had never met.

In 2008, she graduated from a San Antonio high school with summa cum laude honors, ranking in the top 6 percent of her class. She spent the summer working as a congressional intern for the United States House of Representatives, right here—for my predecessor, Charlie Gonzalez—before heading to Northwestern University to

study journalism and political science. Lisa was sitting at her college graduation ceremony on the day that President Obama announced the DACA program, June 15, 2012.

Her work permit has enabled her to take out a mortgage, buy a car, get a job, pay taxes, renew her driver's license, and repay six figures—about \$114,000—of student loans used to fund her Northwestern University degree.

Today, Lisa is a communications associate at a nonprofit. As a reporter, Lisa's work has been published in *The Washington Post*, *Huffington Post*, *San Antonio Express-News*, *Boulder Daily Camera*, *The Denver Post*, and several other places. Her story is just one story of the incredible folks who are part of the DACA program that are contributing to the greatness of our Nation.

Mr. Speaker, I yield to the gentleman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, we have waited too long to protect the DREAMers. This is unacceptable to me and to the vast majority of Americans.

My Republican colleagues say that we have until March to fix this issue, but that is simply not true. 16,287 DREAMers have lost their protection since September. For those DREAMers, the deadline has already passed.

This is not a partisan issue. I would like to remind my colleagues that the Dream Act is a bipartisan bill. Unfortunately, the Republican leadership and the White House have not acted in good faith. They have politicized this issue. They have backed themselves to the wall. They are holding the fate of DREAMers hostage.

They say that they want to help DREAMers, but then they say they will only help DREAMers in exchange for border security, demanding that we give up on our commitment to keeping families together, ending the Diversity Visa program, knowing that these are poison pills.

If Republicans truly want to help DREAMers, Democrats stand ready. If Republicans want to compromise on a comprehensive immigration reform bill, we are ready to do that, too.

We can talk about all of the changes to our immigration system that Republicans want at the same time that we talk about how we bring 11 million people, undocumented people, out of the shadows and on a pathway to citizenship. But the issue of DREAMers and comprehensive immigration reform should simply be kept separate.

Show some leadership. President Trump says he wants a “bill of love.” So do I and so do my colleagues.

Mr. CASTRO of Texas. Mr. Speaker, the Congresswoman was talking about the support for DACA, and it is true that surveys consistently show that the American people support the DACA kids at about 83 percent or so. That is an incredible, overwhelming majority support for this program.

She mentioned the possible tradeoff. There has been this argument that we should pass a clean Dream Act, for ex-

ample, which is a DACA fix, and whether it should be paired with anything else, like, if we are going to pass a DACA bill, what is the price to pay for that? That is the common debate. What is the President, or what is the majority, going to demand for that?

But as Congresswoman TORRES mentioned, I would just point out that that 83 percent support among the American people is not 83 percent only if you build a wall. The American people don't say: We support the DACA kids, but only if you build a wall across the United States of America. They say: We support the DACA kids, and we want to make sure that those kids can stay and continue to live in the United States of America.

Mr. Speaker, I yield to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, I rise today to stand with the DREAMers, both those living throughout the great San Joaquin Valley whom I have the honor and the privilege to represent, as well as those across the entire United States. We in the valley—as we like to say—and throughout our Nation are, let us remember, a nation of immigrants, past and present.

So we know the integral role, both historically and today, that immigrants have played throughout the great history of our Nation in terms of the development of our economy and our communities. The contributions that have been made are the story of America. And our DREAMers, these young immigrants, also make immense contributions, and their story is a part of America's story.

It is estimated that roughly 685,000 of our Nation's workers, our DREAMers, with protections through the Deferred Action for Childhood Arrivals, or DACA, program, that if we, in fact, remove them as some are maybe suggesting, it would impact over \$460 billion to our Nation's economy, to our GDP. Think about that.

In my home State of California, it is estimated that there are over 193,000 DREAMers who are currently legal, who are working and contributing with these DACA protections, and that removing them from the workforce in California would cost an estimated \$11.6 billion to the GDP of California.

Does this make any sense? No.

But the DREAMers also serve in our military, protecting our Nation both at home and abroad, in harm's way. They are our friends. They are our neighbors. They are deacons in our local churches, and many of them are students, hoping to contribute to the betterment of America. They, too, want to be a part—and they are, in fact—of the American Dream.

In my district alone, we have over 600 DREAMers at the University of California, Merced, and more than that at my alma mater, Fresno State University.

But these DREAMers are young men and women. They are not just numbers.

These are people. They are people, many of whom we have trusted to be a part of our country, to uphold its word, when they basically enrolled to be a part of the DACA program.

Just today, I spoke to two DREAMers in my office. One of them is a remarkable young person, currently getting her Ph.D. in physics—she is 27 years old—at the University of California, Merced, focusing her research on solar energy.

□ 1830

Just think about this: helping America with the next generation of our energy development.

Her name is Bo. She hopes to work in renewable energy when she gets her Ph.D., but now with the possible removal of DACA, her future is uncertain. She came here when she was 3 years old. Her DACA protections expire in less than 1 year.

Another DREAMer I spoke to today was a student body president while working on his bachelor's degree at Fresno State, my alma mater. His name is Pedro. He has graduated now. He has earned his master's degree in public policy and urban affairs and is contributing to the economy of our valley and to our State. His DACA protections expire within months.

Think about that. Think about the gravity of these two students, Bo and Pedro. In less than a year, they don't know if they are going to be here. This is their country, as far as they are concerned.

Our DREAMers have shared stories time and time again of uncertainty and fear that is gripping their families and our communities as they are forced to wait and see if the only home that they have ever known, this country, will keep its word when they enrolled in the DACA program and create the protections that allow them to stay here and ultimately become citizens.

That is the question. That is what we are trying to achieve.

So I stand here today to say to my colleagues, as Members of the Congress, we all take an oath every 2 years. We swear to protect and defend the Constitution of the United States from all enemies, foreign and domestic, and to promote, guess what, the general welfare for the good of our country.

Well, that is what this is all about, promoting the most positive things that can be a part of our country. These DREAMers are a part of that. So this has to be a part of our permanent solution.

Eighty-six percent of the people in this country support providing legal designation for these DREAMers, and it is imperative that we do the right thing. This is America. I will continue to work with my colleagues on the Congressional Hispanic Caucus and other Members of Congress in a bipartisan fashion to ensure that we do the right thing. This is the American way.

More than just protecting these young people, America needs a stable,

just, and commonsense immigration policy. Let's face it, our immigration system is broken. I will continue to work on a bipartisan basis for comprehensive immigration reform more broadly so that we don't end up back right where we are here today in bickering and in partisan, piecemeal, and often contradictory fashion that does nothing to fix our broken immigration system.

We must improve the dialogue and the debate. This problem is very solvable. It really is. Let's get past the political posturing, let's fix DACA and provide support for our DREAMers, let's move on in the second phase, which the President has suggested, and let's work on the other elements. We are for border security. It is important. We all support border security. Let's do the other things that are a part of fixing this broken immigration system.

Mr. Speaker, I thank the gentleman from Texas for recognizing me.

Mr. CASTRO of Texas. Mr. Speaker, I thank the gentleman, Congressman COSTA, for his remarks. He made several very important points. One of them was the economic benefits of the DREAMer population, the DACA population, on their communities and how not only for California and his district, but for so many other parts of the country where you do have DACA recipients, it would be a real economic blow to deport these folks, to uproot them from the communities and simply get them out of here. It would be an economic blow to the economies of those cities and towns and States and, of course, to our Nation.

The second thing that I thought was very important is really the human element that right now, as you can imagine, these 800,000 young people are watching the United States Congress. Their parents, their brothers, their sisters, everybody who loves them realizes that their future hangs in the balance. They are living in fear and incredible anxiety wondering whether they are going to be allowed to stay in what is for most of them the only place they have ever known as home.

It would be like deciding that I am going to go live in Egypt or live in Uruguay or anywhere else. I simply have no connection to those places as home.

That is what these young people are facing if this Congress refuses to act. That is what they are facing now.

Mr. COSTA. Mr. Speaker, the gentleman is absolutely correct. That is why this debate is so important and that is why we must come together not just on behalf of Bo and Pedro, as I cited their examples, but for the 800,000-plus DREAMers across this country and their families.

This is just good common sense. It is the right thing to do and it is the thing that we must do to move our Nation on a positive track.

Mr. Speaker, I thank the gentleman for all his hard work. I am honored to be a part of this Special Order.

Mr. CASTRO of Texas. Mr. Speaker, I thank the gentleman for being a champion on this issue.

Mr. Speaker, I yield to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Speaker, I thank Congressman CASTRO for his great leadership on this issue.

I want to take a moment to talk about the story of Mariana Castro. Mariana is going to be interning for us this year, and she is an ambitious young DREAMer from Florida.

In 2005, Mariana left Lima, Peru, at the age of 10 with her mother, leaving her father and brothers behind for a safer life.

She was in the high school IB program. Not until the 10th grade did she realize that regardless of her excellent grades and involvement in hundreds of hours of community service, her undocumented status would be a hurdle to pursuing higher education.

A few months before graduation, DACA—Deferred Action for Childhood Arrivals—was a miracle. She would now be able to provide for her family, drive, and no longer live in the shadows.

Mariana enrolled in the University of Florida, but faced severe financial difficulties due to her status. As her only way to higher education, she temporarily paused her education and fought for tuition equity in the State of Florida. I had the honor of having a role in that, having been in the Florida Senate at the time when we passed instate tuition along with a bill that I had that admitted DREAMers into The Florida Bar. This would spark her passion for social justice.

Throughout her time at UF, she utilized her voice to speak for immigrant rights and human rights by taking several leadership positions within Chispas, the only student-led immigrant advocacy organization at UF.

She has helped start programs that provide training for professional staff under student affairs about relevant immigration laws that affect students as well.

She has helped raise thousands of dollars for Out of the Shadows, a scholarship specifically for undocumented students in Florida that she oversaw for 3 years.

She spent a semester working for the Florida Senate and has also worked as a Know Your Rights trainer for the Florida Immigrant Coalition, where she was able to educate the immigrant community about their rights in the United States through mobile consulates.

Due to her status, she is unable to qualify for loans and only qualifies to be eligible for a very limited amount of scholarships. Mariana has been paying for her education out of pocket, working 20 to 30 hours during school and 50-plus hours during school breaks.

Her only close relative in the States, her mother, has been undergoing difficult medical procedures, including treatment for human papillomavirus

and, most recently, severe glaucoma, making her unable to support her daughter.

After graduation, she hopes to attend law school to continue her fight for immigrant families across the Nation. But if the DACA program doesn't exist, if DREAMers aren't given their rights, then she will never be able to practice law under Florida law.

I am proud to announce that Mariana will be completing a congressional internship in my office this semester.

In Florida, we have 92,000 individuals who would be eligible for DACA, 92,000 DREAMers, and I have met so many of them. They are ambitious. They are attending college. They are starting small businesses. They are joining our military. They are the very best of what this Nation has to offer. Their struggles have shaped them. Their obstacles have made them better, sharper, and hungrier for it.

We need to encourage these new American DREAMers, much like so many generations before them, in fact, the generations of ancestors of so many who occupy the seats in this Chamber. The time for action is now.

We want to have a clean Dream Act. That is our priority. But at the very least, rather than talk about shutdowns, let's talk about solutions.

There is a bill in the Senate. It is not perfect. There are things in there that I really don't like at all and that I know a lot of the members on the Congressional Hispanic Caucus don't like—in the Graham bill, along with Senator DURBIN—but it is a compromise and it is a start.

I challenge for them to put it on the floor, have a vote, and send it over to the House. And then I challenge Speaker RYAN to put this bill, whatever comes over from the Senate, on the floor. Let's put together amendments. Let's take the very best of our debate, of our ideas in this august Chamber, and let's put forward a product that deals with DREAMers, that deals with TPS, that deals with border security, and let's put it on the desk of the President. Let's dare the President not to sign something that could be the embodiment of a generational opportunity to resolve so many issues that are so important to both parties.

Mr. Speaker, let us not talk about shutdowns. Let us talk about solutions. I am honored to be here today with Congressman CASTRO to do just that.

Mr. CASTRO of Texas. Mr. Speaker, I thank Congressman SOTO for his wonderful words. He also brought up a few important things that I think we need to remember.

The first is this issue of DREAMers, or undocumented immigrants, is often in the American debate reduced to the idea that all of these folks are Mexican or from Mexico, when, in fact, it is actually a very diverse group of folks who are in the category of DREAMers or who are part of the DACA program.

So I would like to ask Mr. SOTO to describe the community that he rep-

resents around Orlando and some of the different groups that are represented in the DACA program.

Mr. SOTO. Mr. Speaker, I thank the gentleman for giving me that opportunity.

Florida has every color in the rainbow, every religion, every background. Where you have Mickey Mouse, you tend to have a lot of folks around the world who are familiar with Orlando. So we have Haitians who are DREAMers. We have Peruvians who are DREAMers. We have folks from Vietnam and from Laos who are DREAMers. We have folks from every continent other than Antarctica.

I want to make this point: the law makes all the difference in these statuses.

I am of Puerto Rican descent. My father was born on the island, so, therefore, he is a citizen by a statute. We have a large Puerto Rican population, where most of my constituents who are from the island are only citizens because of an act passed over 100 years ago.

We also have a huge amount of Cuban Americans. Because of wet foot, dry foot policy, and because they were escaping tyranny, they are citizens.

So a law makes all the difference, and we know that for a fact and we live it every day in Florida, and that is what these kids need. The law needs to be on their side because it is the right thing to do. A law makes all the difference in these families' stories and these kids' opportunities.

Mr. Speaker, I thank the gentleman again for giving me this opportunity.

Mr. CASTRO of Texas. Mr. Speaker, there are people of European descent, of Asian descent, certainly of Latin American descent, and of African descent who are part of the DACA program. So I am glad that the gentleman went through the variety, the diversity of the people in his area who are part of this program.

Now, bear in mind, my grandmother was from Mexico. My grandmother came here around 1922 as a 6-year-old orphan. I remember a few years back, this professional genealogist for a publication looked at my family's history because we had never formally looked it up, and she found the documents of when my grandmother came to the country. I remember there was a box in the form that said, "Purpose." In other words, the purpose for why she was coming. And it said, "To live."

I mean, that is how easy it was back then around 1922 to come to the United States, to live in this Nation.

□ 1845

It obviously has become much tougher since then. It just speaks to the wonderful, incredible diversity of people who have come here from different places around the world.

And then Congressman SOTO mentioned one other important thing, which is the historical context by which we find ourselves in this place.

When you think about it, there is this intense debate going on right now and this incredible push to do a DACA fix by the end of the week, hopefully; and a lot of people, I think, who may not have followed the volleying and the back and forth for a while are wondering why this is such a crisis now.

We know the immediate answer, which is, if we get to March 5, there are 800,000 of these young people who will be deportable, subject to deportation, who are part of the DACA program. Already, every day that passes, 122 more become deportable.

There was an opportunity a few years ago to deal not only with this part of the immigration issue, but to achieve what is called comprehensive immigration reform. And by "comprehensive," that just means that you are dealing not just with one part of immigration, but you are dealing with all of the different issues associated with immigration.

So it was DACA, but it was also issues with visas, like tech visas and agricultural workers. It was dealing with the parents of the DREAMers, for example.

And that bill that passed through the Senate with 68 votes, a wide majority in the Senate in 2014, it came over to the House and, based on public reports and what the Members of Congress had stated their support would be for or against that bill, there was a majority, over 218 Members—again, based on public reports; we never took the vote, but based on public reports—who said that they basically would have supported a bill like that.

At the time, Speaker Boehner refused to put that bill on the floor for a vote because of something called a Hastert rule. The Hastert rule is basically an informal rule that says that the Speaker of the House won't put a piece of legislation on the floor for a vote unless that piece of legislation already has the support of a majority of the majority. And at that time, the piece of legislation, even though it probably had 225 or 230 supporters in Congress, a clear majority to pass, didn't have over 50 percent support of the Republican Conference, which represented the majority party.

Now, my last point on this, and I know you know this, but when a Speaker governs with the Hastert rule, oftentimes the will of the majority is ignored in this House of Representatives, but it also does something very insidious. It allows about 25 percent of this body to control 100 percent of the legislation that comes through here.

So I thank the gentleman for bringing up the history and the context because this Congress and this country missed an incredible opportunity in 2014 to deal not only with the DACA issue, but also with the many other issues associated with immigration. So I thank Congressman SOTO.

Now I yield to Congressman CORREA, a wonderful new Member from California, and welcome him.

Mr. CORREA. I thank my colleague from Texas.

I represent Orange County, California. I would like to say that California is now the sixth largest economy in the world. My home county of Orange County, if it were a country today, would be the 32nd largest economy in the world.

My district is exploding with jobs, unemployment at a record low. We have biotech, high-tech, tourism, home to Disney land, the Angels. We also have recycling, manufacturing. You name it, it is there.

It is about Americans working hard; former immigrants, now Americans, also working hard; and new immigrants, like DACA students, DACA members of my community, also holding hands with all of us, working hard to enrich our communities, our neighborhoods, our county, our State, and our Nation.

Today, DACA recipients, model immigrants. Nobody in this body would ever debate the fact that we want immigrants who come to work hard, follow the laws, pay taxes, learn English, and study hard. Those are model citizens that any nation in the world would want, and we have them here in this country.

Just a few weeks ago, my daughter came home, 17 years old, from high school. Two of her best friends came with her, and they said: We want help, Mr. Congressman. You are a Congressman. We want some help.

And I said: What is the issue?

They said: We are both DACA students, and we are afraid. We are concerned. We want to go to college. We don't know what is going to happen.

I didn't have any answers for those two young ladies, but, really, the answer I gave them was the same answer I give all the DACA individuals, students I meet in my district, which is: Let me fight the fight for you in Washington, D.C. What you have got to do is continue to study hard, continue to follow the law, and don't give up praying.

I am convinced that, in this body, there are enough people to vote for DACA students, to vote to change the laws. Why? Because it is the right thing to do.

This is a country of immigrants, and nobody, again, can debate the fact that these are good immigrants. These are good, hardworking folks who want a shot. They don't want a gift, but they want the opportunity to earn American citizenship.

These folks have taken an oath, the Pledge of Allegiance to our flag and our country to defend it against foreign and local enemies. These folks are Americans in the true sense of the word. Let's give them a shot, a true shot, at being Americans.

Mr. CASTRO of Texas. I thank Congressman CORREA. He is right. The DACA kids are going to school with our kids, are going to college with our kids, are in our workplaces. They are people who are contributing and whose

futures hang in the balance, depending on what this Congress does or does not do.

Mr. CORREA. If the gentleman will yield.

Mr. CASTRO of Texas. Certainly.

Mr. CORREA. I would like to say, they serve in our military. They are police officers, teachers, doctors, nurses. They are part of our fabric.

Mr. CASTRO of Texas. He is right. And they are part of a long legacy of immigrants to this country.

The United States has this paradoxical history when it comes to immigration. We are, of course, very proudly a nation of immigrants, but each wave of immigrants has also faced its own bouts with discrimination.

When the Germans came here in the 1800s, they were said by some to be too dirty to be considered Americans. The Irish were greeted in cities like Boston and New York with signs that read "NINA," no Irish need apply, for the jobs that were available. The Chinese were excluded from our country for decades.

During World War II and the frenzy that ensued, Japanese Americans, but also Italian Americans and German Americans, were interned, including in my home State of Texas.

In every generation Americans have also stood up and changed course and become more welcoming for each of those groups, and I believe that, in this generation, in this time, this is part of that shift, for Congress to finally address this issue head-on and fully welcome these DACA kids as Americans and pass legislation to do that.

I thank Congressman CORREA for his words.

I yield to Congressman SUOZZI, from the other side of the country, the wonderful State of New York, a freshman Congressman.

Mr. SUOZZI. Mr. Speaker, I thank the gentleman so much for having us here tonight. Based upon what he was just talking about, I am going to talk about my father first. I am a first-generation American.

My father was brought to the United States by his mother when he was 4 years old. His father was already here. He came from Italy. His father was already here working. He had joined the U.S. Army during World War I and got his citizenship because of that, and my father was naturalized as a citizen because of that. He was the first one in the neighborhood to go to college, and he then fought in World War II and got the Distinguished Flying Cross with three oak leaf clusters as a navigator on a B-24.

He came back after the war, and he went to Harvard Law School on the GI Bill. Imagine that, an Italian immigrant going to Harvard Law School on the GI Bill in the 1940s.

He was discriminated against as an Italian American at the time—the gentleman was just talking about that—and he couldn't get a job at a big law firm. So he went back to our hometown

of Glen Cove, Long Island. He teamed up with another Italian guy. He started a law practice. He ended up running for city court judge, and he became the youngest judge in the history of New York State, at 28 years old.

My father really lived a great American success story. He was a man who would proudly say "what a country" all the time.

My father died 2 weeks before my election in 2016. As I went through his papers, I saw his yearbook from St. Dominic High School, when he was 18 years old. They asked all the students: What's your goal in life? Most people would talk about I want to become a lawyer or a doctor or an engineer, or I want to do some sort of exotic travel. My father wrote: "My goal is to be a real American."

Now, I had seen that when I was a kid, and I thought: Boy, I can't believe how patriotic my father was as an 18-year-old.

But he died in 2016, in the middle of the Presidential campaign. A lot of the rhetoric that we are hearing now was really hot then as well. I realize that my father was 18 years old in 1939 and Mussolini had teamed up with Hitler, and Italian Americans here in the United States of America were viewed as fascists or mafioso, and that discrimination was rife.

But the good people of this country and people in this body and people like my father held on to the basic, fundamental concepts of what makes America work. What makes America great are these basic, fundamental ideas.

So, in dealing with the question of DACA and with immigration, we have to look at some basic, fundamental American concepts. Let's first remember that all immigrants, whether they are documented or undocumented, are human beings and are entitled to be treated with human respect and dignity.

The most fundamental concept in America is that all men and women are created equal—not all men and women with a green card are created equal, not all men and women who are citizens are created equal, not all men and women from a particular country are created equal. All human beings are equal and should be treated with human respect and dignity.

I am concerned that the rhetoric that we are facing right now, that the negativity that we are facing right now, that the uncertainty that we are facing right now, that the outright assaults that we are facing in some cases right now are causing so much anxiety in our country, and it is diminishing our status as a beacon of hope to the world.

That is the great thing about America. That is what makes America great is that we are a beacon of hope to the world. That beacon is being diminished by the rhetoric and by our failure to address this immigration crisis.

This is not a new phenomenon. This started in the 1980s when death squads and civil wars and abject poverty



forced people to flee from El Salvador over the border into the United States by the tens of thousands. Starting with President Reagan, through President Bush and President Clinton and on, we haven't enforced our borders for that entire time, and now 11 million people in this country are suffering with this uncertainty because we failed to enforce our borders.

I am all for securing our borders, but let's return to being a beacon of hope to the rest of the world, and let's stop the suffering and the anxiety as we push people underground and we treat them as nonhuman beings, entitled to human respect and human dignity.

I believe that this is the greatest country on Earth, and I believe that my dad knew that. He also knew that a central part of our being the greatest country on Earth is being that beacon of hope to so many people, that said to the tired and the poor yearning to breathe free: Come to our shores.

If we really want to make America great again, we have to reclaim that mantle of being that beacon of hope.

I agree with all the wise comments that have been made by my colleagues here today that the votes do exist in this House to resolve this issue if we could get a bill put on the floor. There are so many groups, so many Democrats, so many Republicans meeting throughout this town on a regular basis to try to find a compromise to solve this problem—Democrats and Republicans—but because there is nothing on the floor, we can't get the votes presented in a public way. If it was put on the floor, it would pass. We would have DACA. We would have the Dream Act. We would have solutions to border security.

We need to recognize that we are all in this together, and we need to rise up to the challenge to be the beacon of hope that we once were and still should be to the world.

Mr. Speaker, I thank Mr. CASTRO for giving me the opportunity to speak.

□ 1900

Mr. CASTRO of Texas. Mr. Speaker, I thank the Congressman for sharing his dad's life story and what this country meant to him and the importance of coming up with a solution, a fix, as soon as possible.

Mr. SUOZZI. Mr. Speaker, I want bring up one thing I forgot to mention.

I was the young mayor of the city of Glen Cove in 1994, and we had day workers from Central and South America gathering on the street corners seeking work. The community was divided. This was 1994. Just think how long ago this is now, 23 years ago.

One group saying: Get those people out of here. And other people saying: These poor guys are trying to live the American Dream the same as your family did.

I ended up setting up the first day-worker gathering spot anywhere on the East Coast of the United States of America in 1994. It was one of the first

things I did as mayor. We ended up bringing them indoors. If you didn't get hired for the day, you could learn a skill, you could learn to speak English, you could learn about the cultural norms of our community. We said: If you play by the rules, we are going to help you. If you break the rules, you are going to get in trouble.

The same guys that were on the street corners now have their own businesses, they own their own homes, and their children go to school with my children. That is the American Dream.

We have so much potential in this country if we could unleash it for people who want to work 6 days a week and go to church on Sunday, if only we could remove this anxiety and this threat that we are pushing people underground and forcing them into an underground economy and underground communities. If only we could lift this back up again, we could accomplish so much.

Mr. CASTRO of Texas. Mr. Speaker, I thank the gentleman for reminding us of something that is often lost in this conversation and debate, which is the fundamental humanity of the people that we are talking about. Whether they have a green card, whether they are documented or undocumented, the fact that we are talking about the lives of human beings, too often that is lost in what is sometimes a contentious debate.

Mr. SUOZZI. Think about it. You are a kid going to school, you are worried about taking tests. You are working every day, you are worried about your job. You are worried somebody is sick in your family. You are worried you don't have enough money to pay your bills. The normal concerns of life. Heap on top of that a national debate that is treating you as a pariah and creating such anxiety to rip families apart. Think about how challenging that must be for those individuals, those families that are facing that type of threat.

Mr. CASTRO of Texas. There is no question that for a lot of them, as you talk to them, you can see what a soul-crushing experience it is, and, as your dad wrote in his yearbook, I think many of these kids have the same feeling. They want to be fully accepted as real Americans, which they obviously feel part of this country, feel like it is home, but are not sure whether America accepts them.

Mr. SUOZZI. Mr. Speaker, I thank the gentleman for his leadership.

Mr. CASTRO of Texas. Mr. Speaker, just to make some closing remarks before I yield back the balance of my time, Congress has to take action now. We can't wait any longer for another 122 DREAMers every day, DACA recipients, to become subject to deportation, and certainly can't get to March where 800,000 of the DACA kids will lose their futures in America and become subject to deportation.

The issue of immigration and border security, all of these things are among

the thorniest issues in American life no matter where you go in the country.

But we are a nation of immigrants, and this is one way that we will gauge the soul of this Congress and of this Nation and determine whether we are going to continue to live up to the Nation that we strive to be, which is a nation of immigrants, of people from different countries who have made such a beautiful, incredible, strong and powerful nation, have crafted that Nation together.

And I would just remind those who are against the DACA kids, who would argue for inaction, who argue that they should get the hell out of here, that this country has been blessed throughout the generations that people from every corner on Earth have wanted to come to the United States of America. Fifty years ago, if you asked somebody who was living in Europe or Asia or Latin America or anywhere else around the world where on Earth they would want to go if they were going to leave their home country, the answer 50 years ago was very clearly the United States of America.

There is a scarier day in this country than the day when everybody wants to come here. That is the day when nobody wants to come here. The challenge for all of us as legislators and basically as Americans is to make sure that when you ask that same question of somebody 50 years from now who is living abroad where on Earth they would want to go if they were going to leave their home country, that they still feel comfortable believing it is the United States of America.

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

#### THE MARCH FOR LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the majority leader.

Mr. SMITH of New Jersey. Mr. Speaker, it is my privilege and honor, as we approach the March for Life on Friday, to remember the infamous Supreme Court decision that has resulted in the loss of some 60 million unborn babies and tens of millions of women who have been harmed. Sixty million have been killed, a number that equates with the entire population of England, as a result of that very misguided and sad and tragic decision.

It is my honor, as we open up this Special Order, to yield to Congresswoman JACKIE WALORSKI from Indiana, a distinguished Member of this body who serves on the Ways and Means Committee.

Mrs. WALORSKI. Mr. Speaker, I rise today to celebrate life, to stand for the idea that every human life is a gift from God, and to join my colleagues in renewing our commitment to defend the inherent dignity of every person born or unborn.

This week, we will vote on the Born-Alive Abortion Survivors Protection Act, which says that a baby born after a failed abortion attempt should be given the same medical care as a baby born any other way.

The same day, hundreds of thousands of our fellow Americans will march on the Nation's capital to celebrate the sanctity of life. Those who march for life come from every corner of the Nation to be voices for the voiceless and to defend the most vulnerable among us. Such compassion, their dedication to this worthy cause, gives us hope that, through service and action, we can foster a culture of life.

Mr. Speaker, each and every life is precious. That is why we must continue to be tireless in our work to defend the sanctity of life and to protect the unborn.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentlewoman for her very strong and powerful statement.

Mr. Speaker, I now yield to ROBERT PITTENGER from North Carolina, who is the author of the No Abortion Bonds Act, a bill that would close loopholes in the Tax Code that allow abortion providers to finance new clinics and facilities with local bonds that are exempt from Federal taxes. Congressman PITTENGER serves on the Financial Services Committee.

Mr. PITTENGER. Mr. Speaker, I rise to speak on behalf of our Nation's greatest tragedy. I would like to thank Chairman SMITH so much for his leadership over the past 35 years. He has been unrelenting in his commitment and support of life, and I have the deepest respect for him.

Today marks Roe v. Wade's 45th anniversary. Since that ignoble decision, over 60 million precious, innocent unborn babies have been intentionally killed by abortions in the United States.

In light of the anniversary and the March for Life event, I would like to share the words of the late Mother Teresa:

"But I feel that the greatest destroyer of peace today is abortion, because it is a war against the child, a direct killing of the innocent child, murder by the mother herself.

"And if we accept that a mother can kill even her own child, how can we tell other people not to kill one another?"

"How do we persuade a woman not to have an abortion? As always, we must persuade her with love, and we remind ourselves that love means to be willing to give until it hurts. Jesus gave even His life to love us.

"So the mother who is thinking of abortion should be helped to love, that is, to give until it hurts her plans or her free time, to respect the life of her child. The father of that child, whoever he is, must also give until it hurts."

Mother Theresa goes on to say:

"By abortion, the mother does not learn to love but kills even her own child to solve her problems.

"And, by abortion, that father is told that he does not have to take any responsibility at all for the child he has brought into the world. That father is likely to put other women into the same trouble. So abortion just leads to more abortion.

"Any country that accepts abortion"—Mother Theresa says—"is not teaching its people to love, but to use any violence to get what they want. This is why the great destroyer of love and peace is abortion."

The work of this body, Mr. Speaker, must be to correct this tragedy to protect the lives of those who cannot speak for themselves.

We hope and pray for those who stand in darkness on this grievous loss of life and who have been advocates of abortion. Who would know the mind of God regarding these 60 million precious souls, that He may have given to some of them the cure for cancer or Alzheimer's or Parkinson's or many other diseases? God is merciful, but we must recognize our own responsibilities and affect for our own actions.

This week, we have the opportunity to outlaw the diabolical practice of killing babies who survive an abortion, something incredibly barbaric, by passing the Born-Alive Abortion Survivors Protection Act.

I also urge my colleagues to join me in support of the No Abortion Bonds Act, legislation I introduced to block Planned Parenthood and other abortion providers from using tax-exempt, taxpayer-backed bonds to finance their abortion clinics.

Ours is a great cause, greater than us, greater than this generation. It is a battle for the very soul of what we stand for as a nation.

Mr. SMITH of New Jersey. Mr. Speaker, we do have several physicians who serve in this Congress who are very, very pro-life and very eloquent in their defense of life.

I yield to Congressman ANDY HARRIS, who is associated, obviously, with Johns Hopkins, the gentleman from Maryland.

Mr. HARRIS. Mr. Speaker, I thank the gentleman for giving me the opportunity to serve as the co-chair of the Pro-Life Caucus and to speak briefly today on the anniversary of the Roe v. Wade decision.

Mr. Speaker, for the last hour, those of you who listened, and there are a lot of people watching who listened, was a discussion about the humanity of individuals, the humanity of people here in America, and how we need to deal with it, how we need to respect it, how we need to take that humanity into consideration. And we will. That had to do with the DREAMers. It was about DACA.

But for this hour, we are going to talk about 1 million human beings a year who lose their life through abortion in the United States—one million human beings per year.

Now, why do I emphasize human beings? Because the science on this is

very clear. These are human beings. From the moment of conception, their genetic makeup is unique from every other human being in the world and uniquely human.

So how can we not consider those 1 million human beings a year who lose their life to abortion not the greatest human rights challenge that faces us here in the United States?

When we have the March for Life in 2 days, we are going to see many people from the millennial generation, many young people, who I think realize, because they have grown up and they learn in their science class, that these, in fact, are 1 million human beings every year who lose their life in the United States. They realize the science is clear. They are human beings. They deserve the protection of this Congress.

We are going to deal with the issues that they talked about last hour, and then the Congress should turn its attention to ending that human rights abuse for those 1 million human beings every year who lose their life to elective abortion right here in the United States.

I want to thank the gentleman from New Jersey (Mr. SMITH) for his leadership over the decades on this issue. The struggle is not over. This human rights issue is not over, but hopefully, thank God, one day it will be.

□ 1915

Mr. SMITH of New Jersey. Mr. Speaker, I thank Dr. HARRIS for his very eloquent remarks and for reminding us that this is the greatest human rights struggle on Earth.

Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX), the chairwoman of the Education and the Workforce Committee. Ms. FOXX has been a lifelong leader on the issue of life and, of course, in leadership, and now as a full committee chairman. I thank the gentlewoman for all she does on behalf of the unborn and their mothers each and every day.

Ms. FOXX. Mr. Speaker, I thank the gentleman for yielding. I want to join my colleagues who all thank the gentleman tonight for the fantastic leadership that he has given to this issue for so many years.

Mr. Speaker, today I rise to affirm the dignity of the estimated 59 million children whose lives have been terminated by abortion in the United States since 1973. This Friday, tens of thousands of Americans will bear witness to the value of the unborn at the 45th annual March for Life, united in opposition to the life-degrading Supreme Court decision, Roe v. Wade.

The right to life is first among the inalienable rights of the Nation's Declaration of Independence. It is imperative to safeguard life, liberty, and the pursuit of happiness; those necessary conditions for people to flourish. Unfortunately, as evidenced by Roe v. Wade, our society too often values happiness at the expense of human life.

However, amid this culture of death, the pro-life movement fights for life

with love. And this year's March for Life theme, "Love Saves Lives," truly embodies the spirit of the pro-life movement. Look no further than the 2,200 pregnancy centers across the country dedicated to serving pregnant women and new mothers. There are many in my district and I am very proud of them.

These pregnancy centers empower women with life-affirming options and offer medical testing, prenatal care, and ultrasounds. They also provide parenting classes, baby supplies, and financial assistance to help meet the emotional and material needs of pregnant women.

Many offer information about the beautiful option of adoption and provide referrals to connect birth mothers with loving families for their babies. The babies cared for in these clinics are loved before they are even born and the women are offered the love and support they need. These clinics recognize life as a precious gift and embrace a life-affirming option despite adverse circumstances.

We live in a society that mistakes choice for liberty. But the beauty of living in a free country is that we can use our liberty for love. On Friday, the march will speak for the unborn, but the pro-life movement is more than just words. It is love in action every day, affirming the value of life at all stages, no matter the difficulties it presents.

Striving to love daily is not easy, yet it is the greatest exercise of our freedom, and there is no life unworthy of that love.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Chairwoman FOXX again for her very moving words, which are backed up by her actions each and every day.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. WALBERG), who serves on the Energy and Commerce Committee and the Education and the Workforce Committee.

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

This past Sunday, I stood at the side of a casket of a beloved longtime friend who had just turned 95 years of age 5 days before. Up until almost her dying day, she was vibrant, was committed to life, touching lives of people, changing lives and making an impact in the world.

I am rejoicing today in a different way because of two brand-new lives that have been born: one to a staff member, and another to a former staff member of mine. Brand-new babies with an opportunity to be dreamers in this world.

Who knows what their lives will be, but isn't this what it is all about?

Life that is lived has impact and then goes on, and new lives to follow, ultimately to have impact, have dreams, and make a difference, and truly establish the divine plan that is the sanctity of life.

This week we are observing the 45th anniversary of Roe v. Wade and the

44th March for Life. There are people like us, like Congressman SMITH, who have, for the past 35-plus years, been leading this challenge here. It was 35 years ago that I left my dream job as pastor of a local church to speak for life in the halls of the State legislature and end taxpayer-funded abortion.

In Michigan, we still have a law that says abortion is not lawful, but because of Roe v. Wade, we march again this year speaking for life, speaking for the defenseless, speaking for those who would desire, who would dream to be found in a world that they can change.

How did we get into this situation, especially when we have in that Declaration of Independence the immortal statement that says: "We hold these truths to be self-evident, that all men are created equal and endowed by their Creator with certain unalienable rights," among them, the right to life—the right to life, liberty, and the pursuit of happiness?

John Adams, our second President, said: "Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."

May we redouble our efforts to be that moral people that stand on things that are timeless, that were designed by our Creator, God.

Let me end with this: one of our good friends and former colleagues here in this Chamber, one night, gave me a poem that meant a lot to him. As I read that poem, it changed me as well.

It is entitled, "The Anvil," and it simply says:

Last eve, I passed a blacksmith's door  
And heard the anvil ring the vespers chime;  
Looking in, I saw upon the floor old hammers,  
worn with beating years of time.  
"How many anvils have you had," said I, "To wear and batter all of these hammers so?"

"Just one," said he;

And then with twinkling eyes, "The anvil wears the hammers out, you know."  
And so, thought I, the anvil, called the Master's word,

For ages, skeptic blows have beat upon;  
And though the voice of fallen blows was heard,  
The anvil is unharmed and the hammers gone.

Mr. Speaker, I believe the truth of miracle and blessing of life will prevail and the right to life will be protected for all. Even as we find the anvil stand firm, so will the truth of God's creation of human life. It will remain. Let us all who honor life never give up.

Mr. SMITH of New Jersey. I yield to the distinguished gentleman from Indiana (Mr. BANKS), who is a member of the Navy Reserve and who serves on the House Armed Services Committee; the Veterans' Affairs Committee; and the Space, Science, and Technology Committee. He is championing the Patients First Act to prioritize ethical stem cell research that will help patients and do no harm to the youngest members of the human family.

Mr. BANKS of Indiana. Mr. Speaker, I thank the gentleman for his tireless efforts on behalf of the unborn.

Mr. Speaker, our Nation was founded on the universal principle that all people have a God-given right to life. "All" includes every single human being, regardless of race, gender, or age. Throughout our Nation's history, we have continually fought to draw closer to this ideal. However, there is still so much more work to do.

Forty-five years ago, the Supreme Court made a tragic decision in Roe v. Wade, and since then, more than 60 million innocent lives have been lost. Every single one of those lives was important and unique. Tonight, as we reflect on those lives lost as a result of Roe v. Wade, we also celebrate that our culture is increasingly recognizing the value of human life.

A recent Marist Poll found that an overwhelming majority of the American people want substantial limits on abortion. Another poll found that 61 percent of Americans opposed using tax dollars to fund abortions within the United States, while 83 percent of respondents opposed subsidizing abortions outside of the United States.

Last year, the House took an important step by passing the Pain-Capable Unborn Child Protection Act. This bill would prohibit any elective abortion attempt on an unborn child who is 20 weeks or older, the age at which research shows us that children are able to feel pain. Sixty-three percent of Americans support a 20-week abortion ban, and I am hopeful that our colleagues in the Senate will pass this bill later this month.

We also must work to ensure that taxpayer dollars do not continue to support the abortion industry, including Planned Parenthood, our Nation's largest abortion provider.

Life is a precious and sacred gift worth fighting for. Tonight, I urge my colleagues to stand for human rights and equal justice by standing for our Nation's most vulnerable, the unborn. Let's make the cause of life the cause of our time.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for his remarks.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. KELLY), from the Third District, a member of the Committee on Ways and Means.

Mr. KELLY of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I think the interesting part of our conversation tonight is what we are talking about. We are talking about the Born-Alive Abortion Survivors Protection Act; the born-alive abortion survivors. This is such a commonsense bill, it just protects our children.

I wonder what people think about this: in the case of an abortion or an attempted abortion that results in a child being born alive, any healthcare practitioner present must exercise professional care to preserve the life of the child. The child must be immediately transported and admitted to a hospital.

This bill is needed to protect our children. Americans have seen the horrifying videos of Planned Parenthood, and the Judiciary Committee has heard testimony from women who have survived and whose children have survived abortion.

But I think what is more chilling than anything, in the United States of America—the biggest defender of life, and liberty, and freedom in the world, that is our history—we have to pass a law that protects children who survive an attempted abortion. These are children that are born alive. It is incredible that we have to even have that discussion in the people's House, especially the United States of America.

Where have we become this depraved of what our moral constitution needs to be?

It is unbelievable that we have to come to this House and on this floor and defend those lives.

Now, it has been said oftentimes that 90 percent of life is showing up, because when you show up, people know you care. On Friday, hundreds of thousands of Americans from all over our country will come to Washington, D.C., in the March for Life. They have done this for 45 years. For 45 years, their passion has never diminished. For 45 years, they have made the trip to Washington, D.C., so that our country's leaders, political leaders, understand the sanctity of life. It is incredible that we have to go through this process.

□ 1930

The United States is only one of seven countries in the world that allows abortion after 5 months. I wish we would quit using the term 20 weeks—5 months. Who is included in that group? North Korea, Vietnam, and China. What a wonderful group to be part of.

Mr. Speaker, I thank the gentleman because he has fought this fight for so long. I ask Mr. SMITH to just think of the last 45 years, the number of people who have come here, the number of people who have marched for life, and we talk about what it is that we are trying to get to.

Now, we know there has been 60 million abortions—60 million little boys and little girls who never got to live the full potential of their life. But through the efforts of the pro-life movement, what we can count are the numbers of expectant mothers who were going to have an abortion, but, through the efforts of people like CHRIS SMITH, stopped and thought for a minute about what it was they were actually going to do, and that was end a life. We don't have those numbers, but I have to tell you, they have to be off the charts.

Another thing I think is so important, for those folks who did go through an abortion, it is time for them to know that there is forgiveness and there is mercy. There is always room in our hearts to embrace them and get them through that difficult period.

Mr. Speaker, I can't tell you how important this piece of legislation is. It is just so chilling. I am going to repeat it again: a law that allows children who are born alive in an attempted abortion have got to be protected by the people's House. Where in our hearts, as human beings, do we not understand the basic moral obligations and rights that we have?

It is just so hard to come here year after year to do this. But for 45 years—for 45 years—they have shown up in droves, millions and millions of Americans, talking about life and protecting life. We have another chance this Friday for all of us to show up and for all of us to be there. I will tell you, Mr. Speaker, 90 percent of life is showing up because people know you care.

I thank Mr. SMITH of New Jersey so much for showing up for 45 years. We do know the gentleman cares, and we do know his compassion and his dedication to life.

Mr. SMITH of New Jersey. Mr. Speaker, I just remind everyone this is a total team effort. One of the beauties of the pro-life movement—and I have been in it for 45 years—is that it is filled with incredibly compassionate, selfless people who would do anything to help the weakest and the most vulnerable. So I thank the gentleman for his leadership for all these years.

Mr. Speaker, I yield to the gentleman from West Virginia (Mr. JENKINS), who is the famous gentleman who serves on the Appropriations Committee where so many of these battles are engaged.

Mr. JENKINS of West Virginia. Mr. Speaker, I thank Congressman KELLY. What inspiring words. I thank Congressman SMITH for his incredible leadership. I am so proud to stand with my colleagues today to support the right to life.

I commend all of those who will be coming to our Nation's Capital this week, including from my home State of West Virginia, to let their leaders—us—know that we are a country that values life and human decency.

Each and every life is a precious gift from God. It is our responsibility to stand up for the unborn who were made in God's own image. They have no voice. We must be their voice. I am proud to join my colleagues in using our voices to protect life and to stand up for the unborn. I am proudly pro-life.

As we near the anniversary of Roe v. Wade, we grieve for the lost lives. We pledge to protect the babies yet to be born. No taxpayer should be forced to pay for abortions. That is why I have consistently supported legislation to repeal ObamaCare and to defund Planned Parenthood.

I was also proud to be a cosponsor of the recently passed Pain-Capable Unborn Child Protection Act, which would stop late-term abortions and the torturous pain that comes as the result of this despicable practice.

I am also a proud cosponsor of the bill that will be taken up later this

week, the Born-Alive Abortion Survivors Protection Act. This legislation ensures that babies born after a failed abortion attempt are given the appropriate medical care to live and are treated as human beings.

Mr. Speaker, every life—born and unborn—is precious, and I am proud to stand here with my colleagues to reaffirm our values—that life is a gift from God, and every baby deserves life.

Mr. SMITH of New Jersey. I thank the gentleman for his eloquent statements and remarks.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. BERGMAN). General JACK BERGMAN is a retired three-star general of the Marine Corps, and he serves on the Veterans' Affairs, Budget, and Natural Resources Committees.

Mr. BERGMAN. Mr. Speaker, I thank Congressman SMITH for yielding. I am proud to be amongst my colleagues this evening.

Mr. Speaker, I rise today on behalf of the constituents of the First District of Michigan who are—I repeat—the voice for those who have no voice.

2018 marks the 45th anniversary of the infamous Roe v. Wade decision. Since that day, as you have heard several of my colleagues say, almost 60 million abortions have occurred in our country, our United States. Today, this timeframe is an appropriate time for us to pause, reflect, and plan a path forward for the pro-life movement.

The most important question we must ask ourselves is: Why? Why do we stand for life? Why is this cause so important to us? Why do we fight for not only all of our citizens, but for the unborn?

For me, my why is simple: every life—every life—has immense value, regardless of wealth, stature, or fame. Whether you were born in rural northern Michigan or in a large city, we all were put here on this Earth for a purpose: to fulfill God's purpose.

As the father of two wonderful daughters and eight beautiful grandchildren, I know firsthand the joy, love, and inspiration that every single life brings.

Life is precious and should never be taken for granted. As a nation, we must offer hope to those who have no hope. We must remind others of the hope offered by an adoptive family and continue together as the voice for those who have no voice. We must and will continue to fight for those who have no voice.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Georgia (JODY B. HICE), who is co-chair of the Values Action Team. It is worth noting that he is part of the team back home that has now been ranked number 8 by Americans United for Life in what they call the "Life List" because of the legislation and the policies that have come forward in Georgia to protect life.

He was a pastor before coming to Congress and has been a leader for religious liberty as well in the House.

Mr. JODY B. HICE of Georgia. Mr. Speaker, what an honor it is to be here with Mr. SMITH of New Jersey. I thank the gentleman for leading and managing not only the calls but this Special Order this evening.

It is amazing to me that here we come, yet again, on the anniversary of another *Roe v. Wade*, 45 years, some 60 million children who have gone. Along with that is another anniversary, the March for Life, that has been taking place now itself for over 40 years.

I am thrilled that this weekend there will be students, teachers, nuns, pastors, priests, and families from all across this great country marching in the streets right here in Washington, D.C., from the National Mall to the Supreme Court and all across various streets across this country standing up for life. What a powerful thing that is.

When we talk about life, it is not an issue between Republicans or Democrats. This is an issue protecting 10 fingers and 10 toes. It is about protecting a precious heartbeat. Yes, we have been able, in this Chamber, to support and pass some significant legislation like the No Taxpayer Funding for Abortion Act. That is a great thing. There should be no taxpayer funds going toward abortion. We have passed the pain-capable bill, another great bill.

I wear this little lapel pin, a footprint in a heartbeat. I am hopeful that we will be able to vote on and pass the heartbeat bill. We have all heard abortion stops a beating heart. It is time now that a beating heart stops abortion; that if a heartbeat can be detected, a baby will be protected. I am hopeful that we will be able to get that on the floor here for each of us to have an opportunity to vote for that.

I am pleased as well that we made the Make America Secure and Prosperous Appropriations Act. It defunded Planned Parenthood—something many of us have been fighting for for years, for decades—and, in particular, ever since the horror of seeing the videos of Planned Parenthood selling baby parts, it is time that we finally accomplish that.

I just am so grateful for my colleagues here tonight taking a stand for life; taking a stand for what is the greatest, first, and most important right of all, the right given by Almighty God, the right that President Reagan said himself, “without which no other right has any meaning.” So I thank my colleagues for being here tonight for taking a stand.

There is obviously more work to be done. The people of America gave us a united government in this past election and sent us here to stand for the platform that we ran on that includes saving lives.

I want to encourage each of us to stay in the fight and each one watching to stay in the fight. We have come a long way. There is more to go, and, with God’s grace, we will see it happen. I thank the gentleman from New Jersey for allowing me the opportunity.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. GROTHMAN), who is from Wisconsin’s Sixth District. He is a member of the House Budget Committee, the Education and the Workforce Committee, and the Oversight and Government Reform Committee.

Mr. GROTHMAN. Mr. Speaker, I thank the gentleman for his work on the Pro-Life Caucus.

Only 52 years ago, abortion was illegal in this country, just as it was largely illegal throughout our country’s history. It was illegal before ultrasounds which made it so clear to everybody what was in the womb. It was illegal when medical care was a fraction of what it is today. It was illegal when families lived without electricity or running water.

Despite these hardships, the public knew abortion should be illegal.

How have we responded to our material blessings? How have we responded to these abortions? By saying that we cannot afford these children.

I would like to thank Donald Trump for reinstating the Mexico City policy. I would like to thank him for allowing States to not fund Planned Parenthood with their title X funds. I would like to thank him for defunding the United Nations Population Fund. I would like to thank the March for Life people for coming up here this year and reminding Americans about this important cause.

I hope that the American citizens stop and think: if abortion could be illegal only 52 years ago in this country before we had ultrasounds, if abortion could be illegal in the 1800s with minimal medical care when people were living six or seven people in a room in a house without air conditioning and without heat, then how did these people keep abortion illegal and how do we respond to our blessings by saying that we have to have one of the most liberal abortion laws in the country?

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. GRAVES), who is the chairman of the Water Resources and Environment Subcommittee.

Mr. GRAVES of Louisiana. Mr. Speaker, I want to thank Mr. SMITH for his leadership in this effort for so many decades.

Mr. Speaker, we spend millions of dollars every year in this Nation—in fact, in some cases, billions of dollars—providing healthcare for Americans, feeding Americans, providing housing for Americans, and educating Americans. We do that, Mr. Speaker, because we value life. We value these lives, and so we spend billions and billions of dollars ensuring that there are opportunities for these folks, ensuring that we are protecting these lives and we are doing everything we can to provide a pathway to prosperity, to make sure that these people are healed from their ailments, to make sure that they have shelter, and to make sure that they have food.

Mr. Speaker, under current law, if someone causes a fetus to die, that is a crime in this country. That is a crime. They can be charged for the murder of the mother, and they can be charged for the murder of the fetus.

□ 1945

But there is one exception in the law, and that is an abortion. I don’t understand how in this country we can, on the one hand, say that these lives are so valuable and we are going to spend all these resources on healthcare and many other issues in people’s lives because they have so much value to us as Americans. I don’t understand how we can charge someone criminally if a fetus is killed through some type of crime, yet we provide an exemption or an exception for abortion. A life is a life, is a life, is a life. It either has value or it does not.

This month, as we have the 45th anniversary of *Roe v. Wade*, it is amazing to think about 45 years. I think it is important that we reflect upon all of those constituents who we have all met; all of those Americans who are the product of a changed mind; the constituents I have met who have told me that their mother, their father changed their mind, and telling me about their lives and the contributions they have made to our community, the contributions they have made to this Nation. All lives have value.

In this Congress, we have passed the Pain-Capable Unborn Child Protection Act. We passed the Conscience Protection Act. As other Members have noted, this week we are going to be voting on the Born-Alive Abortion Survivors Protection Act, which ensures that if a child survives an abortion—that awful situation—they would be given appropriate medical care to ensure that they have an opportunity at life, to ensure that they have a chance, because lives have value.

Mr. Speaker, as we move forward, I want to continue working with folks on both sides of the aisle, as I often hear people standing here and saying they are a voice for the voiceless. They are a voice for those that are vulnerable populations. This is a vulnerable population. This is a voiceless life that we need to be representing and we need to be fighting for.

I am going to continue working with folks on both sides of the aisle to protect and promote life, the unborn and the born, because our Nation’s most vital resource isn’t found in our economy, in our environment, in our jobs. It is found in our people.

I think so many other policies that we pursue here in this Congress respect that and represent that. This is the one anomaly that we need to continue to fight to continue to fix, because a life has value. We need to continue fighting for the most vulnerable in our society so they have the opportunity to have the same experiences that other Americans have.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for his very eloquent remarks.

Mr. Speaker, I yield to the gentleman from Texas (Mr. OLSON), who serves on the Energy and Commerce Committee. He has long pushed for transparency and led a landmark effort on Federal payments to Federal abortions providers. He recently led an amicus brief supporting his State's right not to be forced to fund Planned Parenthood.

Mr. OLSON. Mr. Speaker, I thank my dear friend and unquestioned leading fighter for all life as the chairman of the Pro-Life Caucus, Chairman CHRIS SMITH. My dear friend has saved millions of lives not just in America, but on every continent on God's Earth. It is a true honor to join my friend tonight to fight for life.

One of America's darkest days is rapidly approaching. Forty-five years ago, January 22, 1973, seven activist judges masquerading as being impartial on our Supreme Court came up with a constitutional right to kill the unborn. In *Roe v. Wade*, these activists create a constitutional shadow, a "penumbra" on the 14th Amendment to make abortion legal. Since that decision in 1973, America's moral values have declined and we have attacked our decency. It reached its high point when videos came out of Planned Parenthood personnel drinking a large glass of wine and talking about selling baby parts.

But America is starting to rebuild her moral fiber. We now have a strong pro-life President in Donald Trump. President Trump has appointed a Supreme Court Justice, Justice Gorsuch, who will apply the laws and not make laws and violate our Constitution. He knows that the word "penumbra" has no business being in a Supreme Court decision.

More and more States are choosing to save lives, instead of taking the lives of the innocent. In a few days, millions of pro-life Americans will come to their Capital to show the world we respect all human life at the March for Life this week. I hope that all the activists who want to kill unborn babies leave their offensive foam helmets at home.

I want to close with two quotes from two people very involved in this issue. The first one is from Norma McCorvey. She is the Roe in *Roe v. Wade*. She died in Katy, Texas, in my district, last February. She made this strong confession:

"I felt crushed under the truth of this realization. I had to face up to the awful reality. Abortion wasn't about 'products of conception.' It wasn't about 'missed periods.' It was about children being killed in the mothers' wombs. All those years, I was wrong. Signing that affidavit, I was wrong. Working in an abortion clinic, I was wrong. No more of this first trimester, second trimester, third trimester stuff. Abortion—at any point—is wrong. It is so clear. Painfully clear."

Mr. Speaker, my final quote is from Mother Theresa. It is short, but says it all about the fight for life. She said:

"It is a poverty to decide that a child must die that you must live as you wish."

Mr. Speaker, reject poverty and choose life.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Mr. OLSON for those very strong comments. I feel the same way about his great leadership for all these years.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS), a member of the Judiciary Committee and the Science, Space, and Technology Committee.

Mr. BIGGS. Mr. Speaker, I thank the gentleman for yielding and for his leadership on this issue. I thank those who are sponsoring H.R. 4712.

I was a young man in high school when the *Roe v. Wade* Supreme Court decision came down. It ignited a movement to preserve the life of the unborn. My mother and future mother-in-law began working in the trenches to see this pernicious and barbaric practice eliminated. Seeing their example, my wife, my family, and I have worked to protect these little ones for many years. We have worked for pro-life causes in the community, internationally, and in the State legislature.

During my tenure in the State legislature, we passed dozens of pro-life bills. I am pleased to say that, since 2009, Arizona has passed and had signed into law 39 bills promoting the protection of unborn babies. In fact, Arizona was recently named the top pro-life State in the Union by Americans United for Life. Even so, Arizona is not without problems.

I dedicate my support for H.R. 4712 to Aryana Zeitner, whose mother faked a serious illness so that a doctor would perform an abortion at 22 weeks. Aryana survived the abortion, but she was not given any medical attention. Doctors, nurses, and presumably her mother, let her life slowly ebb away. Aryana's life passed after 1 hour and 18 minutes after the abortion was performed. This bill is for Aryana and others who should be alive today.

In another instance, a baby with no name survived an abortion. 911 in the Phoenix area of Arizona received a call from a worker at the abortion clinic indicating that a post-abortion baby was breathing, but the clinic did no more than provide oxygen. The baby passed, dying before arriving at the hospital.

Mr. Speaker, I dedicate this bill to all of the unnamed victims of abortion.

Mr. Speaker, if a baby survives an abortion, it is not an abortion. It is a birth. It is inhumane to allow a baby who survives an abortion to simply die from neglect and inattention.

I urge the passage of the Born-Alive Abortion Survivors Protection Act, H.R. 4712. I urge leadership to bring H.R. 490, the Heartbeat Protection Act of 2017, sponsored by 170 Members of this body, to the floor for a vote as well.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from

Kansas (Mr. ESTES), who serves on the Education and the Workforce Committee and the Homeland Security Committee. His home State of Kansas was just ranked number five as the most pro-life State in the country by AUL's 2018 Life List. I thank him for his leadership all these years as well.

Mr. ESTES of Kansas. Mr. Speaker, I thank Congressman SMITH for hosting this Special Order on the 45th anniversary of *Roe v. Wade*. I want to remember the devastating impact on children and women, and to celebrate the sanctity of all human life.

Each and every life is precious, a unique gift with intrinsic value. Furthermore, science is clear that, at just 16 weeks old, a baby's body is fully formed and has fingerprints, and a baby can even make facial expressions.

Mr. Speaker, I have been blessed with three incredible children, each one of them unique with their own special personalities, talents, and dreams. As a father, I am excited to see what impact they will have on the world. Each of them will contribute to society and bring a unique perspective to the world that only they can.

As we approach the anniversary of *Roe v. Wade*, I am reminded that in the past 45 years there have been over 60 million fewer individuals in the country today because of abortions. That is 60 million fewer people living the American Dream, starting families, farming in Kansas, or going to medical school to save lives. Their fate was determined before they even had a chance to show the world their talents.

In my home State of Kansas, I am thankful for the countless volunteers who assist with educational programs and outreach to ensure that we are becoming a society that values life, even before a child is born.

For many years, my wife and I have been involved with Kansans for Life and have been blessed to work with so many tireless advocates for life. Hundreds of these volunteers are coming here this week for the March for Life.

With 63 percent of Americans now supporting abortion bans after 20 weeks—that is 5 months—I think we are seeing an incredible pro-life generation. This gives me hope, Mr. Speaker, and I am ready to see what kind of impact these unborn children will have on our world.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for his comments.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. ROTHFUS), a pro-life leader who has been a leader in educating members of our Conference about the dangers of assisted suicide. He serves on the Financial Services Committee. He has been, of course, a great leader in defending the unborn and their moms.

Mr. ROTHFUS. Mr. Speaker, I thank my friend, CHRIS SMITH, for his long work in this endeavor.

This past Monday, our country observed Martin Luther King Day. I had



the privilege of participating back home in some events honoring Dr. King.

While reflecting on Dr. King's legacy at one of the events, I recalled decades ago when I first read the letter from the Birmingham jail.

Dr. King explained there are two types of laws: just and unjust.

Dr. King asked: What is the difference between the two?

He answered that a just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law.

To put it in the terms of St. Thomas Aquinas, Dr. King said: an unjust law is a human law that is not rooted in eternal law and natural law.

Defending the natural law principles of the Declaration of Independence is one of the reasons I ran for Congress. The first right listed in the Declaration is the God-given right to life.

□ 2000

This Friday marks the 45th anniversary of one of the most somber days in our country's history: the day that the Supreme Court issued *Roe v. Wade*.

Associate Justice Byron White called this decision an exercise in "raw judicial power," as the court invented a right to abortion that wiped out the laws of all 50 States.

To echo the words from Dr. King's 1963 address at the Lincoln Memorial, the Supreme Court stamped the promissory note of the rights in the Declaration of Independence with "insufficient funds" for the unborn.

As we observe this sad anniversary, let us, once again, restore the promise of our Declaration of Independence's right to life.

I look forward to greeting constituents at the March for Life.

Mr. Speaker, I, again, commend Congressman SMITH for his tireless advocacy in defending the defenseless.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. ABRAHAM), a member of Armed Services Committee; the Agriculture Committee; and the Science, Space, and Technology Committee.

Mr. ABRAHAM. Mr. Speaker, I rise today so proud to stand with my colleagues and to stand with those who will be marching in 2 days to remove the scourge, the stain, on American history.

Our Louisiana delegation, as you have heard, has a strong presence here. We have a strong presence from Louisiana that will march on Friday: a very young people that get what abortion is. Our great whip leader, STEVE SCALISE, would be here, too, were he not recovering from a surgery. So we wish him the best.

Mr. Speaker, as a Christian, I know that life is a precious gift, and I believe that life begins at conception. As a physician, my oath is to protect all lives, including that unborn child. And, certainly, as an American, I think

abortion violates our Constitution's unalienable rights to life, liberty, and the pursuit of happiness.

Mr. Speaker, you have heard, tonight, that over 60 million babies have been aborted. Think what they could have become: mothers, fathers, sisters, brothers, nieces, and nephews—vital parts of our community.

As you heard from my great friend, GARRET GRAVES, who listed some of the bills that we have introduced this Congress, we will continue to do this.

Mr. Speaker, we don't have to continue to put up with this stain on American history. We can do better. We know how to do it. We must end this practice as soon as possible and we must prevent this horror from continuing.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank the gentleman from New Jersey and all of our colleagues here tonight for standing for the sanctity of every human life.

Mr. Speaker, I was born on January 30, 1972, 357 days before *Roe v. Wade* became the law of the land. Before I came to Congress, for almost 20 years, I defended religious freedom and the sanctity of human life in the courts and the court of public opinion.

We often summarized our conviction on this issue by stating, very simply, what I have said in this Chamber now many times, that this is part of the very foundation of our Republic. It was the British philosopher, G.K. Chesterton, who said one time:

"America is the only nation in the world that is founded on a creed."

He said that creed is articulated with "theological lucidity in the Declaration of Independence."

What is the creed?

We hold these truths to be self-evident that all men are created equal and that they were endowed by their Creator with certain unalienable rights. Among these are the rights to life, liberty, and the pursuit of happiness.

The Founders understood that this is essential to who we are as Americans, but, more fundamentally than that, who we are as human beings. They understood that because we are made in the image of a holy God, every single person has inestimable dignity and value. And our value is not related in any way to our race, our socioeconomic status, where we came from, where we went to school, how talented we are, or what we may be able to contribute to society. Our value is inherent because it is given to us by God.

It is for all of these reasons we fight for the sanctity of every human life, we cherish our children as a heritage from the Lord—as the scripture says—and we defend the defenseless. It is our solemn obligation before the Lord, and I pray that we are always faithful in doing so.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my good friend for yielding. CHRIS SMITH is one of the leaders in the pro-life movement that we have had not just here in the House, but in our country.

Mr. Speaker, I rise today because I want to commemorate the 45th anniversary of *Roe v. Wade*. Every year in January, families, religious leaders, and students come to Washington, D.C., and march from the National Mall to the Supreme Court. To me, the March for Life means having renewed hope and faith in our Nation's young people, as I see hundreds, many from perishes just like mine, come to our Nation's Capital to stand for human life.

I want to recognize all of the groups from Illinois, who are traveling to participate in this week's March for Life event, including the 250 young people and chaperones from my Diocese in Springfield, Illinois. As a father of a daughter and twin boys, I want to thank our youth for their commitment to life.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Speaker, I thank Chairman CHRIS SMITH for leading the Pro-Life Caucus and for organizing this evening's Special Order.

This Friday, our constituents from all across the country will arrive on the National Mall for the 45th annual March for Life. Last year's March for Life was one of the first events that I had participated in, here in Washington, after I took office in January of last year.

Hundreds of my constituents had marched down the National Mall. I had the opportunity to meet with them afterwards and hear from them about their hopes for the pro-life movement. They had just come back from hearing the Vice President speak. He had spoken about life is winning here in America. He said:

I've long believed that a society can be judged by how we care for its most vulnerable, the aged, the infirm, the disabled, and the unborn.

Since that day, Mr. Speaker, I am proud to say that this Chamber has taken steps to protect the lives of the unborn.

We passed the commonsense Pain-Capable Unborn Child Protection Act, banning abortion after 20 weeks, the point at which we know that an unborn child can feel pain.

We passed the No Taxpayer Funding for Abortion Act, ending taxpayer subsidies of abortions, and codifying the Hyde amendment governmentwide.

I was very happy to be part of a body that passed both of these bills and, of course, voted for and supported those measures.

And this week, the House will vote on legislation—the Born-Alive Abortion Survivors Protection Act—requiring medical care be given to any child who survives an attempted abortion,

with strict penalties for those who do not comply with the law.

Voting against this legislation would be unconscionable. A child, made in the image of our Creator and born into this world, should not need additional legal protections requiring medical care if they are born alive after an attempted abortion.

But here we are, continuing our fight for the rights of the unborn and the born. It is a fight worth fighting, and we aren't going to stop.

I look forward to joining my constituents on the National Mall on Friday to raise our voices for those who cannot yet speak. They have our commitment to continue to work in this Chamber to protect the lives of the unborn.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank the chairman for yielding.

What an outstanding turnout tonight.

Mr. Speaker, I am pleased to be here tonight and participate in this Special Order to celebrate the sanctity of human life and redouble my commitment to protecting the most vulnerable among us: the unborn.

I want to thank Congressman CHRIS SMITH for hosting this opportunity tonight. He has certainly been a champion of the pro-life movement, and this week marks the 45th anniversary of Roe v. Wade, the Supreme Court decision that set constitutional precedent on the issue of abortion.

That decision also ignited the pro-life movement, which was already taking shape.

And this movement will be witnessed on Friday, when more than 100,000 pro-lifers from across the country will come to Washington, D.C. for the 45th annual March for Life. This year's theme is "Love Saves Lives."

And, Mr. Speaker, it surely does.

Thanks to the pro-life movement, abortion rates across the country are at the lowest since 2013.

Proudly, the Commonwealth of Pennsylvania remains one of the top protective states in the nation to provide legal protections for human life from conception to natural death, according to Americans United for Life.

From 2015 to 2016, we saw a 3 percent decline in abortions in Pennsylvania, and these statistics reflect important Pennsylvania State laws, such as, the ban on sex-selection abortion.

These figures are certainly welcome news, but the fight is not over and there is more work to be done.

I know this House will continue to work tirelessly at the federal level to put the health and safety of women and children first. Pro-life education and legislative efforts are making an impact on our culture and in the lives of women facing unexpected pregnancies.

We must always be a voice for the voiceless. And we must continue to build a culture that values life and respects mothers and their children.

I am proud to be part of this movement and I thank every individual here tonight for their commitment to this important cause.

Because we all know that "Love Saves Lives."

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

## TAX REFORM

The SPEAKER pro tempore (Mr. COMER). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Arizona (Mr. SCHWEIKERT) for 30 minutes.

Mr. SCHWEIKERT. Mr. Speaker, tonight, I wanted to do, actually, two or three things. Some of this has been bouncing in my head since we were on this floor a few weeks ago doing the tax reform discussion debate, and the number of things that were said that just sort of drive you a little crazy because the math was wrong, or there was sort of make-believe.

For those who have been, shall we say, sleep deprived enough to stay up and watch some of my presentations, which I do every couple of weeks, you know I have a theme that Congress is often a math-free zone. So I thought this evening we would actually do a little math history and also talk about some really great things that are happening.

This is important. Think about the economy right now and what was happening in the anticipation of tax reform and now that tax reform is passed. During the tax reform debate, we would hear arguments, often coming from our brothers and sisters on the left, talking about income inequality.

So a couple of weeks ago, we did a presentation here on the floor demonstrating that if you live in the world of the last decade, where you are only growing about 1.8 percent GDP, and that joint tax and CBO—the people who are our scorekeepers—are saying, "Hey, for the next 30 years, you are only growing about 1.8 percent GDP growth," that crushes people.

If you care about income inequality in our society, the way you solve it is growth. And there are lots and lots of data from leftwing groups, rightwing groups, and academic groups that say that growth is the greatest cure to a society that has actually started to move apart where the haves have more and the have-nots have less. It turns out that occurs when you have a stagnant growth society. It is obvious. Think about the last 10 years. Think about the projections of going the next decade at 1.8 percent GDP growth.

One of the things I wanted to talk about is: if I came to you right now and said, "Let's just drop our partisan hats; you are not right; you are not left;" are you joyful that we are seeing data right now, today, where folks with felony convictions are finding jobs at a rate that has not been seen in decades?

How would you feel when you see other populations that have actually had a really rough decade finding jobs?

Isn't that what we all come here and stand behind these microphones and talk about?

Well, guess what, it is happening. If you look at some of the unemployment data, populations that have actually gone the last decade in a really rough position are finding employment, and there are some amazing indicators.

Early last year, we came here and did a series of presentations on what was happening to the Social Security Disability Insurance Trust Fund. It was collapsing.

About a month ago, we had a meeting with the Social Security disability actuaries. Guess what. All of a sudden we went from the trust fund is gone in about 2 years to, hey, they just added an additional 4 years on it.

It turns out that parts of our society, which would have been heading towards disability payments and, therefore, leaving the labor force, were finding employment that actually worked with their difficulties.

This is great. These are good things. I know in this town of Washington it is just a partisan knife fight all of the time. I understand many of our brothers and sisters on the left believe rage is a way to politically communicate.

I would actually like the math. And what we are seeing happen in our communities and our society for the populations we both care about, good things are happening.

So how do we build policy around here that keeps it going?

The chart I have right here is sort of talking about what the projections were as of October 2017—so fairly recent data—of what was going to happen over the next couple of decades in the amount of our society that would be in the workforce, and you see these lines just crashing and crashing.

And all of a sudden—do you see the little dotted line—that is what we were projecting in 2016.

Then, all of a sudden—do you see the solid line—it is up substantially. And that was the 2017.

What was happening between those 2 years—2016 to 2017—that, all of a sudden, we start to see a substantial hopeful increase in people saying there are going to be opportunities in the labor force?

It was a combination of what this body has been doing in 2017, whether it be a rational regulatory model heading towards the optimism of tax reform.

□ 2015

If you love and care about people, providing opportunities to have your income grow, the ability to save for yourself, your family, your kids' education, good things are happening. How do we keep it going?

So I want to walk through a couple examples out there if you follow the press in our communities. I came across this story just last week in one of our counties in the southern part of Arizona, beautiful area. All of a sudden, there is such a labor demand that our local correctional facility is actually now having demand to do skills training and, actually, employment for

folks that, if it were just a year or two ago, were often being discarded.

Look for these stories, find joy in them, because this is what we care about: someone having an opportunity, saying they may have had a bad act in their life, but now that they are going to find employment, maybe they have a future.

This is true, also, for many of our urban populations, for our low-skill populations, for populations that may not have graduated high school. We have story after story after story of employers now having the resources that they are actually providing the training for skill sets for employment.

Isn't this what so many of us have gotten behind these microphones over and over and over and talked about, saying there is a way for everyone to participate in this growing economy and have a joyous, hopeful future and economic stability?

So I want to actually take this a bit further. Some of this is additional discussion on the debate that happened here last month and talking about revenues. Let's see if this makes sense.

My grandfather used to have a saying. He said: It doesn't matter how you play the game; it is who keeps score.

I know; it is an adjustment on an old colloquialism.

It turns out around here, we were having these discussions about previous tax reforms, previous tax cuts, and we would hear things, and you would go back and look it up, and the numbers were just made up. They were not what was actually done. So we are going to actually correct some of that record today.

But the other thing we are going to finish on, the final two boards here, we are going to actually sort of set the benchmark, the goal line of what the tax reform is expected to produce, what the tax reform should be judged by so we never experience what we had last month where people just make math up for their own argument, but we will actually know, saying: This is the goal line. Judge us by what we call the baseline.

So the slide right next to me right now was sort of talking about what we expected revenues to be. This is the history going back to 1967. You will actually see in here, from 1967 to 2016, the mean was 17.4 percent of the GDP came in as Federal revenues, and we had actually expected it to move up to about 18.4 percent.

I am sorry for this, but it gives you an idea.

And you are going to see this on the next couple boards. In times when we have raised taxes, when we have lowered taxes, when we have done all sorts of things, that line of the amount of the economy that comes in in Federal taxes actually stays within a very, very tight band, which lets you know maybe the fixation isn't on the tax rate but the fixation needs to be on a tax policy that maximizes economic expansion; because, if you are going to

be always in there about that 17.4 to 18 percent of GDP, have a bigger GDP, have a bigger economy if you believe we need the additional revenues, which we do.

So on this, I want you to sort of take a look, because, overall, you can look at times where we have had recessions and you see the revenues go down; but you will see these dotted lines here, and these are some of the different, we will call them, tax cuts, tax relief. If you look on every location, there is the 2003, and then look a year or so later, revenues spike up.

In 2010, part of the Obama administration and this Congress, there was a tax change that actually gave back more revenues to workers and those who were creating employment, and revenues actually went up.

So it is on the chart. You cannot pretend that there hasn't been societal and economic expansions during these times.

So to actually drill this point down a bit more, in a lot of the debate we had here last month, we had Member after Member from the left come behind the microphones and say there is no such thing as a tax reform tax cut paying for itself. That is just absolutely not true. Now, there are lots of tax cuts over the history that didn't, but there are lots of them that have.

So let's actually walk through the actual data.

This is one of those occasions where, if you know what the baseline was, saying this is what the projections were of revenues before the change in policy, you can't keep moving the goal line after the policy is done to get your own argument to sound like it is competent.

So, in this case, we are going to actually look at when we did the capital gains cuts back in, I think that was, 2003. A handful of Members here on the other side came behind the microphones and talked about how much money it lost. It turns out that is not true.

So, if you actually look at the blue, that is what CBO and Joint Tax actually calculated that the revenues were going to be before those tax changes. Remember, the 2003 was functionally just a capital gains tax with a couple other things. The red was actual revenues.

Now, this isn't the debt, this isn't spending, because, you understand, when you actually look at a deficit number, there are multiple parts. There is the revenue and then there is the spending around here. And this body loves to conflate that argument, saying, well, the debt went up to this. It is because we kept spending.

Look at the revenues in isolation and see what happened in that trend. Well, if you look at this chart here, you actually see the red.

Now, this is capital gains taxes. There were lots of predictions that said capital gains taxes, you are cutting them, obviously we are going to take

in a lot less revenue. It turns out it didn't work that way.

Let's walk through a couple more of these to just sort of demonstrate what that calculation is.

Also, as we discussed, the previous slide was actual hard revenues. This one has its percentage of GDP, and you even notice even on a calculation the size of the economy, there were more revenues coming in after the capital gains tax cut of 2003. Many of you actually will refer to it as the Bush tax cuts. I believe they expired in 2008.

Either way you try to judge it, whether it be on hard revenues or as a percentage of GDP, guess what. It not only paid for itself, it made money; and yet we have Member after Member after Member who will come behind these microphones and tell you it didn't.

So let's actually look at what the actual math was.

Prior to the 2003 to 2008 capital gains tax cut—sorry, I know sometimes these are big numbers and you are going sort of as fast as you can—we expected about \$13 billion in revenues from those capital gains. Excuse me. It is \$13 trillion over that time.

If you take a look at that \$13 trillion number, that is what the baseline was before the 2003 capital gains tax cuts.

At the time it was modeled, CBO, Joint Tax came in and said: Guess what. You are going to go from the \$13 trillion to only \$12 trillion, \$12.9 trillion.

Turns out, though, from 2003 to 2008, when you actually calculated the actual revenues from those capital gains tax cuts, what happened? How much money did we lose? Turns out we made \$77 billion more than the projection of revenues before the tax policy change.

This is really, really important to get our heads around.

So when someone comes behind these microphones and says, well, there is no such thing as a tax cut paying for itself, sure there is, because here is the goalpost. The goalpost was set—or goal line was set before the tax policy change. That is what the projection was over those coming years. Then when the tax policy changed, it was projected to be down here. You have got to look at the data from 2003 to 2008; and when 2008 added up, it turns out the capital gains revenue was \$77 billion higher than the policy before those tax cuts.

So just understand, this place loves to tell stories, but they often don't demonstrate the actual math.

So let's actually talk about what is going on right now. We heard predictions of everything from the end of the world to the end of the world in regards to tax reform. As you know, there is functionally a \$1.5 trillion placeholder for the tax cuts and reforms that we did in December that are now in effect.

So let's actually lay this out. This is actually what the projection was going back to June. So this is fair and honest, saying this is what we call the

baseline. The baseline is what we should be judged by. Every year, whether I am here or another Member is here, I am hoping someone will come up here and say: Okay, here is what we took in. Did we exceed what the baseline was? Did we get less?

Well, over the next couple years, we will probably get less than that June baseline. But what also happened to the projections, the curve, the size of the economy? Remember, at the beginning of this discussion, we talked about some really neat things happening in our society.

When we started to work on the actual drafting of the tax reform bill at the beginning of the year, we were living in a world that was only going to grow in the United States about 1.8 percent GDP growth, and today we are over 3. Now, some of that is anticipatory effects. Some of that is a little excitement. There is a lot of confluence. But understand what that means in revenues and opportunities and just good things for everyone in our society.

So we are going to go to the next board just because this one is really hard to read.

So here is what I am asking everyone to do. If you be on the left, if you be on the right, if you happen to be in the media, understand that the June number was that, over the 2017 baseline, for functionally the next 10 years, was \$43 trillion of revenue. That is fair. Judge us on that.

So 10 years from now, maybe someone will remember this and look back and say: Did we take in more revenues or less revenues in that time? Because, if you consider what was said by the left, it was the end of the world.

So that is the baseline number. We have on the previous chart sort of what was projected each year for the next 10 years.

So, if I am blessed to be here a year from now, I will come back January 2019, stand behind this microphone, and we will look at the revenues that came in in the 2018 fiscal year compared to what we projected months before the tax reform became real. Judge us by that, but don't come behind these microphones and make up Armageddon and then make up stories about what has taken place in the past.

This is important, because if you care about people, if you care about opportunity, we have some real difficulties coming towards us.

In lots of the data and lots of the charts, in about a decade and a half, 18 years or so, we hit a debt crisis, and your options are really simple. You have to do substantial reductions to the dollars flowing out that are substantially in entitlements because, remember, three-quarters of this government's money rolls out in entitlements.

□ 2030

Only about 15 percent of our spending is actually defense, and another 13 or

so is everything else you think of government. Three-quarters of it is Social Security, Medicare, Medicaid—all the things that are just formula.

And where we are right now, the peak of the baby boom is 60 years old today. So economist after economist after economist, particularly those on the left, have told us you can't grow more than 1.8 percent GDP. You are heading towards a debt crisis. You are heading towards this Armageddon.

So why wouldn't you stand up here, work to reform regulatory codes, the Tax Code, the immigration codes, these things, and maximize the things that will create growth and opportunity? I think that is just what, at least on the Republican side, we have been doing.

So the reason I put up this chart is more to lay a marker. I used the term "goal line" before. Understand that is the number before the tax reform, and I believe a lot of it is anticipatory effects on the economy. Hold us by that.

Now, who knows who will still be around here 10 years from now, but will revenue exceed \$43 trillion? That is the benchmark. You can't say: Well, the debt went to this, our spending went to this, because they operate outside the revenues. That is policy decisions made here on what to spend, our disasters—God forbid—military action.

But the revenue number is what we should be judged by. And when you see what is happening right now in our communities, in our society, the number of organizations that have started to pay their employees more, the number of organizations that are bringing back billions of dollars to invest here in our country, the research, the development, maybe a lot of the Malthusian economists out there—and for those of you who don't get that, go look it up—who basically said the next three decades of our life are basically constrained, dear God, I hope they are wrong.

We as a body need to continue this optimistic opportunity of coming and saying: Okay. How do we get more of our brothers and sisters to actually be in the labor force?

We know today we have about 6 million jobs that are going unfulfilled, lack of skills. We also know from recent publications, because of the tax reform, businesses are taking some of those resources and putting them into job training and taking populations that were often being left on the sidelines and they are being drawn in. This is wonderful.

How do you actually turn to others and say: Should turning 65 or 67 be hitting a wall? How do we actually provide you the opportunity, if you so wish and so desire, to actually stay in the labor force and continue to help to grow this country? Because work, we know, is often good for the soul and the individual, but it is also really good for our tax revenues and really good for the size of our economy.

Remember, the bigger the economy gets, the less that cliff, that wall, that

debt crisis that is about a decade and a half away, the more that gets pushed off into the future and the demographic curve that is those of us who are baby boomers, maybe that doesn't create a debt crisis. Maybe it actually turns into an opportunity for this economy, for this society to continue to grow and be happy and healthy and prosperous.

This is one of those times I get behind the microphone and I am actually excited from what I am seeing out there in the data. I ask this body, even with the partisan rancor, let's continue to adopt those policies that grow, that bring people, provide opportunities to be part of the labor force, to be part of the American Dream; and by doing that, the thing the left tells us they care about, income inequality, actually closes. The things so many of us care about of not hitting that debt crisis maybe get postponed, maybe never happen.

There is a path here, but it has to be everything. It has to be the tax reform. We just accomplished that. It has to be rationalizing our regulatory system. We are working on that. It has to be an immigration system that focuses on maximizing economic expansion. It has to be the adoption of technology. We are working on it. I think we can get there.

This is just fun having a chance to get behind this microphone and actually be positive and optimistic after the last few years of where things were quite dour.

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

#### MEDICAL MARIJUANA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Florida (Mr. GAETZ) for 30 minutes.

Mr. GAETZ. Mr. Speaker, I come to the floor this evening with a heavy heart, deeply concerned about my fellow Floridians and my fellow Americans who have seen benefits as a consequence of medical marijuana.

Throughout this great country, there have been circumstances where States have chosen to experiment and afford their citizens the opportunity to receive medical marijuana treatments, and that opportunity flourished as a consequence of a series of actions, one of which was the Cole memo.

The Cole memo was direction from the Attorney General of the United States in the last administration not to prioritize the arrest and prosecution of people who were using medical marijuana legally under their State laws, not to punish the doctors or prescribers or dispensing organizations that were assisting in the logistics for that care but, instead, to focus our precious Federal resources where they could do the most good: to stop drug trafficking, human trafficking, illegal illicit activity that surrounds the drug trade, to

ensure that there wasn't access for minors or cartels or people who would drive a medical practice deeper into the black market.

It is deeply unfortunate that Attorney General Jeff Sessions has recently rescinded the Cole memo, placing into question the very channels of medicine that have helped so many of my constituents and so many fellow Americans.

This evening, I am going to spend some time speaking about this issue, but I wanted to take the opportunity first and yield to my good friend, my colleague from the State of Florida, who has been a leader not only on this issue, but on so many of the critically important bipartisanship reforms that we should be working on here in the Congress.

I yield to the gentleman from Florida (Mr. CURBELO).

Mr. CURBELO of Florida. Mr. Speaker, I thank my colleague Mr. GAETZ for this special hour to shine a light on this issue, on the Federal Government's overreach and unjust treatment of legally operating businesses all across our country.

Businesses that operate legally and in compliance with their State's laws and regulations deserve a Federal Government that respects the 10th Amendment of the Constitution.

Like my colleagues, I have been disappointed that, when it comes to the treatment of these legal marijuana businesses, the current administration, which supposedly respects the federalist model of our government, continues to take such drastic steps to ignore States' rights and the decisions of voters and State legislatures across the country.

In the 2016 elections, over 70 percent of Florida citizens voted to legalize the use of medical marijuana. The two counties that make up my own congressional district in south Florida, Monroe and Miami-Dade, voted in favor of the measure 80.3 percent and 68.3 percent, respectively. The voices and the votes of my constituents, Mr. Speaker, matter.

The 10th Amendment of the Constitution matters, and for those who like to call themselves constitutionalists, the entire Constitution has to matter, not just the parts that are convenient at a given time.

In addition to the witch hunt opened up by the Attorney General's actions last week, current Federal law also prohibits these businesses from deducting the common expenses associated with running a small business when they file their taxes, expenses necessary to running a business like rent, most utilities, and payroll. Simply put, this rule places legitimate enterprises which have been established under State law at a major competitive disadvantage where legal employers are paying exorbitantly higher effective tax rates.

That is why I introduced H.R. 1810, the Small Business Tax Equity Act,

last year. This bipartisan bill amends the Tax Code to allow legally operating marijuana businesses to utilize common tax deductions and credits, thus providing them with tax parity.

The Federal Government should not be ignoring States' rights and the decisions of voters and State legislatures across the country. We must work to afford all businesses selling legal products the opportunity to make appropriate deductions and contribute to our economy and create jobs.

Another important point, Mr. Speaker—and again I thank my colleague for taking this time and bringing us together to talk about this issue in a bipartisan manner—the best ally of those who are operating illegally, the drug cartels, the drug traffickers who do not pay any taxes, who target children, the best ally they have are the policies that the Attorney General has embraced. Because what happens, Mr. Speaker, is that these legally operating businesses can no longer compete and people turn to the black market.

So, hopefully inadvertently—I hope inadvertently—the Attorney General has actually done a great favor to those who operate outside the law and is punishing those who are actually trying to control this substance, to keep it away from young people, to make sure that only those who have permission from their States, prescriptions from their doctors, can access this substance.

I am, again, so grateful to join my colleagues tonight to call on the Attorney General, on this administration, on this President, who, when he campaigned said, "I will defer to the States; I will respect the States," and, in this case, a State like Florida, which voted for the President, also voted 71 percent to allow medical marijuana in our State, all the way from Key West to the panhandle.

The residents of Florida deserve to be respected. I will continue working with my colleagues on this side of the aisle, across the aisle, to make sure that our government respects States' rights, to make sure that our government is on the side of those who want to operate within the law, those who want to pay taxes, those who want to be compliant, not the gangs and the illegal drug traffickers who are celebrating today as a result of this dangerous policy change.

Mr. GAETZ. Mr. Speaker, I thank the gentleman from Florida (Mr. CURBELO) for joining me this evening. Each and every point that Mr. CURBELO made wasn't partisan. It didn't lend itself to a conservative or a liberal ideology. It just made sense: just adhere to our constitutional principles in a way that we can help people without getting the government in the way.

I am particularly grateful that the movement criticizing Attorney General Sessions for this very poor judgment exercised is not a Republican movement or a Democratic movement. It is bipartisan.

In that bipartisan spirit, I yield to my friend Mr. CORREA from California.

I want to thank the many Californians who have been a part of this effort going forward, and I yield to him.

Mr. CORREA. Mr. Speaker, I also am honored to join my colleagues from across the aisle tonight to talk about Attorney General Sessions' decision to rescind the Cole memo, which has guided the State of California as well as other States in pursuing reasonable cannabis regulation.

As a California State senator, we relied on the Cole memo to help craft California's cannabis industry regulatory framework.

□ 2045

I personally introduced legislation to regulate medical cannabis that was sponsored by the public safety community of the State of California. We all relied on the Cole memo. We all relied on regulating medical marijuana to make sure that it was chemical free, that it was tested, labeled, and that cannabis was kept away from our children, our neighborhoods, and our schools.

I remember working on this legislation, and one day I got a phone call from a Republican doctor who wanted to lecture me about my bill. I assumed he was opposed to the legislation, but, you know what, I wanted to hear him out. So I had him drive out to my district office. And during the meeting, he told me about his daughter, a young Miss Moynihan, who from birth to the age of 10—she was 10 years old—had had seizures. And every year, those seizures had gotten worse and worse. And the medication he had to use to keep the seizures under control had gotten stronger and stronger with terrible side effects on his beloved daughter.

Finally, Dr. Moynihan fell across medical cannabis. He used it. It was like a miracle. His daughter was getting better with no negative side effects. But then he said, "Lou, I want to make sure that my daughter's seizures stop, but I want to make sure she doesn't get high," meaning what he wanted me to do in my legislation was to make sure that my legislation carried language to make sure that medical cannabis was tested and properly labeled.

All this doctor wanted was medical cannabis for his beloved daughter. And there are many patients like young Miss Moynihan that rely on medical cannabis, but she also relies on the proper regulation, and labeling, and manufacturing of medical cannabis.

Attorney General Sessions' doing away with the Cole memo effectively says to the State of California: You can no longer regulate medical cannabis. This will not be available for the young Moynihans of the State of California. I ask Attorney General Sessions to reinstitute the Cole memo. Let States do what States do best. Let's respect the sovereignty of our States, and let's move forward, not backward.

Mr. GAETZ. Mr. Speaker, I thank the gentleman from California for joining

us this evening. His words are a clarion call to sympathize with, empathize with, and support parents who have children with refractory epilepsy and other diseases that lead to chronic and, at times, unstoppable seizures.

There is a desperation in the voice of parents who have children who have these seizures. That moves me. A child's eyes can roll in the back of their head. They can turn blue, gasping for air. The gentleman from California (Mr. CORREA) referenced circumstances where a parent would reach out and ask for help.

I yield to the gentleman to maybe further explain how it makes you feel as a policymaker when you have got someone who wants to cut through the normal discord and disruption in the policymaking process, and they just want their child to be able to breathe in the absence of these debilitating symptoms. If the gentleman wouldn't mind, I yield to him for that explanation.

Mr. CORREA. Mr. Speaker, I thank the gentleman. I just want to add, think about all of the progress that we made as a country, as a nation in regulating cannabis, medical cannabis, how so many States have relied on that Cole memo to be lawfully abiding citizens, lawful citizens, lawful businessmen, and States have also relied on that memo to make sure that their regulatory framework fits within Federal guidelines.

Much time, energy, effort, and resources have been invested by these States to make sure that we are following Federal law. And overnight, the Cole memo is gone. All of that work these States have put together is out the door. How do we tell all of these citizens that want to follow the law, want to pay their taxes, want to do what is right under the law that they are now criminals? This is not right. It is inconsistent with our due process. And at the end of the day, again, these are States' rights.

We have given effectively these powers, these abilities to the States to regulate medical cannabis. We cannot just turn our back and say: We didn't mean it. Sorry. Let's move forward.

I don't believe we can return to those days when we would lock up individuals for minor sources of cannabis. We can't go around the streets and arrest people for cannabis anymore, and, of course, Dr. Moynihan has to have the ability to continue to medicate his daughter.

Mr. GAETZ. Mr. Speaker, I wish his constituents the best of luck in these trying times. One may reasonably wonder: What does the repeal of the Cole memo really mean for a patient, or a doctor, or a dispensing organization? It presents a series of logistical challenges that could be crippling not only to this industry, but to the very vulnerable Americans who rely upon it for medicine.

Today, all across America, banks do not know whether or not their receipt

of deposits from cannabis organizations operating legally under the color of State law would subject that bank to some broader consequence, to the oppressive hand of the Federal Government coming in and creating all kinds of other bad consequences for the people who bank with that institution.

And so the result is that dispensing organizations that want to grow, that want to make investments, that want to do research, that want to be able to deliver to fragile and vulnerable patients, won't be able to meet payroll, won't be able to fund the infrastructure of their companies, and won't be able to do the research so that we find out what strains of cannabis can be uniquely helpful to specific ailments.

So this repeal of the Cole memo isn't merely a circumstance where you are okay, so long as you are not being arrested or prosecuted in that very moment. It literally erodes the framework that has allowed people to be able to bring medicine to the doorstep of some of our most vulnerable Americans.

That is the true danger here: confusing policy and lack of clarity regarding the rules. In an area where innovation could do so much good for people, why would we not want the clearest, most predictable rules possible? Why wouldn't we want the highest standards for testing, labeling, and research? Why wouldn't we want to introduce cannabis, not in a context that could lead to abuse, or money laundering, or other illicit activity? Why would we not want it introduced in the most clinical setting possible, approved by researchers, prescribed by doctors, and then used by patients that oftentimes have seen every other reasonable medical remedy fail.

I am a limited government guy. I just don't understand why any administration, Republican or Democrat, would want to place the government between vulnerable people and something that could potentially help them. Again, recognizing the bipartisan flavor of this evening, I wanted to take just a moment to recognize one of my conservative friends, someone who has led in this institution on conservative causes during his tenure here.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I thank the gentleman for yielding, and I wanted to join him just for a few moments to simply applaud the way in which he is raising this issue tonight.

I think it is incredibly important because it was Jefferson who actually said "that the normal course of things was for government to gain ground and for liberty to yield." And you think about the significance of the 10th Amendment and what it says. Its words are real simple: "Those powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This is a gut-check moment on the degree to which we really believe in the

10th Amendment, and we really believe in a limited Federal Government. So I would make very quickly three points: one, what you are talking about tonight is ultimately about this larger question of whether States are simply proxies, if you will, worker bees, if you will, for the Federal Government and nothing more than that.

Are all decisions to be made in simply Washington, D.C., or can they actually be made at the local level? This issue that you are raising is ultimately not about marijuana, but it is about local voice and local control.

For instance, we have an oil drilling issue off the coast of South Carolina, and a number of us have raised it, not because it was our idea, but because every single municipality along the coast of South Carolina came out in unison with different resolutions, different proclamations that said: We don't want offshore, not so much for offshore, but for its impacts in the way that we develop as a coastline. And so this is ultimately about simply this larger question of: Does Washington make all of the calls, or is there a State government, a local government, and an individual involvement that actually are involved in the way that decisions get made?

I would, furthermore, say that this is a gut-check vote on the notion of federalism. Federalism is hard. The reason our Founding Fathers didn't want a king or a queen but wanted this massive process called a Republican and a Democratic voice that went with it was because, though it is a lot harder, it is a lot fairer—one man, one voice; not all voices in Washington.

So what I think is interesting, back when I was in a different role at the State level, I remember different bills coming across my desk from different counties, for instance, for proposed tax increases. And staff would say: You have got to veto that. And I would say: No, the counties are free to make stupid decisions. I don't agree with it. I think it is a mistake, but counties ought to be able to have the voice to decide what they want to do.

This is that exact same principle at play at the Federal level. And by having this quiltwork of different experiments in different States, and then being able to determine what works and what doesn't work, we are able to formulate national policy, not from on high, top down, but from the bottom up.

Finally, I make this simple point: this is about saying the Federal Government does not decide the complexion of a local business. I think that what was significant about one of your earlier speakers, CARLOS CURBELO, H.R. 1810—I am a cosponsor of his bill—it simply says, you have got to treat a local business as a local business. If it is legal locally, then you have got to treat it as such. And you can't come in and preempt from a Federal level and decide how local business is going to operate.



So for a lot of different reasons, I simply applaud what you have raised tonight. And I thank the gentleman for his voice and his very strong stand for liberty and conservative principles in doing so.

Mr. GAETZ. Mr. Speaker, I thank the gentleman for his comments. It is worth noting that so many of the experiences that make up the people who serve in this body come from local government, or State legislatures, or governorships. I am very proud to have served in the Florida Legislature. I know my colleague, Mr. SANFORD, served as the Governor of the State of South Carolina. And we have seen how States can function as the laboratories of democracy. And from time to time, a State may look at another and say there is a circumstance where they have done something right, or they have done something that we wouldn't necessarily agree with. And then we can tailor proposals that have withstood scrutiny and review experiences in other States and try to improve upon them.

That is the great federalist system that our Founders promised us that remains guaranteed in our Constitution today. Federalism is not some quaint, little notion of how government should run. It is the enduring promise that we have a right to live under today. And so I thank my colleague for reminding the Congress that it is the States that are the necessary constituents of the Federal Government, not the other way around.

It highlights why the decision of the Attorney General to rescind the Cole memo was so deeply flawed because it highlights the arrogance of a Federal Government that believes that its policies should always stand in primacy to innovation at the State level.

Here, that innovation is helping people, and that is the point that I would really like to stress. I have met with hundreds of families in the State of Florida and throughout the country who have seen benefits from medical marijuana. This isn't a medical theory. It is not something that people are merely hopeful for. It has actually created a more meaningful quality of life in American families.

Why wouldn't we be for that? Why don't we want to champion the opportunity for a parent to be able to hear their child speak for the first time?

Why wouldn't we want to give a grandparent some respite who might be caring for a child that has compulsory and reflexive seizures?

Why wouldn't we want to help a caretaker who might be caring for a parent of their own suffering from Alzheimer's, or Parkinson's, or dementia where we have seen improved research and growing opportunity for progress?

□ 2100

The Attorney General's decision is a step backward, but it doesn't have to be, because the Trump administration can step forward and fulfill the promise

that President Trump made on the campaign trail to respect the rights of States and to have a noninterference policy with medical marijuana.

I have called on Treasury Secretary Mnuchin to issue guidance and instruction to financial institutions that they will not be prosecuted or harmed or they will not face some adverse regulatory action if they continue to accept the deposits of medical marijuana companies. I am hopeful that Secretary Mnuchin has more foresight than we have seen from the Attorney General's Office and that he will provide this guidance.

Mr. Speaker, I would also ask that the President personally engage. I know the President. I know him to be a man with a huge heart who cares about people. Throughout the Trump family, there is a particular focus on caring for the vulnerable and children who have to deal with complex medical issues.

I would hope that the President and that the members of the administration would find it within their hearts to take action on this important priority. Let us not allow Attorney General Jeff Sessions to limit progress on American families and on an industry that is growing and creating jobs and developing key innovations that can help people.

Beyond dealing with this inartful rescinding of the Cole memo, there is broader medical marijuana reform that needs to happen. There is no excuse to maintain marijuana on the list of Schedule I drugs.

Schedule I is reserved for those drugs that have no medical value, that can't help anyone, and that should be subjected to the strictest scrutiny. Not even cocaine is a Schedule I drug. I don't even think that some of the drugs that are doing the most harm and causing the most deaths throughout the panoply of this opioid crisis are all Schedule I drugs. But marijuana is? It is indefensible, and it is indicative of a dogma of a lie that the Federal Government has told to the American people for a generation.

Think of the opportunity if we could come together and make some progress on this issue. Throughout the 115th Congress, we have had robust opportunities to debate about our discord and disagreement and to discuss issues where perhaps we won't be able to come together as Republicans and Democrats, but this should not be one of those issues. This isn't partisan. It is not even conservative or liberal. You just have to believe that the role of government isn't to hurt people who are trying to get better or hurt people who are trying to help others who are trying to get better.

We spend way too much time arresting people for marijuana in the first place. In the year 2015, 643,000 people were arrested for marijuana. That is one person every 49 seconds for a year. 574,000 of these arrests were for possession, not distribution or sale.

Forty percent of all drug-related arrests are for marijuana possession. This is particularly discriminatory. African Americans are more than 2½ times more likely to be arrested for possession than Whites.

Marijuana is a \$20 billion industry in this country. If we allow Attorney General Sessions to have his way, we will drive that \$20 billion into the black markets, into the hands of the money launderers and the cartels, and the consequence will be fewer solutions for patients.

Marijuana has shown tremendous promise in the treatment of Alzheimer's to slow the protein deposits on the brain. For patients with AIDS and HIV, medical marijuana can stimulate appetite and slow muscle wasting syndrome. It can function as an antinausea medicine, as an analgesic, and it can reduce peripheral neuropathy. For arthritis patients, there can be a reduction in certain types of symptoms that could clear people's airways suffering from debilitating arthritis.

We have also seen very favorable results for the many millions of Americans dealing with chronic pain who right now are getting prescriptions for opioids. So many of the prescriptions written for opioids today in America causing deaths, taking away our children, our aunts and uncles and our parents, could be avoided if we weren't prescribing opioids in the first place and if we had a lower impact alternative like medical cannabis.

People with cancer have been given new hope not only that these symptoms can be relieved through medical cannabis, but that the actual growth of tumors can be slowed. There is really great research that has been published by the British Journal of Pharmacology regarding the antitumor properties that medical cannabis can have. But, unfortunately, that research has to be done in Israel, in Europe, and in other places in the world because in this country we continue to maintain the indefensible policy that no research can reasonably occur on medical cannabis.

As a matter of fact, this very Attorney General and this very Department of Justice have frustrated reasonable efforts to make more medical cannabis available for research, to unlock cures for the American people and to help American families.

Mr. Speaker, may I inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 1 minute remaining.

Mr. GAETZ. Mr. Speaker, I will conclude with this.

I wasn't always a believer in medical cannabis, but I met a girl in my district who was being told by her doctor that she was going to have to saw her brain in half to stop the seizures from firing across. Today, that little girl is a medical cannabis patient. She has traded surgeries for softball games; she

has traded doctors for dancing lessons; and she brings hugs, hope, and joy to our entire community. It is for her—it is for the millions of Americans benefiting from medical cannabis—that I call upon this administration to stop the Attorney General from harming Americans through his repeal of the Cole memo.

Mr. Speaker, I thank my bipartisan group of colleagues who joined with me this evening.

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

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 9 o'clock and 6 minutes p.m.), the House stood in recess.

□ 2157

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. WOODALL) at 9 o'clock and 57 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 195, FEDERAL REGISTER PRINTING SAVINGS ACT OF 2017; WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS; AND PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-520) on the resolution (H. Res. 696) providing for consideration of the Senate amendment to the bill (H.R. 195) to amend title 44, United States Code, to restrict the distribution of free copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain

resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for January 16 and today on account of travel delays due to inclement weather.

Mr. VELA (at the request of Ms. PELOSI) for today on account of weather in district.

ADJOURNMENT

Mr. COLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 18, 2018, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Of-

ficial Foreign Travel during the fourth quarter of 2017, pursuant to Public Law 95-384, are as follows:

(AMENDED) REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JENNIFER A. HEMINGWAY, EXPENDED BETWEEN OCT. 27 AND OCT. 31, 2017

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Jennifer A. Hemingway .....	10/27	10/28	Estonia .....		252.46			( <sup>3</sup> )			
	10/28	10/31	Czech Republic .....		1,242.15			( <sup>3</sup> )			
Committee total .....					1,494.61						1,494.61

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

JENNIFER A. HEMINGWAY, Jan. 2, 2018.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2017

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. VIRGINIA FOXX, Chairman, Jan. 5, 2018.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2017

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, Jan. 8, 2018.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2017

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐											

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PETE SESSIONS, Chairman, Jan. 4, 2018.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2017

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Lamar Smith .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Hon. Dana Rohrabacher .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Hon. Mo Brooks .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Hon. Thomas Massie .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Hon. Ami Bera .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	57,962	892.90		( <sup>3</sup> )			57,962	892.90
	10/18	10/20	South Korea .....	538,319	490.72		( <sup>3</sup> )			538,319	490.72
Hon. Brian Babin .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Hon. Barbara Comstock .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Ashley Smith .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Chris Wylder .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Emily Domenech .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Tom Hammond .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Raj Bharwani .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Drew Colliatie .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Ashlee Vinyard .....	10/14	10/14	Italy .....	224.46	261.12		( <sup>3</sup> )			224.46	261.12
	10/15	10/18	India .....	72,073	1,106.36		( <sup>3</sup> )			72,073	1,106.36
	10/18	10/20	South Korea .....	769,140	704.18		( <sup>3</sup> )			769,140	704.18
Committee total .....					28,576.32		4,024.16				32,600.48

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.<sup>3</sup> Military air transportation.

HON. LAMAR SMITH, Chairman, Jan. 2, 2018.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2017

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐											

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☐<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. KEVIN BRADY, Vice Chairman, Jan. 5, 2018.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3770. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's Report on Contractual Flow-Down Provisions in the Federal Acquisition Regulation and Defense Federal Acquisition Regulation Supplement, pursuant to Sec. 887

of S. 2943 of the National Defense Authorization Act for FY 2017 (Public Law 114-328); to the Committee on Armed Services.

3771. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Deputy Secretary, Department of Housing and Urban Development, transmitting the Department's interim final rule — Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews Under the Fixing America's Surface Transportation (FAST) Act [Docket No.: FR 5743-I-04] (RIN:

2577-AJ36) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3772. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to Investment Advisers Act Rules to Reflect Changes Made by the Fast Act [Release No.: IA-4839; File No.: S7-05-17] (RIN: 3235-AM02) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Financial Services.

3773. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Electricity Delivery and Energy Reliability, Department of Energy, transmitting the Department's final rule — Grid Security Emergency Orders: Procedures for Issuance (RIN: 1901-AB40) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3774. A letter from the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendments To Harmonize and Streamline Part 20 of the Commission's Rules Concerning Requirements for Licensees To Overcome a CMRS Presumption [WT Docket No.: 16-240] received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3775. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Charges for Use of Government Lands in Alaska [Docket No.: RM16-19-000; Order No.: 838] received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3776. A letter from the Executive Director, U.S. World War One Centennial Commission, transmitting the US World War One Centennial Commission Periodic report for the period ended September 30, 2017, pursuant to Public Law 112-272, Sec. 5(b)(1); (126 Stat. 2450); to the Committee on Oversight and Government Reform.

3777. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — Rights of Way; Removal of Incorporation by Reference [NPS-WASO-24690; PPWOVPADU0/PPMPRL1Y.Y00000] (RIN: 1024-AE42) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3778. A letter from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting the Department's final rule — General Regulations; Areas of the National Park System, Free Distribution of Other Message-Bearing Items [NPS-WASO-23396; GPO Deposit Account 4311H2] (RIN: 1024-AE32) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

3779. A letter from the Secretary, Department of the Interior, transmitting the Department's Annual Operating Plan for Colorado River System Reservoirs for 2018, pursuant to Sec. 602 of the Colorado River Basin Project Act of September 30, 1986, Public Law 90-537; to the Committee on Natural Resources.

3780. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Adjustment of Civil Monetary Penalties for Inflation [Docket ID: ED-2018-OGC-0004] (RIN: 1801-AA17) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3781. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final rule — Inflation Adjustment of Civil Monetary Penalties received January 11, 2018, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3782. A letter from the Assistant Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Inflation Adjustment of Civil Monetary Penalties [Docket No.: 18-01] (RIN: 3072-AC70) received January 12, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3783. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance under Section 965 [Notice 2018-07] received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3784. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Estate of George H. Bartell, Jr. v. Commissioner, 147 T.C 140 (2016) [AOD 2017-06] received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3785. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Domestic production gross receipts (Rev. Rul. 2018-03) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3786. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure 2018-5 received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

3787. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulation — Election Out of the Centralized Partnership Audit Regime [TD 9829] (RIN: 1545-BN77) received January 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on 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. COLE: Committee on Rules. House Resolution 696. Resolution providing for consideration of the Senate amendment to the bill (H.R. 195) to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for consideration of motions to suspend the rules (Rept. 115-520). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Ohio (for himself and Mr. GUTHRIE):

H.R. 4810. A bill to direct the Assistant Secretary of Commerce for Communications and Information to carry out activities relating to the development and maintenance of a broadband inventory map through the National Telecommunications and Information Administration and not through an agreement with any other agency; to the Committee on Energy and Commerce.

By Mr. BOST (for himself and Mr. SCHNEIDER):

H.R. 4811. A bill to provide for grants from the Attorney General to local education agencies to purchase and install devices that would allow for the immediate notification of appropriate officials in case of emergency, and for other purposes; to the Committee on Education and the Workforce, 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. CICILLINE:

H.R. 4812. A bill to amend chapter 83 of title 41, United States Code (popularly referred to as the Buy American Act) and certain other laws with respect to certain waivers under those laws, to provide greater transparency regarding exceptions to domestic sourcing requirements, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COSTELLO of Pennsylvania:

H.R. 4813. A bill to direct the Comptroller General of the United States to conduct a study to evaluate the role of unlicensed spectrum in offloading broadband traffic, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ESHOO (for herself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. KHANNA, Mr. O'ROURKE, Mr. POCAN, and Mr. POLIS):

H.R. 4814. A bill to amend the Telecommunications Act of 1996 to preserve and protect the ability of local governments to provide broadband capability and services; to the Committee on Energy and Commerce.

By Ms. LEE (for herself, Mr. KHANNA, Ms. JACKSON LEE, Mr. COHEN, Ms. NORTON, Mr. RUSH, Mr. BLUMENAUER, Mr. DANNY K. DAVIS of Illinois, Mr. POLIS, Mr. JEFFRIES, Ms. JAYAPAL, Ms. CLARKE of New York, Mr. FUDGE, Mr. PAYNE, Mr. THOMPSON of Mississippi, Ms. WILSON of Florida, Mr. POCAN, Ms. GABBARD, and Mr. RASKIN):

H.R. 4815. A bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Agriculture, Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself, Mr. AMASH, Mr. POLIS, and Mr. BLUMENAUER):

H.R. 4816. A bill to amend title 28, United States Code, to prohibit the use of amounts from the Asset Forfeiture Fund for the Domestic Cannabis Suppression/Eradication Program of the Drug Enforcement Administration, and for other purposes; to the Committee on the Judiciary.

By Mr. LONG:

H.R. 4817. A bill to direct the Assistant Secretary of Commerce for Communications and Information to make grants for the establishment or expansion of internet exchange facilities, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ROSEN (for herself and Mr. JONES):

H.R. 4818. A bill to prohibit the use of Federal funds made available in the form of an earmark, and for other purposes; to the Committee on Oversight and Government Reform, 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. PALLONE:

H. Res. 697. A resolution expressing the sense of the House of Representatives supporting visits and communication between the United States and the Republic of Artsakh at all levels of civil society and government; to the Committee on Foreign Affairs.

By Ms. TITUS (for herself, Mr. SESSIONS, and Mr. POCAN):

H. Res. 698. A resolution recognizing magic as a rare and valuable art form; to the Committee on Oversight and Government Reform.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JOHNSON of Ohio:

H.R. 4810.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, section 8 of the Constitution of the United States.

By Mr. BOST:

H.R. 4811.  
Congress has the power to enact this legislation pursuant to the following:  
Article 1, Section 8, Clause 18

By Mr. CICILLINE:

H.R. 4812.  
Congress has the power to enact this legislation pursuant to the following:  
Article 1, Section 8

By Mr. COSTELLO of Pennsylvania:

H.R. 4813.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the United States Constitution

By Ms. ESHOO:

H.R. 4814.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 3

By Ms. LEE:

H.R. 4815.  
Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. TED LIEU of California:

H.R. 4816.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 1 of the U.S. Constitution (relating to the general welfare of the United States).

By Mr. LONG:

H.R. 4817.

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 office thereof.

By Ms. ROSEN:

H.R. 4818.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1 and 18) of the United States Constitution

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Ms. HANABUSA.  
H.R. 82: Mr. PALAZZO.  
H.R. 233: Mr. BEN RAY LUJÁN of New Mexico.  
H.R. 566: Mrs. BROOKS of Indiana.  
H.R. 664: Ms. FRANKEL of Florida.  
H.R. 850: Mrs. NOEM.  
H.R. 881: Ms. ROSEN.  
H.R. 930: Mr. GONZALEZ of Texas.  
H.R. 1120: Mr. BRENDAN F. BOYLE of Pennsylvania.  
H.R. 1141: Ms. ROYBAL-ALLARD.  
H.R. 1300: Mr. O'HALLERAN and Ms. BONAMICI.  
H.R. 1311: Mr. JORDAN.  
H.R. 1360: Mr. ROKITA.  
H.R. 1406: Mr. BILIRAKIS and Mr. MARCH-ANT.  
H.R. 1445: Mr. POLIS.  
H.R. 1626: Mr. POLIS.  
H.R. 1762: Mr. DEUTCH.  
H.R. 1772: Ms. SCHAKOWSKY.  
H.R. 1847: Mr. BILIRAKIS.  
H.R. 1876: Mr. CURBELO of Florida.  
H.R. 1880: Mr. DESAULNIER.  
H.R. 1954: Ms. NORTON.  
H.R. 2000: Mr. SOTO.  
H.R. 2001: Mr. SOTO.  
H.R. 2119: Mr. WALZ and Ms. ADAMS.  
H.R. 2147: Mr. POLIS.  
H.R. 2206: Mr. KHANNA.  
H.R. 2215: Mr. WELCH and Ms. GABBARD.  
H.R. 2267: Mrs. WATSON COLEMAN.  
H.R. 2477: Mr. POLIS.  
H.R. 2528: Mr. PERLMUTTER.  
H.R. 2545: Mr. HUNTER.  
H.R. 2623: Mr. WALKER, Mr. MESSER, and Mr. BRAT.  
H.R. 2687: Ms. JUDY CHU of California, Mr. QUIGLEY, and Mr. BLUMENAUER.  
H.R. 2902: Ms. JUDY CHU of California, Mr. WALDEN, and Ms. MATSUI.  
H.R. 2920: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 2987: Mrs. RADEWAGEN and Mr. CURBELO of Florida.  
H.R. 3079: Ms. MATSUI.  
H.R. 3127: Mr. GIBBS.  
H.R. 3128: Mr. GIBBS.  
H.R. 3222: Ms. MATSUI.  
H.R. 3252: Ms. MOORE.  
H.R. 3282: Mr. PERRY.  
H.R. 3330: Mr. BIGGS.  
H.R. 3444: Ms. JUDY CHU of California.  
H.R. 3488: Mr. LAHOOD.  
H.R. 3513: Mr. JOHNSON of Georgia.  
H.R. 3637: Ms. ESHOO.  
H.R. 3730: Mr. GRIFFITH.  
H.R. 3746: Mr. MESSER.  
H.R. 3806: Ms. MOORE.  
H.R. 3913: Mr. CRAMER, Mr. TURNER, and Mr. COMER.  
H.R. 3931: Mr. POCAN and Mr. KING of New York.

H.R. 3994: Mr. CARTWRIGHT.

H.R. 4059: Mr. MEADOWS.

H.R. 4099: Mr. KATKO, Mr. SENSENBRENNER, and Mr. RUTHERFORD.

H.R. 4107: Mr. CARBAJAL, Mr. KING of Iowa, Ms. KUSTER of New Hampshire, Mr. WILSON of South Carolina, Mr. KATKO, and Mr. MESSER.

H.R. 4131: Mr. RUTHERFORD and Mr. BARLETTA.

H.R. 4143: Mr. POLIS, Mr. DUFFY, and Mr. KHANNA.

H.R. 4202: Mr. MARINO and Mr. POLIS.

H.R. 4206: Mr. DUNN.

H.R. 4207: Mr. NOLAN.

H.R. 4229: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. ROUZER.

H.R. 4232: Mr. O'ROURKE.

H.R. 4274: Mr. SANFORD and Mr. GALLAGHER.

H.R. 4312: Mr. LOUDERMILK.

H.R. 4314: Mr. FITZPATRICK.

H.R. 4319: Mr. VALADAO.

H.R. 4392: Mr. LOBIONDO.

H.R. 4396: Mr. NEAL and Mr. HASTINGS.

H.R. 4444: Mr. PRICE of North Carolina, Mr. TAKANO, Mr. KIND, Mr. KIHUEN, and Ms. ROSEN.

H.R. 4473: Ms. BONAMICI.

H.R. 4525: Mr. QUIGLEY.

H.R. 4527: Mr. QUIGLEY and Ms. MOORE.

H.R. 4547: Mr. QUIGLEY, Mr. DUFFY, Mr. LAMALFA, Mrs. BLACK, and Ms. SANCHEZ.

H.R. 4548: Mr. POLIS.

H.R. 4575: Mr. RUPPERSBERGER.

H.R. 4681: Mr. BARR.

H.R. 4682: Mr. HUIZENGA.

H.R. 4684: Mr. LEWIS of Georgia.

H.R. 4710: Mr. BARTON.

H.R. 4712: Mr. MCCAUL, Mr. DUFFY, Mr. GUTHRIE, Mr. BILIRAKIS, Mr. WOODALL, Mr. MARCHANT, Mr. BURGESS, Mr. FORTENBERRY, Mr. LONG, Mr. BIGGS, Mr. ROSS, and Mr. BISHOP of Michigan.

H.R. 4717: Mr. WALZ.

H.R. 4732: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. NORTON, and Mr. KNIGHT.

H.R. 4736: Mrs. WAGNER.

H.R. 4744: Mr. LANCE, Mr. MEADOWS, Mr. WALKER, Mr. SESSIONS, Ms. STEFANIK, Mr. POSEY, Mr. CHABOT, Mr. SIRES, Mr. WEBER of Texas, Mr. SHERMAN, Mr. CICILLINE, Mr. TED LIEU of California, Ms. WASSERMAN SCHULTZ, Mr. SUOZZI, and Mr. DONOVAN.

H.R. 4760: Mr. RICE of South Carolina, Mr. BRAT, Mr. BUCSHON, Mr. JODY B. HICE of Georgia, Mr. MEADOWS, Mr. MOONEY of West Virginia, Mr. YOHO, Mr. PEARCE, Mr. BISHOP of Michigan, Mr. CRAMER, Mr. LOUDERMILK, Mr. OLSON, Mr. PITTEMBER, Mr. WENSTRUP, Mr. GIBBS, Mr. HIGGINS of Louisiana, Mr. DUNCAN of South Carolina, Mr. MARCHANT, Mr. ARRINGTON, Mr. CHABOT, Mr. POSEY, and Mr. DESJARLAIS.

H.R. 4772: Mr. RUPPERSBERGER.

H.R. 4777: Mrs. COMSTOCK.

H.R. 4779: Ms. BONAMICI.

H.R. 4782: Ms. LEE, Ms. WILSON of Florida, and Ms. MOORE.

H.R. 4796: Mr. KILMER and Mr. BEN RAY LUJÁN of New Mexico.

H. Res. 21: Mr. PERRY.

H. Res. 274: Ms. TENNEY, Mr. YARMUTH, and Mr. GALLAGHER.

H. Res. 276: Mr. POCAN.

H. Res. 349: Mr. SMITH of New Jersey, Mr. TED LIEU of California, and Ms. SCHAKOWSKY.

H. Res. 466: Mr. BEYER and Mrs. WATSON COLEMAN.

H. Res. 627: Mr. MEADOWS.

H. Res. 661: Mr. POLIS.

H. Res. 673: Mr. WILSON of South Carolina, Mr. JOHNSON of Louisiana, and Mr. SUOZZI.

H. Res. 683: Mr. NORMAN, Ms. TENNEY, Mr. POLIS, and Ms. MCCOLLUM.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, WEDNESDAY, JANUARY 17, 2018

No. 10

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, whose Kingdom is above all earthly kingdoms, we praise Your Holy Name. Forgive us for having left undone the things we ought to have done and for doing the things we ought not to have done. Deliver us from those forces that obstruct the making of a nation and world of justice, peace, and righteousness.

Lord, give our lawmakers the wisdom, courage, and strength needed for our times, providing them with Your sustenance from the wealth of Your celestial riches. Equip them to serve You and country with a full measure of grace, strength, and wisdom.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 17, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### TAX REFORM

Mr. McCONNELL. Mr. President, another wave of economic optimism is breaking across America after last month's historic tax reform legislation. Already, for weeks, we have seen special bonuses, pay increases, and other tax reform benefits delivered to workers across the Nation.

These immediate benefits are just the first fruits. Tax reform is also planting the seeds of long-term wage growth and job creation by making America a more attractive place for entrepreneurship and for investment.

We learned last week that the automaker Fiat Chrysler is renewing production lines in America where prohibitive business taxes once stood in the way. Now, 2,500 new jobs are coming to Detroit, thanks to tax reform. Just yesterday, I was pleased to announce that Humana, which employs more than 12,000 Kentuckians, is accelerating pay incentives and increasing its minimum hourly wage because of tax reform. The good news keeps coming. Toyota and Mazda are doubling down on existing investments in the United States, announcing plans to create 4,000 new jobs in Huntsville, AL.

The world is noticing that America is open for business, and in large part it is because we have shaken off an outdated, burdensome Tax Code. Reforming the Tax Code was not easy. It was

made even more challenging when none of our Democratic colleagues in the House or the Senate—not one—stood with taxpayers and job creators to vote for this once-in-a-generation tax relief, but thanks to Republican majorities in Congress and a Republican White House, the benefits for working Americans are just beginning.

### FISA

Mr. McCONNELL. Mr. President, now, on another matter, the Senate will soon vote to reauthorize important provisions of the FISA Amendments Act. This includes section 702, one of the most important tools used by our national security community to combat terrorism and to keep Americans safe. It gives our law enforcement and intelligence communities the ability to collect communications from foreign terrorists on foreign soil who wish harm to America and our allies. This capability is absolutely vital to the success of defense and intelligence operations.

To be absolutely clear, section 702 does not allow the targeting of American citizens, nor does it permit the targeting of anyone of any nationality who is known to be located here in the United States. Five years ago, Congress reauthorized the title with overwhelming bipartisan support. Today, it is time to do so one more time.

It is no secret that the world remains dangerous. Terrorist groups remain as intent today as they did on September 11, 2001, on harming Americans and those working with us overseas. As the tragedies of that day become a more distant memory, we cannot grow lax and deny our defense and intelligence communities the tools and resources they require to prevent future attacks.

I look forward to renewing the bipartisan consensus on this issue and voting to reauthorize this important provision very soon.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S213



## FUNDING THE GOVERNMENT

Mr. MCCONNELL. Mr. President, now, on another matter, as we all know, Congress has until Friday to reach an agreement that ensures continued funding for the Federal Government. By now, it is clear we are not yet ready to move ahead with a major agreement on long-term funding for our Armed Forces, nor on our immigration policy. Serious, bipartisan talks are underway on these issues and other key priorities. Compromise solutions are not out of reach, but for now, Congress needs to keep the government running. There is no cause whatsoever for manufacturing a crisis and holding up funding for the vital services of the Federal Government.

What is more, the near-term solution that Congress must pass this week will not only provide uninterrupted government funding, it will also contain a 6-year reauthorization of the State Children's Health Insurance Program. This is a Federal program that covers nearly 9 million children in low-income families. It ensures that economic hardship will not stand between struggling American families and medical coverage for their children. S-CHIP enjoys widespread, bipartisan support, with dedicated champions on both sides of the aisle.

The funding bill we will take up in the Senate will reauthorize the program for 6 years, even longer than the bipartisan compromise the Senate Finance Committee reached just last year. So Senators face a lot of hard decisions, but this is not one of them. A bill that prevents a government shutdown and funds S-CHIP for up to 6 years should be a simple choice for every Senator in this Chamber, and until very recently, our Democratic colleagues agreed. "No-brainer" was the exact phrase my colleague, the senior Senator from California, recently used on the Senate floor when discussing S-CHIP renewal.

The newest Member of this body, the junior Senator from Alabama, campaigned on this very issue. As Senator-elect, he insisted that his future colleagues should "stop playing political football with the health care of our children." He called it "absolutely unacceptable for partisan fighting to delay renewing funding for CHIP."

I hope my friends, the Democratic leaders, are listening to their own Members because recently some have intimated that Democrats will filibuster any funding bill whatsoever over the issue of illegal immigration. I find it difficult to believe that my Democratic colleagues would want to shut down the government for American citizens and vote down a 6-year reauthorization of health insurance for American children all over illegal immigration.

Bipartisan negotiations over the DACA issue and other issues in immigration policy are certainly important, and they are ongoing. Our responsibility is to continue those discussions,

not to jeopardize them by ginning up a manufactured crisis over an artificial deadline. We have until March, at least, to complete our ongoing negotiations on immigration. We have until Friday to fund the government.

I would urge my Democratic friends to honor their stated commitments to join in a bipartisan effort to keep the government funded and reauthorize S-CHIP for struggling families across our country.

## TRIBUTE TO REB BROWNE

Mr. MCCONNELL. Mr. President, now, finally, on an entirely different matter, I would like to say a few words about Reb Brownell, a key member of my team who is departing the Senate today.

Reb has served with distinction in my office for nearly 13 years. He began as an aide on foreign affairs, defense, and veterans issues. Since then, he has risen through the ranks, now serving as my personal office deputy chief of staff.

Reb is a tireless worker and a loyal public servant. He has been my point person on more important issues than I can name, including my support for democracy in Burma and research on prominent Kentucky leaders throughout history. I know he is especially proud of our work to help Dr. Noelle Hunter bring her daughter back to America.

I will miss more than Reb's fine work. I will miss him challenging my title as the biggest history buff in the office, and all his colleagues will miss Reb's genuine warmth, his quick wit and good humor, and his readiness to mentor young staffers. Of course, nobody is perfect. Reb is a diehard Michigan State fan. Fortunately, he never let it get in the way of serving the people of the Commonwealth of Kentucky.

I am sorry to see Reb go. I thank him for his service, and I wish him and his wife Sandy every success in their future endeavors.

## MEASURE PLACED ON THE CALENDAR—S. 2311

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 2311) to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

## RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

## FUNDING THE GOVERNMENT

Mr. SCHUMER. Mr. President, first, before I get into the substance of my remarks, let me just answer the majority leader. What leads to problems in this place? What leads to a government shutdown? It is one side deciding everything and then saying to the other side: You must go along.

The proposal has been sent over—here is what it doesn't do. It does not give help needed for our veterans who wait in line for service. It doesn't fight opioid addiction, the scourge of America. It doesn't help our pensioners. I would say to my friends on the other side of the aisle and our defense hawks over in the other body, it doesn't give defense what it needs either. It is a loser in terms of the things this country needs.

We could easily sit down and come to an agreement that would get the support of a majority of both sides, and it is the intransigence, frankly, of so many who say don't talk, don't negotiate, just do it our way or no way that has led to gridlock, that has led to the fact that the first year has been largely unsuccessful and leads to the partisanship America decries.

Democrats have shown, time and time again, we want to work in a bipartisan way, most recently illustrated by the proposal put together by my friend from Illinois, my friend from South Carolina, my friend from Arizona who is on the floor. We eagerly await his remarks, and I will try to be brief.

Leader MCCONNELL, in this instance, as in many others, says: Our way or no way. That is wrong. We will do everything we can to avoid a shutdown. We will do everything we can, but the needs of opioid addiction and helping the veterans and Social Security and rural infrastructure and defense and, of course, the Dreamers remain hanging out with this proposal. If, God forbid, there is a shutdown, it will fall on the majority leader's shoulders and the President's shoulders. We all know what the President has said. He wants a shutdown. So you can twist words and twist facts any way you want, but the truth is, this is a purely partisan effort—a purely partisan effort—and that is what leads to the trouble in this place.

Let me say a few more things.

Despite the leader being totally partisan on this issue, we have seen some rays, some sprouts of bipartisanship. In the House, Republican Congressman WILL HURD and Democratic Congressman AGUILAR have a proposal on immigration, on Dream, that garnered 20 Democrats and 20 Republicans. The Goodlatte proposal, the McCaul proposal, has not a single Democrat. I say

to the Acting President pro tempore, you have made a proposal that, in the words of LINDSEY GRAHAM, will not get a single Democratic vote. It can't pass. At the same time, the Senators from Illinois, New Jersey, Colorado, Arizona, South Carolina, and Colorado are painstakingly putting together a proposal where both sides give quite a bit.

So there are sprouts of bipartisanship—more than sprouts—that could save us from eyeball-to-eyeball and from a shutdown. My hope is that the President will understand it because the bill that was put together here in the Senate was painstakingly pieced together to meet what the President said he needed. It protects the Dreamers; includes President Trump's full budget request for border security—far more than I would want to do—including funding to build barriers along the southern border; deals with family reunification—they call it chain migration—for the Dreamers.

I know that some have said: Let's do it for the whole immigration bill, and let's talk about the 11 million, not just the Dreamers.

If you want to do comprehensive, let's do comprehensive, but first let's get DACA done.

And, of course, they even got rid of the diversity program, which, as the President noted, I was the author of and which has brought millions of people to this country who are working hard and are good citizens now.

So it is almost everything the President requested in his televised Tuesday meeting, which got such good reviews from one end of the country to the other.

This bill is certainly not how Democrats would have written the bill if we were in charge, and it is not how Republicans would have written the bill if they were the only party in America. If they were, they might go for the proposal from the Senator from Arkansas. But it is on the hard right. Seventy percent of America is for Dream and DACA—I think 80 percent now. Most Americans are for a comprehensive immigration bill that does all these things. So if we want to get something done, we ought to compromise in a bipartisan way.

For those on this side and in the other body who say we need defense, the way we are going to get it is through bipartisan compromise. This side does not object to increasing defense alongside of other needs that are just as important, in our judgment. A parent whose son or daughter died of opioid addiction because they couldn't get treatment doesn't think that opioid addiction should play second fiddle to any proposal.

The majority leader dismissed the urgency of solving the fate of Dreamers. He calls it a manufactured crisis. It was manufactured by the Republican Party. President Trump rescinded the DACA Program, not a Democrat. It was the majority leader's decision to kick the can down the road for months

while bipartisan majorities would have likely supported something close to the Dream Act. It was President Trump who turned his back on a bipartisan solution last week and used vulgarities to demean the ancestral homelands of so many Americans. And almost no American doubts that the President used those terms. Nobody doubts it—hardly anybody.

As I said yesterday, a very fair, bipartisan deal remains on the table. Senators DURBIN and GRAHAM will release the text of their legislation today. My Republican colleagues, I hope, will consider it. And I recommend we get on the bill, and then we can solve the problems that some on one side see—needs for defense—seen on both sides; some of the problems this side sees; some of the problems that side sees; and not do the kind of bill that leaves out or kicks the can down the road for many more problems.

I challenge President Trump: Step up to the plate and take yes for an answer. Democrats have met you halfway, Mr. President. You meet us halfway. The time for political posturing is running short.

Bipartisan groups of Senators and Congressmen are fervently working towards a deal. President Trump ought to get on board, or Congress will move forward without him.

#### CHINA TRADE POLICY

Mr. SCHUMER. Mr. President, on one other issue—this is really in my craw—the New York Times reported that one of the fastest growing Chinese car companies is plotting ways to sell cars in America. According to the Times, by pursuing a partnership with Fiat Chrysler, the Chinese state-owned company GAC Automobiles hopes to enter the U.S. market through the backdoor. It would be the first Chinese car maker to sell in the United States. If they were to do so, they would face a 2.5-percent tariff here in the United States. Meanwhile, if a U.S. automaker sold cars in China, it would face a 25-percent tariff—10 times higher—and would have to compete with state-owned businesses and unfair regulations.

So while China prevents U.S. automakers from gaining a foothold in their country with prohibitive tariffs—what the Times called “the highest trade barriers by far of any major car market”—they are plotting ways to eat into our market. It is manifestly unfair and a perfect example of China's rapacious trading policies.

President Trump and his campaign won a lot of votes by promising over and over again that he would crack down on Chinese mercantilism, but once in office, unfortunately, like so many of his other promises and commitments to working Americans, he has not done it. And he has delayed trade enforcement against China time and time again. Even the studies he has commissioned have been delayed.

We need to get serious about these flagrant trade abuses before it is too late. Middle-class jobs and bedrock American industries are at stake.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### RAPID DNA ACT OF 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to concur in the House amendment to S. 139, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell amendment No. 1870 (to the House amendment to the bill), to change the enactment date.

McConnell amendment No. 1871 (to amendment No. 1870), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

#### TRUTH AND DEMOCRACY

Mr. FLAKE. Mr. President, near the beginning of the document that made us free, our Declaration of Independence, Thomas Jefferson wrote: “We hold these truths to be self-evident.” So from our very beginnings, our freedom has been predicated on truth. The Founders were visionary in this regard, understanding well that good faith and shared facts between the governed and the government would be the very basis of this ongoing idea of America.

As the distinguished former Member of this body, Daniel Patrick Moynihan of New York, famously said, “Everyone is entitled to his own opinion, but not his own facts.” During this past year, I am alarmed to say, Senator Moynihan's proposition has likely been tested more severely than at any time in our history. It is for that reason that I rise today to talk about the truth and the truth's relationship to democracy, for without truth and a principled fidelity to truth and to shared facts, our democracy will not last.

Mr. President, 2017 was a year which saw the truth—objective, empirical,

evidence-based truth—more battered and abused than at any time in the history of our country, at the hands of the most powerful figure in our government. It was a year which saw the White House enshrine “alternative facts” into the American lexicon as justification for what used to be simply called old-fashioned falsehoods. It was a year in which an unrelenting daily assault on the constitutionally protected free press was launched by the same White House, an assault that is as unprecedented as it is unwarranted.

“The enemy of the people” was what the President of the United States called the free press in 2017. It is a testament to the condition of our democracy that our own President uses words infamously spoken by Joseph Stalin to describe his enemies. It bears noting that so fraught with malice was the phrase “enemy of the people” that even Nikita Khrushchev forbade its use, telling the Soviet Communist Party that the phrase had been introduced by Stalin for the purpose of “annihilating such individuals” who disagreed with the supreme leader. This alone should be the source of great shame for us in this body—especially for those of us in the President’s party—for they are shameful, repulsive statements.

And, of course, the President has it precisely backward—despotism is the enemy of the people. The free press is the despot’s enemy, which makes the free press the guardian of democracy. When a figure in power reflexively calls any press that doesn’t suit him “fake news,” it is that person who should be the figure of suspicion, not the press.

I dare say that anyone who has the privilege and awesome responsibility to serve in this Chamber knows that these reflexive slurs of “fake news” are dubious at best. Those of us who travel overseas, especially to war zones and other troubled areas all around the globe, encounter members of U.S.-based media who risk their lives and sometimes lose their lives reporting on the truth. To dismiss their work as fake news is an affront to their commitment and their sacrifice. According to the International Federation of Journalists, 80 journalists were killed in 2017. A new report from the Committee to Protect Journalists documents that the number of journalists imprisoned around the world has reached 262, which is a new record. This total includes 21 reporters who are being held on “false news” charges.

So powerful is the Presidency that the damage done by the sustained attack on the truth will not be confined to this President’s time in office. Here in America, we do not pay obeisance to the powerful. In fact, we question the powerful most ardently. To do so is our birthright and a requirement of our citizenship. And so we know well that, no matter how powerful, no President will ever have dominion over objective reality. No politician will ever tell us what the truth is and what it is not.

And anyone who presumes to try to attack or manipulate the press for his own purposes should be made to realize his mistake and be held to account. That is our job here. That is just as Madison, Hamilton, and Jay would have it.

Of course, a major difference between politicians and the free press is that the free press usually corrects itself when it has made a mistake. Politicians don’t.

No longer can we compound attacks on truth with our silent acquiescence. No longer can we turn a blind eye or a deaf ear to those assaults on our institutions.

An American President who cannot take criticism, who must constantly deflect and distort and distract, who must find someone else to blame, is charting a very dangerous path. And a Congress that fails to act as a check on the President adds to that danger.

Now we are told via Twitter that today the President intends to announce his choice for the “most corrupt and dishonest” media awards. It beggars belief that an American President would engage in such a spectacle, but here we are.

So 2018 must be the year in which the truth takes a stand against power that would weaken it. In this effort, the choice is quite simple, and in this effort, the truth needs as many allies as possible. Together, my colleagues, we are powerful. Together, we have it within us to turn back these attacks, to right these wrongs, repair this damage, restore reverence for our institutions, and prevent further moral vandalism. Together, united in this purpose to do our jobs under the Constitution, without regard to party or party loyalty, let us resolve to be allies of the truth and not partners in its destruction.

It is not my purpose here to inventory all the official untruths of the past year, but a brief survey is in order. Some untruths are trivial, such as the bizarre contention regarding the crowd size at last year’s inaugural, but many untruths are not at all trivial, such as the seminal untruth of the President’s political career—the oft-repeated conspiracy about the birthplace of President Obama. Also not trivial are the equally pernicious fantasies about rigged elections and massive voter fraud, which are as destructive as they are inaccurate; to the effort to undermine confidence in the Federal courts, Federal law enforcement, the intelligence community, and the free press; to perhaps the most vexing untruth of all—the supposed “hoax” at the heart of Special Counsel Robert Mueller’s Russia investigation.

To be very clear, to call the Russian matter a “hoax,” as the President has done so many times, is a falsehood. We know that the attacks orchestrated by the Russian Government during the election were real. They constituted a grave threat to both American sovereignty and to our national security.

It is in the interest of every American to get to the bottom of this matter, wherever the investigation leads.

Ignoring or denying the truth about hostile Russian intentions toward the United States leaves us vulnerable to future attacks. We are told by our intelligence agencies that these attacks are ongoing. Yet it has recently been reported that there has not been a single Cabinet-level meeting regarding Russian interference and how to defend America against these attacks—not one. What might seem like a casual and routine untruth—so casual and routine that it has now become the white noise of Washington—is, in fact, a serious lapse in the defense of our country.

Let us be clear. The impulses underlying the dissemination of such untruths are not benign. They have the effect of eroding trust in our vital institutions and conditioning the public to no longer trust them. The destructive effect of this kind of behavior on our democracy cannot be overstated.

Every word that a President utters projects American values around the world. The values of free expression and reverence for the free press have been our global hallmark, for it is our ability to freely air the truth that keeps our government honest and keeps the people free. Between the mighty and the modest, truth is a great leveler. So respect for freedom of the press has always been one of our most important exports.

But a recent report published in our free press should raise an alarm. I will read from the story: “In February, Syrian President Bashar Assad brushed off an Amnesty International report that some 13,000 people had been killed at one of his military prisons by saying, ‘You can forge anything these days,’ we are living in a fake news era.”

In the Philippines, President Rodrigo Duterte has complained of being “demonized” by “fake news.” Last month, the report continues, with our President “laughing by his side” Duterte called reporters “spies.”

In July, Venezuelan President Nicolas Maduro complained to the Russian propaganda outlet that the world media had “spread lots of false versions, lots of lies” about his country, adding: “This is what we call ‘fake news’ today, isn’t it?”

There are more.

A state official in Myanmar recently said: “There is no such thing as Rohingya. It is fake news.”

He was referring to the persecuted ethnic group.

Leaders in Singapore, a country known for restricting free speech, have promised “fake news” legislation in the next year—and on and on and on.

This feedback loop is disgraceful. Not only has the past year seen an American President borrow despotic language to refer to the free press, but it seems he has now, in turn, inspired dictators and authoritarians with his own language. That is reprehensible.

We are not in a “fake news” era, as Bashar Assad said. Rather, we are in an era in which the authoritarian impulse is reasserting itself to challenge free people and free societies everywhere.

In our own country, from the trivial to the truly dangerous, it is the range and regularity of the untruths we see that should be the cause for profound alarm and spur to action. Add to that the by now predictable habit of calling true things false and false things true, and we have a recipe for disaster.

George Orwell warned: “The further a society drifts from the truth, the more it will hate those who speak it.”

Any of us who have spent time in public life have endured news coverage we felt was jaded or unfair, but in our positions, to employ even idle threats, to use laws or regulations to stifle criticism is corrosive to our democratic institutions. Simply put, it is the press’s obligation to uncover the truth about power. It is the people’s right to criticize their government, and it is our job to take it.

What is the goal of laying siege to the truth? In his spurring speech on the 20th anniversary of the Voice of America, President John F. Kennedy was eloquent in the answer to that question. He said:

We are not afraid to entrust the American people with unpleasant facts, foreign ideas, alien philosophies, and competitive values. For a nation that is afraid to let its people judge the truth and falsehood in an open market is a nation afraid of its people.

The question of why the truth is now under such assault may be for historians to determine, but for those who cherish American constitutional democracy, what matters is the effect on America and her people and her standing in an increasingly unstable world, made all the more unstable by these very fabrications. What matters is the daily disassembling of our democratic institutions.

We are a mature democracy. It is past time to stop excusing or ignoring or, worse, endorsing these attacks on the truth. For if we compromise the truth for the sake of our politics, we are lost.

I sincerely thank my colleagues for their indulgence today. I will close by borrowing the words of an early adherent to my faith that I find has special resonance at this moment. His name was John Jacques. As a young missionary in England, he contemplated the question: What is truth? His search was expressed in poetry and ultimately in a hymn that I grew up with titled, “Oh Say, What is Truth?” It ends as follows:

Then say, what is truth? ’Tis the last and the first,

For the limits of time it steps o’er.  
Tho the heavens depart and the earth’s fountains burst,

Truth, the sum of existence, will weather the worst,

Eternal, unchanged, evermore.

Thank you, Mr. President.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to thank my colleague Senator FLAKE for his words and to join with him in standing up for the First Amendment.

When I was at home over the last recess, I read Senator FLAKE’s book, and one of the many things I took away from that book, which I thought was quite an amazing book, was the fact that when he was growing up, his family had a 3-by-5 card on their refrigerator. They looked at it every day, and it said: “Assume the best and look for the good.”

The way he has articulately talked about our Constitution today, he is assuming the best, as we all should do, about the citizens of this country and that they will look at this document and care about this document and understand why the First Amendment is so important to our freedom.

For me, this started at home. My dad was a reporter his entire life. He went from a hardscrabble mining town in Ely, MN, to go to a 2-year community college, and then got a journalism degree at the University of Minnesota. He got his first job at the Bismarck paper in North Dakota. He served during the Korean war and finally ended up at the Star Tribune in Minneapolis.

He went from that mining town and saw the world. He got to interview everyone from Ronald Reagan to the Chicago Bears coach, Mike Ditka, to Ginger Rogers. But through it all, he saw his mission as a mission of searching for the truth, whether it was standing outside of political conventions through tear gas or whether it was calling the election in 1960, when he was with the AP, for John F. Kennedy.

The world has changed since my dad was a journalist, but the role of journalism hasn’t changed in any way. We need the protection of the First Amendment now more than ever. As Senator FLAKE has pointed out, it was Thomas Jefferson and our Founding Fathers who saw the importance of journalism and the importance of the First Amendment. Thomas Jefferson once wrote that our first objective should be to leave open “all avenues to truth,” and the most effective way of doing that is through the freedom of the press.

While the most extreme forms of anti-press behavior have happened abroad, as pointed out by Senator FLAKE—with journalists being murdered, being put in fear of their very lives and their families’ lives—there has been a growing aggression toward journalists in our own country.

During the campaign, then-Candidate Trump mocked a disabled reporter. During his Presidency, he has referred to journalists as dishonest, as disgusting, as scum. During President Trump’s first month in office, his administration coined the phrase “alternative facts,” attempting to undermine the fact-checking efforts of reporters. That same week, another senior White House official said that the press should “keep its mouth shut.”

The President has taken to Twitter countless times to attack news organizations and to discredit specific journalists. He has threatened to challenge the licenses of specific news networks and these networks that ran negative stories. There are even reports that the administration is using anti-trust enforcement authority as leverage to secure positive media coverage.

Just last week, the President suggested weakening the very laws that protect journalists. He threatened to open up our libel laws so that he could sue the media for writing negative or unfavorable stories. This is unacceptable. This is unacceptable because we are a beacon for the freedoms across the world, but it is also unacceptable here at home.

So what can we do about it? We can make sure that this administration’s views, first of all, are not carried through into the actions of the Department of Justice. We must ensure that the Department continues to follow the guidelines that have been in place for a number of years to protect journalists, even if those journalists criticize the government and even if they uncover facts that are uncomfortable for the government.

During his time in office, Attorney General Eric Holder committed not to put reporters in jail for doing their jobs. He also strengthened the Justice Department protections for journalists and their sources. The loophole was closed that allowed the government to get around bans on search warrants for reporting material. They tightened guidelines that are used to issue subpoenas that would require journalists to disclose their confidential sources. They understood the roles these guidelines play in our democracy. Attorney General Holder said they strike an appropriate balance between law enforcement’s need to protect the American people and the news media’s role in ensuring the free flow of information.

Over the last year, during Judiciary hearings, I asked Attorney General Sessions twice if he would commit to protecting journalists from being jailed for doing their jobs. It was a simple question. He wouldn’t. Both times he would not commit, and he said he had to review the rules. Well, it has been nearly a year, and there has been enough time to review the rules. I still have not received an answer to my question. I think we would all agree that after almost a year as leader of the Justice Department, it is past time he made this commitment.

Let me be clear. The President doesn’t have the legal authority to undercut our libel laws. No matter what he says, our courts still uphold the safeguards and must uphold the safeguards we place on the press’s freedom.

In *New York Times v. Sullivan*, the landmark Supreme Court decision is crystal clear in its protections of journalists who cover public officials. The standard for libel is well established. It is not subject to the whims of the politics on any given day.

While Supreme Court Justice Neil Gorsuch and I do not agree on much, I questioned him on this landmark decision, and he agreed that the precedent is clear on First Amendment protections for journalists. The American people deserve the truth, and we rely on journalists to keep digging for it. That is something to celebrate, not to undermine.

Standing up for freedom—even one as fundamental as the freedom of the press—isn't always easy, but it is vitally important. The future of our democracy depends on the ability of journalists to do their jobs. We must uphold this freedom every single day.

With all of this in mind, I thank Senator FLAKE for his very important remarks, and I urge this Chamber to do everything we can to live up to Jefferson's words and to protect this essential avenue to truth.

I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant Democratic leader.

Mr. DURBIN. Mr. President, I thank my colleagues, Senator FLAKE from Arizona and Senator KLOBUCHAR from Minnesota, for bringing this timely issue to the floor.

We are facing an attack on an American institution—an attack on our freedom of the press. Sadly, the President is making an award of some kind to what he considers to be corrupt media, but I am afraid, once again, his actions will cast a shadow over our constitutional commitment to the basic freedoms we enjoy in America.

We all know why freedom of the press was included in the Bill of Rights: because the Founding Fathers—those who crafted those critical words that have led us for more than two centuries—believed there should be an accountability, accountability when it came to the government, its actions, and to public officials. That accountability sometimes is painful, as Senator FLAKE has acknowledged. Many of us, as Members of the Senate, House, and other political roles, really hate to receive certain phone calls and questions from members of the press, but it is part of our responsibility, as public servants, as public officials, to be accountable to the public. That is what freedom of the press is about. I think that is the part that troubles and worries and pains the President the most; that he will be held accountable for the things he has said and the things he has done.

This notion of “fake news,” unfortunately, is a phrase which is being used, as Senator FLAKE noted, by despots and authoritarians around the world to try to silence critics and to silence the press in their countries. We cannot allow this regimen of “fake news” and “alternative facts” and words like those to diminish our commitment to the basic constitutional protection of freedom of the press. It is essential to the future of our democracy.

#### IMMIGRATION

On January 11, last Thursday, I was invited to a meeting at the White

House to discuss the issue of immigration. Sadly, at that meeting, there were things said by the President and those who were with him on the issue which I believe constituted an attack on another basic element of American history: the history of immigration.

We are a nation of immigrants. That diversity that has come to these shores from all across the world is a diversity which makes us strong. We consider our land of origin, whatever it may be, but we love the land we live in. That was what immigration has meant to us and to previous generations for so many years.

Words spoken by the President at that meeting were stunning and, in some respects, disgusting to think that the President would make the comments he did. For the sake of our CONGRESSIONAL RECORD, for the Senate, and for those who are watching, I will not repeat the President's words. They have been reported in the press, but I want to go to the heart of his criticism.

He was raising a basic question as to whether the United States should continue to be open to immigration from all around the world. I believe we should. Americans believe we should. We know that men and women, even of humble circumstances, who come to the United States determined to make a life, to make a future, and to help their families have made a profound difference in our country, in terms of its past and its future, and they have come from every corner of the world.

Senator LINDSEY GRAHAM was at that same meeting on January 11. He spoke up when the President uttered those infamous words which have been reported, and he noted that when it came to his family, they came from one of the countries the President described, and they came with little or nothing to offer, but they wanted to be part of America. They came here and made a business, made a life, made a future, and brought to the Senate an extraordinary Member representing the State of South Carolina. Many of us can tell the same story.

My mother was an immigrant to this country. She was brought here in 1911 at the age of 2 from Lithuania. Lithuania was not exactly a prosperous nation in those times. It was under the thumb of a Russian czar, and it is one of the reasons my family left. One thing my grandmother carried with her on that trip, and I still have today, was a Roman Catholic prayer book, written in the Lithuanian language, which had been banned by the Russian Government. She secreted this away in her luggage and brought it to the United States because she knew, and we know, that there is freedom of religion in this country, and no government was going to stop her from saying her prayers in her own language. That is my story. That is my family's story. That is America's story.

What the President said in the White House last week did not recognize that

fundamental truth; that people just like my mother and my grandmother and just like LINDSEY GRAHAM's parents came to this country not because they were engineers, Ph.D.s, or wealthy people, they came here with the desire to build a life and to build a nation, and they have done it.

When we hear all this talk about merit immigration, let's have merit selection of the people who are coming to these shores—of course, there are certain experts we bring in with certain visas to fill needs in business and research, but, by and large, we bring to this country people who are desperate to be part of our future, and we also bring people who want to be part of their family.

We hear this phrase, “linked migration”; that somehow or another, if we bring one immigrant in, they are going to bring in 100, and some of them may not be desirable. What we find overwhelmingly is just the opposite is true. It is family unification. It is building the strength of a family. Isn't that fundamental to who we are as Americans?

I know, in my family and many others, relatives who came in from other places really strengthened our family unit and gave us a chance to help one another have a chance to succeed.

Now we face a critical moment—a critical moment on the issue of immigration. I listened to the Republican leader come to the floor today, Senator MCCONNELL, and when he speaks of DACA and the Dreamers, he uses the words “illegal immigration.” Technically, I suppose it is illegal. Those we are talking about are undocumented, but we have drawn a distinction over the years as to what happened to these young people and why they should be seen differently.

They were brought to the United States as infants and toddlers and children—at best, teenagers—who had no voice in whether they were coming to this country. Did they break the law by overstaying a visa or crossing the border? Well, technically, of course they did, but should they be held culpable today? Should we deport these young people or give them a chance to be part of our future? This is not some idle philosophical discussion. This is a discussion made real by this administration, the Trump administration.

It was September 5, of last year, when this President announced he was going to repeal DACA—the program started by President Obama to protect these young people living in the United States. Seven hundred eighty thousand of them have enrolled, and President Trump said, as of March 5, 2018, that program will be ended. Then he turned and challenged the U.S. Congress: Pass a law. If you don't like what I have done with this Executive order, pass a law.

So here we are, over 4 months later, and the question has to be asked of the Republican leaders in the House and

the Senate: What have you done to answer the President's challenge? The answer, quite honestly, is precious little, if anything.

The Republican leader comes to the floor today and says: There is no hurry. We can get to this later. It will not expire until March 5. What he ignores is the obvious: 15,000 protected young people lost that protection during this period since September 5—122 a day are losing that protection.

Fortunately, last week, a California court stepped in and said: Stop taking away the protection of DACA from these young people. So we have a temporary stay, being challenged by the Trump administration, which protects these young people for now, but that protection could end in a court decision tomorrow. That is the reality of life for young people.

Yesterday, in the Senate Judiciary Committee, we asked the Secretary of the Department of Homeland Security: Do you believe the President can extend his March 5 deadline for the end of DACA?

She said: No; the President said he doesn't have that authority.

Well, I will trust her statement and her judgment on that, but it further should put to rest this argument made by Senator MCCONNELL that we have all the time in the world to deal with this issue.

Let me tell you, on March 5—the deadline imposed by the President. As of March 5, horrible things will happen to innocent people. One thousand young people a day, protected by DACA, will lose their protection. I had one of them at the hearing yesterday. She is a young woman who has used her extraordinary skills to apply to medical school, and Loyola University Stritch College of Medicine accepted DACA-protected young people for the first time. There are 28 of them in their ranks.

She wants to be a doctor. She has helped people in underserved areas throughout her young career, but we know—everyone knows—that becoming a doctor means serving a residency, working those long hours to learn what it means to face clients or patients in a clinical setting. To become a resident, you need to be employed to take that job.

If this young woman, who has devoted so many years of her life to her dream of being a doctor, loses the protection of DACA, she cannot apply for residency. She is finished. There will be no further progress in her medical education. That will happen, starting on March 5, to 1,000 young people a day. So I would say to Senator MCCONNELL, the Republican leader, there is a sense of urgency. We can't put this off.

The good news is, six U.S. Senators—three of us on the Democratic side and three on the Republican side—have been doing what no other committee has done, no other Senators have done. We put together a bipartisan compromise that moves us forward on this

DACA issue. It is something that took 4 months, and they weren't an easy 4 months. They were difficult. We had to debate some of the hardest issues and come to an agreement. I ended up giving ground on some things which I wish I didn't have to, and I am sure those on the Republican side feel the same way, but that is why we were sent here—weren't we?—Democrats and Republicans, to find a solution to the problems that face us, and this is a very real problem.

So now the Republican leader comes to the floor and says: We don't have time to discuss this. We have to get out of here at the end of the week. Well, I disagree with him. We have enough time to do it.

Take a look at this empty Senate floor and tell me we don't have enough time to take care of the DACA issue. Tell me we don't have an opportunity to come to this floor and bring the Senators here and do what we were elected to do—to debate this issue, to vote on this issue, to solve a problem in America. This empty Chamber is testimony to the fact that the Senate has done precious little for the last year and plans to do just about the same during the course of this year.

I am proud to be a Member of the Senate, but I will tell you, I was prouder in the days when we actually debated measures on the floor, we ended up passing legislation to deal with America's challenges and problems, instead of what we face today—an exchange of speeches in an empty Chamber. So we have work to do.

This morning, I went over to the Department of Defense and met with Secretary Mattis. I respect him. He is our Secretary of Defense and was a four-star general in the Marine Corps. The man has served his country with distinction. He talked about what is going to happen to the budget of the Department of Defense if Congress doesn't act. We told him we want to get this job done, but we also said to Secretary Mattis: There are other elements of this government, there are other issues before us that need to also be brought forward.

You heard Senator SCHUMER from New York, the Democratic Senate leader, come to the floor and turn to Senator MCCONNELL and say: Why is it always a take-it-or-leave-it when it comes to these measures? Why aren't we sitting down, on a bipartisan basis, to come up with a good way to move forward?

It has been 119 days into this fiscal year, and we still don't have a budget for the United States of America. That is not just embarrassing, it is scandalous. To think that we have over \$1 trillion that needs to be debated and spent, and we haven't been able to do it, and we are one-third through this fiscal year. The net result of that, of course, is to waste precious taxpayer dollars and the energy of our elected officials who want to be applying that energy to solving problems rather than the problems Congress creates.

We can do this, and we can do it on a bipartisan basis. Senator LINDSEY GRAHAM and I, along with four of our colleagues, have a measure we are going to present to the U.S. Senate. The purpose of that measure is to make it clear we are ready to debate, we are ready to move forward, and we are ready to solve this problem that faces hundreds of thousands of young people across the United States of America.

Some can call it illegal immigration, as Senator MCCONNELL has, others have called it amnesty. Whatever they wish to call it, 80 percent of Americans believe we can solve this problem.

As you walk around the Capitol and the Capitol buildings, you will see young people who may step forward to introduce themselves. Many of them have never been to Washington before. I met one yesterday who had driven for 35 hours to come here. Why was she standing in the corridors of the Dirksen Building on Capitol Hill? She is a Dreamer. She is protected by DACA. Her whole life is hanging in the balance as to whether this Congress will actually do something to solve the problem.

She and others have come forward to challenge us. We should accept that challenge, and we should meet it this week. We should say to President Trump: We have met the challenge that you put forth just 8 days ago, when on Tuesday of last week you said to us: Send me a bill, and I will sign it. I will take the political heat. And don't take a lot of time to do it.

We met that challenge with this bipartisan measure that we proposed, and now we challenge others on the same issue. Come forward with your proposal. Come forward with your idea. If you don't, at least give us a chance to present this bipartisan measure, which we have worked on long and hard, to solve this critical issue.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULIVAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FUNDING THE GOVERNMENT

Mr. HATCH. Mr. President, as we move closer to the expiration date for Federal Government funding at the end of the week, there is no shortage of rancor in the air. Pundits and partisans have, for weeks now, been arguing incessantly about a wide range of issues, all of which, in one way or another, have been tied to the fast-approaching deadline. Don't get me wrong, there are legitimate issues at play this week. These debates, to the extent they are focused on solutions, are meaningful, and I am optimistic we can find solutions.



Today I would like to talk about some of the more positive developments we have seen recently with regard to healthcare aspects of the current debate. As we know, last night, leaders in the House unveiled a legislative package that would keep the government funded as well as address some bipartisan healthcare priorities, including some issues I have personally been working on for some time. I am hoping the House will pass this legislation in short order and that the Senate will quickly follow suit.

Let me talk about some of the specifics in the package. First, the House bill would extend funding for the Children's Health Insurance Program for 6 years, which is the longest extension since the creation of the program. As I am sure the Presiding Officer knows, I am the original author of the CHIP Program. Twenty years ago, Senator Ted Kennedy joined with me to draft the original CHIP legislation and to move it through Congress on a bipartisan basis. I have maintained my commitment to this program for the past two decades, even during times when others sought to change it dramatically from its original purpose.

During this Congress, as the chairman of the Finance Committee, I have been working with colleagues on a long-term reauthorization of CHIP, despite some contrary claims that I and the Republican leadership had somehow neglected or forgotten about the CHIP Program and had no intention of reauthorizing it. It is no secret that I have taken some flak in some corners of the Senate from colleagues looking to get some political mileage out of the issue I have worked so hard to keep bipartisan, but I will remind my colleagues that this past September, the Finance Committee's ranking member, Senator WYDEN, and I introduced a long-term, bipartisan CHIP extension bill that was overwhelmingly reported out of the committee. A number of my colleagues, including some who were on the committee and voted in favor of that bill, seem to have forgotten this legislation had been drafted and reported. We have endured a number of speeches and television appearances from colleagues accusing Republicans of "abandoning children in need." My gosh. This is even though our friends on the other side were entirely aware that the effort to reauthorize the program had been continually moving forward.

The House's bill is identical to the legislation Senator WYDEN and I introduced last fall, except that the funding continues for 1 more year. As I noted, it extends CHIP for 6 years. We have never gotten such a long extension since the creation of the program over 20 years ago.

I hope my colleagues in the Senate, particularly those who have been so outspoken and righteous in their condemnations of Republicans regarding CHIP will support this legislation. It would be odd to see them vote it down

after all the acrimony we have endured over the past few months.

In addition to the historic CHIP reauthorization, the House legislation addresses some other long-term priorities of mine: the taxes imposed by the so-called Affordable Care Act. Under the bill, the job-killing medical device tax will be delayed for another 2 years. This foolhardy tax, which has been criticized and condemned by Members of both parties, will come back into effect at the start of this year.

Eliminating this tax has been an important cause to me since the day ObamaCare was signed into law. Utah is home to some of our Nation's most innovative medical device companies, and the United States has led the world in developing lifesaving and life-improving medical technology, an advantage that was threatened by this poorly crafted and irresponsible tax. I would like to see the medical device tax repealed entirely. I have introduced a number of bills to that effect over the years, but until we get that done, it is important that we keep shielding American consumers, patients, families, and job creators from the impact of this tax. The House bill would prevent the medical device tax from hitting any device innovators and their customers until 2020 at the earliest.

The House package also extends the delayed impact of the so-called Cadillac tax, which is another one of ObamaCare's ill-advised shots aimed at the middle class. Again, Members from both parties have expressed concern and opposed this tax. Previous delays have received broad bipartisan support. The House bill would put off the impact of the Cadillac tax through 2021, and I am hopeful this delay receives bipartisan support in the House and Senate.

Finally, the bill would pull back the health insurance tax, which is another reckless tax provision, for 2019. This tax targets small businesses and middle-class consumers. There is not even a set rate for this tax. There is a revenue target, and the rate moves around from year to year in order to raise a specified amount. The results are increased costs passed along to insurance beneficiaries in the form of higher premiums and increased burdens on small businesses. The House bill will give additional relief from this tax starting in January of next year so insurers can lower premiums before the 2019 filing period.

So, as we can see, in addition to keeping the government open, the legislative package unveiled last night in the House would address some key bipartisan healthcare priorities.

I urge my colleagues on both sides of the aisle to support this approach. Given their recent statements on some of these issues and their past votes, I think many Democrats would have a hard time explaining to their constituents why they oppose these measures.

While there are still a number of healthcare priorities that must be ad-

ressed as quickly as possible, including Medicare extenders, I am very pleased to see the House moving forward with a long-term extension of CHIP and relief to some of the most burdensome ACA taxes. I have been working with my colleagues in both parties and in both Chambers to bring these efforts to fruition. Once again, I hope all of my colleagues will join me in supporting this legislation once we receive it from the House.

Having said that, let me make my second set of remarks.

#### IMMIGRATION

Mr. President, I rise to speak on immigration reform. For nearly 20 years, we have been talking about the Dreamer population. We have been talking about border security for just as long. It is time we did something, and there is a lot of desire among my colleagues to find a path forward to make a deal, but as I said at yesterday's Judiciary Committee hearing, to do that, we need to be realistic.

To my Democratic friends, I say it is time to stop pushing for a clean Dream Act. As a matter of simple political reality, it is not going to happen.

To my Republican friends, I say we are not going to get the Sun, the Moon, and the stars. We should push for the best deal we can get, but we shouldn't let the perfect be the enemy of the good. So let's be realistic, and I say that to both sides, as one who has made a lot of deals in my time.

Here is where I am on the issue.

First, we need a deal that has broad support. I hope we can get that support from both sides. Certainly, with the Republican majority in Congress, any deal that moves forward must have broad Republican support and be supported by the President.

Second, we should be wary of false deadlines. There has been a lot of discussion that we need to have a bill done by this date or that date, even though those dates have nothing to do with relevant program deadlines. We should not create a false cliff and then plunge over it in a rush to get something done right this second. A deal on DACA is a deal worth doing, and it is worth doing right. Moreover, a deal on DACA should not just be about DACA.

Third, we need a deal that is going to help our economy. Our goal here should be to strengthen our country. We do that by supporting communities and families and by ensuring that law enforcement has the tools it needs to keep our country safe, but we also strengthen our country by helping businesses thrive and create good, high-paying jobs for our workers.

Fourth, we need a legislative solution for DACA. We can't keep kicking the can down the road and relying on dubious legal authority to keep individuals in our country. It is not fair to them, and it is not fair to others who are seeking to enter our country legally.

Fifth, we need meaningful improvements to border security and interior

enforcement, not a figleaf, not window dressing—real reform. There has been a lot of talk about a wall. To those who are unwilling to entertain any deal that will have wall funding, I say: Let's not let something that would amount to less than one-tenth of 1 percent of the Federal budget scuttle a once-in-a-generation deal.

Sixth, we need to close loopholes and reduce fraud and abuse. One area that has been particularly susceptible to these problems is the diversity visa lottery. I have long been skeptical of the program. In fact, I introduced legislation in 2011 to sunset the program unless changes were made to cut back on fraud and abuse.

Another area that constitutes an enormous potential loophole is the ability of individuals to come to our country illegally but then use family relationships to absolve themselves of the consequences of their illegal actions. I think it is a problem to allow people who come into our country in open violation of our laws to turn around and avail themselves of our Constitution and laws to backdoor themselves into lawful status. We need a better system than that.

Finally, I think high-skilled immigration needs to be part of the discussion. There has been a lot of talk recently about merit-based immigration. Well, high-skilled immigration is merit-based immigration. It is immigration targeted at the best, the brightest, and the most highly educated.

Next week, I plan to reintroduce my Immigration Innovation Act, or I-Squared Act. This bipartisan legislation, newly updated for this Congress, will better align high-skilled visas with market demand so that employers are able to hire the talent they need. It will help end our stupid practice of educating people here in the United States and then sending them back home to compete against us, and it will stop some of the troubling abuses we have seen with the H-1B visa program. We should welcome the best and the brightest in the world, regardless of their origin. My I-Squared Act will help us to do that.

Our immigration laws are a mess. They are a morass of conflicting and confusing obligations that reflect past Congresses' pet projects and idiosyncrasies, rather than any real overarching principle. I want a system that makes sense. I want a system that is merit-based. I want a system that doesn't penalize people who were brought to our country illegally through no fault of their own but that also discourages future unlawful entries. Surely, we can have a system that does both. Surely, we can find a path forward that is fair and just to the Dreamer population but that reduces future illegal immigration. Surely, we can design a system focused around economic growth rather than arbitrary allocations of visa numbers, and, surely, we can create an immigration pol-

icy that focuses on what individuals will contribute to our country rather than where they came from or who they know.

In short, as I said earlier, we should welcome the best and the brightest in the world, regardless of their country of origin. That should be our mantra as we move forward.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR RECESS

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### FUNDING OUR MILITARY

Mr. SULLIVAN. Madam President, I was just in the Presiding Officer's chair and saw my colleague and my friend for whom I have a lot of respect, the Democratic whip, talking about some of the issues we are looking at right now, in particular, military spending and the appropriations we need to fund our military. He mentioned it was a priority. Certainly, it should be a priority. It is probably the most important thing we do here in the Congress. He said they are focused on it. We should all be focused on it.

I just thought I would reply a little because I think the facts of what has been going on here on the floor of the Senate the last couple of years would make one skeptical of that claim that it has been a focus of theirs.

Let me just give a few examples. I know the Presiding Officer is very familiar with all of these. In the last administration, from 2010 to 2016, military spending for the United States was cut by almost 25 percent. That was led by the previous President, despite the fact that there is no one who doubts that national security threats to our Nation have increased: We are going to cut defense spending by 25 percent—when there are threats around the world, and we know what they are—ISIS, Iran, China, and Russia. A lot of people like to talk about Russia, which is definitely a threat, but we are cutting defense spending by 25 percent. That makes no sense, but that is what has been going on.

When I got to the Senate, one of the first things that happened was that the previous administration decided that they were going to cut the Army by an additional 50,000 troops—Active-Duty Army troops. The Presiding Officer remembers the spring of 2015 and the big announcement that we were going to cut 50,000 more troops. That made no sense.

A number of us were very concerned about the direction the country was going, the Congress was going, and the administration was going with regard to our military. The good news is that there has been a bipartisan recognition that the cuts were way too dramatic and the increases and threats to our Nation have risen so significantly that we have to do something about rebuilding our military, rebuilding readiness, and rebuilding serious funding.

In this year's National Defense Authorization Act, led by my good friend from Arizona Senator MCCAIN, we actually authorized increased funding by up to \$700 billion. That was very bipartisan. As a matter of fact, there was a unanimous vote to move that out of the Armed Services Committee, on which I have the honor to serve with the Presiding Officer. Then, it was unanimous on the floor of the Senate. It was very bipartisan to authorize increased defense spending, but we haven't appropriated the dollars. So there is a difference there in terms of authorization and appropriations.

This has been a bipartisan failure of this body for years. How has it been working? We see how it has been working. We have these giant omnibus spending bills, usually, at the end of the year. If we can't do it, we do a CR, or a continuing resolution. It says that we will keep funding the government as is, and then we will do this giant bill with all of the spending for the year.

These CRs are really hurting our military. They hurt all kinds of Federal agencies because there is no predictability, but the one element of our Federal Government that really gets hurt by continuing resolutions—by these omnibus bills—is the men and women in the U.S. military.

As the Presiding Officer knows, general after general and civilian leaders in the military, whether Democrats or Republicans, come to the Congress and to our committee, and they say: These CRs are killing us; they are killing our readiness. We all say: Oh, yes, we know it is important. Then, this body does nothing. So it is not from a lack of effort.

I am going to tell a story that I think the other side doesn't want to remember, but I think it is really important to remember, particularly given what the minority whip said earlier today. When a number of us were elected in 2014, it was a big wave election. Twelve new Republican Senators came to this body, and they took control of the Senate. The one thing we said is this: We need to fix this appropriations process, which is clearly broken. We need to do

it the way it was intended—not with these smash-up derby, giant bills at the end of the year. We need to have a focused, disciplined approach to funding our government.

Everybody knows how it is supposed to work. You have the funding bills, 12 of them, and the Appropriations Committee, a very important and powerful committee, debates those for different sections of the Federal Government. They get voted on out of committee. Then, they come to the floor, and we vote on those 12 appropriations bills.

In 2015, a lot of us—particularly, the new Senators, and the Presiding Officer is one of them—said: We need to fix this. Let's do it the right way. And then we did. A lot of people don't remember, but the Appropriations Committee worked really hard under the Chairman, the great Senator from Mississippi, and they produced 12 appropriations bills in the spring of 2015.

As you know, most of those bills were bipartisan. Most of those bills came out of committee with really strong bipartisan numbers—so far, so good. We are trying to focus on this. We are trying to be disciplined.

The next step is that you bring the appropriations bills, one at a time, down to the floor. You debate them, and then you vote on them. Then, you try to get it over to the President to sign it—not a smash-up derby omnibus that is 5,000 pages, and nobody knows what is in it, but an appropriations bill on a singular subject.

That is what we tried to do. It came out of committee. We started bringing all those bills down to the Senate floor. Guess what happened at the next step? The minority leader was Harry Reid back in 2015. He decided that he was going to filibuster every one of those appropriations bills. Why? We said: Certainly, he is not going to filibuster things like the appropriations bill that came out of committee unanimously that funds our military. We have troops in combat. We have threats all over the world. That came out of committee. Let's at least vote on that one. Let's at least vote on the appropriations bill that came out of committee unanimously to fund our troops.

So what happened? The other side, led by the previous minority leader, Harry Reid, filibustered funding our troops. Let me repeat that. He filibustered funding our troops on a bill that was already out of committee unanimously—when our troops are at war.

So when I hear my colleagues on the other side say that they really care about funding the troops, I get a little skeptical. A number of us were quite upset about that. We went to our leader and said: Let's keep bringing this up. We guarantee you that if the people back home in any district in the country, your constituents—whether you are a Senator who is a Republican or Democrat—knew that they were filibustering funding the troops for no reason, they would get a little upset.

We brought that bill to the floor five different times over the course of a

couple of months, trying to get the singular appropriations bill to fund our military—which passed out of the Appropriations Committee unanimously—a vote on the Senate floor. Guess what. The other side filibustered it five times.

The Presiding Officer and I were on the floor with a bunch of our colleagues making the argument that this is outrageous, and then we asked the other side to come down and tell the American people why they were filibustering the funding for our troops. A lot of people here like to do the process thing, where they don't think people are watching—people in the Gallery, people on C-SPAN—and they never once came down and said: Here is why we filibustered funding for the troops five times in a row. They didn't want their constituents to see it because they knew their constituents—whether Democrats or Republicans—were going to say: You are doing what? You are filibustering the appropriations bill for the men and women who are fighting to defend our Nation? That is what you are doing?

Well, that is what they did. Yet they never explained it.

Again, when I hear the minority whip saying: We really care about funding the troops, I get a little skeptical. I am still waiting for the answer: Why did you do that?

As you know, we have a system right now that is broken. The budget system—the way we fund the government right now—I think, is a bipartisan failure. The normal way we appropriate and authorize is not working. It leads to what we are doing right now: these giant omnibuses, these continuing resolutions. It has happened so long—these year-end, smash-up derbies, where essentially, the leadership in the House and Senate—Democrat and Republican—and the White House go off somewhere, make a deal, and come back with this huge bill. It is not how the system is supposed to work. It is not doing our country justice.

Again, the good news is that there are a number of Senators—particularly some of the newer ones, a bipartisan group, by the way, of Democrats and Republicans—led by my friend and colleague from Georgia, Senator DAVID PERDUE, who are looking at a bipartisan way to fix this problem.

Right now the way we fund the government is that we have these end-of-the-year smash-up derby, massive, thousand-page omnibuses. When we can't get there, we do another CR, which really impacts our military negatively and a bunch of other elements of the Federal Government. We need to do better.

I am going to be working with my colleagues who are focused on this. It is going to be hard. It is not going to be easy. A lot of people like the smash-up derby approach, but it is not worthy of the American people who we are supposed to represent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### FUNDING THE GOVERNMENT

Mr. REED. Madam President, President Trump and the Republicans have been in charge of the White House, the House of Representatives, and the Senate for nearly a year now. Under their control, these three institutions have formed a Bermuda Triangle, if you will, for any kind of meaningful legislation that will help average Americans.

They devoted most of last year to a destructive attempt to eliminate health insurance coverage for 30 million Americans before pivoting to a partisan tax bill that benefits the powerful and costs trillions of dollars that could be spent many ways, including to enhance and improve our military equipment and our military personnel; \$1.5 trillion were dedicated to tax cuts for the wealthiest Americans and not to the men and women of the military. This tax legislation will also leave 13 million Americans without health insurance. So contrary to the President's declarations—or those of his campaign—that he has a great plan that will cover all Americans, 13 million Americans likely will lose their coverage.

Now, Congress is 2 days away from a government shutdown because, again, the majority and the President appear uninterested in governing, which means compromise. It means working on policy together with both Republicans and Democrats to deal with the real priorities—like jobs, education, infrastructure, and national security—that are essential to the American people.

The press has been focusing on the Trump-caused immigration crisis as the supposed cause for the Republican dilemmas at the moment. It is true that finding a solution for Dreamers is very important. Indeed, a poll cited by the Washington Post's editorial board this morning said that 82 percent of voters, including almost 70 percent of Republican voters, believe there should be a path to citizenship for Dreamers.

This immigration crisis is not the only unfinished business before Congress. We also have the Republican leadership's failure to make the effort early on to deal with some of the issues that are now facing us directly and affecting millions of Americans. Just think of some of the issues.

Since September, 9 million children who are covered by the CHIP program have essentially been going month to month on their healthcare coverage because the President, and this Congress, hasn't passed a 10-year extension that actually saves taxpayers money.

Community healthcare centers are such a vital part of our healthcare system. More than 25 million Americans use these centers. Once again, their funding is in limbo because the program has not been reauthorized.

Then there is the bipartisan Alexander-Murray bill to provide greater stability to private health insurance

markets. For a President who claimed he had a great plan to insure all Americans much better than the Affordable Care Act, there has been no movement on this important aspect of improving private healthcare insurance for Americans.

What about issues like the flood insurance program? We saw devastating floods in Florida and Texas. We know they are coming again. In fact, last year was the largest year in terms of government expenditures for storm damage that we have seen, including some of the wildfires that raged in the West. We know the floods will come again; yet a program we have for flood insurance is woefully underfunded, but that has not been dealt with.

Then, of course, at the heart of what so many talk about are the issues of the lingering sequestration caps that jeopardize defense and nondefense priorities alike. Indeed, by the way these caps are structured, our national security is jeopardized if we don't raise both defense and nondefense spending because under the category of non-defense are the State Department and other critical agencies. Without funding, they will not be able to protect the country, along with our Defense Department personnel. We have sought, over many months, a balanced solution to provide the resources necessary to cover the gamut of government programs for the benefit of all Americans.

In terms of flood insurance, we have American citizens in Puerto Rico—all American citizens—along with the people of Texas and Florida and California, because of the wildfires and recent floods, who desperately need additional help, and we should respond.

Just as an aside, one other proposal the President made on the campaign was for a really big infrastructure program, with investments up to \$1 trillion. He was going to do that in the first 100 days. Well, a year later, we are still waiting, but in that time, we have seen \$1.5 trillion being dedicated to tax cuts before anything else, and there is very little room left—given our fiscal situation—for the robust kinds of efforts he promised within his first 100 days.

The issue that has captured the imagination of so many is the issue of the Dreamers, as I mentioned before. The President decided he would remove protections for these individuals—as many as 800,000 of them—a few months ago, last September. He created a crisis that need not have been created.

We know the American people want these young people to get a chance to stay here. They are working. They are serving in the military. They are going to school. They are contributing to this community, and of his own volition, the President decided he was going to create a crisis. That crisis has now weighed heavily on us because, if we can't resolve this issue, there is a danger these young men and women could be immediately or very promptly removed from the country. We have

been talking about this for months, but there is no progress.

I was very impressed with Senator GRAHAM's testimony before the Judiciary Committee yesterday. As he noted, we thought last Tuesday we had a solution because, on Tuesday, the President was talking about love and comprehensive reform of our immigration laws and working together. In fact, he was flanked by Senator DURBIN on one side and Representative HOYER on the other side. That was Tuesday. Come Thursday, it seemed to be a different President—a different President in tone, a different President in terms of willingness to cooperate, a different President in terms of bipartisanship. We just hope that, before too long, the President from Tuesday returns because we don't want a shutdown. We want, in fact, a comprehensive solution to our problems.

When it comes to this particular issue of the Dreamers, as I have suggested, both Senator GRAHAM and Senator DURBIN have done a remarkable job working together in that good old-fashioned bipartisan way of finding a good middle ground in which we can provide some sense of security for the Dreamers. We can provide what the President wants: border security. We can think about a first step toward comprehensive immigration reform. That is the way we like to think this Senate, this House, and this government would operate. They have done their part, but they were met on Thursday with just unpredictable rejection and a tone that is not Presidential, but far from that. We have to get that job done, and I hope we can do that.

We have all heard the horror stories of these Dreamers. They have come in to visit us. They have talked about what they are doing. They have talked about how they want to continue to contribute to this country. Again, I think we have to do that for them, but also because they provide a significant economic contribution to this country.

The Center for American Progress has indicated that if DACA recipients lose their right to work lawfully, it could reduce our GDP by over \$433 billion over the next decade. That is going to be a blow. It would be \$60 million annually over this decade for my home State of Rhode Island. Not only is finding a solution the right thing to do, it is the smart thing to do in terms of our economic well-being as a nation.

It is still possible to break through this deadlock. "It is not over until it is over" is the famous quote. We still have time—but not much time—to provide for appropriate relief for the Dreamers, to provide funding for our national security—that is defense and nondefense funding—to raise the caps so we can deal with this and do it, hopefully, not just for a short period of time but for at least 2 years. I think another kick-the-can-down-the-road measure is going to be unacceptable. Another couple more days, even with an inducement here and there—a nod

at some of these policies that have not been actuated yet—I think that would be the wrong approach. I think we have to sit down and get it done.

This agenda has been the President's agenda, not the Democratic minority's agenda. That is what happens when you control the Presidency, the House, and the Senate; you set the agenda. Some argue we should have been talking about infrastructure in January—last January. Some argue we should have been talking about budget caps last January and have a situation where we would be passing budgets on time.

Some of the complaints of my colleagues—and I heard them—is it is not just the fact that the funding isn't sufficient, it is the uncertainty of the funding that affects our readiness in the military, that affects our ability in non-DOD functions to deal effectively and efficiently with problems that face Americans.

As I mentioned, this agenda has been an agenda that was preoccupied and just fixated on taking on ObamaCare, and that failed. Then it shifted not to infrastructure, not to our budget problems, not to other factors but to tax cuts, but to \$1.5 trillion in deficit-funded tax cuts.

Again, if you look at some of these military programs—for example, the whole reinvigoration of our nuclear posture, which is to be the subject of a nuclear posture deal, it has been estimated, over a decade or more, to cost in the vicinity of \$1 trillion.

I think people who are strong defense advocates can ask very sincerely, if we are going to borrow \$1.5 trillion, why don't we use it on military equipment that we know we have to improve? Why are we giving it disproportionately to the richest Americans? I think those are questions that are resolved by the President and the leadership in the Senate and the House.

We are here because I think most Americans want to get things done. As I suggested by my polling numbers from the Washington Post, they want overwhelmingly to see the Dreamers have a path to freedom. They want to see people in Texas, in Florida, Puerto Rico, and the Virgin Islands get the help they need because of a natural disaster. They want healthcare for children—the CHIP program. They want these children to be able to go to community health centers because that is where the vast majority of them go. They want to go ahead and ensure that these things are accomplished.

Now is the chance to govern, and the levers of the government are clearly in the hands of the Republican President, the Republican Senate, and the Republican House, and those levers should be moving for the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, I ask unanimous consent to be able to complete my remarks, notwithstanding the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Madam President, the Founding Fathers knew and understood well what it was like to live in a dangerous world. When America was founded, we were threatened by foreign adversaries. The military might of the United States was feeble compared to the great powers of that day. Yet the Founders insisted on a Constitution that would protect the civil liberties of the American people. They knew it was possible to defend the homeland and Americans' rights at the same time. It still is.

The War of Independence was fought in part because King George III abused general warrants that let his officers snoop through the papers and property of law-abiding subjects. The abuse of general warrants and the use of things like writs of assistance prompted the American people into action, representing that their fundamental liberties were at stake. That is part of what ushered in the American Revolution.

The Fourth Amendment to the Constitution was put in place specifically to protect these very kinds of liberties and to protect the American people against this very type of snooping. The Fourth Amendment does this by prohibiting unreasonable searches and seizures of Americans' persons and property. The very wording of the Fourth Amendment itself recognizes that this is part of what our security means. It is not just that we are protecting privacy; we are protecting privacy by protecting our security, to make sure that we are secure in our persons, our papers, houses, and effects.

The Fourth Amendment also requires search warrants to be limited in scope and to be based on evidence producing probable cause that a crime has been committed. Those warrants also have to be particularized so that they are not open-ended, so that they can't be applied to any and every circumstance.

Critics of the Fourth Amendment complain about it. They complain about it from time to time as if it were somehow an annoyance that has to be dealt with, ultimately circumvented. Some people refer to it even as something of a security threat in and of itself. This is wrong. Our Nation's history should itself be enough to convince us that the Fourth Amendment is no annoyance. It is an essential safeguard of our liberty in the face of a vast, powerful, and frequently overreaching government. Just think of how much more powerful the government has become in the age of supercomputers and the internet. The kinds of abuses endured by the founding generations will be repeated on an even greater scale if we are not vigilant in checking the power of government.

Last night, this body—the U.S. Senate—voted to close debate on a bill to reauthorize section 702 of the Foreign Intelligence Surveillance Act. This program may sound dry. It may sound inconsequential or even uncontroversial to many people's lives. But supporters and critics who are familiar with it often agree that it is anything but.

FISA's section 702 authorizes the intelligence community to spy on suspected foreign terrorists. Not many people are troubled by that aspiration. The intelligence-gathering that this authorizes is a valuable task, and it is one that helps protect the homeland from bona fide threats from outside the United States. However, FISA 702 also allows the collection of incidental intelligence about American citizens who communicate with foreign suspects. Once the intelligence community has collected this incidental information about Americans, domestic law enforcement can access the information for their own investigations without first obtaining a search warrant, as contemplated under our constitutional structure. In other words, FISA 702 opened a backdoor to government spying on American citizens. This incidental spying is a different matter altogether, and it does implicate the Fourth Amendment—certainly the spirit of the Fourth Amendment if not also the letter thereof.

It is profoundly worrying that the government maintains vast collections of information about American citizens, no matter how that information is collected, incidentally or intentionally. It is likewise worrying that the government cannot or will not say, specify, list exactly how many Americans have been subjected to government snooping under this provision.

Surveillance programs like this one may be implemented with the best of intentions—and I am willing to assume for purposes of this discussion that they are with the best of intentions here—but they themselves provide the raw material that overzealous bureaucrats can use to snoop on anyone the government doesn't like.

When we speak of the United States, when we speak of our government agencies, we are not speaking of an omniscient force, something that can only act for benevolent reasons. Our governments, by necessity, are run by fallible, mortal individuals. No matter how patriotic might be the goals underlying this law or the agencies that implement it, at the end of the day, a human being is in control of each and every action taken under this law.

So maybe, you might say, the subjects of this type of government surveillance are in fact overwhelmingly threats to the public. But can you guarantee that is the case? And if it is the case today, can you guarantee it will always be the case? Can you be so sure that tomorrow or the next day or the next year or in a few years from now or decades from now, that will also

be the case? What if the next time, the subject is a critic of the government, or perhaps the subject is a petty political enemy of someone charged with implementing this statute?

History cannot reassure us that this or any other surveillance power will always be used for good. It is not difficult, for that matter, to fathom hypothetical scenarios in which this could come about. Imagine, for example, a political candidate disliked by someone with authority to do a so-called backdoor search of a section 702 database. Imagine that someone with that authority dislikes that political candidate and decides to go looking for dirt on that political candidate, finds dirt on that political candidate, and then perhaps decides to leak that same information—unlawfully accessed by this individual acting pursuant to this program. This might be against all sorts of department protocols. It might be against the policy of those same agencies charged with administering this statute. But the fact that we can't rule it out, the fact that it is not clear that this couldn't happen, ought to be concerning to every single one of us.

The only check on this frightening power is the FISA Court, which rules in near total obscurity about what the government is allowed to collect. I say the FISA Court is the only check because Congress certainly isn't acting like a credible check on this authority.

Not long ago, the House handed us a bill that would reauthorize FISA section 702 for another 6 years, and I am sorry to report that many of my colleagues in the Senate are forcing this bill through as is, in the same condition as we received it from the House of Representatives, without a single change from the bill the House sent us, without any amendments to protect Americans against warrantless, backdoor searches by the government about U.S. citizens on U.S. soil.

I believe that Americans' Fourth Amendment rights are worth much more due diligence than that. Instead of simply rubberstamping FISA 702 through the bill that the House sent us, this body could have strengthened it by voting against cloture, which would have opened up the bill for amendments.

To be clear, a vote against cloture would not have been a vote against FISA section 702. It would not have ended the program or jeopardized our Nation's ability to spy on suspected foreign terrorists. In fact, as far as I know, not one of the Members of this body who voted against cloture would even support such an outcome. Not one of us, as far as I am aware, would like to see FISA end. What we would like to see is for amendments to at least be considered, to be debated, to be discussed by the people's elected representatives in this body to make sure that we have achieved the proper balance between the power the government desires and the security and privacy of the American people. A vote

against cloture would have allowed this body to improve FISA section 702 through a legitimate amendment process—one that we, unfortunately, are being denied this week.

You see, one of the reasons why it is important, as we consider this, to allow for amendments is that this law comes up for reauthorization only so often. I think the American people legitimately would expect that when it comes up, we would actually have an open, honest debate and discussion; that we would do more than simply rubberstamp what the other Chamber has already passed; that we would ask some difficult but important questions about the rights of the American people relative to this program.

Had we voted down cloture, had we decided not to vote to end debate, this would have given us an opportunity to protect Americans' safety and their constitutional rights, not one or the other. It wouldn't have put us in this awful Hobson's choice scenario, where you have to choose to protect one or the other.

What, you might ask, may some of these possible changes to section 702 of the Foreign Intelligence Surveillance Act have looked like? They would look a lot like the provisions contained in the proposed USA Liberty Act, which Senator LEAHY and I introduced last year. The USA Liberty Act would tighten this standard the government must meet in order to collect and access information on you, pursuant to section 702. This safeguard, and any of the other provisions contained in the USA Liberty Act, would be worthy additions to FISA 702.

These changes would not restore respect for the Fourth Amendment overnight. I believe it will take many more battles with the entrenched interests within government to achieve that, but they would be steps in the right direction.

If history is our guide, any unlimited, unaccountable power we hand to the government ultimately will be used against the people. In FISA section 702, the government has a vast grant of power—a digital-aged general warrant—to hoard untold terabytes of information about American citizens.

I hope we can work together in the coming months to improve this surveillance program and vindicate what the Founders so clearly knew; that our safety does not have to come at the expense of our rights; that our security and our privacy are not at odds with one another but that our privacy and our security are one and the same. Our security is part of our privacy and vice versa. We can protect both. We can walk and chew gum at the same time. We can honor the Constitution and protect the rights of the individual while simultaneously protecting the security of the greatest civilization the world has ever known. We can do better, and we must.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

## RAPID DNA ACT OF 2017—Continued

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I and the Acting President pro tempore have been on the Select Intelligence Committee for a considerable period of time—I much longer than he. However, I think we are both well experienced with the subject, and I would like to make a few comments on section 702. For 6 years, I was chairman of the committee, and the ranking member for 2 years. What I came to see is that, in my view, there was no more significant content collection program than section 702, and I want to give a couple of examples and explain why I think it is so important that 702 be reauthorized.

A little more than a year ago, on December 31 of last year, approximately 500 people gathered in a popular Turkish nightclub on the banks of the Bosphorus to celebrate New Year's Eve. Tragically, shortly after midnight, a gunman entered that club and opened fire, killing 39 innocent civilians and wounding 69 others. At least 16 of those killed were foreign nationals, including an American who was shot in the hip. Many people inside reportedly jumped into the water in an attempt to protect themselves from the gunfire. After committing this act, the gunman changed his clothes and fled the scene.

Almost immediately, Turkish law enforcement and American intelligence officials began cooperation to identify and locate the shooter. Part of that effort included intelligence collection under section 702 of the Foreign Intelligence Surveillance Act. The information derived from the 702 collection ultimately led the police to an apartment in the Esenyurt district neighborhood of Istanbul. There, law enforcement arrested an Uzbek national, named Abdulkadir Masharipov, at a friend's apartment, along with firearms, ammunition, drones, and over \$200,000 in cash.

Thanks to the work of Turkish and American law enforcement and intelligence agencies, just 16 days after this horrific attack, police had the prime suspect in custody. Mr. Masharipov is currently awaiting trial in Turkey.

Section 702 of FISA is the most important foreign content collection program that we have. It allows the government to quickly and efficiently collect phone call and email content from non-U.S. persons who are located outside of the United States. Information collected under section 702 informs nearly every component of our Nation's national security and foreign policy.

Section 702 was used by the CIA to alert a partner nation to the presence of an al-Qaida operative who was turning into a cooperating source. Section 702 was used to intercept al-Qaida communications about a U.S. person seeking instructions on how to make explosives in the United States. It was also used to understand proliferation networks used by adversary nations to evade sanctions, including military communications equipment.

In 2014 the Privacy and Civil Liberties Oversight Board, or what we call PCLOB, reported: "Over a quarter of the NSA's reports concerning international terrorism include information based in whole or in part on section 702 collection, and this percentage has increased every year since the statute was enacted."

The law expressly prohibits the targeting of U.S. persons or the targeting of persons located in the United States. Section 702 is a foreign content collection program.

I also believe it is equally important that reauthorization include reforms to ensure that the program continues to operate consistently with the statute's original intent and our Constitution.

Perhaps the most important among these reforms is the issue of U.S. person queries. U.S. person queries refer to the process by which the government searches the 702 database for the content of U.S. persons' communications.

U.S. persons cannot be targeted under section 702, but they can be collected incidentally if the individual is communicating with a non-U.S. person who is located overseas and is targeted under section 702. If an American's communications are collected incidentally, they are added to the 702 database. The government can later search, or query, that database for any American and gain access to the contents of any phone calls or emails that may have been swept up in the section 702 collection. Each of these queries results in the government's accessing the contents of a U.S. person's communications without ever going before a judge or securing a warrant.

The Fourth Amendment requires the government to obtain a warrant based on probable cause before accessing those communications, and the Supreme Court has been clear: Americans have a right to privacy in the content of their phone calls and emails. The same standard should apply to communications incidentally collected under section 702.

During the Senate Intelligence Committee's markup of section 702, I offered an amendment with my colleague from California, Senator HARRIS, that would require the government to obtain a warrant from the Foreign Intelligence Surveillance Court prior to accessing the content of any U.S. person's communications collected under section 702. Unfortunately, our amendment did not succeed in the committee.



I have also filed our warrant requirement as a floor amendment to the bill that is currently under consideration. This amendment has been cosponsored again by Senator HARRIS as well as by Senators LEAHY and LEE. I really do believe that a warrant requirement will eventually be important as people become more concerned with the need to reform some of these longstanding provisions.

The House-passed bill that is currently before us has a number of positive reforms. First, it does have limited warrant authority that would require the FBI to obtain a warrant from the Foreign Intelligence Surveillance Court prior to accessing the contents of the U.S. person's communications that are associated with a query that was not related to foreign intelligence or national security. The warrant provision in this bill is not as strong as the one I offered in committee, but it was the result of a bipartisan compromise in the House, and I do believe it is a step in the right direction.

The House bill also includes other important reforms. It establishes a required congressional review process before the government is permitted to restart "abouts" collection. It requires the DNI to declassify minimization procedures. It provides greater flexibility to the Privacy and Civil Liberties Oversight Board to meet and hire staff. It also directs the inspector general to assess the FBI's section 702 practices so that we can continue to provide oversight for that program.

In conclusion, section 702, by its numbers and by its covering, is our Nation's most important foreign content collection authority. I would like to see more reforms to this program, and perhaps that is something that those of us on the Select Intelligence Committee can strive for. I believe this is the best we are going to do at this time, and I look forward to supporting its passage.

I thank the Acting President pro tempore.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, last week, the House voted to reauthorize for a period of 6 years section 702 of the Foreign Intelligence Surveillance Act—a vital tool in tracking foreign terrorists abroad. Last night, we had a very important vote in this Chamber, a cloture vote, which will allow us to proceed to a final vote on this legislation perhaps as early as tomorrow morning.

Congress enacted section 702 in 2008 in direct response to the enduring

threats to the country being posed by radical Islamic extremism and the ever-expanding use of the internet and social media by terrorists and foreign operatives. The law authorizes the Attorney General of the United States and the Director of National Intelligence to conduct surveillance on foreigners who are outside of the United States so that the U.S. Government can effectively acquire that intelligence information. As the Director of National Intelligence and many others have stated—former FBI Director James Comey is another one—section 702 is the crown jewel of our foreign intelligence collection and a critical weapon in the defense of our Nation.

The law expires this Friday—that is right, just 2 days from now—so the clock is ticking. I am glad the Senate took the first step last evening, and I trust my colleagues will soon make sure the law is reauthorized so that the U.S. Government can continue to collect information that is vital to the protection of the Nation.

Because the law requires targets of section 702 to be foreign citizens outside the United States, those targets are not covered by the Fourth Amendment of the U.S. Constitution. Clearly, people who are inside the country, American citizens, are all protected by the Fourth Amendment, but not foreigners, under Supreme Court precedent. Because of that, the government isn't required to obtain a warrant before initiating surveillance. That is where the misconceptions and confusion start to arise, and I want to talk a little bit more about that.

Despite the strong bipartisan vote in support of section 702 in the House of Representatives last week and the strong bipartisan support for the provision here in the Senate, some critics want to delay reauthorization and engage in a never-ending lamentation about the demise of the Fourth Amendment. The Fourth Amendment, of course, is a guarantee against unreasonable searches and seizures. Again, that applies to American citizens, not to foreigners abroad. But these critics have mischaracterized the aims of the many Republican and Democratic proponents of this law, and frankly their concerns are misplaced. They ignore the enduring value and core protections in section 702 and the merits of various pro-privacy reforms in the House bill. As I said, it is truly a bipartisan bill.

Critics have expressed three concerns, and I want to address each in turn.

The first is that under 702, "millions of bits of information are collected on Americans," not just foreigners, and that "[w]e don't know the exact amount."

What they are referring to, of course, is what the intelligence community calls "incidental collection"—when intelligence officials monitor the communications of foreign terrorists and the information of any Americans who

are in communication with those terrorists sometimes gets included in the mix. But, of course, if even an American is talking to a foreign terrorist, certainly the intelligence community would want to know that.

There are additional protections for U.S. persons who are incidentally collected based on a target of a foreign national. All of this would be a legitimate worry were it not for the fact that there are safeguards built into the statute that ensure that no more American communications are collected than are necessary to safely monitor foreigners with suspected terrorist ties. For example, section 702 already explicitly prohibits the U.S. Government from intentionally targeting a foreign person "if the [real] purpose . . . is to target a particular, known person . . . in the United States." That is illegal. There are also so-called "minimization" procedures that limit the dissemination and use of information acquired and scrupulous practices at our intelligence agencies—the NSA, the CIA, and the FBI—on how that information is dealt with in order to protect U.S. persons.

Under the bill, several additional features should be acknowledged.

The Foreign Intelligence Surveillance Court must review the FBI's so-called "querying" procedures and certify that they are consistent with the Fourth Amendment.

I know of no government program that has as much oversight and protection for the privacy rights of American citizens as the Foreign Intelligence Surveillance Act. It is actually supervised by all three branches of government—by the executive branch internally; by the judicial branch through the Foreign Intelligence Surveillance Court and other courts, which decided that there is no constitutional violation in any of the procedures laid down in the Foreign Intelligence Surveillance Act; and, of course, the oversight we conduct here in the Senate and in the House on the Senate and House Intelligence Committees.

To make sure all of this is scrupulously adhered to, a record must be kept of each U.S. person query term used. And far from ignoring Americans' privacy concerns related to incidental collection, the bill requires that the intelligence community hire and employ civil liberties officers—people whose explicit job is to look out for our privacy rights.

In sum, those who would misleadingly paint the intelligence community as renegade—as deliberately surveilling millions of Americans with no checks in place—are simply wrong about the facts of this bill and the layered protections that have been put in place.

Let me reiterate. The intelligence community is expressly prohibited from targeting Americans under section 702, directly or incidentally. In fact, the only Americans who might be worried about their communications

being swept up under section 702 are those who are deliberately communicating with foreign terrorists. But all Americans will benefit from a host of additional protections under the law.

The critics' second and related concern is that incidental collection can be used in domestic criminal prosecutions. They are concerned that the U.S. Government could collect information without ever having to obtain a warrant and then use it to investigate and punish Americans for crimes.

Again, this fear is misplaced under this bill. It is mitigated by analysis done by the Privacy and Civil Liberties Oversight Board in 2014, who, after a comprehensive review, found no evidence of intentional abuse. Concerns of the critics are also mitigated by the FBI, which under this bill has to obtain a court order before it can access the contents of 702 communications in support of a purely criminal investigation, as opposed to an intelligence-gathering activity. It is also mitigated by the fact that section 702 intelligence can be used as evidence against Americans only in instances of the most serious crimes. Apart from obtaining a court order, it can only be used if the Attorney General determines that the criminal proceeding involves national security or other heinous crimes, such as murder, kidnapping, or crimes against children.

The critics' preferred approach—and they introduced bills to this effect last year—would prohibit the government from using any 702 collection to investigate these dangerous, violent crimes, and therefore it would potentially protect dangerous criminals engaged in some of the most egregious behavior imaginable—something I think we would not want to do.

That brings us to the skeptics' third problem, which deals with oversight. They fear that the reauthorization of this legislation could spell the end of congressional monitoring of the program. They have chastised this possibility as one that is "callous in its disregard for our cherished Bill of Rights."

They are entirely correct to insist, in light of recent events, that Congress should continue to engage in rigorous oversight of the intelligence community and make sure that our surveillance tools aren't used for political ends. But we already have oversight in spades, and under this bill, we will have even more.

First of all, the House bill reauthorizes the program for only 6 years—not indefinitely. At the end of 2023, we will revisit section 702. In the meantime, existing and extensive oversight of section 702 will continue. As I mentioned, for example, there is judicial review. The Foreign Intelligence Surveillance Court annually reviews section 702, and other courts have examined the use of section 702 in support of criminal cases. All agree that section 702 does not violate the Fourth Amendment to the U.S. Constitution. Even the Ninth Cir-

cuit, which is frequently out of line with other circuits and the Supreme Court, agrees that section 702 is constitutional.

Courts, of course, are not the only oversight mechanism; there are ones within the executive branch, which I alluded to earlier, including routine reviews by the Department of Justice and the Office of the Director of National Intelligence. Of course, congressional committees, such as the Senate Intelligence Committee and the Judiciary Committee, both of which I serve on, also receive regular reporting on the 702 program and hold open and closed hearings on the subject.

Ultimately, the approaches that are preferred by the 702 critics would force the FBI to rebuild the wall between criminal and national security investigators that existed before the attacks in New York on 9/11 and would cause the FBI to stovepipe its section 702 collection, contrary to the recommendations of numerous commissions, including the 9/11 Commission and the Fort Hood Commission. We need to remember that the FBI protects our national security both as an intelligence agency and as a law enforcement agency. In other words, it wears two hats. So we can't wall off the FBI from the content of crucial communications, and we can't wall off the FBI from intelligence agencies, such as the National Security Agency and the Central Intelligence Agency. That was the situation the FBI was in leading up to September 11, 2001.

We can't forget the increasingly dangerous world we are living in and the diverse array of threats that confront us. FBI Director Chris Wray has summarized our threat landscape. It is one that includes not only large mass-casualty events like 9/11 in the United States and similar recent attacks in Europe but also more isolated and diffuse lone-wolf and homegrown violent extremist threats that give law enforcement and national security investigators much less time to detect and disrupt. Imposing additional obstacles to accessing this critical information could either delay us when time is of the essence or, worse, prevent us from being able to connect the dots of information that the U.S. Government has already lawfully collected.

Real-world examples show how devastating this could be. A tip under 702 from the NSA, the National Security Agency, is what helped the FBI stop an attack on the New York City subway system in 2009. There is also Hajji Iman, who at one point was the second in command of ISIS. Section 702 helped us get him and take him off the battlefield. Then there is ISIS recruiter Shawn Parson—702 revealed his terrorist propaganda and identified members of his terrorist network. There are many, many more examples of instances where 702 helped us identify, disrupt, and prevent attacks against the homeland here in the United States and innocent civilians.

Whether it is combatting terrorism, detecting and countering cyber threats, uncovering support to hostile powers, or acquiring intelligence on foreign adversary militaries, 702 is one of our most effective tools, and we simply can't afford to blunt the sharpness of its blade or dull the focus of its lens.

In closing, I want to make one final point clear. I agree that, in the words of one critic, the Fourth Amendment is not a "suggestion." It is a core constitutional protection of our sacred freedom. But reauthorizing section 702 would not suddenly relegate the Fourth Amendment to second-tier status. Every court that has considered the matter has said so, and frankly, it is obscene to ignore the balanced, privacy reforms in the House-passed bill that would provide even greater protections for the Fourth Amendment rights of Americans.

The truth is that section 702 has never been systematically abused. It has helped stop terrorist attacks both at home and abroad. It has helped defend our troops on the battlefield. It has been critical to the Russian collusion probe and other counterintelligence work. As I said, every court—every single court—that has considered the program has found it to be lawful and constitutional; in other words, consistent with the Fourth Amendment in the U.S. Bill of Rights.

So we can all rattle the saber of civil liberties to score political points, but large, misguided changes to 702 are not the way to go. The House-passed bill will provide greater transparency and procedural protections for the Fourth Amendment rights of innocent, law-abiding Americans, while at the same time allow us to remain vigilant in protecting the homeland and our troops abroad and our national security at large by making sure we have the information we need in order to connect the dots with the threats to our national security.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TAX REFORM

Mr. THUNE. Mr. President, tax reform has been the law of the land for less than a month, but it is already fostering a new era of economic optimism, and American workers are seeing the benefits. For years, American businesses, large and small, were weighed down by high tax rates and growth-killing provisions of the Tax Code. Plus, our outdated international tax rules left America's global businesses at a competitive disadvantage in the global economy.

The Tax Cuts and Jobs Act changed all that. We lowered tax rates across

the board for owners of small- and medium-sized businesses, farms, and ranches. We expanded business owners' ability to recover investments they make in their businesses, which will free up cash they can reinvest in their operations and their workers. We lowered our Nation's massive corporate tax rate, which up until January 1 was the highest corporate tax rate in the developed world. We brought the U.S. international tax system into the 21st century by replacing our outdated worldwide system with what is called a territorial tax system so American businesses are not operating at a disadvantage next to their foreign competitors.

Despite the fact that the new law has been in place for less than a month, it is already having a noticeable effect. Businesses are seeing a future defined by growth and success, and they are already passing some of the expected benefits on to their workers. Business after business has announced special bonuses, wage hikes, or benefit increases: AT&T, Bank of America, Comcast, American Airlines, Southwest, Visa, Nationwide Insurance, Jet Blue, and the list goes on and on.

In addition to giving out bonuses to eligible employees, Walmart is raising its starting wage for hourly employees, expanding maternity and parental leave benefits, and creating a new adoption benefit for employees. More than 1 million Walmart employees will benefit from the changes.

Aflac is boosting retirement benefits for its workers by increasing the size of its 401(k) match from 50 to 100 percent on the first 4 percent of employees' contributions. It has also announced a onetime \$500 contribution to the retirement account of every employee.

PNC is giving a \$1,000 bonus to 90 percent of its employees and adding \$1,500 to employees' pension accounts. It is also boosting its minimum pay.

Similarly, Great Western Bank, which is headquartered in my State of South Dakota, is raising its minimum wage to \$15 an hour and providing a \$500 bonus or wage increase for nearly 70 percent of its workforce. The bank is also enhancing its employee healthcare program and doubling its annual contribution to its Making Life Great Grants community reinvestment program.

I could go on, but the good news is not limited to increased wages, bonuses, and benefits, as important as that is, particularly to people who are living paycheck to paycheck, but companies are also acting to keep jobs and to create new ones.

Fiat Chrysler just announced it will be adding 2,500 jobs at a Michigan factory to produce pickups it has been making in Mexico. In October, CVS Health announced it would create 3,000 new jobs if the corporate tax rate was reduced. In my own backyard, Molded Fiber Glass is keeping its doors open longer than expected, which is good news for its employees and the entire community of Aberdeen, SD.

Then there are the utility companies. Utilities from around the country are benefiting from tax reform, and more than one is looking to pass on savings to consumers. Bloomberg reports that "Exelon Corp., the biggest U.S. utility owner by sales, is already offering to reduce bills." In Illinois, ComEd is requesting permission to "pass along approximately \$200 million in tax savings to its customers in 2018." In Washington DC, Pepco has announced plans to pass on tax savings to customers beginning in the first quarter of this year.

All these benefits are going to make a real difference in families' lives this year and, in some cases, well into the future, and the main benefits of tax reform are still to come. The IRS just released the new withholding tables for the tax law, and Americans should start seeing the results in February. Thanks to lower income tax rates, the doubling of the standard deduction, and the doubling of the child tax credit, 90 percent of American workers—90 percent—should see bigger paychecks starting next month, and that is just the beginning.

One major goal of tax reform was to provide immediate, direct relief to hard-working Americans, and that is happening right now, but our other goal was to create the kind of robust, long-term economic growth that will provide long-term security for American families. That is already starting with the wave of bonuses and wage increases, but there is a lot more to come.

As businesses, large and small, experience the benefits of tax reform, American workers will see the benefits of tax reform. American workers will see increased access to the kinds of jobs, wages, and opportunities that will secure the American dream for the long term.

It is a good day in America, and it is going to get even better.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### VETERANS IMPROVED ACCESS AND CARE ACT

Mr. GARDNER. Mr. President, when we were kids, we learned a song that I think Herman's Hermits made very famous around 1965. It was the "I'm Henry VIII, I Am" song, and it went on for a while about Henry VIII, and then it had a little phrase in there that as kids we would repeat. We would say: "Henry VIII, I am. I'm Henry VIII, I am. Second verse, same as the first," and then they would repeat themselves: "Second verse, same as the first," and they would keep going. Well, today, we find ourselves kind of

stuck in that "Second verse, same as the first" when it comes to the Veterans Affairs Department and how they have treated veterans in Colorado.

I rise, once again, to address troubling reports coming out of the Veterans' Administration. It has now been over 3 years since the Phoenix VA catastrophe—we all remember the Phoenix VA catastrophe, where secret wait lists led to the deaths of veterans. At that time, the VA pledged this problem would be fixed, but here we are "Second verse, same as the first." They said it would never happen again. Well, it saddens me today that in Denver, CO, that promise has been broken.

Following the Phoenix disaster, this body passed the Veterans Access, Choice, and Accountability Act, also known as the VA Choice Act, to expand access for veterans to community medical providers. No doubt, it has been successful in different parts of the country, but the Denver VA system continues to post inexcusable wait times, experience a shortage of doctors and nurses, and use secret wait lists. This is simply unacceptable.

The average wait time for a new patient at the Denver VA for a primary care appointment has topped 42 days. This leads the Nation in an unfortunate category, and it is twice the national average. Our veterans deserve better, and to many who have been affected by this travesty, they demand better.

Last week, NBC Nightly News told the story of one Colorado veteran, Alison Bush. Alison served in the Army for 7 years and suffers from a nerve disorder. With such a disorder, she cannot afford delayed appointments. Yet Alison was forced to wait over 3 months for a primary care appointment and another 60 days for an MRI. There is absolutely no excuse for this, particularly given the work we have done and the promises the VA has made. Alison, like so many others, answered the call of duty, only to be let down after retiring the uniform.

I recognize that Colorado was witnessing an increase in demand with more than 11,000 veterans seeking care in the last 2 years, but this is no excuse. The VA must adapt in the face of adversity. We must change this repeat after repeat of the same verse, and we must never forget that this Nation's No. 1 priority is upholding the promises we have made to our veterans.

Because of stories like Alison's, I recently introduced S. 2168, the Veterans Improved Access and Care Act of 2017. My legislation would address three issues: hiring shortages, delayed wait times, and malpractice reporting.

A large driver of delayed wait times for veterans is the shortage of doctors and nurses. The current system for hiring these medical professionals is too long and too burdensome. According to a McKinsey & Company study in 2015, it took 4 to 8 months to hire VA employees. The onboarding process alone can take 3 months. According to the

same study, private medical facilities took less than 2 months to hire an applicant. Just think about that for a moment. Just like in the VA, a private applicant has to go through an interview process, a certification process, credentials process, background check. Yet the VA's onboarding process is longer than the private sector's entire hiring process. It makes absolutely no sense.

My legislation would take steps to fix this problem. It would authorize the VA to establish a pilot program to expedite the hiring of doctors at facilities where there are shortages of available specialists, such as nurses or anesthesiologists. Furthermore, it would require the Secretary of the VA to submit a report to Congress detailing a strategy to reduce the length of the VA's hiring process by half.

My bill would also look to expand access to our veterans. The VA Choice Program, while well-intentioned, still contains arbitrary rules, such as a 30-day waiting period before a veteran can seek access to community providers. Well, 29 days is also unacceptable. My legislation would work to improve the Choice Act by eliminating the 30-day/40-mile eligibility rule, giving veterans full access to medical care regardless of his or her situation.

Finally, my legislation will work to ensure that secret wait lists are forever extinguished. No more "second verse same as the first."

Last November, a Department of Veterans Affairs Office of Inspector General report substantiated the claim that the Eastern Colorado Health Care System used unofficial wait lists for veterans, estimating that at least 3,775 veterans were affected. This is extremely disheartening. There needs to be accountability for this malpractice. My legislation would do just that. It would codify the VA's policy to expand the requirements of reporting malpractice to include all medical providers.

Our veterans have served our country. They have missed holidays with their families to protect our Nation. They have suffered battlefield injuries. They have laid it all on the line for you and for me. The Presiding Officer is a veteran of this great country. The least we can do is ensure that our veterans are treated with the dignity, respect, and honor they have rightfully earned.

It is my hope that the Senate Veterans' Affairs Committee will soon take up my bill so that we can work to ensure accountability and greater access to care for all veterans. But whether it is my legislation or any piece of legislation, one thing is for sure: Something has to be done—not tomorrow, not next week, but now. The current system is not working, and it continues to let our veterans down. Nevertheless, we must remain optimistic and deliver on the promises we gave our men and women in uniform. I am optimistic that we can make this right on their behalf. We can't wait.

Time is a luxury our veterans do not have.

I ask that everyone in this body—and especially the VA—always remember the stories of veterans like Alison Bush. May we never forget those who set aside their own dreams to make sure they save the dreams of their fellow Americans. Our veterans honorably served this great Nation. Now is the time that we step up and honorably serve them.

Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. TOOMEY). The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Colorado for his remarks. He reminds me of something former Majority Leader Tom Daschle told us one morning at the Prayer Breakfast. He said that after World War II, Archibald MacLeish, who was the poet laureate of the United States, said of the veterans who came back from the war—when talking to Members of the Senate, he said: They gave us our country. Now it is up to us to see that we can do something with it.

I think we need to always remember that challenge and opportunity that we have.

#### THE JACKSON MAGNOLIA

Mr. President, some disappointing news arrived last month. The White House announced that the Andrew Jackson magnolia is sick and dying and that part of it had to be removed. On December 27, the east leader, which is a top section of a tree, was removed. The other leader of the Jackson magnolia is still intact, but it is supported by a cabling system. The part that was removed will eventually be replaced with a seedling from the original tree.

When President Trump visited the Hermitage outside Nashville in March of last year and laid a wreath at Andrew Jackson's tomb, he likely walked past trees that were also seedlings from the Jackson magnolia.

The news of the Jackson magnolia has special significance for Tennesseans and for several Tennessee families, including our own.

Shortly after his arrival at the White House in 1829, Jackson, who was our seventh President, planted a magnolia seedling in honor of his wife Rachel, who had died only weeks earlier. During the Presidential campaign, Rachel had been so maligned about the legitimacy of her marriage to Jackson that she had said: "I would rather be a doorkeeper in the House of God than live in that palace at Washington."

The seedling that Jackson planted came from a magnolia at the Hermitage, the couple's home outside Nashville. Over the years, it grew into a magnificent, sprawling specimen, reaching the roof of the White House at the South Portico.

Take a look at the back of the twenty-dollar bill—the one in your billfold or wallet or purse, the one with President Jackson on the front, and you will see the Jackson magnolia, along with

another magnolia planted later to supplement it.

The Washington Post detailed some of the tree's history when the news was announced. Here is what the Post said:

Long after Jackson left office, his magnolia remained. Other trees were planted to supplement it, and the tree became a fixture in White House events. Herbert Hoover reportedly took breakfast and held Cabinet meetings at a table beneath its sprawling branches. Franklin Delano Roosevelt spoke with Winston Churchill in its shade. Richard Nixon strode past it as he left the White House for the last time after his resignation. In 1994, a Maryland man piloting a stolen plane clipped the tree before suffering a deadly crash against the White House wall.

Some said it might have saved President Bill Clinton's life.

No tree on the White House grounds can reveal so many secrets of romance and history, longtime White House butler Alonzo Fields once told the Associated Press.

The Jackson magnolia itself may be dying, but its children and grandchildren and even its great-grandchildren will live on.

In 1988, President Ronald Reagan presented a cutting of the Jackson magnolia to Howard H. Baker, Jr.—a former majority leader of this Senate—when Baker retired as Reagan's chief of staff. Baker planted that cutting at his home in Huntsville, TN.

Six years later, in 1994, Baker was lunching at his home with John Rice Irwin, founder of the Museum of Appalachia in Norris, TN. Irwin noticed the tree, which by then had grown to a height of 18 feet. Baker told Norris the story of the Jackson magnolia and, with the help of the University of Tennessee College of Agriculture, arranged for two cuttings from Baker's magnolia to be rooted and sent to John Rice Irwin.

In 1995, Senator Baker presided at a formal ceremony at the Museum of Appalachia when those two cuttings—the grandchildren of the White House Jackson magnolia—were presented to the Museum of Appalachia. They are planted in front of the museum's Hall of Fame.

In 1996, John Rice Irwin gave a cutting from the Museum of Appalachia magnolia to my wife Honey and me. We planted this great-grandchild of the White House magnolia in front of our home outside Maryville, TN. Today, it is 80 feet tall.

In 1998, a tornado destroyed the original magnolia at the Hermitage, from which the White House Jackson magnolia had been taken. At the request of Hermitage officials, the Museum of Appalachia provided a cutting from the museum magnolia to replace the original tree. It was presented at a ceremony presided over by Lewis Donelson, III, the descendant of John Donelson, Rachel Jackson's father. Senator Baker and John Rice Irwin attended.

According to the Museum of Appalachia, five cuttings have been successfully propagated from the museum magnolia. In 2009, John Rice Irwin gave my wife and me a second cutting from

the museum magnolia, which is planted at our home in Blount County. We, in turn, have given cuttings to Graham and Cindy Hunter in Knoxville and to Denise and Steve Smith of Franklin. Their trees are growing tall in the Tennessee soil from which the Jackson magnolia came 180 years ago.

While we commemorate the long and prominent life of the Jackson magnolia, we can also look forward to long lives from its grandchildren and great-grandchildren now planted at the Museum of Appalachia in Norris, at a city park in Sevier County, and at the Hermitage and other homes in Tennessee.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Washington Post dated December 26, describing the history of the Jackson magnolia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Dec. 26, 2017]

WHITE HOUSE TO CUT BACK MAGNOLIA TREE  
PLANTED BY ANDREW JACKSON  
(By Sarah Kaplan)

The White House cut down part of the aging historic magnolia tree planted by former president Andrew Jackson on Dec. 27. Here's a bit of the tree's history.

The enormous magnolia tree stood watch by the South Portico of the White House for nearly two centuries. Its dark green, glossy leaves shaded politicians and heads of state. Its ivory flowers bloomed through times of peace and war. It is the oldest tree on the White House grounds, a witness to Easter egg rolls and state ceremonies, a resignation, a plane crash, all the tumult and triumph of 39 presidencies.

But the iconic magnolia is now too old and badly damaged to remain in place, the White House announced Tuesday. At the recommendation of specialists from the National Arboretum, first lady Melania Trump called for a large portion of the tree to be removed this week.

The decision, first reported by CNN, comes after decades of attempts to hold the aged tree up with a steel pole and cables. Arborists said that rigging is now compromised and that the wood of the magnolia's trunk is too delicate for further interventions. Any other tree in that condition would have been cut down years ago.

But this is not any other tree. According to White House lore, the stately evergreen was brought to Washington as a seedling by Andrew Jackson. The magnolia was a favorite tree of his wife, Rachel, who had died just days after he was elected. Jackson blamed the vicious campaign—during which his political opponents questioned the legitimacy of his marriage for his wife's untimely death.

The new planting, which came from the couple's Tennessee farm, the Hermitage, would serve as a living monument to her in the place she despised; before her death, Rachel had reportedly said, "I would rather be a doorkeeper in the house of God than live in that palace at Washington."

Long after Jackson left office, his magnolia remained. Other trees were planted to supplement it, and the tree became a fixture in White House events. Herbert Hoover reportedly took breakfast and held Cabinet meetings at a table beneath its sprawling branches. Franklin Delano Roosevelt spoke with Winston Churchill in its shade.

Richard Nixon strode past it as he left the White House for the last time after his resignation. In 1994, a Maryland man piloting a

stolen plane clipped the tree before suffering a deadly crash against the White House wall. And for decades, the magnolia was featured on the back of the \$20 bill.

"No tree on the White House grounds can reveal so many secrets of romance and history," longtime White House butler Alonzo Fields once told the Associated Press.

In 2006, when the National Park Service initiated a "Witness Tree Protection Program" to study historically and biologically important trees in the Washington area, the Jackson magnolia was at the top of the program's list. By then, the tree was tall enough to reach the White House's second-story windows and had already eclipsed the minimum life expectancy for its species—about 150 years.

According to a report from the NPS program, workers attempted to repair a gash in the tree in the 1940s. But within a few decades, much of the interior portion of the tree had decayed, leaving behind a "rind" of brittle wood. Those surviving portions were held in place by a 30-foot pole and guy-wires. "It is doubtful that without this external support the specimen would long survive," the report said.

Ultimately, those measures could not allay safety concerns about the tree, said White House spokeswoman Stephanie Grisham. Visitors and members of the press are frequently standing right in front of the magnolia when the president departs on Marine One; the high winds from the helicopter could make a limb collapse more likely.

Keith Pitchford, a D.C.-based certified arborist, is familiar with the Jackson magnolia but has not professionally assessed it. He wondered whether the removal may be premature: "If you can lower the tree and make it a bit more squat, it really prolongs the life of these trees we thought were hazardous," he said.

According to Grisham, the first lady requested that wood from the magnolia be preserved and seedlings be made available for a possible replanting in the same area.

Already, progeny of the historic tree are thriving in other spots nationwide. It's said that Lyndon B. Johnson had a seedling from the magnolia planted outside a friend's home in Texas so that when Lady Bird stayed there she could look out the window and imagine the president at work in the White House. Ronald Reagan gifted a cutting to chief of staff Howard Baker Jr. for his retirement in 1988. Then first lady Michelle Obama donated a seedling to the U.S. Department of Agriculture's "people's garden" in 2009.

Jackson's original magnolia at the Hermitage was destroyed along with hundreds of other trees during a devastating tornado in the late 1990s. It was ultimately replaced by new trees donated from the Museum of Appalachia in Norris, Tenn. According to Michael Grantham, gardens manager for the Hermitage, staff always said that those trees were clones of the White House magnolia—but without an identifying label, no one knew for sure. So Grantham sent tissue samples to a plant genetics lab at Cornell University.

"It was not an exact match," he said. "What we got was probably seedlings from underneath the tree."

Someday, Grantham would like to bring a cutting, or an exact clone, of the White House magnolia back to the Hermitage. "I know there are some out there," he said. In those trees, Jackson's two-century-old tribute lives on.

Mr. ALEXANDER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

TAX REFORM

Mr. SCOTT. Mr. President, the last 3 weeks have shown us the beginning of

what happens when Congress listens to the American people and delivers on our promises.

For years, we have been talking about real, lasting tax reform—helping American families bring more of their hard-earned money back home in their paychecks and ensuring that the jobs of the future are created here at home in America.

Last month, we started reaching those goals, and just 3 weeks since we passed tax reform, more than 2 million Americans have received bonuses in their paychecks, and hundreds of thousands of employees have been informed that they will have permanent pay increases or increased benefits.

Right after Christmas, in my home State of South Carolina, Nephron Pharmaceuticals announced that 640 employees will receive a minimum of a 5-percent raise. This is good news. The raise is due to the passage of tax reform. In other words, 2 million Americans all across the country—thousands of Americans in South Carolina—are starting to see the fruit of tax reform.

This is just the beginning. In fact, all across the country, more than 160 companies have already begun the steps of improving the lives of their employees by allowing them to share in the benefits of tax reform. This is counter to what we heard on the floor for days and weeks and I would dare say for months, when folks railed about how the corporations and the companies and the employers of America simply would not share the benefits of lower taxes.

I am thankful that I live in a country and blessed to live in a State where our corporate family has obviously recognized the benefits and the wisdom of sharing the profits with their employees. And that number will rise. As a matter of fact, I think just today the Apple Corporation—home of the iPhones and all those good gadgets—said that instead of making the \$1.5 billion investment that they had announced, they would instead make a \$300 billion investment here at home in America, creating 20,000 new American jobs. This is good news.

Earlier this month—last week, I believe it was—the IRS announced that they had been able to change the withholdings, and they have predicted—this is an astounding number—that up to 90 percent of employees will see more take-home pay in their paychecks as early as February 15.

You see, lower taxes and higher take-home pay translates into maybe a movie night out for a struggling family, maybe new tennis shoes for a youngster, and, without any question, more money to do more good for nonprofits, for churches and other organizations.

Next year, when they file their taxes, our efforts to double the child tax credit and our efforts to double the standard deduction will kick in, and more families will see more money from their returns.

Frankly, my Investing in Opportunity Act that was included in the tax

reform will present new opportunities for perhaps billions of dollars to be reinvested in distressed communities, like the one where I grew up. More than 50 million Americans live in these distressed communities. And because of the good will of this body, because of the good will of the House of Representatives, and because of the good will of the current administration, millions of Americans will have more reasons to be hopeful in 2018.

This is just the beginning of what a strong, middle-class oriented, business-friendly tax code will do.

I plan to spend more time on the floor of the Senate over the next year, talking about the benefits of tax reform and relaying the stories of employees who are starting to fill my mailbox with amazing stories of the things they are doing with their extra dollars.

This is a good start to 2018, and my prayer is that this is just the beginning.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OFFSHORE OIL AND GAS DRILLING

Mr. CARDIN. Mr. President, I will take this time to go over with my colleagues the reasons why I unequivocally oppose the Trump administration's decision to allow oil and gas drilling along our Atlantic coast.

There are many reasons why I oppose this policy. One is that the risk to the environment is too great. The Atlantic coast contains some of the most pristine coastlines in America. This region is very much aware of the importance of the Chesapeake Bay and how fragile the Chesapeake Bay is and what an oil spill off the coast of the Atlantic could do to the Chesapeake Bay.

There are also reasons to oppose this because, quite frankly, the amount of suspected reserves are just not great enough to warrant this risk. We also know that already there are significant lands that have been devoted and are available for oil exploration that will meet our needs, but a lot of it has not even been explored yet because of the current economic realities.

Lastly, when we are talking about an energy policy that makes sense for our country, exploring for new oil off the coast of the Atlantic makes no sense whatsoever. In November 2016, the Bureau of Ocean Energy Management wisely did not include any parcels in the Atlantic Outer Continental Shelf in the 2017–2022 plan to lease offshore land the Federal Government controls.

The following month, former President Obama used his authority under section 12(a) of the Outer Continental Shelf Lands Act of 1953 to withdraw unleased Outer Continental Shelf lands

from future lease sales. This makes sense.

In June of 2017, the U.S. Energy Information Administration projected that U.S. oil output will hit 10 million barrels per day in 2018, breaking the alltime 1970 record—all without drilling off the Chesapeake Bay. The previous record was 9.6 million barrels a day in 1970.

So we are at a record pace on bringing oil out of the ground. Yet we take a look at the amount of oil that is projected to be available for exploration off the Atlantic Coast, and it is a relatively small amount. When we recognize the risk, it is just not worth the risk to explore for that amount of oil with the potential of causing devastation to our environment.

Last March, officials from the Spanish oil company Repsol and its privately held U.S. partner Armstrong Energy announced the discovery of 1.2 billion barrels of oil in Alaska's North Slope, which was previously viewed as an aging oil basin. That amount exceeds the projected entire reserves along the Atlantic coast. Production could begin as soon as 2021 and lead to as much as 120,000 barrels of output per day. This is the biggest onshore discovery of conventional oil in the United States in three decades.

In addition to these massive onshore discoveries, as of fiscal year 2016—the last year for which data is available—only 47 percent of the public lands already held by oil and gas industries are under production. In other words, half the lands are still yet to be produced. The industry also has a glut of drilling permits, with more than 7,900 approved but unused permits on the book. In fiscal year 2016, the Bureau of Land Management issued 2,184 drilling permits, of which only 847 were used by the industry. So they have a big backlog. They don't need another area to explore.

As the Wilderness Society reported last month, leasing more lands than industry could possibly develop or seems interested in developing allows companies to stockpile land while they wait for a more favorable market, but stockpiling prevents these lands from being used for popular pastimes like hunting, fishing, hiking, and conservation, while leaving them open to the risk of drilling.

There is an Atlantic Outer Continental Shelf site known as lease sale 220. It has been proposed for oil and gas development previously. Lease sale 220 is located off the shore of Virginia. It is a 2.9 million-acre, triangle-shaped site. NOAA tells us that 72 percent of the time the prevailing winds in this region blow toward or along the coast—72 percent of the time. Coupled with the way the Gulf Stream flows and local currents, if lease sale 220 is developed and there is an oil spill, the likelihood of oil washing up on the shores of New Jersey, Delaware, Maryland, Virginia, and the Outer Banks is quite high. The mouth of the Chesapeake Bay is just 50

miles away from this site. It is hard enough just dealing with the existing pollutants that come into the bay from agriculture, development, and storm runoff. Add oil into the mix, and it would set us back decades in order to restart our oyster crops and help our watermen with blue crabs and to help the rock fish return and thrive.

We have spent a lot of energy in the U.S. Congress as a Federal partner with the Chesapeake Bay Program. I remember my days in the State legislature where Governor Hughes provided the leadership for the development of the Chesapeake Bay Program. We worked with governments from six States and the District of Columbia, the Federal Government, and private sector partners—all so we could preserve and reclaim the Chesapeake Bay, a national treasure. It has been declared so by many Presidents. We spent a lot of effort. We asked our farmers to do more. We asked our developers to do more. We asked our local governments, in the way they treat their wastewater, to do more. Now, if we allow drilling off the Atlantic coast, all that effort could be put at risk.

Drilling off the coast of Maryland would interfere with our naval Atlantic Test Range, preventing our military from developing next-generation fighter aircraft, sensors, and weapons to keep us safe. We have a large military presence along the Atlantic coast.

Adding insult to injury—or, perhaps I should say, heaping injury on top of injury, this move to open up the Atlantic coast to drilling came just 1 week after President Trump repealed safety regulations President Obama implemented to prevent another Deepwater Horizon disaster. Deepwater Horizon was a \$600 million state-of-the-art rig, but it failed, causing the greatest accidental oil spill in history. Eleven crewmen lost their lives. Up to 4.9 million barrels of oil gushed from the broken well for more than 3 months, eventually fouling over 570 miles of gulf shoreline and killing thousands of birds and other marine life.

The long-term effects of the oil spill and the 1.8 million gallons of dispersants used on it remain unknown, but experts say they could devastate the gulf coast for many years or even decades. Dolphins continue to die, fish are showing strange lesions, coral in the gulf have died, and oil still remains in some marsh areas. The oil could remain in the food chain for generations to come. An oil spill entering the Chesapeake Bay would be a similar disaster.

Whatever happened to Interior Secretary Zinke's promise during his confirmation process to be highly mindful of local input when managing public lands and waters? Opponents of offshore drilling flooded the Bureau of Ocean Energy Management with more than a half million comments. The list of opponents included more than 1,200 local, State, and Federal officials, including the Governors of Maryland,



Delaware, Virginia, New Jersey, North Carolina, South Carolina, California, Oregon, and Washington; more than 150 coastal municipalities; and an alliance of more than 41,000 businesses and 50,000 fishing families. President Trump and Interior Secretary Zinke cavalierly ignored the widespread public opposition to expanded offshore drilling and the time and effort the public dedicated to making their dissenting voices heard.

It is reckless, even wanton, to jeopardize so much—the livelihood of those who depend on fishing and tourist industries, our fisheries, and our military readiness—along the Maryland coast and Chesapeake Bay when there is so much more oil and gas in other parts of the country where production is already well established and locally supported.

My concerns aren't limited to the Chesapeake Bay or Maryland's beautiful coastline, even though both are priceless national, not parochial, natural resources. The international scientific consensus regarding human contributions to climate change is clear. Greenhouse gas emissions are a huge problem. Yet the Trump administration is determined to double down on burning fossil fuels when we need to be diminishing, not increasing, our reliance on them. Instead of promoting an energy policy for the 21st century, President Trump is pushing policies from the early 20th century. This isn't just ill-advised, it is deadly. We have little time to lose when it comes to cutting fossil fuel use and greenhouse gas emissions. Politico recently reported:

Last year was the third hottest on record in 125 years of record-keeping, and the U.S. faced record-breaking losses from weather and climate disasters. . . . A NOAA study found that hurricanes, wildfires and other events did \$306 billion worth of damage to the U.S. economy, factoring in destroyed property and lost business activity in affected areas. . . .

The most expensive storm of 2017 was Hurricane Harvey, with an estimated \$125 billion in costs, followed by Hurricane Maria at \$90 billion and Hurricane Irma at \$50 billion. As for wildfires, they burned through more than 9.8 million acres in the West and caused close to \$18 billion in damage, tripling the previous record. The U.S. in total saw 16 separate events with losses exceeding \$1 billion each in 2017, tying a record set in 2011 for most billion-dollar disasters in a single year.

NOAA scientists also found the five warmest years on record for the U.S. all have occurred since 2006.

For all these reasons, I urge President Trump and Interior Secretary Zinke to reverse course on this ill-gotten plan immediately. What we really need is a permanent moratorium on oil and gas drilling off our Atlantic coast. The potential rewards of such drilling—problematic as they are—don't come anywhere close to equaling the risks to the Chesapeake Bay and Maryland's and our Nation's irreplaceable shorelines and coastal communities.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REVIEWING LAST YEAR'S SENATE AGENDA

Mr. MERKLEY. Mr. President, our Constitution starts out with three beautiful words: "We the people." This was the whole mission statement for the development of our form of government—not a government that would deliver benefits by and for the privileged, not a government that would deliver decisions for the rich and the powerful, but for the people of the United States, for the best policy for the population of the United States, so that its citizens everywhere, of every stripe and every corner of the Nation, could have a foundation to thrive. But in 2017, the leadership of this body dedicated itself to a different mission. They dedicated themselves to the mission of government of, by, and for the powerful and the privileged.

I think it is worth reviewing some of those items that we have gone through in the course of this past year. Let's start by looking at the attack on the Consumer Financial Protection Bureau. My colleagues on the Republican side spent a whole year attacking this organization, which was set up to make sure that financial transactions are fair—a fair, square deal for ordinary Americans. We had seen all kinds of predatory practices in consumer loans. We had seen all kinds of predatory practices in auto loans. We certainly had seen them in home mortgages. In fact, the exploding interest rate mortgages and the triple option mortgages that were designed to deceive and bankrupt ordinary Americans turned the dream of homeownership into a nightmare.

Fortunately, in 2010 this body said: No more. We are going to set up an organization that can identify predatory practices as they develop and prevent them from being implemented.

It makes a lot of sense. It is very similar to an organization we have in the government that says: That appliance is dangerous and should never be sold; that toy is dangerous and should never be sold. In this case, it is this: That loan is predatory, deceptive and should never be marketed.

This assault on CFPB went on throughout the year, purely encapsulating government for the powerful, the rich, and the predatory over ordinary people. This has culminated at the end of the year in which President Trump has appointed an Acting Director to the CFPB who hates the Consumer Financial Protection Bureau and wants to dismantle it from the inside. In fact, that Director has called the organization a "sick, sad joke."

Just yesterday, he threw out the payday loan rule. Payday loans have inter-

est rates of 300, 400, 500 percent interest. People have them, initially, and borrow \$1,000. In a year, they owe \$5,000. In another year, they owe \$25,000. In another year, they owe \$125,000. It is a vortex of debt that pulls families into bankruptcy, squeezes them for as long as it can, and then throws them out bankrupt. Many States have said this is outrageous. Many religious traditions have said this is unacceptable. People have seen the carnage it does in a society that has high-interest loans. These are not just high-interest loans of 25, 35, or 45 percent. No, it is 300 percent, 400 percent, or 500 percent.

Yesterday the Director of the organization set up to protect against predatory loans restored full power to allow these predatory loans to occur. That symbolizes the whole year of leadership in this body supporting the powerful and the privileged instead of the people of the United States of America.

Just a little while ago we had a vote in the body—a 50-50 vote that was broken by the Vice President, 51-50—that really does symbolize the powerful over the people. This is a case where there was a rule adopted by the Consumer Financial Protection Bureau that said you have to have fairness in adjudicating consumer issues. Let's say, for example, a telephone company puts charges on your bill that you didn't authorize. Let's say, for example, a cable company proceeds to charge you a higher price than the contract called for and you want to dispute this, but currently if you seek to dispute it, you can't do so in a fair setting. Instead, it is a rigged system set up for the company and against the people, in which the company chooses the judge, in which the company pays the judge, and in which the company promises future business to the judge.

Who here in this Chamber really thinks they can get a fair decision when one party to a dispute chooses a judge, pays the judge, and promises the judge future business? That is the fair arbitration rule that was undone by this body choosing to weigh in during 2017 once again on the side of the powerful against ordinary people, choosing the system rigged against middle-class and ordinary Americans.

Let's turn to yet another decision for the powerful in 2017 over the people—net neutrality. People value the fairness of the internet. You decide you have an idea, and you want to set up a company. Maybe you want to offer a website that provides services to people who need home repairs. You know you are going to be competing against big, powerful actors who have other websites. But you decide: I have a different idea, a different innovation, and a different way of doing this would be better. Right now, until recently, you had the same ability to get the same speed on your pages, or your website, loading as the big player did so you could compete. But the Republican majority, team Trump, says: No, we want

to weigh in for the powerful over ordinary people. We want to give the powerful the ability to have those web pages put up on the computer screen really, really fast and stop the challenges—the little guy, the ordinary person who wants to compete—from being able to have the same speed so that the customer can only decide: Well, I better go to the established big player.

What could more symbolize the powerful over the people than the FCC, with the support of this administration—this Trump team for the powerful—choosing to wipe out net neutrality? I think we will have that issue revisited in 2018 when we have a Congressional Review Act that already 50 Senators in this body—49 Democrats, 1 Republican—have said they are ready to sponsor for the overturn of this act against ordinary people. At least 50 out of 100 are saying that on this issue they want to stand up for ordinary people against this 2017 reign of terror by the powerful and privileged over ordinary people. It is at least 50, but we are going to need 51. Isn't there one more Senator who will stand up for ordinary people?

Then, we have the Congressional Review Act attack on Planned Parenthood. This was a case where the administration and this Republican leadership and this Republican-led body said: We want to enable jurisdictions to divert funds away from a women's health organization, Planned Parenthood. They centered their argument around diminishing the number of abortions. Here is the fact. Family planning decreases abortions. So it has the contrary impact than what was stated by those who made that argument.

Here is another fact: 97 percent of the work of those organizations is about general women's health/reproductive services, not abortion—97 percent. This takes away screenings for all kinds of cancers, for all kinds of women's healthcare. Here we have the privileged and the powerful choosing to weigh in against the health of ordinary women across the United States. The list just goes on and on.

Let's turn to big, powerful mining companies brought to bear against ordinary people. This is simply the case of a rule which said that when you create a big mess with mountaintop removal mining, you have to fix it so that it doesn't contaminate the stream. This was a rule in which the people weighed in and said they wanted clean streams for the fish, where the ordinary people of America weighed in and said they wanted clean streams for fishing, where the ordinary people weighed in and said they wanted clean streams for their water supplies—but no. This body saw fit to weigh in for the rich and powerful, taking away those streams for the fish and the opportunity for fishing, taking away those clean streams for water in favor of the rich and powerful over the interests of the people of the United States.

This “rich and powerful over the people” has extended abroad, even beyond our borders. Equatorial Guinea, a country of Sub-Saharan Africa, has a massive wealth of oil. President Obiang of that country has been in power since 1979. That country has a per capita income of around—I believe it is \$20,000, but most of the nation lives on less than \$2 a day. Why is that? Why do ordinary people live on so little when the country has so much wealth? It is because the international oil companies have made their royalty payments to the leader of the country rather than to the treasury of the country.

Congress came along and said: Do you know what? We need transparency of these international transactions so that ordinary people overseas are not ripped off through these hidden transactions of paying off leaders who live extraordinary lives of luxury while their people suffer.

When I talk about suffering, who here can live on \$2 a day? Who here can do that? It is a life-and-death issue, as 20 percent of the children in Equatorial Guinea—a country with this vast wealth—die before the age of 5 while the President and his Vice President own yachts worth \$250 million. They have a \$200 million mansion in Paris, and they have a \$10 million car collection while people are dying because in 2017 this Chamber chose to support the powerful over the ordinary people of the world.

We see this in another environmental issue—the issue of the Arctic National Wildlife Refuge. We have protected that decade after decade—a last great natural treasure, sacred Tribal land that is home to polar bears and brown bears and lynx and moose and Arctic foxes and seals. In fact, it is the calving ground where a herd of 160,000 porcupine caribou go to give birth. Yet we decided that Tribal land was not as important as the decision for the rich and powerful oil companies to be able to destroy that pristine area.

Let's turn, really, to what was one of the biggest issues of the powerful over the people in 2017, one in which this body facilitated the theft of a Supreme Court seat in order to maintain the Citizens United ruling that allows billionaires to flood our campaigns with cash in order to control this body—one of the most evident sources of corruption in the history of this country.

Finally, we had an opening for the Supreme Court in 2016, an opening that might have redressed this “we the powerful” decision over “we the people.” This body came forward, and the leadership said: We are not going to allow a debate on President Obama's nominee. We are not going to allow a vote.

They justified it because it was an election year. Yet, if you look through history, there is nothing in our history that supports that. Fifteen times before, we had openings on the Supreme Court during election years. Fifteen times before, we had debated. Fifteen times before, we had voted. Then again,

it was dressed up as, maybe this is protecting the Constitution. Of course, the Constitution doesn't absolve us of our advice and consent responsibilities in the fourth year of a Presidency or in the eighth year of a Presidency.

The consummation of that theft was completed when this body voted to confirm the nomination of Neil Gorsuch last April—basically, an incredible act of irresponsibility, a failure to honor our advice and consent responsibility, an act which denigrated the legitimacy of the Supreme Court and certainly diminished the reputation of the Senate in honoring our pledge to honor the Constitution, including the constitutional responsibility to provide advice and consent—all in order to keep billionaires' money in campaigns throughout this country. If that is not the powerful over the people in 2017, what is?

That is not the end of it. In 2017, the Republican leadership of this body brought us five different efforts to wipe out healthcare for 20 to 30 million people. Now, I didn't hear the Senators who were supporting this say they wanted to give up healthcare for themselves—oh, no. They wanted to keep that, but they were very comfortable in advocating for a bill to wipe out healthcare for 20 to 30 million Americans. There you have it—the powerful against the people.

Then we have the tax heist—the most recent of the powerful over the people. Add up the provisions for the wealthy. Now, remember, this tax bill was advertised as a middle-class tax cut for the middle class, but what did we have? We had the provision to eliminate the dynasty loophole, which allows the richest Americans to pass on their dynasties to the next generation without their ever paying capital gains, at a cost of \$83 billion. We had a change in the tax brackets for the wealthiest Americans in the hundreds of billions of dollars. We had the eliminating of the alternative minimum tax—\$40 billion or so—for the wealthiest Americans. We had the reducing of corporate taxes, the benefits of which largely go to the big stockholders—the richest Americans. We had the sweetheart rate for passthrough corporations that bolstered the value of that, helping out the richest Americans.

If you add it up, one after another after another of the provisions, all told, probably about \$2 trillion has been given to the richest Americans by the so-called middle-class tax cuts—not \$2 trillion for the middle class, not \$2 trillion for the struggling bottom third of America's families, not \$2 trillion for helping to diminish the size of our classrooms in K-12 and to improve teacher training, not \$2 trillion dedicated to wiping out the high cost of college, not \$2 trillion dedicated to

healthcare and our clinics, not \$2 trillion dedicated to infrastructure, creating jobs, and building a better economy for the future. No. This is \$2 trillion to the richest Americans to increase wealth inequality, to increase income inequality.

How much is \$2 trillion? Can you even get your hands around that number? Divide it by the number of Americans—men, women, and children. That is \$6,000 for every man, woman, and child in America that this body, under this Republican leadership, decided to give to the wealthiest Americans rather than to make available for the foundation for our families—education, healthcare, good jobs, improved infrastructure.

That kind of wraps up 10 items from throughout 2017. This body constantly ignored the mission of our Constitution—our “we the people” mission—and chose instead to be the government of, by, and for the powerful.

How about we have a new year’s resolution for 2018 in which we decide to actually honor the Constitution, the vision of the Constitution, and address the needs of America and the foundation under which families may thrive, that of good jobs, education, and healthcare in 2018. Then we would be doing our job, and then we would be honoring our Constitution.

I thank the Presiding Officer.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

#### TAX REFORM

Mr. TOOMEY. Mr. President, I rise this afternoon to speak about what our tax reform and tax relief legislation actually does.

I want to start by welcoming in advance the President of the United States to Pennsylvania. The President is going to Pittsburgh, PA, to talk about the specifics of our tax reform and the effect it is having. I really wish I could be there with him, but we don’t know when we are going to finish up here, as the President knows very well. We might be here well into the evening, and I have multiple obligations to which I have long been committed in addition to juggling that. Unfortunately, I will not be able to get to Pittsburgh with the President, but I hope to have another opportunity to celebrate this victory for Pennsylvanians and Americans because that is what it is.

When we set out to accomplish the biggest tax reform in at least 31 years, we had two big goals.

The first was to make sure we implemented a direct tax cut for working families, for middle-income families, and for the overwhelming majority of families and individuals whom we all represent. That was goal No. 1—to make sure we cut taxes for the people who are working every day, living paycheck to paycheck, working hard, and making America what it is. That was item No. 1.

The second thing we wanted to do was to reform what was a completely

archaic, unbelievably complicated, inefficient, and really terrible business tax code that had become arguably one of the very worst in the world and one that was systematically discouraging investment in the United States.

So those were the two goals—direct tax relief for ordinary Americans and making the business tax code competitive. I am thrilled to be able to say that I believe we achieved both goals.

First of all, it is a simple, straightforward, factual matter that we cut taxes on the vast, overwhelming majority of taxpayers—the families and individuals who pay taxes. That is just a factual matter. That is easy to confirm. Of course, that has the effect of increasing the take-home pay for anybody who is working. You can increase your take-home pay by either getting a raise from your employer or by paying fewer taxes on what you earn or both, and we knew for sure that we were cutting taxes and that there was going to be a take-home pay increase.

I predicted at the time that we would also be creating an environment in which there would be upward pressure on wages, where over time we would start to see people getting bonuses, pay rate increases, and wage increases because we would be creating a dynamic in which employers would be competing more and more for workers so that, in effect, they would be bidding up the compensation for the workers. That is what I predicted, and I was confident that would happen within some number of months or a year or so. So I had to come down to the floor today and confess that I was wrong—very wrong—about the timing of that. You see, we didn’t have to wait 3 or 6 or 12 months for our constituents—the people whom we represent—to see the benefits in the form of higher wages. They started happening immediately—I mean, within days. It has actually been stunning.

It has been about 1 month since we passed this sweeping tax reform, and many hundreds of businesses—those cumulatively employing well over 2 million workers—have announced bonuses, wage increases, expanded benefits, and increased contributions to pension accounts. They have cited the tax reform as the mechanism that has enabled them to do this for their workers.

What is so exciting about this is that this is happening even before the wave of new investments has even been able to begin. This is happening because companies know that with lower tax rates, they are going to have more free cash flow. They are going to use some of that to invest in growing their business, but they have already announced that they are using some of that to enhance the compensation of their employees.

Let me give you some examples. These are just Pennsylvania-related companies, a handful of the ones I am aware of. It is typical of companies across the country. Comcast, a big em-

ployer based in Philadelphia, announced specifically that as a result of the tax reform, they would make a \$1,000 bonus payment to 100,000 frontline nonexecutive employees, and they committed to \$50 billion of capital expenditure over the next 5 years. How many tens of thousands of jobs is all of that capital expenditure going to support? It is a big number.

That is not all. Out in Pittsburgh, PNC Financial Services, a substantial large bank in Pittsburgh, announced right after the tax reform that they would pay \$1,000 to 47,500 of their employees, and, in addition, they would contribute \$1,500 to each of their employees for participating in their pension savings plans. They are also raising their base wage. Their minimum wage for employees at PNC goes up to \$15 an hour. No Federal Government edict is forcing them to do it. This is what they want to do. It is so that they can attract more and competitive employees. They have also increased their contribution to their charitable foundation—\$200 million to a charitable foundation that supports early childhood education. That is PNC.

Navient has 900 or so employees in Wilkes-Barre, PA, and they announced that they are giving a \$1,000 bonus to their non-officer employees—98 percent of their employees. That is not the top brass, but everybody else is going to get a \$1,000 bonus.

Customers Bank in Wyomissing, Berks County, PA, announced that as a result of the tax reform and the tax relief they are getting, they are going to be able to offer people who have a checking account with them a higher rate on their deposits. In another benefit for consumers, they are going to increase their charitable giving.

NexTier Bank in Butler County, in Western Pennsylvania, is giving a \$1,000 bonus to all their employees.

As to Walmart, I think we all saw that. There are Walmart employees in every State of the Union, and there certainly are in Pennsylvania. There are over 160 Walmart locations in Pennsylvania. They are giving a bonus of up to \$1,000, raising their starting wage, expanding their paid leave policy, and their adoption assistance program for their employees, all in response to the tax relief and reform that they know is going to be good for their business, and they already decided to make it good for their employees as well.

That is just a small handful of the companies that I know of in Pennsylvania that have made public announcements about this. How many more are there across the country? It is a huge number, and it is growing rapidly, and it is fantastic.

I think it is fantastic. I think it is fantastic when the people I represent are able to earn more to support their family, get a bigger bonus and get a bonus they might not otherwise have gotten at all.

I know this view is not universally shared. The House Minority Leader

PELOSI doesn't think very much of this. In fact, she said: "In terms of the bonus that corporate America received versus the crumbs that they are giving to workers to kind of put a schmooze on—it's so pathetic . . . I think it's insignificant."

I have to state that I don't think it is pathetic, and I don't think it is insignificant. I think to a family that is struggling, a family that is working hard, a family that may be living paycheck-to-paycheck, as most families do, these are not crumbs. This makes a difference. For the people who wonder, because they heard so much from our colleagues on the other side that this is not going to help middle-class families, any mystery that people may think surrounds this will be resolved very soon because the IRS has already released new withholding guidelines. The Treasury has done their evaluation, and they have concluded as the Joint Tax Committee concluded, that over 90 percent of all individuals and families filing and paying taxes will see a tax cut. So they are adjusting the withholding table so that the take-home pay goes up and so that the money that workers pay to Uncle Sam goes down.

Honestly, I have to state that I am convinced that the best in all of this is yet to come. The best is yet to come because it is too early for us to have yet benefitted from the wave of new capital investment. We have made it more affordable for businesses to invest in their workers, to invest in their businesses, and to invest here in America rather than overseas. We have made that more affordable so more is going to happen, and when it happens, people are going to get the benefits from the jobs they have to provide those capital goods. Other people are going to benefit from jobs that are necessary to operate that capital equipment. Wages will rise because workers will become more productive. This is what is in store for us, and this is what is so exciting.

It is not just my theorizing on this. Last week the CEO of PNC, Bill Demchak, was quoted in the Wall Street Journal. He said:

For all the investment decisions that companies make, the U.S. just got that much more attractive. . . . It's going to win more than it won before in terms of where people choose to do business activity and invest.

I couldn't agree more. This is clearly going to be the result. We are allowing American businesses to compete and to win in a competitive global economy. This is going to increase the supply of capital. It is going to increase the productive capacity of the American economy. It is going to provide better tools for workers when they have that capital that they can work with that makes them more productive. That enables them to earn higher wages, and with all the need for more workers that this is going to generate, it is going to continue to put upward pressure on wages, because that is what companies are going to have to do in order to at-

tract and retain the employees they need.

So I would say that I think we are well on our way to seeing the fruits of this reform. I think it is going to be extremely constructive. I am thrilled that our legislation has already begun to have tangible benefits for the people we represent, and I am convinced that the best is yet to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, it is of the highest importance that we reauthorize title VII of the Foreign Intelligence Surveillance Act, especially section 702. It is one of the best tools we have for detecting and preventing terrorist attacks against our country, and it has a long track record of success.

It is one reason that Najibullah Zazi today is not a household name, but yet just another bin Laden wannabe sitting behind bars. He was planning to blow up the New York subway system, but he never got the chance because our intelligence community and law enforcement professionals stopped him in his tracks by using information collected under section 702. That is how vital this program is, and that is why I will be voting yes on this legislation.

That being said, the bill we are voting on today is not my ideal legislation. If I had my way, we would be voting on a permanent reauthorization with no changes. That was the White House's position when I worked together with the administration and introduced a section 702 extension bill earlier this past summer, and the administration has said all along that they wanted a clean and permanent reauthorization.

The people who rely on this program and know better than anyone just how valuable it is believed it was good as is. The way I see it, if the threats against our country will not sunset in 6 years, why would we sunset this vital program? But I understand we usually have to compromise around here. I am glad to see a provision I offered to increase the maximum penalty for the misuse of classified information included in this bill. So while I worry this bill might make it harder for our intelligence community and law enforcement professionals to protect our country, I am going to vote yes.

As a result, you can imagine my surprise as I listened to the program's critics. There is a lot of misinformation out there. I want to take this opportunity to set a few things straight.

First off, there is nothing unconstitutional about this program. Section 702 targets foreigners on foreign soil—not Americans—and it is specifically designed to protect Americans against unreasonable searches. You don't have to take my word for it, though. Every district court that has looked at this question has found section 702 to be constitutional.

That includes, by the way, the so-called "about" collection. If you are

trying to collect information about a foreign target, and an American citizen mentions that target in an email, I would suggest that we would want our intelligence community to know about that. Does that mean that they incidentally picked up information about American citizens? Yes. But let's be frank here. The only way to prevent this kind of incidental collection is to prohibit any collection at all. If our intelligence community couldn't track an email address or phone number simply because they theoretically might pick up information about an American citizen, they simply could not do their jobs.

It is difficult, if not impossible, to tell if many email addresses belong to a foreigner just by looking at it. For example, is 5675309@gmail.com an American email address or not? Who knows? Did the National Security Agency discontinue its "about" collection at one point recently? Yes, but to me that is evidence that this program works. Contrary to what its critics believe, the NSA voluntarily ceased collecting information in the name of protecting privacy. The NSA respected the minimization standard imposed by the Foreign Intelligence Surveillance Court. The safeguards worked just like they were supposed to. This bill says that the NSA can continue so-called "about" collection only once it gets approval from the FISA Court and from Congress.

Yes, section 702 has a whole host of safeguards built in to protect Americans' privacy, and this bill adds more still. If the FBI wants to review information collected under 702 on a U.S. person for a criminal investigation that is not related to national security or foreign intelligence, it has to get a court order based on probable cause, even though the Constitution does not require it. Or if the FBI wants to query 702 information, it can do so only under FISA Court-approved guidelines. Finally, just to make sure the FBI is following the law, this bill requires the DOJ inspector general to check up on the FBI's compliance and report back to Congress.

Finally, the critics say the Attorney General can just sneak past all these safeguards by designating an investigation as a domestic crime related to national security or a transnational crime. That ignores the layers upon layers of oversight we have in place to prevent just that kind of abuse. Not only the DOJ inspector general but the FISA court and Congress will continue watching the FBI's use of this program, keeping guard against such misuse.

So I find the critics' arguments to be wholly without foundation. Section 702 is constitutional and strikes a pretty good balance between security and privacy. There is no good reason to let this program expire and no good reason to hold this reauthorization up any longer. Let's remember, after all, that last year there were two terrorist attacks against New York City within 6

weeks, not to mention a Christmas Eve plot against Pier 39 in San Francisco that was disrupted. Also, Admiral Rogers, the Director of the National Security Agency, has testified that the intelligence community would not have been able to put together its intelligence assessment about Russia's interference in our 2016 Presidential campaign without this vital program.

We face a lot of threats. Terrorism, spying, and nuclear proliferation are just a few. They are not going away any time soon, and neither is the Russian threat of meddling in our politics, either. It is past time we gave this tool back to our intelligence community so they can continue the hard work of keeping our country safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

#### TAX REFORM

Mr. WICKER. Mr. President, when we passed tax reform late last year, we knew it would be a win for American workers and for the American economy. This win for our workers and families was long overdue after so many years of sluggish wage growth.

Americans will see tax cuts very soon. They will be reflected in their paychecks next month. But tax reform is already making a positive difference. The response from our job creators—both small and large job creators—has been overwhelming. Some 164 companies so far, spanning industry sectors and geographical boundaries, have announced employee bonuses, higher minimum wages, better benefits, new jobs, charitable deductions, charitable donations, and new investments. According to Americans for Tax Reform, well more than 2 million Americans will benefit from these bonuses. The National Federation of Independent Business says that the tax cuts for our small businesses—the bread and butter of our economy—will amount to hundreds of millions of dollars.

I want to take a moment today to highlight how some of these job creators are giving back to the hard-working citizens of my State. They include Mississippi's single largest private employer, Walmart, which has announced that it is raising its starting wage rate for hourly employees to \$11. Walmart is also expanding its maternity and parental leave benefits, as well as giving employee bonuses, as a result of the new tax bill. BancorpSouth, headquartered in my hometown of Tupelo, MS, has announced that it will give back to employees through pay raises or bonuses. In fact, BancorpSouth says it plans to invest more than \$10 million into the employees who work in its 234 locations across Mississippi and seven other Southern States. Another bank based in Tupelo, MS, Renasant, has announced that it will invest its tax savings in its 2,000 employees.

Nationally, AT&T is giving \$1,000 bonuses to 200,000 employees. So are Bank of America, American Airlines, Boeing,

and Comcast. And I could go on and on and on with bonuses benefiting hundreds of thousands of employees.

Other Americans will get new jobs. Last month, television station WLOX on the gulf coast of Mississippi reported that the Half Shell Oyster House plans to use its tax savings to open new restaurants and hire more employees. Isn't this what we want? Isn't this what we predicted? And isn't it wonderful to see this come to fruition? Kevin Fish, a co-owner, told the news station: "We've passed up on opportunities in the past that we wouldn't have passed up on had we had this tax structure."

Millions of Americans might also see lower energy bills from investor-owned utilities. Utility companies across the country, including in Mississippi, are discussing how the law can help them lower energy costs for our consumers.

The message is clear across my State, across every State, and across this country: The more money our job creators can save and the more money they don't have to send to Washington in the first place, the more they can invest in the future of their businesses and the well-being of their employees. And this is proving true every day and will continue. These are the opportunities we do not want our job creators to pass up. With every bonus, every pay raise, every expanded benefit, every lower energy bill, American families will have more money in their budgets to spend on the things they need most.

Thank you to the leadership of the President and the leadership of the House and Senate for giving this outstanding benefit to the families, the workers, and the job creators of the United States of America.

Thank you, Mr. President.

I yield the floor, and 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. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINRICH. Mr. President, the Senate will be voting soon on a bill to reauthorize the FISA Amendments Act. Most Americans likely do not recognize the name of the bill, but they probably know what this bill addresses—our government's surveillance of communications.

As a member of the Senate Intelligence Committee, I have learned a great deal about our post-9/11 surveillance laws and how they have been implemented, and I have determined that there are reforms that need to be made to the FISA Amendments Act—specifically section 702—before we renew this law.

The single biggest flaw in section 702 is how it has been interpreted. The language of the law—the collection of foreign intelligence of U.S. persons rea-

sonably believed to be located outside the United States—anticipates that incidental or accidental collection of Americans' emails or even phone calls could occur, but under the FISA Amendments Act as written, there is nothing to prohibit the intelligence community from searching through a pile of communications collected under this statute to deliberately search for the phone calls or the emails of specific Americans. This is not what Congress intended when the law was written, and now we are being asked to vote on this law at the last minute with not a single amendment allowed.

Many of us have called this the backdoor search loophole since it allows the government to search for Americans' communications without a warrant—let me repeat that—without a warrant. The USA Rights Act, of which I am a cosponsor, includes a fix to this loophole. It also includes other key reforms to the statute that I support. But that commonsense bill is not the one on the floor today. The bill before us today would actually take us backward. It doesn't require a warrant to search for Americans' communications. It makes it quite easy to resume the "about" collections on Americans—a practice that the government has literally abandoned. It grants new authorities to allow section 702 data to be used in domestic criminal prosecutions of American citizens.

I strongly believe that the Federal Government needs a way to monitor foreign communications to ensure that we remain a step ahead of the terrorists and those who would threaten our national security. The FISA Amendments Act has been beneficial to the protection of our national security. I don't question the value of the foreign intelligence that this law provides. I have seen it with my own eyes. But I also strongly believe that we need to balance the civil liberties embodied in our Constitution with our national security imperatives. It is the responsibility of Congress to find that balance. The bill that is before us today could come closer to that standard if we improve it through the adoption of amendments that I and my colleagues would offer if we had the opportunity. But this bill is being fast-tracked, and we are left with only the choice of an up-or-down vote.

The American people deserve better than the legislation before us today. The American people deserve better than warrantless wiretapping.

I urge my colleagues to consider the gravity of the issues at hand and to oppose reauthorization until we can have a real opportunity for debate and reform.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I believe the American people should be deeply concerned about the vote the Senate took yesterday to invoke cloture; in effect, ending real debate and preventing the Senate from considering any amendments to the Foreign Intelligence Surveillance Act reauthorization.

This isn't what is called regular order. This isn't how the Senate ought to operate. In fact, it is not even how the Senate has handled surveillance bills in the past. Even in the weeks after the horrendous attacks of 9/11, the Senate considered amendments to the PATRIOT Act. In 2008, when the Senate first considered section 702, the Foreign Intelligence Surveillance Act, there were, in fact, amendments.

Now debate has been cut off, and no Senator—neither a Democrat nor a Republican—is going to be allowed to offer an amendment. What the country is going to be left with is a deeply flawed bill that, in a number of ways, is actually worse than current law.

I want to talk first about whose rights are at stake. We are talking primarily, at this part of my address, about Americans who talk to foreigners overseas—law-abiding Americans whose communications can get swept up under this law. They could be, for example, American businesspeople—perhaps somebody working for a tech company in Colorado or Oregon or perhaps somebody working for a steel company in the Midwest. These are American businesspeople—law-abiding people—talking to a foreign contact. They could be swept up under this law or we could be talking about first-, second-, or third-generation Americans talking to family and friends still overseas. Maybe they are catching up. Maybe they are talking about kids and grandkids. Maybe they are just talking about their hopes and aspirations, but they are still law-abiding Americans who could get swept up in this bill. We could be talking about American journalists covering foreign stories. We could be talking about U.S. servicemembers talking to foreign friends they made while deployed. Try to get your arms around that one.

I think it is particularly unfortunate because one of the things I am proudest of is I was able to ensure that Americans overseas—servicemembers—would have their privacy rights protected. We have a law passed to do that.

I remember George W. Bush had reservations about that proposal I made to protect the privacy rights of our law-abiding servicemembers overseas. He originally said he might veto the bill. In the end, it was in his press release saying how great it was, and I think it was because nobody had really talked about the rights of these wonderful men and women who wear the uniform in the United States.

We did it right back when George W. Bush was President. We protected the

privacy rights of our servicemembers overseas. Now we are talking about walking back the rights of those U.S. servicemembers if they are talking to foreign friends they made while deployed, and we could be talking about American teachers and researchers seeking information from foreigners.

Now this body isn't going to have a chance to even consider reforms that might protect the constitutional rights of these Americans—the businessperson, the servicemember, the first-, second-, or third-generation American immigrant—because what has happened is the Senate is being forced to vote on a reauthorization bill without any public discussion about any kind of alternatives. The one committee consideration—what is called a markup—occurred entirely in secret. That is public law being debated in secret.

Yesterday, the Senate discussed whether to cut off debate on a bill that authorizes vast, unchecked surveillance powers in less time than it takes to shop for the week's groceries. So now, with no amendments possible, there is not going to be a single opportunity for the public to see its representatives explain why they are supporting or why they are rejecting these key reforms.

You can only conclude from this that opponents of reforms were just scared. They were frightened. They just didn't want to have them debated in the open. They must be worried that the more Americans understand about the program—and the more they hear about commonsense, bipartisan proposals to fix it—the more the public is going to say we can do better. We can do better than the status quo because the public, once they have the benefit of a little transparency and a little open debate, what I have seen—and I just finished my 865th open-to-all town meeting at home in Oregon. Once you talk to folks at home about these issues, they understand that security and liberty aren't mutually exclusive; that sensible policies get you both and not-so-sensible policies and failure to look at the issues really get less of both.

My view is the Senate let down the American people yesterday. In my view, we have a solemn obligation to deliberate, to consider amendments, and to vote up or down. I think that is really what the Senate is all about.

One of the worst arguments for jamming this bill through without amendments was that somehow this law was going away. It just wouldn't be around. It was expiring.

First, Members who wanted to debate reforms were prepared to go to this floor many months ago. Nothing stood in the way of a floor debate last year. Even today, there is no reason to rush all this through. Absolutely nothing prevents the Congress from extending 702 authorities for a week or two to allow us to carry out our constitutional responsibilities. By the way, the Director of National Intelligence has said publicly and on the record that its

authorities continue until April. I was stunned.

I had Senators on both sides of the aisle whom I like very much—good, dedicated Senators—saying: Oh, my goodness, we have to act. If we don't act in the next few days, oh, my goodness, powerful tools we need to stop the terrorists—and I will not take a backseat to anybody in terms of stopping the terrorists—they are going to be gone. That is just not true.

Mr. President, I ask unanimous consent to have printed in the RECORD an article with the statement from the Office of National Intelligence, where the Director said on the record that its authorities would continue.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, Dec. 6, 2017]

WARRANTLESS SURVEILLANCE CAN CONTINUE  
EVEN IF LAW EXPIRES, OFFICIALS SAY

(By Charlie Savage)

WASHINGTON.—The Trump administration has decided that the National Security Agency and the F.B.I. can lawfully keep operating their warrantless surveillance program even if Congress fails to extend the law authorizing it before an expiration date of New Year's Eve, according to American officials.

National security officials have implored Congress for the past year and a half to extend the legal basis for the program, Section 702 of the FISA Amendments Act, before it lapses at the end of the month. They portrayed such a bill as the “top legislative priority” for keeping the country safe.

But with Congress focused on passing a major tax cut and divided over what changes, if any, to make to the surveillance program, lawmakers may miss that deadline. Hedging against that risk, executive branch lawyers have now concluded that the government could lawfully continue to spy under the program through late April without new legislation.

Intelligence officials nonetheless remain intent on getting lawmakers to pass a durable extension of Section 702 by the end of the month—warning that even a stopgap short-term extension of several months, as some lawmakers have proposed, would risk throwing the program into a crisis in the spring.

“We fully expect Congress to reauthorize this critical statute by the end of the year,” said Brian Hale, a spokesman for the Office of the Director of National Intelligence. “Not doing so would be unthinkable in light of the considerable value Section 702 provides in protecting the nation.”

The expiring law grew out of the Bush administration's once-secret Stellarwind warrantless surveillance program after the Sept. 11 attacks. After it came to light, Congress enacted the FISA Amendments Act of 2008 to legalize a form of the program.

Under Section 702, the N.S.A. and the F.B.I. may collect from domestic companies like AT&T and Google the phone calls, emails, texts and other electronic messages of foreigners abroad without a warrant—even when they talk with Americans. The program has expanded to a broad array of foreign intelligence purposes, not just counterterrorism.

If Congress fails to reauthorize the law this month, Mr. Hale acknowledged that the government believes it can keep the program going for months. Its reasoning centers on a legal complexity in how the program works: Under the law, about once a year, the secretive Foreign Intelligence Surveillance Court



sets rules for the program and authorizes it to operate for 12 months.

The court last issued a one-year certification on April 26. That matters because a little-noticed section of the FISA Amendments Act says that orders issued under Section 702 “shall continue in effect until the date of the expiration.”

Mr. Hale said the provision, which is recorded in federal statute books as a “transition procedures” note accompanying the main text of the law, makes it “very clear” that “any existing order will continue in effect for a short time even if Congress doesn’t act to reauthorize the law in a timely fashion.”

Given that conclusion, the government is making no plans to immediately turn off the program on New Year’s Day, no matter what happens in Congress, according to a United States official familiar with the Section 702 program who spoke on the condition of anonymity to discuss a sensitive topic.

The disclosure has significant ramifications for the debate over the program.

Congressional leaders have discussed including an extension of the program in other must-pass legislation, like a spending bill to keep the government from shutting down. But lawmakers will face less pressure to jam through such a move, short-circuiting a full and open debate over reform proposals, if the alternative is not an immediate termination of the collecting of intelligence authorized by the law.

Little consensus exists in Congress about what, if any, changes to make to the law as part of extending it. Lawmakers have submitted legislation spanning the gamut from making the law permanent without changes to imposing significant new limits to safeguard the privacy rights of Americans whose communications get swept up in the program, as well as a range of intermediary proposals.

One key disagreement centers on what limits, if any, to impose on how government officials may search for, gain access to or use in court information about Americans that gets swept into the warrantless surveillance program. Some lawmakers want to impose a broad provision forcing officials to get a warrant before they may query the repository about an American. Some want a more limited requirement that officials get a court’s permission to gain access to the results of such a query if it is for a criminal investigation but not a national security one. Some want to impose no new constraints.

Another major issue confronting lawmakers is what to say, if anything, about the N.S.A.’s old practice of collecting, from network switches on the internet’s backbone, international emails and other such messages that mention a foreigner who is a target of surveillance but are neither to nor from that person. The N.S.A. recently halted that practice but wants to retain the flexibility to turn it back on; some bills would codify a ban on it, and some would not.

The question of a Section 702 overhaul, and trade-offs between national security powers and privacy protections, has scrambled the usual party lines. Representative Robert W. Goodlatte of Virginia, the Republican chairman of the Judiciary Committee, has warned that legislation whose changes fall short of a compromise bill that he worked out with Democrats on his committee is unlikely to pass the House.

In an interview, Senator Ron Wyden, an Oregon Democrat, declined to comment on the government’s theory, but said he was open to making it possible to have a full and open debate over the proposed changes to the surveillance law early next year if time runs out this month.

“We’ve seen this movie before: wait until the last minute, and then say, ‘crowded con-

gressional calendar, dangerous world, we’ve just got to go along with it,” Mr. Wyden said. “Anything now that creates an opportunity for several months of real debate, I’ll listen to.”

Either way, the United States official said the executive branch and the courts would still need a durable new version of the law well before the late-April deadline. The problem, the official said, is that it will take a significant amount of time to develop new procedures based on the new law, submit them to the Foreign Intelligence Surveillance Court, make changes the court wants and then work with communications companies to implement the new certifications.

Mr. Hale declined to comment on those specifics, but said that a gap in the surveillance program’s legal authorization would generate uncertainty.

“So while the orders would be in effect for a short time after the end of the year, the fact is that we would need to be planning for the end of the program,” Mr. Hale said, “and that cannot be done in a matter of days—to effect that takes some time, and is not like turning on or off a light switch.”

Planning to turn off the Section 702 program, the other official said, would include steps to mitigate that change as much as possible, including by systematically going through the list of more than 100,000 foreigners abroad who are being targeted under the program and triaging which are the most critical, then developing lengthy packages of information to submit to the surveillance court to seek individualized orders to wiretap them.

But because of the resources such an effort would require and the higher legal standard the government would need to be able to meet, surveillance would ultimately cease on most of the Section 702 targets, the official added.

MR. WYDEN. Thank you, Mr. President.

Despite yesterday’s vote, I regret to have to say I am going to have to oppose this legislation’s final passage. My view is, if this bill does not go forward now, it is possible to get Democrats and Republicans back to work together to ensure there is a meaningful debate on the floor of the U.S. Senate and that this is done with ample time to meet this window that the Office of National Intelligence has talked about publicly, but if that doesn’t happen, the Senate has denied itself the opportunity to even attempt to fix this badly flawed bill.

This surveillance authority allows the government to sweep up some untold amount of law-abiding Americans’ communications. The government says, of course, that its targets are terrorists, and this is about keeping Americans safe from terrorism. I don’t take a backseat to anybody in terms of fighting terrorist threats.

Having served on the Intelligence Committee for some time now, I can tell all Members and the public there is no question that the terrorist threat is real and that there are significant numbers of people who represent a very real threat to the well-being of our country.

Now, if somebody says, We have to keep Americans safe from terrorism, I am all in. I would submit that I don’t know of a single U.S. Senator—not 1 out of 100—who is not all in on this

fight against terrorism, but that is not what the law says. The law says that, under section 702, the government can collect, without a warrant, the communications of foreigners “to acquire foreign intelligence information.”

Here is how the law defines “foreign intelligence information.” It is information that relates to the conduct of the “foreign affairs of the United States.” That is just about any piece of information about a foreign country.

Who can the government target to get all of this information? Anybody “expected to possess, receive, and/or is likely to communicate” that information. So if you unpack that, you don’t have to be a terrorist suspect or any kind of threat to the United States to be a target under section 702 of the Foreign Intelligence Surveillance Act. The government just has to think you know something the government wants to know.

That is why so many Americans—Democrats, Republicans, and Independents—are worried about getting their private communications swept up. They are law-abiding people, as I have been saying—servicemembers, businesspeople, Americans who, on a regular basis, talk to friends, families, and contacts overseas. They are worried because, based on what the law says, which I have just read, those foreigners could be the targets, and Americans’ communications could be collected by the government.

Now, for years, I and other Members of the Congress—both Houses, both parties—tried to at least get an estimate of how many law-abiding Americans’ communications have been getting swept up. As recently as April 2017, the Director of National Intelligence said the public was going to get some kind of estimate, but in June, the Director suddenly changed course and told the public and the Congress: You are not getting anything. What that means is no one knows the size of the database. Nobody knows how many Americans’ private communications are sitting there, waiting to be searched and possibly used against those Americans.

Just yesterday, the Privacy and Civil Liberties Oversight Board was invoked by those opposing reforms, but what that Board had to say about the sheer volume of Americans’ communications being swept up is actually, in their words, “too much expansion in the collection of U.S. persons’ communications or the uses to which those communications are put may push the program over the [constitutional] line.”

So here they were being cited, in effect, as supporters for the status quo when I just read you their concern about the status quo.

This is why today section 702 of the Foreign Intelligence Surveillance Act is an end-run on the Constitution, and it is what the Presiding Officer and other Members of this body—both Democrats and Republicans—have wanted to change.

This end-run is not just about the collection. It is that, after all the communications of our people are swept up, the government can go searching for individual Americans through all that data. They don't have to be suspected of anything. The government just has to decide on its own that your private communications might reveal some intelligence or some evidence of a crime, and like the collection of the communications, that search can take place without a warrant—no warrant on the collection of Americans' communications, no warrant on searching for individual Americans. This is a case of two wrongs certainly not making a right.

What the Senate did last night was prevent any debate on this basic constitutional question. The USA Rights Act, introduced by 15 Senators of both parties, would have required a warrant for those searches of Americans.

Our colleagues Senator LEAHY and Senator LEE have legislation requiring a warrant—a Democrat and a Republican. Other Members have had their own proposals. None of them are going to get heard by the Senate.

We had a chance to consider amendments. We could have fixed the underlying bill, which doesn't require any warrants for any searches for Americans. Let me just repeat that. The underlying bill does not require any warrants for any searches for Americans—none, not in intelligence cases, not in criminal cases. Warrantless fishing expeditions for Americans can just go on and on and on.

The bill's so-called reform only applies to the government's access to the results of the searches, but it really doesn't even do that. It only kicks in if the government is already well down the road of investigating somebody.

This means the bill provides more rights to criminal suspects than to innocent Americans. Think about what that is going to mean in Texas or Oregon or North Carolina or anywhere else in the country. As I have described it, this bill provides more rights to criminal suspects than to innocent Americans.

It gets worse because the bill is even narrower than that. It imposes no limitations at all if the government determines the search relates to national security or to a criminal matter that has anything at all to do with national security. Why are opponents of reform happy now? Because their bill does nothing.

I went and read the Director of National Intelligence's statistics for 2016. The CIA and the National Security Agency conducted over 5,000 warrantless searches for Americans, according to this material. It doesn't include the FBI, whose searches are supposedly too numerous to even count. It doesn't include communications records, which number in the tens of thousands.

How many times does the government encounter a situation in which,

under this bill, there would even be the possibility of needing a warrant? Exactly one—that is right—one among the thousands and thousands of warrantless searches for Americans. Even that is an overstatement because that one instance in 2016 could have occurred prior to a predicated investigation; in which case, it, too, would be exempt from warrant requirements.

Basically, this bill we will vote on provides an easy-to-read roadmap to the government to make sure it never has to get a warrant for anything. Meanwhile, the thousands of Americans subject to warrantless backdoor searches each year have no protections at all.

Had there been amendments, I think there would have been the familiar argument against requiring a warrant for searches of Americans' private communications. We would have heard that section 702 of the Foreign Intelligence Surveillance Act is necessary to connect the dots between suspects and terrorists.

Here is why that is misleading. Opponents of reform like to talk about a tip to the government that somebody is acting strange on a bridge. They say this is a situation where the government needs to go directly to reading the private communications of this person. That is just not how the Constitution works.

Think about it. Would you want the content of your private communications searched, accessed, and read just because somebody has a slight suspicion about you?

Here is the misleading part. Opponents of reform say that, unless the government searches for and reads the emails, it just can't connect the dots to the terrorists. That is just false. The government already has the authority to get this information and in a less intrusive way.

Some may remember just a few years ago there was a debate about ending metadata—the bulk collection of millions of phone records of law-abiding Americans. What remained at the end of that debate was the authority of the government to go get the phone and email records of anyone as long as the records were relevant to an investigation. If it is an emergency, the government can get those records immediately without having to go to the court first.

I want to emphasize that because it is something I have felt very strongly about. I wrote that section, section 102 of the USA Freedom Act, because I wanted to make sure it was clear in this debate about finding policies where security and liberty are mutually exclusive, where we have both, that the strongest possible message was sent; that if the government believes there is an emergency, the government can move immediately—immediately—to get the information it needs and then come back later and settle up with the court.

When I have the opportunity to be in the Oval Office, which I have had sev-

eral times—it is a wonderful honor and privilege given by the people of Oregon to pursue these issues—I will say what I say to the President, not what the President says back because I think those are private communications of the President. At one point in this debate, I said to President Obama: If you and your staff feel the current emergency provisions are not adequate, if you think they are not strong enough, I want to know about it because I will work with you to make sure they do the job.

That is because when there is an emergency and the security and well-being of the American people is on the line, the government gets a chance to move quickly, come back, and settle later with the court. I have included that in essentially all the legislation that I have authored. This provision of the Foreign Intelligence Surveillance Act is what allows the government to connect the dots without going directly to the content of private communications. That is how our system is supposed to work. The government gets less intrusive information on Americans, using a lower standard, first.

But what if the government needs the content of communications urgently? What if the government sees an immediate threat and believes it has no choice but to read those communications right away? As I said, that is why we had the amendment that I have described in USA Freedom Act, and it is why we said in our amendment to section 702—in this proposal—that we would also have an emergency exception. Again, the USA Freedom Act has an emergency exception, and our reform to section 702 of the Foreign Intelligence Surveillance Act has an emergency exception. In this case, under our proposal, in an emergency, the government can search for and read those communications immediately and seek a warrant later. Our proposal also includes other exceptions to the warrant requirement, such as a hostage situation, where a search might help save someone.

I bring this up only by way of saying that reformers have been very clear. When the government has an emergency that is defined by the government—not by somebody else who might conceivably not have all the information—what we did in the USA Freedom Act is what we are doing in section 702 of the Foreign Intelligence Surveillance Act, which is protecting the American people in an emergency.

Now, there are other facts about warrantless backdoor searches that opponents of a warrant requirement omit from public argument. For years after the original passage of section 702 of the Foreign Intelligence Surveillance Act, the CIA and the National Security Agency didn't have the authority to conduct these searches. What is more, the Bush administration never asked the FISA Court, or the Foreign Intelligence Surveillance Act Court, for those authorities. The Bush administration didn't think it was a problem

that the CIA and the NSA couldn't conduct warrantless backdoor searches of Americans. But now people act like the warrantless searches are somehow inseparable from the broader program. They pretend that we really can't have an effective foreign intelligence collection program unless you just make sure you are violating the rights of Americans.

This week should have been an opportunity to discuss the facts of how this bill could have been improved. It should have been an opportunity to clarify that Americans don't have to choose between security and liberty. It should have been the Senate's chance to push back against scare tactics and fearmongering and to lay out for the public what the government does and doesn't need to protect us. Instead, we get a bill that isn't necessary for our security and does nothing to protect our liberty.

There are other important amendments that are not going to be considered. One relates to what is known as "abouts" collection, a process in which two innocent Americans could have their communications swept up if they just write an email referencing a foreign target. We are talking communications entirely among individuals who themselves are not targets and are, potentially, all Americans. The whole concept is just contrary to the Fourth Amendment. As the privacy board concluded, there was "nothing comparable" in the law.

"From a legal standpoint, under the 4th Amendment, the government may not, without a warrant, open and read letters sent through the mail in order to acquire those that contain particular information. Likewise, the government cannot listen to telephone conversations, without probable cause about one of the callers or about the telephone, in order to keep recordings of those conversations that contain particular content."

That is the quote from the privacy board, and we sure heard on the floor sponsors of the status quo, in my view, suggest that the privacy board had a different view of what they were up to.

From a practical standpoint, this form of collection was so problematic that the government itself was forced to shut it down. Now, the underlying bill says: Go ahead and start it up, as long as you tell Congress. Congress has to be told anyway.

Based on the bill before us, if Congress does what it does best—which is nothing—the government can just go ahead.

Again, I don't think that is what the public thinks the Senate should be about. If the government ever wants to get back into the business of this collection, it can come to the Congress and get it authorized. If their argument wins the day, so be it, but preemptively writing into black letter law this form of collection, sight unseen, means that this Senate is surrendering our constitutional responsibilities.

This is one of the examples, the "abouts" collection, which I mentioned, of why this bill actually is a retreat from current law. Congress has never approved "abouts" collection. It wasn't in the 2008 bill creating the law or the first reauthorization of section 702. It happened because of a secret interpretation of law, and most of Congress knew nothing about it. But now, for the first time, when the government itself has suspended it—largely because they know it had been abused—what we are doing is essentially setting up what amounts to a fast-track process to write it back into the law. It defines "abouts" collection broadly—broader even than the government—and it invites its resumption.

The Senate also is not going to get to consider an amendment limiting how information on Americans can be used against Americans. The bill allows unlimited secret use of section 702 information—all collected without a warrant—in any investigation or in any administrative or civil procedures against Americans. Now, Americans understand how the government can thoroughly disrupt their lives without ever charging them with a crime, particularly if they are doing it based on secret information.

But even when it comes to using 702 information as evidence in criminal proceedings against Americans, the bill provides no real protections. All the government needs is for the Attorney General to determine that the criminal proceedings relate to national security or involve a set of crimes that have nothing at all to do with national security. There is a catch-all category called "transnational crime." Now, I have tried for some time to get the government to tell me what this "transnational crime" is. I haven't gotten much of a response. In any case, the underlying bill here specifically says that the Attorney General's decisions cannot be challenged in court.

So there you are. If the Attorney General decides that the crime you are being charged with somehow relates to national security or is a "transnational crime," that decision by the Attorney General is really pretty much sacred. You can go to jail without ever being allowed to challenge the government's use of section 702 information against you—information obtained without a warrant and potentially uncovered as a result of warrantless searches specifically conducted to find your communications and communications about you.

The ways in which the government could potentially use this information, collected without a warrant to investigate and prosecute Americans and those in the United States, are limitless—immigration status, recreational drugs, back taxes. The list goes on and on. I don't think Americans think that is how the system is supposed to work. Is that what a warrantless foreign intelligence surveillance bill is supposed to do? I don't think so—immigration

status, recreational drugs, back taxes—but this bill allows it.

The bill leaves in place other problems that affect our rights. One of them is the issue of what is called parallel construction. That is a lot of fancy legalese that says that, even if information against an American originally comes from section 702, if the government subsequently constructs a case from other collection, it never has to tell that American that it used section 702. My bill, with Senator PAUL and 13 other Senators, would have fixed that.

The bill we are voting on shortly, without any debate on amendments, also leaves in place a big catch-22 that prevents anybody from ever challenging section 702 in court. Section 702 collection is secret, so almost no one can prove definitively that they personally were swept up. That means it is also almost impossible to get standing to go to court to challenge section 702. I am sure it pleases opponents of reform, but it means that section 702 isn't going to be part of any court review process where both sides of the adversarial system get heard.

Fixing this problem is not, as so many in the House misleadingly said, giving rights to terrorists. That was part of the fear-mongering that went on. This is simply saying that section 702 is not exempt from constitutional challenges that apply to every single Federal statute—by the way, the hallmark of our constitutional system.

There are other problems that could have been fixed with amendments. I am particularly troubled by the fact that the underlying bill doesn't fix the problem of reverse targeting. This is where the government targets a foreigner overseas when it is really interested in collecting the communications of an American without a warrant. Right now, the law as written allows this collection to continue without a warrant, unless, in effect, the only purpose of the collection is to obtain the American's communications. My concern is that, if the government has even the slightest interest in the foreign target, it is not going to seek a warrant, regardless of the intensity of the government's interest in the American on the other end of the phone or the email. This could mean, again, frequent, ongoing searches of the American's communications. It could mean the use of the American's communications in investigations and criminal proceedings. There is a solution to this, and we proposed it; that is, if a significant purpose for targeting a foreigner is to get an American's communications, the government would need a warrant—pretty simple. I note that the Presiding Officer of the Senate is supportive of reforms and our bipartisan coalition. I very much appreciate that.

Just think about that. We had a solution to the fact that reverse targeting had been abused. We simply said, if a significant purpose of the government for targeting a foreigner is to get an

Americans' communications, the government would need a warrant—and, of course, we have an emergency exception in the bill as well.

The bill also doesn't prevent the government from directing service providers to modify or weaken encryption without any court oversight. I am telling you that this problem has been underappreciated. As we all know, there is an ongoing debate about whether the government should be able to mandate backdoor weaknesses in encryption. I believe this kind of authority is just a loser all around. I think Americans, if you weaken strong encryption, will be less safe. Certainly, parents who are concerned about a youngster don't want to weaken the protection in their smartphone for the tracker so they can keep tabs on their kids. If the government is allowed to mandate backdoor weaknesses in our products, I believe we will be less safe, we will have less liberty, and it will be a big loser for many of our high-skilled, high-wage companies.

I have already announced that, if there is any effort to weaken strong encryption, I will do everything in my power to block that legislation because it is a loser from a security standpoint, it is a loser from a liberty standpoint, and it will be bad news for a lot of our companies that pay good wages for the high skills of Americans, but even those who argue that the government should be able to mandate backdoor weaknesses in encryption assure us it is only going to happen if the court orders it. But under section 702, the government could direct a service provider to do that without any court awareness at all. And, of course, Congress might not know either.

Again, we would have liked to have fixed this here on the floor. The bipartisan legislation I have with Senator PAUL requires that the FISA Court approve the kind of technical assistance the government is seeking from providers, which would also result in the Congress finding out. This bill we will be voting on soon doesn't do that. As a result, the court and the Congress could end up totally in the dark about an issue that I think is absolutely central to the security and well-being of our people in the 21st century.

The bill also provides no clarification on the question of whether section 702 of the Foreign Intelligence Surveillance Act can be used to collect communications the government knows are entirely domestic. Put your arms around that. This law is called the Foreign Intelligence Surveillance Act, and we can't even get a straight answer from the government's Director of National Intelligence about whether the law can be used to collect communications the government knows are entirely domestic.

When I first asked the head of national intelligence whether 702 provided this authority, he said in a public hearing: No. That would be against the law.

Then, apparently, he told folks in the news media that he was answering a different question than the one I asked.

Once again, I asked the Director of National Intelligence to answer the question I had asked, at which point he then wrote and said that the whole thing was classified.

This is the essence of what is secret law. I believe it is the kind of thing that erodes trust in the government and in the intelligence community specifically.

Had we been able to have a real debate, I would have offered an amendment that would, in effect, write in the black letter law what the head of national intelligence told me at first when I asked him "Could FISA be used to collect wholly domestic communications?" before all this George Orwell stuff. The head of national intelligence said: No, FISA could not be used to collect wholly personal communications. That answer would have reassured the American people.

After all of this back-and-forth and the bizarre situation where the Director of National Intelligence says the whole thing is classified after he has already given an answer in public, now the public isn't going to have an opportunity to see its representatives address this issue or take a position.

Supporters of the bill point to provisions related to oversight of section 702. Here is how inadequate those are. Yesterday, we again heard about the privacy board. Right now, the privacy board is restricted to reviewing counterterrorism programs. Most intelligence programs aren't neatly categorized that way. They are broader than that. And, of course, the effect on Americans' privacy has nothing to do with whether a collection program is about terrorism or anything else. This bill leaves in place completely arbitrary limits on the privacy board and their ability to oversee the country's intelligence programs.

The bill does not meaningfully strengthen the FISA Court in a way that I think is very basic. There are people with top security clearances who appear before the court and provide the only alternative view in what is otherwise basically the government's show. The FISA Court has often gone years without addressing serious legal and constitutional questions. Sometimes, the court never gets to them. Right now, these sort of friends of the court are only heard from when the court invites them. But imagine if these folks who have top security clearances were informed about what was going on and could raise issues with the court whenever they felt it was important. This would not hinder the FISA Court, but it would greatly improve the chance that the court would consider serious issues earlier. Once again, no reform.

There are also basic principles of transparency that are ignored in the bill. Right now, the CIA and the NSA are obligated to inform the public how

many searches of Americans they conduct. The FBI is not. I don't see a good argument why Congress shouldn't change that. The American people deserve to know how often the CIA and the NSA conduct warrantless searches looking for information on them. They deserve to know how often the FBI does so, particularly because the FBI conducts searches for evidence of a crime as well as for intelligence.

I believe I have outlined the faults of the bill. This is not reform. It is not even business as usual; it is a retreat. It is, in fact, worse than just extending the program's business as usual because, for the first time, it writes into black letter law the problematic practices that I have outlined. There is not real oversight. There is not transparency. That is what the public demands. That is what I heard people asking for at the townhall meetings I held last weekend in Oregon. Americans still have a lot of unanswered questions about the program.

There are certainly many Members of Congress who share my concerns who have devoted much of their career to ensuring that Americans have security and liberty. I want to especially express my appreciation to Senators PAUL and LEE. They have been tireless champions. Chairman LEAHY has led on this critical matter for decades. Senator HEINRICH, my seatmate on the Intelligence Committee, is one of this body's rising stars because he is willing to dig deeply into the issues. In the House, 183 Members voted for the most comprehensive section 702 reform bill, the House version of the USA RIGHTS Act. As we saw last night—and the President of the Senate and I were involved in a lot of those deliberations down here in the well of the Senate—this was a very close vote.

A lot of people say: Well, the reformers are going to say their piece, and they are going to get 6, 8, 10 votes and the like.

I think, last night, we really brought home what I hear Americans say, Democrats, Republicans—by the way, many Independents—who have questions about the way the government works and want to see their liberties protected in a way that also keeps them safe, and a big group of Members in the other body. And last night, a big group of Senators said: What a quaint idea. Let's have the U.S. Senate be the U.S. Senate. Let's have a few amendments.

It was communicated to the leaders. I want to thank Senator SCHUMER for making it clear that he thought that some amendments would make this a better, fuller, and more complete debate. I think it is very unfortunate, with the fact that there are so many important issues here—it is an important bill. I hope people have seen that—having spent a lot of time on these issues over the years, I think we really need to have more time spent on this floor getting a chance to debate these issues, having Senators of both

parties work in good faith, work toward constructive solutions.

I think support for what we sought last night, which is a real debate and real solutions and actual amendments—I think more and more Americans are coming around to see that is the way to proceed because Americans aren't going to buy the idea that, well, we will just say you have to give up some of your liberty to have security. Ben Franklin said it very well: Anybody who gives up their liberty to have security doesn't really deserve either.

What we need are smart policies. That is why I talked about encryption. Strong encryption makes us safer. It also protects our liberty. That is why I outlined some of the deep flaws in this bill. I think this bill puts on fast track going back to "abouts" collection, where somebody is barely mentioned and, all of a sudden, the government is collecting the communication.

I will oppose final passage of this legislation. Nothing is preventing the Congress from getting this right. As I mentioned, the office of national intelligence—the Director of the relevant agency has said there is plenty of time for us to take this bill, have a few amendments, a real debate, and come up with a bill that better ensures that Americans are both safe and free.

With that, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I ask unanimous consent that notwithstanding rule XXII, all postcloture time on the House message to accompany S. 139 expire at 12:15 p.m. on Thursday, January 18.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for approximately 15 minutes as in morning business.

The PRESIDING OFFICER (Mr. TILLS). Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, now, for the 193rd time, I will give my "Time to Wake Up" speech, and as I do so, we are coming up on President Trump's anniversary in office. Unfortunately, this occasion does not offer the American people much to celebrate. Behind the persistent tweets and the dog whistles, the Trump Presidency has been a spectacle of special interests and self-dealing. Billionaire donors have endless access installing their operatives and pursuing their special interest goals throughout the execu-

tive branch. They are literally writing the rules in an unambiguous effort to enrich themselves evermore at the expense of everyone else.

Fossil fuel barons are the new American dark money emperors. Carl Icahn, early on, got himself installed as a special adviser to the President on regulatory reform and began pushing for a change to the renewable fuel standard that would net one of his companies, CVR Energy, hundreds of millions of dollars. Icahn's insider campaign came to an end in August of last year right around the time a New Yorker article outlined the potential legal claims that could arise from his murky status and self-dealing. Federal investigators have since opened a probe into Icahn's time at the White House.

Then came Murray Energy Corporation CEO and big Trump donor Bob Murray with his policy wish list for Trump officials. He called it his action plan. Murray had donated \$300,000 to the President's inauguration, and he donated hundreds of thousands of dollars to political action committees affiliated with the EPA Administrator and fossil fuel operative, Scott Pruitt. In a "Frontline" documentary, Bob Murray bragged about giving the administration this action plan and that the first page was already done.

Well, I was curious to see the Bob Murray action plan for the Trump administration, so I joined Senator CARPER, our ranking member on the Environment and Public Works Committee, and asked the White House for a copy of the Bob Murray action plan. The White House ignored our request and to this date has never responded.

I guess the White House was busy organizing Trump's nominee for second in command at the EPA: a lobbyist for, guess who—Bob Murray and Murray Energy. During the Murray Energy lobbyist's EPA confirmation hearing, he claimed he did not have the Bob Murray action plan. He admitted he had seen the Bob Murray action plan at a meeting between Bob Murray and Energy Secretary Rick Perry last March, but he could not recall details of what was in the action plan or what was discussed in the meeting. Lobbyists for energy companies who get one-on-one meetings with the Secretary of Energy often little note nor long remember what went on at the meeting.

Anyway, I asked the Department of Energy whether they had a copy of the elusive Bob Murray action plan. Shortly after my request, and before we heard anything from the Department of Energy, the magazine *In These Times* released photos of that March meeting that the Murray lobbyist had mentioned between Secretary Perry and Bob Murray.

This photo shows Bob Murray and Secretary Perry. It looks like Bob Murray received a pretty cozy reception from the Energy Secretary. This gentleman, I believe, is another lobbyist for Bob Murray and Murray Energy. After they got through the hugging,

they got down to business. There is the Secretary, there is the CEO Bob Murray, there is his other lobbyist, and this is the Bob Murray lobbyist who is now teed up to be the No. 2 at EPA. Right there in the picture is the Bob Murray action plan. This is a closeup of it, and the Presiding Officer can't see from there and nobody on the camera can see, but if you look right here, it talks about power grid reliability in the cover letter signed by Bob Murray, which may have cooked up, since this was a meeting with Secretary Perry, Secretary Perry's power grid reliability proposal to the Federal Energy Regulatory Commission, which included huge subsidies to coal plants.

So we have a coal company CEO bringing his action plan in to Secretary Perry on whose cover letter it talks about power grid reliability, and before you know it, Secretary Perry is proposing a power grid reliability project to the Federal Energy Regulatory Commission that just happens to give the coal industry enormous subsidies. What could possibly be wrong with that?

Well, with this photographic evidence in hand, I renewed my request that the Energy Department produce this Bob Murray action plan. They were no longer able to pretend they didn't have it because they had a picture of it, with the Secretary, on his desk. They nevertheless continued to stonewall me, saying they would provide me the document after responding to FOIA requests from the public.

So, memo to my Senate colleagues, when in the exercise of your oversight authority and the oversight authority of Congress and the Senate you request documents from the Trump administration, you might want to consider putting in a parallel FOIA request as that may be the only way you get a response.

Despite the administration's best efforts to stonewall the Bob Murray action plan, however, my office was able to obtain a copy from an independent source. This version is addressed to Vice President PENCE.

The New York Times has now published the Bob Murray action plan.

Mr. President, I ask unanimous consent to have printed in the *RECORD* the article they wrote, "How a Coal Baron's Wish List Became President Trump's To-Do List," and the Bob Murray action plan that was the subject of that story at the conclusion of my remarks.

The article details demands made by Murray that have already been checked off by the President and the administration, including the repeal of the Clean Power Plan, withdrawal from the Paris climate agreement, the installation of mining industry operatives at the Mine Safety and Health Administration, and even, believe it or not, the appointment of a fossil fuel-friendly U.S. Supreme Court Justice.

Several more of Bob Murray's action plan requests are underway. At the

Mine Safety and Health Administration, now led by a former coal mine executive, Murray Energy and trade associations are working to undo Obama-era rules to protect miners. The 2010 coal mine dust rule is also on the chopping block. Over at EPA, Bob Murray's political money beneficiary, Scott Pruitt, has begun a review of the Agency's 2015 ozone standards.

Let me just drop in, as a Senator from Rhode Island, we have had days when you drive into work and the skies are clear and the weather is nice and the radio says: Little children, infants and elderly folks and people who have a breathing difficulty should stay indoors in the air-conditioning. They should not go outdoors and enjoy the beautiful day. Why? Because of ozone which is being bombarded in on Rhode Island from—guess what—coal plants in the Midwest. We are in the downstream receiving end of ozone, which is the product of those coal plant emissions. So, obviously, loosening the ozone standards is good for coal companies.

On a new topic, EPA continues to cut and to drive away its staff—all items on Bob Murray's action plan.

Since it appears that Bob Murray has tailored his action plan for individual agencies, I have sent additional requests last week to the Department of Labor, the Environmental Protection Agency, the Federal Energy Regulatory Commission, and the Tennessee Valley Authority, all of which are named in the Bob Murray action plan to see what specific action plans they have from Bob Murray.

The fossil fuel industry may be able to boss Cabinet Secretaries around and may be able to bring the majority party in Congress smartly to heel, but, fortunately, there are still some venues where their demands run smack up against the rule of law. In our courts and in administrative proceedings, decisions must have substantial support in the evidence, and lying and misleading can be exposed and even punished—unlike in Congress, where lying and misleading have been sickeningly successful fossil fuel tactics for decades.

Last week, the independent Federal Energy Regulatory Commission—even one stuffed with Trump appointees—rejected Secretary Perry's proposed power grid reliability rule to subsidize coal and nuclear plants. The FERC Commissioners found that the proposal failed to meet "clear and fundamental" legal requirements, like that the result will be "just and reasonable" under the Federal Power Act.

As an aside here, the theory of the coal industry was that their units provide more reliability than renewables. Well, tell that to Iowa's electric grid operators, which have baked Iowa's abundant wind energy not just into their flow but into their reliability modeling. Tell that to New England's ISO, which has allowed renewables into its capacity auctions to be paid, for

meeting baseload capacity requirements. And, of course, tell that to anyone who has had to deal with scheduled and unscheduled outages at coal plants.

When I went on one of my climate visits to, in this case, Tennessee, I heard about a coal plant that had to be shut down because climate change had warmed the river and shrunk the flow so that the river used to cool the plant was no longer adequate to cool the plant, and they had to go into an unscheduled outage. Wind and solar are very reliable, and the ISOs have baked the algorithms that quantify their reliability into their grid reliability planning.

The "coal is reliable and renewables aren't" argument may pass muster on talk shows, but in the real world of grid operators, it is nonsense. FERC, as a rule-of-law agency, is required to face that fact.

America's courts also stand in the way of the Bob Murray action plan agenda. Murray, for instance, has demanded that the EPA overturn its 2009 endangerment finding—the administrative finding that greenhouse gas emissions, like carbon dioxide and methane and so forth, threaten the public health and welfare of current and future generations. That is their finding, that those greenhouse gas emissions threaten the health and welfare of current and future generations. That is why it is called an endangerment finding, because of the danger to the public. Well, good luck challenging that determination in a court of law. In fact, the U.S. Court of Appeals for the DC Circuit has already upheld the endangerment finding back in 2012.

Even the fossil fuel flunky running the EPA now knows better than to challenge that endangerment finding. If he thought he could, he would in a heartbeat, but he is clever enough to know that an avalanche of climate evidence would fall in on his head if he tried. Witnesses from virtually every leading State university in the industry, from Alaska to Oklahoma to Georgia to Maine; expert scientists from our National Laboratories, from Idaho to Tennessee; our national security agencies and our military; America's government watchdog agencies, like the GAO and the GSA; and even the Trump administration's own recent climate report, all, would pile on the conclusive evidence of climate change. And on the other side would be what? Pathetic Kathleen Hartnett White, who gave one of the worst performances in Senate history at her confirmation hearings? The secretly fossil-fuel-funded Willie Soon? Some coal company lobbyist? Or perhaps the Heartland Institute, with its proud history of comparing climate scientists to the Unabomber?

It would be a rout. It would be a rout, and even Pruitt knows it. The reason it would be a rout is because of the rule of law—the rule of law requirements of the Administrative Procedures Act, the

rule of law specter of judicial review, and the rule of law sanctions that courts impose for false evidence.

Certainly, Bob Murray and his surrounding crowd of bad-acting fossil fuel billionaires know how to throw their political weight around. We see everywhere the phony science denial apparatus they have created. We see their false and toxic messages even in outlets like the Wall Street Journal editorial page. We see their lobbying front groups like the U.S. Chamber of Commerce, continuing adamantly to oppose any serious climate legislation despite the contrary position of companies on their board of directors. American elections stink with their dark money and promises and threats. Their flunkies have now been moved into positions of authority in government, and the Trump's administration eagerness to carry out industry marching orders is humiliatingly servile.

Ultimately, the polluters' drive to put profit first above the health and safety of Americans will face strict scrutiny in the truth-based arena of Federal courts. Ultimately, it will also face the harsh test of time, as the fact that they knew and the fact that they lied becomes ever more obvious and ever more odious. Ultimately, the American voter will have her say about whether this great Republic should be under the dominion and control of the fossil fuel industry or free to address the problem of climate change as a rational world leader must.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, Jan. 9, 2018]

#### HOW A COAL BARON'S WISH LIST BECAME PRESIDENT TRUMP'S TO-DO LIST

(By Lisa Friedman)

WASHINGTON.—President Trump's first year in office has been a boon for the coal industry, with the Trump administration rolling back regulations on coal-fired power plants and withdrawing the United States from the Paris climate change agreement.

Environmentalists have expressed alarm at the new direction, and have complained that Mr. Trump was following a blueprint from the coal industry. A confidential memo written by the head of the country's largest coal mining company suggests they might not be wrong.

The memo was written by Robert E. Murray, a longtime Trump supporter who donated \$300,000 to the president's inauguration. In it, Mr. Murray, the head of Murray Energy, presented Mr. Trump with a wish list of environmental rollbacks just weeks after the inauguration.

Nearly a year later, the White House and federal agencies have completed or are on track to fulfill most of the 16 detailed requests, even with Monday's decision by federal regulators to reject a proposal by Energy Secretary Rick Perry to subsidize struggling coal and nuclear plants.

The March 1 memo, which was obtained by Senator Sheldon Whitehouse of Rhode Island and shared with The New York Times, is addressed to Vice President Mike Pence. The sweeping wish list of regulatory overhauls includes ending regulations on greenhouse gas emissions and ozone and mine safety, as well as cutting the staff of the Environmental Protection Agency "at least in half"



and overhauling the Labor Department's office of mine safety.

"I give President Trump and his administration credit for being bold, being passionate and being correct in addressing a lot of these issues that were on my list here," Mr. Murray said in an interview Tuesday.

Photographs of portions of a different memo, dated March 23 and addressed to Rick Perry, the secretary of the Department of Energy, were obtained by the magazine *In These Times* last year. They were taken during a meeting Mr. Murray held on March 29 with Mr. Perry and others at the Energy Department, according to the magazine.

Mr. Murray on Tuesday described the memos as very similar.

The March 1 "Action Plan for the Administration of President Donald J. Trump" is aimed, Mr. Murray wrote in the memo, at "getting America's coal miners back to work." He also asks the federal government to cut funding for carbon capture and sequestration technology—which Mr. Murray called "a pseudonym for 'no coal'"—and eliminate a 2009 E.P.A. ruling known as the endangerment finding that was the legal justification for much of the Obama administration's climate change policy.

"This list was to remain private, a list of things that needed to be done for reliable, low-cost electricity in America. That was my number one goal here, was to give guidance to the administration in an area that I have observed over 60 years," Mr. Murray said.

Critics say Mr. Murray's list and the apparent ease with which he was able to get it in front of cabinet officials and others illustrates the open-door access the Trump administration has offered energy and other industries as it moves to redirect and weaken federal regulations.

"The astonishing presumption of this list," Mr. Whitehouse, a Democrat, said. "It's an extraordinary arrogance of the fossil fuel industry based on the power they wield in Washington, D.C." He said even though Mr. Murray had bragged about the action plan on a *Frontline* documentary last year, the Energy Department had declined his requests to immediately release the memo.

"The power of the fossil fuel industry around here is so great I think the industry feels they can count on simply not complying with requests," Mr. Whitehouse said.

The Energy Department did not respond to a request to discuss the memos from Mr. Murray.

The Trump administration has had an unusually close relationship with Mr. Murray. He and 10 of his miners were invited to watch the president sign an executive order to roll back President Obama's climate change regulations. He has met with Mr. Perry to discuss the needs of coal producers. His longtime attorney, Andrew Wheeler, is awaiting Senate confirmation to the No. 2 slot at the E.P.A., and David Zatezalo, the nation's new top mine safety and health regulator and previously the president of a coal mining company, told his hometown paper that Mr. Murray had encouraged him to put his hat in the ring for the job.

Jeffrey Holmstead, a lawyer with the firm Bracewell and a deputy administrator of the E.P.A. in the George W. Bush administration, called Mr. Murray's action plan "an ambitious list." While interest groups always try to influence policy in a new administration, Mr. Holmstead said Mr. Murray's status with the administration set him apart.

"I really don't think it's at all unusual that Murray would have this wish list or a set of recommendations. What makes it different is that it's pretty clear that he has a personal relationship with the president,"

Mr. Holmstead said. "It seems like given Mr. Murray's relationship with the president that he had more of an expectation that these things were going to be accepted or implemented."

One item not on the list yet important to Mr. Murray was an order the Federal Energy Regulatory Commission rejected Monday to subsidize struggling coal and nuclear power plants. Mr. Murray railed against that decision saying it would lead to the decommissioning of coal and nuclear power plants.

Environmental groups have accused Mr. Murray of directly asking Mr. Perry for a proposed rule to reward coal and nuclear power plants for providing "grid resiliency." The March 1 memo does not mention the grid, though photographs of the cover page of the March 23 document to Mr. Perry obtained by *In These Times* shows its focus is "a plan for achieving reliable and low cost electricity."

Soon after Mr. Murray's meeting at D.O.E., Mr. Perry ordered the agency to prepare a study on the country's electric grid reliability, a precursor to ordering the federal government to subsidize struggling coal and nuclear plants.

Mr. Murray and a spokesman, Gary Broadbent, said the difference between the two memos was that the one provided to Mr. Perry asked the Energy Department to study the security of the nation's power grid.

"I suggested that the study be made," Mr. Murray said. "What they did from there, the administration did. I did not have involvement in it."

One of the items on the 16-point list was an overhaul of FERC regulators, and the Trump administration accomplished that. But those Trump-appointed commissioners voted against the plan to bail out coal and nuclear.

"Obviously they forgot who appointed them right out of the box," Mr. Murray said.

*Correction: January 16, 2018*

An earlier version of this article misstated the number of suggested actions in a memo that Robert E. Murray submitted to the Trump administration. It had 16 suggestions, not 14.

MURRAY ENERGY CORPORATION,  
St. Clairsville, OH, March 1, 2017.

Hon. MICHAEL R. PENCE,  
Vice President of the United States of America,  
The White House, Washington, DC.

DEAR VICE PRESIDENT PENCE: Enclosed is an Action Plan for the Administration of President Donald J. Trump, which will help in getting America's coal miners back to work. We have listed our suggested actions in order of priority.

We are available to assist you and your Administration in any way that you request.

Sincerely,  
ROBERT E. MURRAY,  
Chairman, President & Chief Executive Officer.

#### ACTION PLAN FOR THE ADMINISTRATION OF PRESIDENT DONALD J. TRUMP CLEAN POWER PLAN

The so-called Clean Power Plan must be eliminated. Murray Energy Corporation obtained a stay of this rule before the Supreme Court of the United States on February 3, 2016. This illegal rule will close an additional fifty-six (56) coal-fired electric generating plants, totaling 53,000 megawatts, on top of the 101,000 megawatts (411 coal-fired plants) that President Barack Obama and his Democrat supporters have already closed.

#### "ENDANGERMENT FINDING" FOR GREENHOUSE GASES

With the overturning of the Clean Power Plan, there must be a withdrawal and sus-

pension of the implementation of the so-called "endangerment finding" for greenhouse gases.

EPA's "endangerment finding" under the Clean Air Act serves as the foundation for the agency's far reaching regulation of the economy in the form of emission limitations for greenhouse gases, including carbon dioxide. The high degree of uncertainty in the range of data relied upon by EPA combined with the enormous regulatory costs without concomitant benefits merit revisiting the "endangerment finding".

According to EPA's finding, the "root cause" of recently observed climate change is "likely" the increase in anthropogenic greenhouse gas emissions. EPA relied upon computer-based-climate-model simulations and a "synthesis" of major findings from scientific assessment reports with a significant range of uncertainty related to temperatures over 25 years. The climate model failures are well documented in their inability to emulate real-world climate behavior. Models that are unable to simulate known climate behavior cannot provide reliable projections of future climate behavior. As for the scientific assessments underlying the "synthesis" of findings used by EPA, many were not peer reviewed, and there are multiple instances where portions of peer reviewed literature germane to the "endangerment finding" were omitted, ignored or unfairly dismissed.

#### ELIMINATE THE THIRTY (30) PER CENT PRODUCTION TAX CREDIT FOR WINDMILLS AND SOLAR PANELS IN ELECTRICITY GENERATION

Electricity generated by windmills and solar panels costs twenty-six (26) cents per kilowatt hour with a four (4) cent per kilowatt hour subsidy from the American taxpayers. These energy sources are unreliable and only available if the wind blows or the sun shines. Coal-fired electricity costs only four (4) cents per kilowatt hour. Low cost electricity is a staple of life, and we must have a level playing field in electric power generation without the government picking winners and losers by subsidizing wind and solar power.

#### WITHDRAW FROM THE ILLEGAL UNITED NATIONS COP 21 PARIS CLIMATE ACCORD

The United Nation's COP 21 Paris Climate Accord, to which Barack Obama has already committed one (1) billion dollars of America's money, is an attempt by the rest of the world to obtain funding from our Country. It is an illegal treaty never approved by Congress, and it will have no effect on the environment.

#### END THE ELECTRIC UTILITY MAXIMUM ACHIEVABLE TECHNOLOGY AND OZONE REGULATIONS

We have won these issues in the United States Supreme Court, and these rules must be completely overturned.

#### FUND THE DEVELOPMENT OF CERTAIN CLEAN COAL TECHNOLOGIES

The Federal government, must support the development of some Clean Coal Technologies, including: ultra super critical combustion; high efficiency, low emission coal firing; combined cycle coal combustion; and others. It should not fund so-called carbon capture and sequestration ("CCS"), as it does not work, practically or economically. Democrats and some Republicans use COS as a political cover to insincerely show that they are proposing something for coal. But, carbon capture and sequestration is a pseudonym for "no coal".

#### OVERHAUL THE BLOATED AND POLITICALIZED MINE SAFETY AND HEALTH ADMINISTRATION OF THE U. S. DEPARTMENT OF LABOR

This Federal agency, over the past eight (8) years, has not been focused on the coal

miner safety, but on politics, bureaucracy, waste, and violation quotas. While coal mine employment has been cut in half, the Federal Mine Safety and Health Administration has continued to hire inspectors every year. But, the government has nowhere to put them. Murray Energy Corporation received an average of 532 Federal inspectors per month in 2016. We must send a Company manager with every one of these inspectors, taking us away from our employee safety inspections and safety training.

**CUT THE STAFF OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY IN AT LEAST HALF**

Tens of thousands of government bureaucrats have issued over 82,000 pages of regulations under Obama, many of them regarding coal mining and utilization. The Obama EPA, alone, wrote over 25,000 pages of rules, thirty-eight (38) times the words in our Holy Bible.

**OVERTURN THE RECENTLY ENACTED CROSS-STATE AIR POLLUTION RULE**

This regulation particularly punishes states in which coal mining takes place to the benefit of other wealthier east coast states.

**REVISE THE ARBITRARY COAL MINE DUST REGULATION OF THE MINE SAFETY AND HEALTH ADMINISTRATION OF THE DEPARTMENT OF LABOR**

This regulation provides no health benefit to our coal miners, and threatens the destruction of thousands of coal mining jobs.

**OBTAIN LEGISLATION TO FUND BOTH THE RETIREMENT MEDICAL CARE AND PENSIONS FOR ALL OF AMERICA'S UNITED MINE WORKERS OF AMERICA (UMWA)—REPRESENTED, RETIRED COAL MINERS**

For four (4) years, Senate Majority Leader Mitch McConnell has refused to address this issue. Some say that this is because the UMWA wrongly opposed him in his recent election. This must be taken care of. And the legislation enacted must address not just those recently orphaned through company bankruptcies and mine closures, but the medical benefits and pensions that were promised to all retired miners by the Federal government itself.

**OVERTURN THE NINE SAFETY AND HEALTH ADMINISTRATION, DEPARTMENT OF LABOR, PATTERN OF VIOLATIONS RULE**

This rule is a punitive action of the Mine Safety and Health Administration under its Director for the past eight (8) years, the former Safety Director of a labor union.

**APPOINT JUSTICES TO THE SUPREME COURT OF THE UNITED STATES WHO WILL FOLLOW OUR UNITED STATES CONSTITUTION AND OUR LAWS**

We must offset the liberal appointees who want to redefine our Constitution and our laws.

**MEMBERS OF THE FEDERAL ENERGY REGULATORY COMMISSION MUST BE REPLACED**

The current Federal Energy Regulatory Commission has a record of favoring actions of the Obama Administration that have destroyed the reliability of America's electric power grid and which have led to skyrocketing electric power costs, as Mr. Obama, who appointed them, stated would occur in 2008.

**MEMBERS OF THE TENNESSEE VALLEY AUTHORITY BOARD OF DIRECTORS MUST BE REPLACED**

The Board of Directors of this government agency has followed the mandates of the Obama Administration, rather than assure reliable, low cost electricity for the Tennessee Valley Authority's rate payers, whom they are mandated to serve in this manner.

**REPLACE THE MEMBERS OF THE NATIONAL LABOR RELATIONS BOARD ("NLRB")**

Eliminate the antiemployer bias of the NLRB by appointing members and staff, par-

ticularly in the General Counsel's office, who will fairly consider the employer's position and needs and not automatically accede to the unions or unionized employees in every matter considered.

Mr. WHITEHOUSE. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

**CONFRONTING ISSUES THE RIGHT WAY**

Mr. LANKFORD. Mr. President, a few days ago, our Nation stopped and remembered Dr. Martin Luther King, Jr. It is entirely appropriate for us to do so. It is a holiday set aside to be able not only to remember but to reflect and try to figure out: Where are we now?

This year is especially significant. Fifty years ago this year, Dr. King was assassinated in April 1968. A lot of things have changed in that time period. Quite frankly, as a nation, we have learned a lot about race. We no longer as a nation talk about three-fifths of a man anymore—rightfully so, and we are appalled by our history in that. We no longer have separate water fountains set up in restaurants or tell certain people because of their background, their family, or their skin color that they can take food to go but they can't come in and sit down.

We have come a long way in hiring. We have come a long way in just our communities and our schools. The work is not done. We still have a long way to go, quite frankly.

Dr. Martin Luther King, Jr., was bold enough to be able to challenge the church first, then the Nation, and then the world that we have an issue around the issue of race. He was going to challenge us to confront it—rightfully so. He challenged us on the issue of racial justice, on poverty, on education, but he also challenged us on the way that we speak out on issues, and I think we lose track of that as a culture.

Quite frankly, as a Senate and as a Nation, we are losing track of one of the things Dr. Martin Luther King challenged us on: There is a right way to confront issues and a wrong way to confront issues. Dr. King did something revolutionary. He pushed a community to confront injustice the right way, and he won.

He made radical statements like this:

Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.

Dr. King said:

I have decided to stick with love. Hate is too great a burden to bear. Love is the only force capable of transforming an enemy into a friend.

For whatever reason, we lose track of Dr. King's statements about "love is a powerful thing." We start as a culture responding with hate to respond to hate. When someone says something hateful, we respond back with something more hateful back at them. It doesn't actually solve anything, and we lose the great model that he really set for us in that.

If we want to make enemies friends, only love can do that, only relation-

ships can do that, only pressing a friend to do the right thing can do that. Now, is that happening in our culture? No. It is in spots, but it is not hard to go on any of our social media sites at any moment and be able to see the challenge in our social media sites, where it is not love driving out hate. It is hate attacking hate.

It is remarkable to me. I just glanced at some of the things just of late as I was preparing for this conversation. I look backward at a few of the posts that are on my own social media sites—controversial statements that I made, like, on the 1st when I did a post that just said "Happy New Year." It was a stinging controversial post that was responded to by someone saying: Loser. Liar. Traitor. How much money did you take from Russia, comrade?

That was to my statement of "Happy New Year."

I made a statement about how kids who came in under DACA should be treated differently. These are kids who didn't break the law. These are kids who are like the 4-year old riding in the backseat of the car when their parent was speeding. When the parent is pulled over, they don't give the kid a ticket. I made just a quick post about that, and the response to that, among many, was this: What is with his hair color? Dude, get it done professionally. You look terrible.

I just have to say to you: Dude, this is done by a professional. God gave me this hair color, and so there is no bottle involved in this one. It is His work, and I would call Him a pro.

There is all of this talk back and forth about where we are going to go as a culture, and we are losing Dr. King's legacy that hate doesn't drive out hate, that only love does that.

Now, there is a lot of conversation in this body, as well, saying things have never been worse in the Senate and in Congress. I would disagree. Just after Vice President Burr left office, he challenged the Secretary of the Treasury to a duel where he shot the Secretary of the Treasury dead in a duel. In 1850, in the Chamber just right down the hallway here, in what is called the Old Senate Chamber, they were working on a compromise and Senator Foote and Senator Benton were in an argument, and so Senator Foote reached into his desk in the middle of the argument and pulled out his pistol while screaming at Senator Benton, to which Senator Benton jumped on one of the desks that is in this room still today. He jumped on the desk and pulled open his coat, revealing: I don't have a weapon. Shoot me. Shoot me. That was on the Senate floor, and they wrestled Senator Foote to the floor and took his gun away from him.

People can say it has never been worse. I can assure you it has been worse. But what we do have responsibility for is in our time and setting the tone for difficult debate in this moment.

The arguments that happen on the Senate floor and the violence on this

Senator floor, including Senator Sumner being almost beaten to death with a cane just before the Civil War, set a path into the Civil War for the Nation. What is the path we are taking the Nation on right now in our debate?

As a nation, I have a simple reminder that is not mine. It is from a powerful American leader named Dr. King, who said: "Hate does not drive out hate." For anyone who is looking at what is happening in our culture and in politics right now saying "if only I say something more hateful than the last guy, this will get better," you have missed his point.

Dr. King was deeply moved by Scripture, and there are multiple examples of it in his writings and in his speeches. He quoted passages over and over again, like from 1 John, Chapter 4: "Dear friends, since God so loved us, we also ought to love one another"; Psalm 34: "Taste and see that the Lord is good." Over and over again, he came back to Scripture as just a simple reminder that things can be different for us.

He challenged the church at moments, like in his letter from Birmingham jail, and he challenged culture. In fact, we lose track of the fact that during the civil rights movement, Dr. King was working with both parties to establish platforms for both parties that would respect the dignity of all Americans. It is a good path that has been set for us. In the middle of our conversation about Dr. King, I would hope that we would remember it.

Let me make one quick side note, as well. It is kind of a fun note for those of us from Oklahoma. The story of Dr. King, as many people may know, almost didn't happen the way that it did. In 1953, just finishing up seminary and in the middle of his doctoral work, when he was just Martin Luther King, not Dr. Martin Luther King yet—he was still doing his doctoral work at Boston University. He came to a small church in Oklahoma City that was well respected in the civil rights movement—Calvary Baptist Church. In fact, in 1952, Calvary Baptist Church hosted the national conference of the NAACP and had Thurgood Marshall there as a speaker. In 1953, Dr. King was interviewed there to be one of the pastors at Calvary Baptist Church. The elders in the church heard him, read about him, met him, and then turned him down. This is my favorite quote from one of the elders of the church. They said they didn't think he had enough gravity on him yet. He was too young, not experienced enough. That was in 1953. Ten years later, he was standing on the Mall right down the street saying "I have a dream," leading the entire country.

I say that to say that sometimes we have this assumption that we are in control. We are not. God is in control. He has a path and a plan. Sometimes when we hear no and when we hear hard things, we find out He has a path and plan that may look different from ours.

I would only challenge us as a body to do the right thing the right way and to see where that takes us. As it says in Psalm 34, "Taste and see that the Lord is good." Do it the right way, and let's see how this works out together.

It is a simple reminder and a simple admonition to a body that could use some words from Dr. King and see if we can put them into practice together.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

#### HAWAII EMERGENCY MANAGEMENT AGENCY ALERT SYSTEM

Ms. HIRONO. Mr. President, when the Sun rose last Saturday in Hawaii, nothing seemed out of the ordinary. People on Kauai were getting ready to participate in the local march to commemorate Dr. Martin Luther King Jr. Day. Families were sitting around the table eating breakfast. Others were sleeping in after a long week of work.

At 8:07, everything changed. Mobile phones throughout Hawaii received an emergency alert in all capital letters informing them of a ballistic missile threat inbound to Hawaii and that this was not a drill. The terror and panic were real, and people's reactions reflected that. Parents passed their children through manhole covers into the sewers, seeking safety for them. Separated family members took to the highways, driving as fast as 100 miles per hour to get home. Some had to decide whether to rush to be with their spouse or their children.

Then 38 minutes later, an emergency alert came through saying that there was no missile threat—false alarm. The relief was palpable. This relief gave way to real, visceral anger. Anger that there was a false alarm. Anger that it took 38 minutes to alert the public. Anger that we faced a missile threat at all.

This incident has undermined the public's faith in our State government's ability to provide timely and accurate information about a potential crisis. At a time when we face heightened tensions around the world—and particularly with regard to North Korea—it is crucial that the people of Hawaii have confidence in the government to provide accurate information. That is why I am calling for a thorough, transparent investigation into what occurred. We need a full accounting of the human and system failures that occurred, and we need to identify and put in place specific steps to make sure nothing like this ever happens again.

What we do know is that the incident was a result of human error. An operator mistakenly triggered the alert. Although the error was discovered quickly, we need to better understand the circumstances that led up to the incident. We need to understand how the operator was trained. We need to identify and understand any other potential issues that resulted in this specific human error.

The State has appointed an investigator to get to the bottom of this, and

the State legislature is scheduled to be briefed on preliminary findings this Friday. Once the circumstances that precipitated this error are identified, we, of course, need to correct them as quickly as possible.

Concurrently, we need to understand the system failures that resulted both in the false alert and in the 38-minute delay before the Hawaii Emergency Management Agency, or Hawaii EMA, issued a correction. Why did Hawaii EMA officials believe they needed approval from the Federal Emergency Management Agency, FEMA, to issue a correction? The Secretary of Homeland Security told me at a hearing yesterday that no such permission was necessary, pointing to a need for clarity regarding Agency responsibilities.

State governments oversee and operate local emergency management alert systems, but the Federal Communications Commission, FCC, and the Department of Homeland Security, through FEMA, have a role to play to make sure that these systems are operating properly.

During yesterday's hearing in the Judiciary Committee, Secretary of Homeland Security Kirstjen Nielsen committed to working with me to strengthen the Federal-State cooperation on emergency alerts, assess potential failures, and improve overall readiness in Hawaii and across our country.

The FCC is also conducting an investigation into what happened.

The entire Nation will benefit if these key Federal agencies work with States to close gaps in training and communication, institute best practices, and ensure that our States and local governments have the appropriate resources to prevent this kind of occurrence from happening again.

This false alert also clarified the importance of strong coordination between the State government and our military. Over the weekend, I also spoke with Admiral Harris of Pacific Command about ways to strengthen this coordination, particularly during a period of heightened tensions with North Korea. The fact that the people in Hawaii immediately assumed that the missile originated from North Korea speaks to the broad concern about the potential for conflict and the threat that North Korea poses to our State and the rest of the country.

We need to support and strengthen diplomatic efforts regarding North Korea because at a time, as I mentioned, of heightened tension between the United States and North Korea, the potential for miscalculations increases.

The President, rather than engaging in a tit-for-tat with Kim Jong Un, should be supporting Secretary of State Rex Tillerson's efforts to engage in meaningful diplomacy and marshal the support of our allies to diffuse tensions with North Korea.

I spoke earlier with Secretary of Defense James Mattis to emphasize the urgency of resolving this situation peacefully, knowing that he had just

returned from a multinational meeting with a number of key allies, including Japan and South Korea. This meeting was to focus on North Korean provocations. This meeting was cosponsored by the Secretary of State, Rex Tillerson, in Vancouver. Secretary Mattis was at that meeting to provide a military perspective. In our conversation, he reiterated to me the importance of strong diplomatic efforts to resolve tensions with North Korea.

I call on the President to support these kinds of initiatives and to give Secretary Tillerson all the resources he needs to succeed in his diplomatic endeavors.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

#### TRIBUTE TO ROBERT DOLE

Mr. MORAN. Mr. President, we had a very special day in the Capitol this afternoon, and I am grateful that we as a nation were able to honor Senator Robert Dole by presenting him with the Congressional Gold Medal. It is the highest civilian honor the United States can bestow.

Senator Dole joins a list of very esteemed Americans going back to 1776, with President George Washington as the first recipient of this award. The Gold Medal shows our highest expression of national appreciation for distinguished achievements and contributions, and Senator Dole is such a deserving recipient of this award. It was a real honor and pleasure for me to be there to see this take place.

Senator Dole is known, obviously, as a former Member of the Senate, a majority leader, and a Presidential candidate, but I would put at the top of my list of the attributes that I admire and respect Senator Dole's service in our military.

Senator Dole joined the Army shortly after the attack on Pearl Harbor. He was 21 years old and left Russell, KS, and ended up on a battlefield in the hills and mountains of Italy. He suffered for 9 hours after being hit by a Nazi bullet that did tremendous damage to his body and to his life. But that wasn't the end, as it could be for some people—even if people continued to live after these traumatic injuries. This was a recovery process that began that day for Senator Dole.

I once heard a story about Bob Dole's commitment to our country, and it stuck with me. There are lots of Dole stories, particularly in Kansas. Bob Dole used his injuries to learn about caring—not for himself but for others. His service in World War II—again, what I greatly admire and esteem—also resulted in his effort to raise money, with no taxpayer dollars involved, to build the World War II Memorial that is now on the National Mall. Senator Dole took that task on and made certain that happened for his soldiers and fellow colleagues who served in World War II. He went out and raised money across the country. He was out in Hollywood, CA, and he was visiting with

one of those people who have lots of money. Senator Dole asked for that person's support for this project, and he was told by that wealthy person that he was not interested. "I have other priorities." Senator Dole responded to that mogul: "When I was 22, I had other priorities, too. I went to war." That is the Bob Dole who every day since then has gone to battle on behalf of Americans, other Kansans, and people across our country.

His service in many ways began with his military service but has continued every day since his days in the 10th Mountain Division. During his nearly 36 years on Capitol Hill, Senator Dole became known as the leader who worked relentlessly to forge alliances and to pass significant legislation. Today, he serves as a role model for those of us involved in this legislative process. We ought to be fully engaged in the kind of public service that Senator Dole represented. Senator Dole has used his experiences to be a champion every day for those individuals with disabilities and for veterans.

Coming from Kansas, he had an appreciation for those who were in need of food. Senator Dole grew up in the Depression and knew tough times, but it became a goal for him to see that people who were hungry were fed. It is one of the reasons I continue to chair and work in the Senate Hunger Caucus. Kansas is a place where we raise a lot of food but recognize there are a lot of people who are still hungry. We have a role that we can play, and Senator Dole provided the leadership to accomplish that.

I now occupy this desk. It is kind of an amazing development, but this is the desk that Senator Dole had on the Senate floor during his time here, and this desk allows me to be reminded of the type of public service that too often we think is a thing of the past. It doesn't have to be a thing of the past; it could be a thing of the present. And each of us can use that role model to make certain that in our day, we do the things necessary to bring people together and to find solutions to common problems.

There probably is no one living from Kansas more admired and respected than Senator Bob Dole. For three decades, he was our Congressman and our Senator.

He grew up just down the road in Russell, KS, just a few miles from my hometown. I have seen what continues today to be the love and respect of Kansans—particularly those from small towns and particularly those from his hometown of Russell—and their regard for him. We ought to work every day to honor his legacy.

I think there is something about growing up in smalltown America. There are differences of opinions in small towns. There are Republicans and Democrats in communities across Kansas, and there are people who go to this church and that church, but when you are in a small town, you have no

choice but to figure out how to get along and how to solve problems and how to work together. Bob Dole brought that Kansas common sense and good will and desire to have achievements instead of a fight to the U.S. Senate.

I honor Senator Dole for his military service and for his public service as an elected official of our government. I thank him for his efforts on behalf of veterans, on behalf of people with disabilities, and on behalf of people who are hungry.

I ask my colleagues, in honoring Senator Dole by presenting him a medal today, that that is not all we do; that we honor his work by doing ours better.

I have been with Senator Dole at the World War II Memorial. When Honor Flights come to Washington, DC, he is there. He is there almost every time a Kansas group comes to the World War II Memorial, but he is there when almost any group of World War II veterans come to visit the World War II Memorial. I have watched the way they respond to him, and the mutual respect between him and fellow veterans is inspiring and unparalleled.

I am a firm believer that we change the world one person at a time and one soul at a time, and Bob Dole has been making that difference—changing lives for 94 years.

Thank you, Senator Dole, for your distinguished service to our country and especially to our home State of Kansas. The world is a better place because you are in it, and we hope you take great satisfaction by knowing that your colleagues in Congress today honor you with the Congressional Gold Medal because it reflects the truth of what a high-quality person of character you are.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

#### REMEMBERING JAMES WILLIAM MEEKS

Mr. DURBIN. Mr. President, it is with a heavy heart that I share the news that Deacon James William Meeks passed away last Christmas Eve at his home in South Holland, IL. A longtime resident of the Chicagoland area, he was 90 years old.

James William Meeks was born and raised in the Mississippi Delta town of Carrolton. Before moving to Chicago, James worked as a short-order cook at a hotel in Mississippi. One day, he met a young lady by the name of Esther

Mae Smith, who also worked in the hotel. They fell in love and, in 1947, married at the courthouse on their lunch break.

When James and Esther migrated north to Chicago, he found work at Kentile Floors as a forklift operator—a job he would hold for the next four decades—but his true passion was an unwavering devotion to his faith. In 1957, James became a deacon at the Shiloh Missionary Baptist Church and later helped his son, Pastor James T. Meeks, get his start as a preacher at Salem Baptist Church. Deacon Meeks was a father figure to the entire community, and his powerful handshake, from years of farm and manual labor, served as a reminder to the youth at Salem Baptist that, if they were planning on hanging around street corners, getting into trouble, he would be watching.

Whether it was at Salem Baptist Church or the streets of Chicago, Deacon Meeks inspired so many young people to preach and simply do good deeds. It has been said that, when you heard Deacon Meeks' sermons, "you knew that the life that was behind the prayer, matched the words that were in the prayer." As a child, his son James recalled riding in the car with his family one Sunday morning. They were on their way to church, when his father noticed a woman stranded on the side of the road. Without hesitation, Deacon Meeks, in his Sunday suit, pulled over to lend a helping hand and fixed the woman's car. Grateful for his kindness, the woman offered Deacon Meeks some money. He politely declined. James and his siblings began yelling out the window, urging their father to take the money. When Deacon Meeks got back into the car, he shared a simple, but powerful message with his children: "You don't do everything for money." Deacon Meeks was a man of rock-solid values.

I want to offer my prayers and condolences to Deacon Meeks' wife of more than 70 years, Esther; their four children; Annie, James, Delores, William; their 10 grandchildren; 15 great grandchildren; and 1 great-great-grandchild. That is a legacy in which to be proud.

I will close with this: It was said at Deacon Meeks' memorial service, "It's lucky to have somebody who makes it hard to say goodbye." Well, it is hard to say goodbye to Deacon Meeks today, but I count myself lucky to have known him as a friend. Deacon James William Meeks will be missed.

#### TRIBUTE TO JOEL WEISMAN

Mr. DURBIN. Mr. President, today I want to say a few words about a Chicago icon—and one of the most admired journalists on television—Joel Weisman. This Friday will be the 40th anniversary of WTTW-Channel 11's longest running show, "Chicago Tonight: The Week in Review," and it will be Joel's farewell broadcast.

Since 1978, Joel has beamed into Chicago's living rooms to help us all digest

the news of the week. Throughout the series' four decades, Joel was there every step of the way: Joel has been with WTTW since 1973, starting as its political editor and commentator on "The Public News Center." A lifelong Chicagoan and graduate of the University of Illinois and Chicago-Kent College of Law, Joel has dedicated his career to informing the people of Chicago.

Every Friday night, Joel has welcomed fellow journalists to a roundtable discussion on the critical topics of the week. Oftentimes with humor, Joel has been Chicago's self-described "reporter, editor, traffic cop, and referee." He just has one simple rule: The panelists have to be nonpartisan and diverse. Today, unfortunately, this is hard to find on television, but as he said in his retirement announcement, "No one in journalism has been given the trust and editorial control of a show for that length of time." There is a reason he has been in that chair for 40 years. Joel Weisman has class and is a man of integrity. He insists the show represents just that. Well, I am here today to say, it absolutely does. Joel Weisman is a true newsman.

Joel Weisman has had an amazing career. Prior to joining WTTW, Joel worked for the Gary Post-Tribune, the former Chicago American, Chicago Sun-Times, and was a Midwest correspondent for the Washington Post. His work earned him Emmy, Peter Lisagor, Jacob Scher, and Associated Press awards. He has been inducted into the Silver Circle of the Chicago/Midwest chapter of the National Academy of Television Arts and Sciences. That is not all. Joel Weisman also has been nominated twice for the Pulitzer Prize for his investigative reporting. If you think there is nothing more Joel can fit into his incredibly busy schedule, you are wrong. In addition to being a fulltime journalist, he also runs a fulltime law practice that specializes in media talent representation.

I want to congratulate Joel Weisman on his distinguished career and thank him on behalf of the city he loves for his outstanding work and service to the Chicagoland area. He loves Chicago, and Chicagoans love him. Although he is retiring, Joel is not staying out of the political conversation. He will continue his service to his community and work as an attorney, focusing on media law. I am heartened that Joel will remain a powerful voice in the community, and I wish him and his family all the best.

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notifica-

tion of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, Room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-61, concerning the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services estimated to cost \$500 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,  
(for Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 17-61

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia

(ii) Total Estimated Value:  
Major Defense Equipment\* \$0 million.  
Other \$500 million.  
Total \$500 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Continued participation, technical assistance, and support in the Patriot Legacy Field Surveillance Program (FSP); the Patriot Advanced Capability 3 (PAC-3) FSP; and the Patriot Engineering Services Program (ESP). Also included are Patriot and HAWK Missile System spare parts and repair and return management services and component repairs, and other related elements of logistics and program support.

(iv) Military Department: Army (SR-B-ZAT, ZAS, BDN A2, WAK AS, and subsequent cases).

(v) Prior Related Cases, if any: SR-B-UAJ Al.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: January 17, 2018.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Saudi Arabia—Continuation of Missile System Support Services

The Government of the Kingdom of Saudi Arabia has requested a possible purchase for continued participation, technical assistance, and support in the Patriot Legacy Field Surveillance Program (FSP); the Patriot Advanced Capability 3 (PAC-3) FSP;

and the Patriot Engineering Services Program (ESP). Also included are Patriot and HAWK Missile System spare parts and repair and return management services and component repairs, and other related elements of logistics and program support. The total estimated program cost is \$500 million.

This proposed sale will support U.S. foreign policy and national security objectives by helping to improve the security of a friendly country which has been, and continues to be, an important force for political stability and economic growth in the Middle East. This potential sale is a continuation of current support. Saudi Arabia will have no difficulty absorbing this equipment and support into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors are Lockheed Martin, Bethesda, MD for the FSP and Raytheon Company, Andover, MA for the ESP. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the permanent assignment of any U.S. Government or contractor representatives to Saudi Arabia. Support teams of 4-10 people will travel to the country on a temporary basis for 1-3 weeks at a time.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 17-61

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

#### Annex Item No. vii

##### (vii) Sensitivity of Technology:

1. The Patriot Legacy and PAC-3 FSP programs assist international customers to maintain the readiness of their systems. These programs include the shared programs and country unique costs such as the Stockpile Reliability Test (SRT) and Missile Recertification programs. Services include the storage and aging program, surveillance firing program, the Patriot PAC-3 Missile Support Center (P3MSC), program support and a parts library.

2. As a participating international partner in the Patriot Engineering Services Program (ESP), Saudi Arabia is granted access to information such as engineering changes in development and under consideration, schedules for important events such as procurement and fielding of Patriot system improvements, development of Post Deployment Build (PDB) software, and a comprehensive program to address the issue of loss of sources of supply and advanced technology and their impact on availability of components. The program provides funding for the publication effort to incorporate country specific changes to Technical Manuals (TM). Preparation of all necessary Country specific TM change pages based on the latest version of the USG Department of Army Technical Manuals (DATMs) that support PDB requirements and the existing Repair Parts and Special Tools Lists (RPSTLs). Tasks include technical writing, illustrating, editing and quality review of all changes in accordance with Technical Information Operating Procedures (TIOPS). Organizational Maintenance, Intermediate maintenance and repair parts are covered. Preparation of change pages documenting any upgrades to the existing manuals. These manuals shall include and document any configuration changes as identified resulting in a new manual. Examples of country specific tasks include country unique communication studies and analysis, specialized training for operations and maintenance personnel for new

versions (builds) of system software, power generation trade studies, country unique publications, and in country technical and logistical support for system modifications.

3. Increasing Patriot and Hawk spares support provides Saudi Arabia the capability to sustain and bolster missile system operations through the purchase of spares, consumable repair parts, support equipment, supplies, and maintenance. Included is support for the procurement and transportation of classified parts that are part of Saudi Arabia's current Patriot and Hawk Missile System configurations, with a highest classification of CONFIDENTIAL.

4. If a technologically advanced adversary obtains knowledge of the specific hardware and software source code in this proposed sale, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that Saudi Arabia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal are authorized for release and export to the Kingdom of Saudi Arabia.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO MARK COURNOYER

• Ms. HASSAN. Mr. President, it is my pleasure to announce our Granite Stater of the Month for January, Mark Cournoyer, of Jaffrey, NH. Mark embodies New Hampshire's all-hands-on-deck spirit, where we work together and do what we can to strengthen our communities. In Mark's case, he has dedicated himself to making our roads safer by educating drivers, particularly new drivers, about the serious danger and potentially tragic consequences of distracted driving.

A former police officer and emergency medical technician in Fitzwilliam and Jaffrey and now a fourth-generation director of the Cournoyer Funeral Home, Mark volunteers his time to helping prevent the kind of accidents that he has responded to for years. Mark delivers presentations at area driver's education classes and local schools, sharing statistics behind distracted driving, as well as telling real stories about the outcomes of distracted driving with the hope that he can help keep the young people he meets safe.

According to the Centers for Disease Control and Prevention, about nine people are killed and more than 1,000 injured every day in the United States as a result of distracted driving. Anything that takes a driver's attention off of the road—texting, eating, reading, or looking for objects—can result in a tragic accident. Mark's efforts are critical to reducing the all-too-common practice of distracted driving, and his dedication to improving public safety can help save lives in his community and across New Hampshire.

In towns and cities across New Hampshire, many of our citizens go above and beyond to look out for one another and make their communities safer. Mark Cournoyer has done just that, volunteering his own time and wisdom to making our roads safer and helping to prevent more accidents from distracted driving. It is an honor to recognize him as our Granite Stater of the Month and join him in raising awareness about this important issue.●

##### TRIBUTE TO MIAMI-DADE COUNTY TEACHER OF THE YEAR FINALISTS

• Mr. RUBIO. Mr. President, I would like to have printed in the RECORD an article that was published in today's Miami Herald, "What makes a classroom click? Meet four great teachers who make it happen," and recognize the finalists for the annual Miami-Dade County Teacher of the Year contest. I wish them, and all nominated teachers from around the State the best of luck and commend their hard work and dedication to Florida's students.

The material follows:

WHAT MAKES A CLASSROOM CLICK? MEET  
FOUR GREAT TEACHERS WHO MAKE IT HAPPEN  
(By Kyra Gurney)

What's the secret to being a great teacher? The four finalists for Miami-Dade's annual Teacher of the Year contest—chosen from the county's roughly 18,000 public school teachers—have some ideas.

Inspiring students takes passion, hard work and perseverance, they said. Above all, a great teacher finds a way to connect with each child as an individual, not as a test score.

The winner of the 2019 Francisco R. Walker Miami-Dade County Teacher of the Year will be announced on Jan. 25 along with the rookie teacher of the year. The awards dinner will be held at 6 p.m. at the DoubleTree by Hilton Miami Airport & Convention Center at 711 NW 72nd Ave. The winner will compete for the state title.

Here are the finalists:

NORTH REGION: MOLLY WINTERS DIALLO,  
ALONZO AND TRACY MOURNING SENIOR HIGH

Molly Winters Diallo grew up in a family of teachers, so going into education "felt like it was the natural route to take," she said.

Her first teaching job was at a private school in the British Virgin Islands. In the early 2000s, Winters Diallo moved to Miami because she wanted to teach in the Haitian community. She spent five years at Miami Edison Senior High before transferring to Alonzo and Tracy Mourning Senior High, where she teaches Advanced Placement Human Geography and Psychology and Honors U.S. History.

Winters Diallo said she encourages every student to take advanced classes, like the college-level Advanced Placement courses she teaches.

"I believe that regardless of students' backgrounds, they should be able to take advanced coursework and they should see college as an attainable goal," she said.

In 2016, Winters Diallo was selected as a Bezos Educator Scholar—one of 12 teachers chosen nationwide to participate in a leadership program funded by the Bezos Family Foundation, which was created by the parents of Amazon founder Jeff Bezos. As part



of the program, Winters Diallo and a student created "Branch Out" at Alonzo and Tracy Mourning Senior High, an effort that brings together students from diverse backgrounds who might not ordinarily socialize. At one "Branch Out" event, students wore masks and wrote how society views them on the outside of the mask and how they view themselves on the inside.

"I try to create a welcoming environment for my students and a safe place," Winters Diallo said. "I want my students to feel comfortable in my classroom and express themselves."

Winters Diallo was excited to learn that one of her former students, Karen Fernandez, won rookie teacher of the year at Melrose Elementary School in Miami this year.

"This is coming full circle, and it's a beautiful thing," she said.

CENTRAL REGION: AARON TAYLOR, HENRY E.S. REEVES ELEMENTARY

Aaron Taylor was working on a degree in criminal justice when he started substitute teaching to make some extra money. At the time, Taylor planned to join the FBI or the Secret Service after he finished his degree.

But Taylor quickly became a popular sub and before he knew it, he had a teaching gig lined up for every day of the week. After seeing him in action, one school principal encouraged Taylor to become a full-time teacher.

"It was like I had this gift," he said. "I fell in love with it."

Taylor went on to get two master's degrees, one in educational leadership and one in special education, and certifications in gifted education and English for Speakers of Other Languages (ESOL).

"You never know what kind of student you're going to get so I try to prepare myself to deal with all types of students," he said.

Taylor currently teaches fourth-grade reading and language arts at Henry E.S. Reeves Elementary. He also serves as the school's site director for the 5000 Role Models of Excellence Project, a mentoring program for at-risk boys. Taylor participated in the program when he was a student at Miami Central Senior High and said it had a positive impact on his life. Now, he's planning college tours for the students he mentors.

Taylor said it's important to show each child in his class that he cares about them. He makes a point of eating lunch with his students—and not talking about schoolwork.

"They're not just a test score," he said. When a student knows his or her teacher cares, "everything else follows."

SOUTH REGION: KATINA PERRY-BIRTS, FLORIDA CITY ELEMENTARY

Katina Perry-Birts didn't set out to be a teacher, but an experience volunteering in her son's kindergarten class sparked an interest in education.

"Hey, I can do this and impact the students," she remembers thinking. "It reminded me what I learned at an early age about the power of education."

That was roughly 20 years ago. Perry-Birts first worked as a substitute teacher for five years before completing her education degree in 2005. Then she got a job at Florida City Elementary, where she has taught ever since.

Many of her fourth-grade students face significant challenges at home, Perry-Birts said. More than 95 percent of the children at Florida City Elementary are low-income. Perry-Birts said she tries to instill in her students the power of change and teach them that they don't have to be a product of their environment.

In her classroom, the mantra is a Muhammad Ali quote: "Impossible is just a big word thrown around by small men who find it

easier to live in the world they've been given than to explore the power they have to change it."

"I embed that in my students," Perry-Birts said. "I tell my kids that on a daily basis."

She also works with Real Men Read, a national program that recruits men from the community to read to students. Recent guests at Florida City Elementary included a congressional staffer and a clergyman.

For Perry-Birts, teaching isn't just about learning gains. She also tries to develop a personal connection with her students.

"You've got to have a heart and a passion for the kids," she said. "You have to have that passion and if you have that passion, you can motivate them."

ALTERNATIVE EDUCATION: JUDY RODRIGUEZ, C.O.P.E. CENTER NORTH

Judy Rodriguez's previous job could not have been more different. Before she became a Miami-Dade teacher, Rodriguez worked in the pharmaceutical industry as a quality assurance auditor, ensuring that batches of medication were safe to release.

Then Rodriguez had a son and her whole world changed. When she started looking for a daycare, she came to a frightening realization.

"It was like an awakening for me that I was going to have to trust somebody with my child," she said.

Rodriguez started teaching business part time for an adult education program before becoming a full-time business teacher at Miami Northwestern Senior High. Along the way, she's carried that realization with her. "I've always tried to treat my students as I would want my son to be treated," she said.

For the past eight years, Rodriguez has taught at C.O.P.E. Center North, a school that serves teen moms and pregnant teens. She currently teaches entrepreneurship, English for Speakers of Other Languages (ESOL) and on-the-job training.

"It's extremely challenging, but it's extremely rewarding because you're impacting two generations simultaneously," she said.

The best part about her job, she added, is "when you ignite their fire for learning."

One of her students, a teen mom with a baby, recently traveled to New York to compete in a national business plan competition. When the student placed 12th, Rodriguez was worried that she would feel discouraged. But the experience had the opposite effect.

"Miss, so now what's next? 'Shark Tank?'" she asked Rodriguez after the contest, referring to the entrepreneurship TV show.

"My heart was full because she got it," Rodriguez said. "There's always something next."●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Cuccia, one of his secretaries.

#### PRESIDENTIAL MESSAGES

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 12947 WITH RESPECT TO TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS—PM 24

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process declared in Executive Order 12947 of January 23, 1995, is to continue in effect beyond January 23, 2018.

The crisis with respect to grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process that led to the declaration of a national emergency on January 23, 1995, has not been resolved. Terrorist groups continue to engage in activities that have the purpose or effect of threatening the Middle East peace process and that are hostile to United States interests in the region. Such actions continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. I have, therefore, determined that it is necessary to continue the national emergency declared in Executive Order 12947 with respect to foreign terrorists who threaten to disrupt the Middle East peace process and to maintain in force the sanctions against them to respond to this threat.

DONALD J. TRUMP.  
THE WHITE HOUSE, January 17, 2018.

#### MESSAGE FROM THE HOUSE

At 10:10 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 117. An act to designate a mountain peak in the State of Montana as "Alex Diekmann Peak".

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 770. An act to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes.

H.R. 1107. An act to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, and for other purposes.

H.R. 1532. An act to reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes.

H.R. 2897. An act to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes.

H.R. 4318. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty.

The message also announced that pursuant to 22 U.S.C. 2903, and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the Japan-United States Friendship Commission: Mr. HILL of Arkansas.

#### ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, January 17, 2018, he has signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 984. An act to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe.

H.R. 4641. An act to authorize the President to award the Medal of Honor to John L. Canley for acts of valor during the Vietnam War while a member of the Marine Corps.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 770. An act to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1107. An act to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1532. An act to reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes; to the Committee on Indian Affairs.

H.R. 2897. An act to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4318. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty; to the Committee on Finance.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2311. A bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

#### 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-4041. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report entitled "Report on Contractual Flow-Down Provisions in the Federal Acquisition Regulations (FAR) and Defense Federal Acquisition Regulation Supplement (DFARS)"; to the Committees on Armed Services; and Appropriations.

EC-4042. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Alan R. Lynn, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4043. A communication from the Senior Official performing the duties of the Assistant Secretary of the Navy (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on January 10, 2018; to the Committee on Armed Services.

EC-4044. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Establishment of TRICARE Select and Other TRICARE Reforms" (RIN0720-AB70) received in the Office of the President of the Senate on January 16, 2018; to the Committee on Armed Services.

EC-4045. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Treatment of Certain Communications Involving Security-Based Swaps That May Be Purchased Only By Eligible Contract Participants" (RIN3235-AL41) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4046. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Investment Advisers Act Rules to Reflect Changes Made by the FAST Act" (RIN3235-AM02) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4047. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Deputy Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Streamlining Administrative Regulations for Multifamily Housing Programs and Implementing Family Income Reviews Under the Fixing America's Surface Transportation (FAST) Act" (RIN2577-AJ36) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4048. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Adjustments to Civil Monetary Penalty Amounts" (Release Nos. 33-10451; 34-82455; IA-4842; and IC-32963) received in the Office of the President of the

Senate on January 10, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4049. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to operation of the Exchange Stabilization Fund (ESF) for fiscal year 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-4050. A communication from the Program Specialist (Paperwork Reduction Act), Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1557-AE30) received in the Office of the President of the Senate on January 9, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4051. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Civil Penalty Inflation Adjustments" (12 CFR Part 1083) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4052. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report relative to additional fiscal year 2018 funding for the Office of Terrorism and Financial Intelligence; to the Committee on Banking, Housing, and Urban Affairs.

EC-4053. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Iraq Stabilization and Insurgency Sanctions Regulations" (31 CFR Part 576) received during adjournment of the Senate in the Office of the President of the Senate on January 2, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-4054. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List" (FRL No. 9973-00-OLEM) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Environment and Public Works.

EC-4055. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Texas" (FRL No. 9972-28-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Environment and Public Works.

EC-4056. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Inflation Adjustment Rule" (FRL No. 9972-92-OECA) received in the Office of the President of the Senate on January 9, 2018; to the Committee on Environment and Public Works.

EC-4057. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Rhode Island; Enhanced Motor Vehicle Inspection and Maintenance Program; Withdrawal of Direct Final Rule" (FRL No. 9972-87-Region 1) received in the Office of the President of the Senate on January 9, 2018; to the Committee on Environment and Public Works.

EC-4058. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; NH; Approval of Recordkeeping and Reporting Requirements and Single Source Order; Withdrawal of Direct Final Rule" (FRL No. 9972-90-Region 1) received in the Office of the President of the Senate on January 9, 2018; to the Committee on Environment and Public Works.

EC-4059. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Rights of Way; Removal of Incorporation by Reference" (RIN1024-AE42) received in the Office of the President of the Senate on January 9, 2018; to the Committee on Energy and Natural Resources.

EC-4060. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Electricity Delivery and Energy Reliability, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Grid Security Emergency Orders: Procedures for Issuance" (RIN1901-AB40) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Energy and Natural Resources.

EC-4061. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "General Regulations; Areas of the National Park System; Free Distribution of Other Message-Bearing Items" (RIN1024-AE42) received in the Office of the President of the Senate on January 9, 2018; to the Committee on Energy and Natural Resources.

EC-4062. A communication from the Chairman of the Southeast Compact Commission for Low-Level Radioactive Waste Management, transmitting, pursuant to law, the Commission's 2014-2015 and 2015-2016 Annual Reports, including the Annual Commission Audits; to the Committee on Energy and Natural Resources.

EC-4063. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Assessment of Solid-State Lighting, Phase Two"; to the Committee on Energy and Natural Resources.

EC-4064. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (10 CFR Parts 207, 218, 429, 431, 490, 501, 601, 820, 824, 851, 1013, 1017, and 1050) received in the Office of the President of the Senate on January 11, 2018; to the Committee on Energy and Natural Resources.

EC-4065. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Resolution 22-285, "Sense of the Council Calling on Congress to Remove the Albert Pike Statue Resolution of 2017"; to the Committee on Energy and Natural Resources.

EC-4066. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Charges for Use of Government Lands in Alaska" (Docket No. RM16-19-000) received in the Office of the President of the Senate on January 16, 2018; to the Committee on Energy and Natural Resources.

EC-4067. A communication from the Acting Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the re-

port of a rule entitled "Oil and Gas; Hydraulic Fracturing on Federal and Indian Lands; Rescission of a 2015 Rule" (RIN1004-AE52) received during adjournment of the Senate in the Office of the President of the Senate on December 29, 2017; to the Committee on Energy and Natural Resources.

EC-4068. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2018-5" (Rev. Proc. 2018-5) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Finance.

EC-4069. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Transition Rule from Notice 2010-46" (Notice 2018-05) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Finance.

EC-4070. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Domestic Production Gross Receipts" (Rev. Rul. 2018-03) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Finance.

EC-4071. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Estate of George H. Bartell, Jr. v. Commissioner, 147 T.C. 140 (2016)" (AOD 2017-06) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Finance.

EC-4072. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 965" (Notice 2018-07) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Finance.

EC-4073. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Election Out of the Centralized Partnership Audit Regime" ((RIN1545-BN77) (TD 9829)) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Finance.

EC-4074. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates for Four Body System Listings" (RIN0960-A117) received during adjournment of the Senate in the Office of the President of the Senate on January 2, 2018; to the Committee on Finance.

EC-4075. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Japan and Singapore to support the establishment of an F135 propulsion system Final Assembly and Checkout (FACO) facility in Japan, in the amount of \$50,000,000 or more (Transmittal No. DDTC 17-050); to the Committee on Foreign Relations.

EC-4076. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including tech-

nical data and defense services to the Republic of Korea to support the manufacture, integration, installation, operation, maintenance, and repair of the AN/APX-113/125/126 Combined Interrogator Transponders (CITs), the AN/APX-117/123 Common Transponders (CXPs), the AN/UPX-37/41 Digital Interrogators (DIs) and the AN/OPX-7 Reduced Size Transponders (RST) (Transmittal No. DDTC 17-071); to the Committee on Foreign Relations.

EC-4077. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to the United Kingdom to support the design, development, engineering, production, assembly, testing, repair, rework, maintenance, modification, operation, and processing of components and parts for integration into the TOW Missile System in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-083); to the Committee on Foreign Relations.

EC-4078. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Israel for the installation, integration, testing, operation, and maintenance for the UNISIG R-Series Barrel Processing Cell and other related tooling and accessories for the production of barrel blanks for 5.56mm, 7.62mm, and 9mm rifles (Transmittal No. DDTC 17-086); to the Committee on Foreign Relations.

EC-4079. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Japan to support the manufacture of Liquid Propellant Rocket Engines (Transmittal No. DDTC 17-090); to the Committee on Foreign Relations.

EC-4080. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to the United Kingdom to support the manufacture of Liquid Propellant Rocket Engines (Transmittal No. DDTC 17-091); to the Committee on Foreign Relations.

EC-4081. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of blank rifle barrels of multiple calibers to Canada in the amount of \$1,000,000 or more (Transmittal No. DDTC 17-097); to the Committee on Foreign Relations.

EC-4082. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the United States Munitions List of 7.62mm fully automatic machine guns and spare barrel assemblies to Latvia in the amount of \$1,000,000 or more; to the Committee on Foreign Relations.

EC-4083. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Canada to

support the manufacture, integration, installation, operation, and testing of various firearms and silencer parts (Transmittal No. DDTC 17-101); to the Committee on Foreign Relations.

EC-4084. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(d) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Japan for the collaboration of the manufacture of the Multi Service - Standard Guided Projectile for end-use by the Japan Ministry of Defense (Transmittal No. DDTC 17-113); to the Committee on Foreign Relations.

EC-4085. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to Australia to support the installation, checkout, test, retrofit, requirements verification, acceptance, operation, maintenance, and logistical support of MESA Radar/IFF subsystems and Follow-On Sustainment Support Services (FOSSS) for the Royal Australian Air Force in the amount of \$100,000,000 or more (Transmittal No. DDTC 17-116); to the Committee on Foreign Relations.

EC-4086. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Adjustments of Civil Monetary Penalties for Inflation" (RIN1801-AA17) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-4087. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-228, "Ballpark Fee Forgiveness Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-4088. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-229, "Homeless Services Reform Amendment Act of 2017"; to the Committee on Homeland Security and Governmental Affairs.

EC-4089. A communication from the Special Counsel, United States Office of the Special Counsel, transmitting, pursuant to law, the Office of the Special Counsel's Performance and Accountability Report for fiscal year 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-4090. A communication from the Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the Corporation's annual financial audit and management report for the fiscal year ending September 30, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-4091. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2017 through September 30, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-4092. A communication from the Acting General Counsel, General Services Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, General Services Administration, received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-4093. A communication from the Acting Director and General Counsel, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations" (RIN3209-AA38) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-4094. A communication from the General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled "Minimum Technical Standards for Class II Gaming Systems and Equipment" (RIN3141-AA64) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Indian Affairs.

EC-4095. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Trademark Classification Changes" (RIN0651-AD27) received in the Office of the President of the Senate on January 10, 2018; to the Committee on the Judiciary.

EC-4096. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Harmonize and Streamline Part 20 of the Commission's Rules Concerning Requirements for Licenses to Overcome a CMRS Presumption" ((WT Docket No. 16-240) (FCC 17-167)) received in the Office of the President of the Senate on January 10, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4097. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the views of the Department on S. 1129, the "Coast Guard Authorization Act of 2017"; to the Committee on Commerce, Science, and Transportation.

EC-4098. A communication from the Assistant Secretary, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (RIN3072-AC70) received in the Office of the President of the Senate on January 11, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4099. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Modification of Subpart G, Section 0.701 of the Commission's Rules" (FCC 17-172) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4100. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Advanced Methods to Target and Eliminate Unlawful Robocalls" ((CG Docket No. 17-59) (FCC 17-151)) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4101. A communication from the Deputy Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 11 of the Commission's Rules

Regarding Emergency Alert System" ((PS Docket No. 15-94) (FCC 17-170)) received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2018; to the Committee on Commerce, Science, and Transportation.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CRAPO for the Committee on Banking, Housing, and Urban Affairs.

\*Robert Hunter Kurtz, of Virginia, to be an Assistant Secretary of Housing and Urban Development.

\*Brian D. Montgomery, of Texas, to be an Assistant Secretary of Housing and Urban Development.

\*Jerome H. Powell, of Maryland, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

\*Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2018.

\*David J. Ryder, of New Jersey, to be Director of the Mint for a term of five years.

By Mr. HATCH for the Committee on Finance.

\*Alex Michael Azar II, of Indiana, to be Secretary of Health and Human Services.

\*Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

\*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 Mrs. MCCASKILL (for herself, Mr. TESTER, Ms. HEITKAMP, and Ms. HARRIS):

S. 2314. A bill to increase the number of U.S. Customs and Border Protection Office of Field Operations officers and support staff and to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ISAKSON (for himself and Mr. CASEY):

S. 2315. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved new drug application, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE:

S. 2316. A bill to amend the Agricultural Act of 2014 to make available to Native Americans who own horses for noncommercial use livestock indemnity payments and payments under the livestock forage disaster program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY (for himself, Mr. PAUL, Ms. HASSAN, and Ms. COLLINS):

S. 2317. A bill to amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted

treatment for opioid use disorders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. BROWN):

S. 2318. A bill to require the payment of user fees by qualified professional asset managers seeking an individual exemption from certain requirements; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 1364

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1364, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

S. 1585

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1585, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 1653

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1653, a bill to provide for the overall health and well-being of young people, including the promotion of lifelong sexual health and healthy relationships, and for other purposes.

S. 1899

At the request of Mr. BLUNT, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1899, a bill to reauthorize and extend funding for community health centers and the National Health Service Corps.

S. 2105

At the request of Mr. BOOZMAN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2105, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 2152

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2152, a bill to amend title 18, United States Code, to provide for assistance for victims of child pornography, and for other purposes.

S. 2203

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2203, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 2259

At the request of Mr. BOOKER, the name of the Senator from Massachu-

setts (Ms. WARREN) was added as a cosponsor of S. 2259, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, medication related to contraception, and for other purposes.

S. 2271

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2271, a bill to reauthorize the Museum and Library Services Act.

S. 2278

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2278, a bill to amend the Public Health Service Act to provide grants to improve health care in rural areas.

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2278, supra.

S. 2301

At the request of Ms. WARREN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2301, a bill to strengthen parity in mental health and substance use disorder benefits.

S.J. RES. 8

At the request of Mr. UDALL, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S.J. Res. 8, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 367

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 367, a resolution condemning the Government of Iran for its violence against demonstrators and calling for peaceful resolution to the concerns of the citizens of Iran.

S. RES. 368

At the request of Mr. CORKER, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Colorado (Mr. GARDNER), the Senator from Montana (Mr. DAINES), the Senator from Oregon (Mr. MERKLEY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 368, a resolution supporting the right of all Iranian citizens to have their voices heard.

AMENDMENT NO. 1879

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 1879 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

AMENDMENT NO. 1880

At the request of Mr. WYDEN, the names of the Senator from New Mexico

(Mr. UDALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 1880 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

AMENDMENT NO. 1881

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1881 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

AMENDMENT NO. 1882

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1882 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

AMENDMENT NO. 1883

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 1883 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

AMENDMENT NO. 1884

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1884 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

AMENDMENT NO. 1886

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from

New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1886 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

## AMENDMENT NO. 1889

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES), the Senator from Vermont (Mr. SANDERS), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1889 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

## AMENDMENT NO. 1890

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1890 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

## AMENDMENT NO. 1892

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 1892 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

## AMENDMENT NO. 1893

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL), the Senator from Montana (Mr. DAINES) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of amendment No. 1893 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve

and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

## AMENDMENT NO. 1895

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from New Mexico (Mr. UDALL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 1895 intended to be proposed to S. 139, a bill to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. SULLIVAN. Mr. President, I have 12 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 BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m., to conduct a hearing on the following nominations: Jerome H. Powell, of Maryland, to be Chairman of the Board of Governors of the Federal Reserve System, Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System, Brian D. Montgomery, of Texas, and Robert Hunter Kurtz, of Virginia, both to be an Assistant Secretary of Housing and Urban Development, and David J. Ryder, of New Jersey, to be Director of the Mint, Department of the Treasury; to be immediately followed by a hearing to examine combating money laundering and other forms of illicit finance, focusing on Administration perspectives on reforming and strengthening Bank Secrecy Act enforcement.

## 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, January 17, 2018, at 10 a.m., to conduct a hearing entitled "Terrorism and Social Media: Is big Tech Doing Enough?"

## COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m., to conduct a hearing entitled "America's Water Infrastructure Needs and Challenges: Federal Panel."

## COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m. to conduct a hearing on revision to the subcommittee assignments for the 115th Congress and on the following nominations: the Honorable Alex Michael Azar II, of Indiana, to be Secretary of Health and Human Services and Mr. Kevin K. McAleenan, of Hawaii, to be Commissioner of the United States Customs and Border Protection, Department of Homeland Security.

## COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m., to conduct a hearing on the following nominations: Dennis Shea, of Virginia, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador, and C. J. Mahoney, of Kansas, to be a Deputy United States Trade Representative (Investment, Services, Labor, Environment, Africa, China, and the Western Hemisphere), with the rank of Ambassador.

## COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSION

The Committee on Health, Education, Labor, and Pension is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m., to conduct a hearing entitled "Facing 21st Century Public Health Threats: Our Nation's Preparedness and Response Capabilities, Part I."

## 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, January 17, 2018, at 10 a.m., to conduct a hearing entitled "Unintended Consequences: Medicaid and the Opioid Epidemic."

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m., to conduct a hearing entitled "Breaking New Ground in Agribusiness Opportunities in Indian Country."

## COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 10 a.m., to conduct a hearing entitled "The State of the VA: A Progress Report on Implementing 2017 VA Reform Legislation."

## SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, January 17, 2018, at 11:30 a.m., to conduct a hearing on the following nominations: Michael K. Atkinson, of Maryland, to be Inspector General of the Intelligence Community, and Jason Klitenic, of Maryland, to be General Counsel, both of the Office of the Director of National Intelligence.



## PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that my law clerk, Jeff Gary, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2017 fourth quarter Mass Mailing report is Thursday, January 25, 2018.

An electronic option is available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

## RAPID DNA ACT OF 2017—Continued

ORDERS FOR THURSDAY, JANUARY 18, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Thursday, January 18; further, that following the prayer and pledge, morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to concur in the House amendment to accompany S. 139; finally, that the time following leader remarks until 12:15 p.m. be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators GRAHAM, FLAKE, and our Democratic colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

## DACA AND FUNDING OUR MILITARY

Mr. GRAHAM. Thank you, Mr. President.

I appreciate the majority leader allowing us to do this.

To the present Presiding Officer, thank you very much for trying to fix a difficult problem called immigration.

I am going to start with what drives my train the most. I want to fix a broken immigration system. There are

700,000, 800,000 DACA recipients who are going to go into chaos on March 5 if we don't do something.

As to the President, I think you were right to end this program and to give Congress the chance to fix it through the legislative process. I thought President Obama overreached through Executive action. You said March 5, we are going to replace DACA with legislation. The only way that works, Mr. President, is for you to help us and lead us to the right answer.

The one thing I can tell you that drives my train the most is rebuilding a broken military. We have an opportunity here to fix these problems: help the men and women in the military who have suffered mightily from sequestration, to get them more money at a time when they need it; to provide certainty to 800,000 young people who have no other country to call home than America; again, to repair a broken border, start transforming a broken immigration system, and marching to comprehensive reform in phase two.

The reason I am here tonight is I see an opportunity to do something we should have done years ago—increase defense spending consistent with the threats we face.

Here is what Defense Secretary Mattis said on June 12, 2017: "No enemy in the field has done more to harm the combat readiness of our military than sequestration." Congress has shot down more planes and sunk more ships by denying the military the assets they need to build new equipment, to replace old equipment, to keep people in the field in the fight, and other people trained and ready to go in the fight.

General Milley, the Chief of Staff of the Army, said: If we return to sequestration, the Army will be required "to draw down end-strength even further, reduce funding for readiness, and increase the risk of sending undertrained and poorly equipped Soldiers into harm's way." So this is the head of the Army saying: If we can't get our act together and increase military funding in a more permanent way, if we go back into sequestration, you are requiring me to increase the risk of sending undertrained and poorly equipped soldiers into harm's way. If that doesn't motivate you, what will?

General Goldfein said: "[P]ermanent relief from the Budget Control Act—with predictability funding—is absolutely critical to rebuilding Air Force capability, capacity, and readiness." We have lost a lot of capacity. Our readiness is at an alltime low because we are having to rob Peter to pay Paul to keep the planes in the air in the Air Force.

Navy Secretary Spencer said on October 28: The "Budget Control Act and cap sequestration has cost us between \$4 and \$5 billion dollars due to the starting and stopping of acquisition programs, the inability to start programs."

I could go through line by line what has happened under sequestration.

Sixty-two percent of the F/A-18s in the Marine Corps and the Navy can't fly because we don't have enough spare parts. We have a chance here to fix that problem.

To my Democratic colleagues, I am convinced you care about this too. I am convinced you will work with President Trump to increase military funding.

To the majority leader, Senator McCONNELL, I want to thank him for putting a number on the table consistent with the problems we face in the military. It is \$130 billion over 2 years.

To my Democratic friends, I do expect you to get some nondefense spending increases because sequestration has hurt across the board. The NIH has been kept alive because of bipartisan efforts. The FBI will have less agents this year than they did in 2013 because of sequestration. The CIA, the NSA, all of these defense programs under the nondefense portion of the budget have suffered, and they need help too.

What I would like to do is to ask the Congress to stop the s-show and grow up. Act consistent with the greatness of this country. Find a way to work together on the layup.

If you are looking for political cover to deal with increased military funding, 70 percent-plus of the people believe we would need more military funding. If you are looking for political cover to deal with the DACA population, 82 percent of the public supports a pathway to citizenship for the DACA population. I can't find too many issues that poll like that.

This is a FOX News poll, which means it is true: 79 percent of Americans and 63 percent of Trump voters favor granting citizenship to illegal immigrants under 30 who were brought here as children. Sixty-three percent of Trump voters understand that we need border security, but they have no animosity toward these young people who came here at the age of 6, on average, and literally have lived their lives here with no place else to go.

Here is the good news. We would be crazy to want them to leave. If you have met any of these Dream Act kids, the last thing you would want them to do is to leave. There are bad people in every population. There are 900 people in the population of Dream Act, or DACA, kids who are in the military, and there are 20,000 teachers. So on March 5, I don't want someone to have to deal with the fact that a fifth-grade teacher who everybody likes has to leave the country. That is insane.

I know my Democratic colleagues will support more defense funding with the understanding that the Congress, through legislation, deals with the DACA problem. They are willing to put money into the system for border security. They are willing to make a down payment on changing our immigration system to more merit based.

At the end of the day, there is a deal to be had. It just needs to be done. The

reason this bipartisan group that I am a part of came about is because nobody was doing much of anything. I am not getting in anybody's way. We have had months to figure out what to do. Just a couple of weeks ago—less than a couple of weeks ago—the four whips of the House and the Senate began to work on this. To be honest with you, that is a bit late.

As for the President, we can't do this without you. This was one of the centerpieces of your campaign—immigration. President Obama tried and failed, and I appreciate his effort. President Bush tried and failed, and I appreciate what he did. I worked with both of them across the aisle to pass bills that went through the Senate with 60-plus votes, to only go to the House and die. I am tired of that scenario.

To my House colleagues, I know this is tough politics for you. But if President Trump can find a way to lead us to a solution, I think it will allow the House to finally act.

On Tuesday, we had an unusual meeting with the President of the United States for about 40 Members of the House and the Senate, from both sides of the aisle, and we spent 55 minutes on national TV, watching President Trump listen, cajole, and urge us to find a bipartisan solution. This is what he said Tuesday:

This should be a bill of love. Truly, it should be a bill of love and we can do that. . . . But it also has to be a bill where we are able to secure our border.

You are right, Mr. President, security and compassion are not inconsistent. As a matter of fact, you cannot have one without the other. Let's do phase one and go to comprehensive tomorrow. He urged us to come up with a bipartisan product, and he wants to sign it.

President Trump on Tuesday showed a command of issues, the right approach to a difficult problem, urging us to work together in a bipartisan fashion. He talked about security being essential, but he understood that compassion and love have to be part of this because these kids literally have no place to go. They have put their roots down in America. They were brought here by their parents. I don't believe President Trump wants to kick them out March 5.

To my friends at the White House, on January 4, we had a meeting of Republicans with the President, and I went over the bipartisan proposal that I was working on with Senators DURBIN, GARDNER, FLAKE, BENNET, and, later, Senator MENENDEZ. Nobody was surprised as to what we were doing. I said: This is a good position to start from. Can it be made better? Yes.

Senators TILLIS and LANKFORD have the SUCCEED Act. We met with them, and I think we adopted a lot of their good ideas. So at the end of the day, the Dream Act by Senators GRAHAM and DURBIN became more like the SUCCEED Act.

On Thursday at about 10, I get a phone call from Senator DURBIN: I just

talked to the President to let him know that we have reached an agreement.

On January 4, I said: We are 99 percent there.

Senator DURBIN called me and said: I had a good conversation with the President. He wants to hear what we have done. He is encouraged by it. I made a request to go to the White House.

General Kelly came over at about 11. I went through the proposal, which had been shared numerous times, and he said: What about this? What about that?

I said: It is all about getting the process started. General Kelly, we are not going to get comprehensive on our side for DACA. We are not going to give 11 million legal status and hope that someday we will deal with border security and merit-based immigration. We have to have a phase one that is a down payment on all four areas outlined by the President.

By the time we got there, at noon, there were more people at the meeting, and all I can say is that what happened between Tuesday and Thursday, I don't know, and between 10 and 12, I don't know, but it took us in the wrong direction.

The President whom I saw on Tuesday is the man who can close this deal and lead this country to get an answer that Obama and Bush could never get. We are where we are.

To my good friend, Senator PERDUE: I share your desire to replace chain migration with merit-based immigration. One day we will have a system where the nuclear family gets green cards, which will free up millions of green cards for a workforce we desperately need. The only way you will get that is to deal with the Democrats and give them what they are wanting out of this deal. They are not going to give us what we want the most—which is legal immigration, a secure border, and a merit-based immigration system, based on DACA—and let me tell you why. What leverage would they have with the 10 million illegal immigrants that they would like to see have a better life, too? Almost none.

To my colleagues on the other side, from the very first day that I sat down and talked to you, what did I tell you? I have no animosity toward the 11 million. I just don't want any crooks or bad people. Let's get them right with the law. Let's transition to a system where we do not do this every 20 years. Let's secure our border, increase legal immigration, have an E-Verify system that works, and put people in jail who are illegals in the future. Let's give the 11 million who can come out of the shadows and are not criminals a chance to get right with the law, by paying a fine, passing the English proficiency exam over time, getting at the back of the line of the country where they come from, and 10 years later they can apply for a green card—a pathway to citizenship that I think could be earned.

How did 11 million people get here? They did not sneak up on us. If you know anything about the economy in South Carolina, there is a lot of tourism, and it is a heavy service industry. If you go to a golf course in South Carolina, you will see beautiful golf courses maintained by good people, and you are going to see mostly Hispanics. If you go to a meatpacking plant in South Carolina, you are going to see people doing a job you wouldn't want, making a decent living, working really hard, and most of them are Hispanic.

How did this happen? Most of us looked the other way as people came to our country trying to better their lives—some crooks, some rapists, some drug dealers, but mostly really good people trying to improve their lot in life. All that I ask is that we fix this system once and for all so we don't have a third wave 20 years from now but that we deal with the reality that these people are here, and they have been here for a long time. And America always needs good people—not just from Norway but from all over the world.

We need a reliable partner at the White House. General Kelly I admire greatly. He lost his son in service to our Nation. He has been leading Marines in combat for decades. He is new to being chief of staff. He did a heck of a job creating order out of chaos. But at that meeting, he said something I take exception to: You have got to stop fiddling.

General Kelly, as much as I admire you, for 10 years I and many others in this body have been trying to find a way forward to fix an immigration system that is broken, to turn it into a merit-based immigration system over time, to get the 11 million right with the law, to increase legal immigration so employers don't have to cheat, and to make our Nation better and stronger. So I haven't been fiddling.

What I asked the White House is this: Find out what you are for. I can't read your mind.

This proposal just picked up support from more Republicans. We didn't write the Bible, but we gave the President his funding for fiscal year 2018 for the wall and security outside the wall. I don't believe we are going to get \$10 billion or \$20 billion funded in 1 year. I don't think that is possible.

We begin to break chain migration within the DACA population. We limit green cards to nuclear families, which is a down payment on a merit-based immigration system. We eliminate the diversity lottery because it is a bad way to give out visas, and we took those 50,000 visas and said: Why don't we do the following: Create a merit-based program for underserved countries, which are mostly in Africa. Here is what I believe: merit-based immigration all over the world, not just in Europe.

What has made us special and unique is that we come from everywhere. We are nobodies where we came from, and we can be a somebody here.

I have said a couple of times, and I will say it again: Norway is a great place. If you are from Norway, you are a Norwegian. If you are from America, what are you? You will not know us by the way we look. You will not know us by the way we talk, because DICK DURBIN has an accent. We talk differently, we look differently, but we have a lot in common, and out of the many we have become one.

In an effort to decide who comes to America in the future and to fix a broken immigration system, one thing I will never give in to is changing what it means to be an American. There are people from all over the globe dying to get here. We can't accept everybody, but we need to make sure that, as we go forward in the future, we do not forget our past.

Out of every country all over the globe, we have created something special here. Everybody has a story. My grandfather came from Scotland, Lindsey Graham, and could barely read or write. Neither one of my parents finished high school. And I am in the Senate, thanks to the good people of South Carolina. Everybody has a story. I don't want those stories to end. I want new chapters, one after another.

So to the President, what I saw Tuesday was a man that understood what America was all about, a leader who understood that bipartisanship must occur and understood that love and security are not mutually exclusive. What I find today is complete chaos.

To think that our Democratic colleagues are going to give us everything we want on the fence and hope that one day we will deal with the DACA population is a bit unrealistic—and count me in for being on your side there. I don't want to put these kids through any more hell. I don't want to wait until March 4. I want to go ahead and get it done now. We should have done it years ago.

I want to get a down payment on border security and change our immigration system, but we can't do it all at once, because everybody tells me comprehensive will not work. So let's figure out a way to chop it up in two parts. You have to start somewhere.

So here we are, trying to figure out what the hell to do. Let me tell you what we should do. We should listen to the American people. We should do what they want us to do, which is to take care of the DACA population, rebuild the military, and start fixing the broken immigration system.

If we just did what 70 percent of the American people want us to do, we would have figured this out. As to the 30 percent, you have your right to think what you want. Along with other Republicans, I have been called every name under the Sun, and I am still standing. There are people who will never let us get to yes because they have an irrational view of what it takes to fix this system.

There are voices in the White House that we all know very well that have

been telling us for years: You have too much legal immigration, and everything is amnesty. Don't listen to that voice or those voices because if you do, you are going to be right where Obama and Bush were. They tried, and they failed.

We don't have the luxury of failing anymore. March 5 will be here before you know it. I am not going to sit on the sidelines and watch these young DACA recipients have their lives turned upside down, because we are better than that as a nation. Equally but more importantly, I am not going to go any longer in allowing sequestration to destroy the military at a time we need it the most.

Look through the eyes of a soldier, and you will find out what to do on the military. Look through the eyes of a DACA recipient, and you will find out what to do there. Don't be blinded by loud voices and hateful people.

We owe it to this great Nation to fix hard problems. We owe it to those who are in the fight to give them the equipment they need to win a war we can't afford to lose. We owe it to the families of military members to have more certainty, not to be deployed so much. We owe it to ourselves to get these DACA kids right with the law because they will add value to our country.

To my Democratic colleagues, now is the time. Give us the space.

To my Republican colleagues, this is a defining moment for our party. Are we going to continue to be the party that can't get to yes? Are we going to continue to be the party that always has a reason not to do DACA, or are we going to be the party that finally realizes that these young men and women add value to our country and we welcome them with open arms and that they have to work to stay and they will?

To the defense hawks, the only way you are going to get your money is to deal with immigration rationally.

Senator DURBIN, we don't agree on a lot. I bet if you looked at our votes, we are 90 percent one way versus the other. But for 10 years, you have been a very good partner on comprehensive immigration reform. You have given. You have made people mad on your side.

To those who think they are going to deal Senator DURBIN out, you know zero about this issue.

To Senator MENENDEZ, you know the story of America better than I do because your family came here because they had to. America allowed you to leave a place that was horrible, and, boy, is that a great experiment in how things can turn out well. You cancel out my vote most of the time, but I appreciate your being here in this body trying to find a way forward for future immigrants. Your voice on this issue has meant a lot to me because I have not walked in your shoes.

Senator BENNET, thank you for being calm when a lot of us get hot. Thank you for caring about the meatpackers

because that is important to Colorado. Thank you for trying to push your party to yes.

To the people who have worked with me in the past on the Democratic side, some may say you have given nothing. I think you have given a good bit. I think we have too.

Senator FLAKE, you are from Arizona. You and Senator MCCAIN know this issue better than I do. He knows what it takes to secure the border, but he also understands the benefit of illegal immigration being fixed for the good of the country.

Senator GARDNER, I didn't know you much at all. You are the NRC chairman trying to make sure we hold on to this body, and, God, I hope we do—nothing personal, but I hope we do. I am amazed at how strong you have been. You have been under a tremendous amount of pressure to get out of this dealmaking business, and you have withstood that pressure. The people of Colorado should be very proud of you and Senator BENNET. We don't agree on a lot, but on this, you have been champions.

To the other people who came on board supporting the concept, the proposal, either in totality or the idea that we need to move forward, on my side of the aisle, I cannot thank you more. The well is pretty poisoned.

To the White House, I want to help you, but you have to help yourself. There is a way to do business around here that has stood the test of time. There are some things that will hurt you over time. When people want to help you—you may not agree with them, but you know they want to help you—take the help. When people disagree with you, understand there is always tomorrow.

To President Trump, you won the election. You beat me. Only you, quite frankly, Mr. President, can fix this problem because you have credibility others don't. Don't let this moment pass. Don't take us backward; take us forward.

Thank you all for trying really hard for a long period of time to do the right thing.

With that, I yield.

THE PRESIDING OFFICER (Mr. PERDUE). The Senator from Illinois.

Mr. DURBIN. Mr. President, first, let me thank my colleague from South Carolina. We have worked together for years, mainly on this issue. I want to tell you that he has demonstrated extraordinary insight and extraordinary courage time and again. I know we wouldn't even be standing here in this conversation without him.

LINDSEY, thank you. I know some of the challenges that I have put before you made life more difficult, and I hope you understand that I always knew you wanted to come to yes, you always wanted to fix this problem.

One of the things that you said that I would like to share is the passion we feel on this side of the aisle for the security of America. This morning, I was

invited for a breakfast with Secretary Mattis at the Department of Defense. I was happy to vote for his confirmation. He is another patriot, a man who served as a four-star general in the Marine Corps. I respect him very much, and I want to help him.

As the ranking member of the Defense Appropriations Subcommittee, I know what these dollar figures mean. It isn't just numbers on a page. We are talking about what Secretary Mattis told us this morning. A delay, another CR—the fourth CR this year—costs the Pentagon millions of dollars—millions of dollars to maintain the same spending level they had last year. That is wasteful.

How many families across America say: I am going to write exactly the same checks in January 2018 that I wrote in January 2017. That is mindless, and that is where you are with a CR. We just keep repeating the same things over and over at great expense.

We owe it to the Department of Defense, we owe it to the men and women of the military, and we owe it to the people we represent to keep this Nation safe.

I agree with Senator GRAHAM. We cannot ignore that there are other things that are priorities and have importance. In the nondefense area, to think that we would shortchange the Department of State—an agency of government which you have responsibility for in the Appropriations Committee—is a shortsighted effort that even Secretary Mattis would be quick to say makes no sense at all. We should be giving our Department of State the resources and people they need to make sure we are dealing at the area of diplomacy as opposed to war. That is just one example. Add the FBI. Add the Department of Homeland Security. They all need to be properly funded.

We cannot run the Government of the United States of America—the strongest and biggest economy in the world, one of the most powerful nations in the world—lurching from week to week and month to month without a budget. For goodness' sake, I plead with the Republican leadership in the House and the Senate, give us something we can work on together. A good place to start this—look for bipartisanship. There are Democrats willing to sit down and work with you to solve the problems. But when we are given a “take it or leave it” budget proposal for 4 weeks at a time, it is a terrible way to run a country. I hope the leaders come to that same conclusion.

Let me zero in on the issue that brings most of us to the floor tonight, which was addressed by Senator GRAHAM. I have been at this for a while, a long while. My goal is to make sure that those who were brought to this country as children, who grew up in this country and, as BOB MENENDEZ has said so forcefully and effectively, pledged allegiance to that flag every morning in the classrooms across America—I have been fighting for

years to give them a chance to be part of America, the only country many of them have ever known. It has been a struggle.

When I couldn't pass the Dream Act or get 60 votes in the Senate, I went to President Obama and begged him to help, and he did. He created DACA. By Presidential Executive order, he created an opportunity for ultimately 780,000 young people to step up and get protection from deportation and the right to legally work in America. It has been an amazing experience.

As Senator GRAHAM said, it is hard to pick any large population in this country and not end up with some people who would embarrass you or some bad apples, but I will tell you consistently, over and over again, these young people, these Dreamers, these young people protected by DACA, have shown us over and over again why they have earned our confidence and trust. They worked so hard to be part of this country.

Those of us who were lucky enough to be born here never went through what they have gone through—learning that you are undocumented, realizing the doors are closed automatically no matter how good you are and how hard you work—and they kept at it. I want to tell you, we should be proud of them, and we should embrace them as the future of America because they bring so many talents, skills, and good values to our country.

With the DACA Program in place and all the people protected, the new President came in and said: I am going to end it. On September 5 of last year, he announced that it would end as of March 5 this year, and as of October 1, they would stop renewing the DACA protection.

What has happened is that 16,000 of these DACA-protected young people have fallen out of protected status. Luckily, a California court last week said: Keep protecting them until we resolve some of the issues. So they have a temporary, momentary protective order that they can turn to when it comes to this California decision, but there is no certainty of what happens next.

When I hear Senator MCCONNELL and others come to the floor and say there is no hurry, I invite them to meet some of these young people. I met a group in New York. There were about 12 of them in college, DACA-protected. They are working to get through college because they don't qualify for any program assistance because they are undocumented. As they went around the room, they said: Senator, we want to each tell you something.

Five hundred days.

Four hundred and twenty days.

Each one of them was telling me how many days they have left of DACA protection before they were subject to deportation and could no longer legally work in America. To say there is no hurry is to overlook the obvious. These young people are torn apart. Their

families are torn apart because of our lack of action.

Senator GRAHAM and I decided to do something about it, and we invited some good friends to join us. On the Democratic side, MICHAEL BENNET of Colorado and ROBERT MENENDEZ of New Jersey—we have been through this war before when we worked on comprehensive immigration reform. On the Republican side, Senator GARDNER of Colorado; Senator FLAKE of Arizona, who is on the floor; and Senator GRAHAM. And we worked at it for a long, long time. We had moments that looked like we were going to fall apart and never reach a conclusion, and we finally came together.

Last Tuesday, a week ago, when the President invited 26 of us to the White House and made his plea that we do something, we decided to sit down and do it, and we did. In a matter of 24 to 48 hours, we reached a final agreement on this bipartisan approach to deal with this issue of DACA. That is what we presented to the President when we went to the White House last Thursday.

I couldn't agree with Senator GRAHAM more that the President of last Tuesday is the one we need again—that President who said to us that what we are doing is an act of love; that President who said to us: Send me a bill. I will sign it, and I will take the political heat; that President who agreed with us that you couldn't do everything in immigration reform in one bill but you had to divide it. He agreed with that. I agree with him. That is the way we should move forward.

I hope the President listens to Senator GRAHAM and others in his own party and steps up and helps us finish this responsibility.

Let me say a word or two about another effort underway. At that meeting 8 days ago, Tuesday of last week in the White House, there was a suggestion that the leaders in the Senate and the House, both parties, should sit down and see if they can come up with an alternative. That was headed up by KEVIN MCCARTHY of California. I like him. I don't know him well. I have not worked with him on many things. But I will tell you he is a positive person. He is trying to come to a conclusion on something that might work, and we met today in his office to talk about it. At the meeting was Senator CORNYN of Texas, who is the whip of the Republican Senators; myself; and STENY HOYER, the Democratic whip of the House of Representatives. With us were Gen. John Kelly and Secretary Nielsen of the Department of Homeland Security. We met for about an hour and a half. It was the first attempt at a substantive meeting that we had had since this group started meeting 5 days ago. In the meantime, our staff had met four or five times, but this was the first time that Senators and Congressmen had sat down across the table. Needless to say—and no surprise to all of us because we have been through

this so many times—we really couldn't agree on the basics of how we were to get started here.

I said to Congressman MCCARTHY, the Republican leader in the House: This is hard work. This is heavy lifting. This takes time. People have to be convinced and have a chance to state their points of view. We don't have that much time. We are dealing with a deadline of January 19, and that happens to be just around the corner, 2 days away. We are also dealing with a deadline of March 5, which, sadly, could be a deadline, if we fail to meet it, that could see many people's lives changed.

I have continued to meet with this group, but I tell them over and over: We already have a bill here in the Senate. We have a bipartisan bill.

We addressed all of the issues that the President raised when we had our meeting in the White House on Tuesday of last week. This is a starting point. In fact, I think it is a good end point for us to point at.

Let me thank Senator GRAHAM for expanding the number of Republican sponsors. I do the math in the Senate. I have said that, as the whip of the Senate, I learned all of the skills I needed for this job in the first grade—how to count to 60. That is what it takes, many times in the Senate, to move controversial issues forward.

We have 49 Democratic Senators. I believe they are all prepared to vote for this compromise that we have before us, this bipartisan compromise. As of today, we have seven Republicans who have joined us in this effort. The math is simple. We have 56 Senators who are ready to move forward on this issue. It will only take four more, and I believe they are there. I have spoken to Republican Senators who have said: Maybe I cannot sponsor it, but I sure want to see it pass.

I think, ultimately, if we are given a chance to vote on this measure and move it forward, we can do it on a bipartisan basis. It will be one of the few times—rare times—that it will happen around this Chamber. In doing that, we are going to solve the problem that the President challenged us with—to replace DACA. It is a good approach, the one that we put together. I don't like all of it, but that is what compromise is all about.

I hope that my colleagues will join me in a bipartisan effort to make sure that before we go home this week, we move forward on this DACA issue so that we can say to these young people: We hear you; we literally feel your pain; and we want to be there to make sure you have a future in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I appreciate this colloquy. I appreciate my colleagues who have been through a lot on this proposal. Many of us have worked in prior years on immigration reform measures, and I think we have built up a level of trust between us that helps on these issues.

Senator DURBIN is right. There were a couple of times when you would just throw your hands up and say: I don't know if we can get there. Yet our staffs worked hard and well, and I do believe that we have a proposal that can get 60 votes. We have worked so long under rules of reconciliation that sometimes we forget that we have to get 60 votes around here. That is what this bill is designed to do. In the end, that is what it is going to take—60 votes.

I come from Arizona. We have a lot of Dreamers there, obviously, some 50,000. I have met so many of them over the years, and to say that they deserve this is an understatement. They have waited so long, some of them delaying their educations because of not knowing what is on the other side and some not being able to get the kinds of jobs that they need because of the uncertainty in their moving ahead. These are the people whom Senator GRAHAM said we want here. We ought to roll out the red carpet and say: Please stay here and help build your country. This is the only country they know. They have everything but the papers. So I hope we can move forward on this.

Let me talk about a few aspects of the proposal.

There are some who have said that the Democrats are unwilling to give on this. I hear that on my side of the aisle. I can tell you, on any compromise proposal—anything that is a bipartisan proposal—both sides are going to give, all sides are going to give. Yet this one, the Dream Act, of which I am a sponsor, would have a faster path to citizenship for kids. This is a slower path here, which is a big give on the Democratic side, from some 5 years to 12. That is not easy. It is not easy to tell people: You have to wait a little longer than you expected. It is part of the legislative process.

I know a lot of people aren't keen on some of the structure that will go along the border, whether it is called a wall or whatever, but those of us in border States realize that we need better infrastructure, that we need better security, that we need better technology, that we need more manpower, and it is all a compromise. That is what it is about, and that is why I appreciate this process.

I know that if we allow this to come to the floor and are able to present this proposal to our colleagues, we will have a lot more support than we have already on the Republican side.

It was said by some on our side today that the only way we can move forward is if we get an OK from the White House—if we know what they want and what the President will sign. I am not sure that we will ever get there unless we actually put a proposal on the floor of the Senate and debate it and vote on it. At that point, we will know. Then the White House will come and say: Yes, I can support that, or, we can support that with this change or that change. If we are waiting for the White House to come to us with a proposal

that it can support, we will likely be waiting a long time.

Many of us met with the White House, starting 6 weeks ago, in our asking for proposals on the border. We said: Tell us what the White House can live with. What is needed? What is a must have?

We waited and waited and waited for weeks and then got a big proposal with just about everything thrown in.

I would submit that we have to put something on the floor, and this proposal is ready. I think we ought to continue over the next couple of days to build support and add Republican and Democratic cosponsors. Then I would ask our leadership to put this on the floor. Let's see where the votes are. We have a short period of time. We don't have much runway. The last thing we want to do is to come right up against the deadline, right up against March 5.

The administration has asked the High Court to rule on whether or not there can be any further extensions or if March 5 is the "deadline" deadline. It is my opinion that the Court will come back and say: Yes, that is it. We have to be ready for that. We cannot afford to wait anymore. It is time with this proposal to put it on the floor.

Again, I thank my colleagues for their work on this. I thank the White House—those who have sat down and the President's comments the other day in that this needs to be a bill of love. I think that it is. It is also, as Senator DURBIN said, a bill that is tough, that has border security elements, as we want to make sure we are not in this situation a few years from now.

We have to have a bill, first and foremost, that has the support to pass the House and the Senate. That is what this is. Make no mistake in that this is the bipartisan approach. This is the only game in town. As much as others want to say that they are going to reach an agreement, they are basically where we were a few months ago. They have a long way to go. We have a proposal here that can garner enough support to pass the Senate, so let's move on with it.

I yield to Senator MENENDEZ.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, let me start off by thanking my colleague from Colorado, who got here earlier than I and is giving me the opportunity to move ahead. My daughter is in town. I would like to see her, but this is important, and I appreciate his courtesy.

I am thankful for Senator DURBIN. As someone who has been involved in immigration reform for the better part of the 26 years that I have been in the House and the Senate, his passion on this singular issue within the overall immigration question is unquestionable in how we take care of these young people—young people who, in every respect except for birth, are Americans. It has been extraordinary. It couldn't have a better champion, and I appreciate that.

To my friend and colleague LINDSEY GRAHAM, I appreciate his courage because it is not one of those things he really has to tackle. I appreciate his understanding of the institution as to how to get there and his knowledge in bringing people together. I don't always like what I hear from him, but by the same token, he doesn't always like what he hears from me, particularly on this issue. Nonetheless, he is an extraordinary American.

To the rest of my colleagues and certainly Senator BENNET, who was part of the Gang of 8, when we went through this a couple of years ago, it passed in this very same body with 68 votes—comprehensive immigration reform. Unfortunately, it just languished in the House of Representatives or we wouldn't be talking about any of this, largely, today. We would be well on our path to border security, well on our path to future flows, well on our path to what immigration would look like in the future, and, of course, a pathway for all of those who have worked hard in this country and obeyed the law in every other respect.

To Senator FLAKE, who was part of that group, I really appreciate him. We don't always agree on everything. On foreign policy, we have a disagreement or two, but on this, we have been locked in laser-like. I appreciate his willingness, especially in the final year he has decided to serve here, to take on this challenge.

Look, we are about working on finding common ground on some of the most pressing immigration issues that really go to so many things—national security, the national economy. I cannot secure America if I don't know who is here to pursue the American dream versus who is here to do it harm. For that, one has to bring people out of the shadows and into the light and have them go through criminal background checks to know. I cannot thrust that economy even beyond—into warp drive unless we have everybody fully participating in an open, above-the-ground economy. One of the most urgent of these issues is the uncertainty faced by 800,000 Dreamers across America who qualify for protective status under the Deferred Action for Childhood Arrivals Program, which we call DACA.

It is no secret that I deeply disagree with the President's decision to end DACA. In my view, nothing good could come out of a decision that jeopardizes the lives of 800,000 DACA recipients, including 22,000 in my home State of New Jersey who are living lawfully under DACA and working and studying across our country. This is a program for which I advocated with the previous administration, with President Obama. Congressman GUTIÉRREZ and I and the Congressional Hispanic Caucus were there and actually gave him legal memos written by attorneys from across the country—experts in this field—as to why we thought he had the power to do what he did. I still think that is true. Regardless of that point, we are beyond that.

DACA was never a perfect program, nor was it a replacement for truly comprehensive immigration reform—an effort to which I remain committed today, as I was in 2013 when we passed those historic reforms to our immigration system—the greatest pass in the Senate since the days of President Ronald Reagan.

DACA still did tremendous good for this country. It allowed 800,000 upstanding, undocumented, bright young people who came to this country as children, through no decision of their own, to come out of the shadows, step into the light, and pursue their dreams without fear of deportation, without fear that the knock at the door was not a member of their family coming back home from work or their neighbor but an immigration agent.

When we talk about Dreamers, we are talking about young men and women who have grown up in America in every sense of the word. The only country they know as home is the United States of America. The only flag they pledge allegiance to is that red, white, and blue with the stars, the flag of the United States. The only national anthem they know and want to sing is “The Star-Spangled Banner.” The only country they know is America. They are not undocumented immigrants, they are undocumented Americans who have proven themselves to be a great asset to this Nation.

Dreamers are studying in our colleges, they are playing on our sports teams, they are teaching in our schools, and they are wearing, as Senator GRAHAM talked about our military and the need to respond to the economics of our military needs—many of these young people are wearing the uniform of the United States, putting themselves at risk to defend the only country they know. They are innovating in our economy, enriching our communities, and otherwise obeying our laws, and most of all loving this country because it is their country too.

Yet the administration has slapped an arbitrary expiration date on their dream. In doing so, the President created a national emergency and one that only Congress can solve. So this is what I and the Gang of 6 set out to do. Is this proposal ideal to me, the son of immigrants representing one of the most diverse States in the Nation? I can tell you, absolutely not. Is it ideal for my friend LINDSEY or Senator FLAKE? I would expect they would say no, but that is the reality of compromise. That is what governing is all about. It is about making tough decisions in order to advance the greater good. This deal is not ideal to any of us, but it is acceptable to all of us. If more of our colleagues join us, I believe it will be ultimately acceptable to the President as well.

Despite the mixed messages sent by the administration, I have to believe, in order to keep on going, the President meant what he said when he called our Dreamers remarkable kids. I

have to believe the many times I heard him speak about the Dreamers with compassion, about treating these bright young people with heart, I have to believe that when I sat around that conference table with my colleagues at the White House, the President meant what he said when he spoke of an immigration system that encourages people to do a good job and to have a resolution that is one of love. Well, I will tell all of my colleagues what I told President Trump that day, once the cameras turned off and we had the room to ourselves. I told him he had the political capital to spend; that President Nixon was the ultimate anti-Communist, yet he was the one who opened up China; that President Reagan was the most antitax Republican ever elected, yet he ultimately saw the need to increase rates. No one questions this President's harsh views on immigration, which is precisely why he has the opportunity to do something big.

During last week's bipartisan summit, the President said that if Democrats and Republicans reached a deal, he would sign it. He told us to develop a proposal, one that resolved the DACA challenge and protected America's Dreamers and addressed tough issues like border security, family reunification, and diversity visas. He gave us that charge, and we came together and ran with it. A lot of hours were spent—many more by our staff—hashing out the issues in search of common ground, and finally we arrived at an agreement that I believe Congress can and must send to the President's desk before it is too late.

Now, let me be clear. Striking this deal was no picnic. To my Republican colleagues who say this bill isn't tough enough, I encourage you to take a closer look. Look at the hard choices I had to make as the most senior Hispanic American in the U.S. Congress, as the son of immigrants whose parents' thirst for freedom brought them to these shores, as the senior Senator for New Jersey, one of the most racially and ethnically diverse States in the Nation.

Never could I have imagined, for instance, accepting fundamental changes to the Diversity Visa Program because diversity, in my view, is one of America's great strengths, and New Jersey is living proof. In my State, it is hard to find any community that hasn't been touched in a positive way by the Diversity Visa Program. I remind my colleagues, every night in the darkest corners of the world, there are people who pray with all of their might for the opportunity to win a diversity visa—which, by the way, you have to pass all of the background checks, criminal and otherwise, in order to still come to this country. It isn't a grab bag. You still have to go through a series of background checks. They aren't even looking to win \$1 million, but they want to win a one-in-a-million chance to come to America.



I have never supported building a wall at our southern border—any type—even when the President told us that Mexico was going to pay for it, but the President must know this proposal includes billions of dollars for his border security priorities, from barrier construction and development to southwest border technology acquisition.

Then, of course, there are the restrictions on family reunification. I don't believe in this chain migration. When you want to dehumanize people, you talk about chain migration, family reunification, but whatever you call it, the restrictions of family reunification are what our Republican counterparts insisted upon—new limits on what some divisively call chain migration.

For example, legal permanent residents in the United States will no longer be able to sponsor their adult children to join them in America. That is a big deal. For me, this was a tough decision as it imposes a limitation on our legal system of family immigration, one I only accepted after we secured other measures to streamline reunification for spouses and young children.

That is not the only hard choice we had to make when it came to family. Yes, this legislation gives Dreamers the opportunity to earn a 12-year path to citizenship, but the price we pay for that earned pathway to citizenship is that we provide no such path for the parents who brought the Dreamers here illegally. As a result, Dreamers will not be able to petition for their parents, but their parents will be eligible for temporary legal status and work permits. That is an incredibly difficult choice for me, but we did it. Ultimately, I accepted it because it keeps families together, which I have always thought both parties were always about—family values, the family unit, the family as the center of American life. So this proposal protects parents from deportation. It leaves open the possibility to fight another day to provide a pathway for parents to earn citizenship.

The President spoke of taking heat for a compromise on Dreamers. Let me tell you this, as the most senior Hispanic American in Congress, I will get a whole lot—and have already—of heat on these concessions, but I will gladly take that heat in order to protect Dreamers who deserve to stay in the only home—the only home—and the only country they have ever known.

Look, we all know there will be voices on the far left and voices on the far right that say this deal makes too many compromises. To my friends in the immigration advocacy community as well as my Democratic colleagues, I remind you that legislating is the art of the possible—something I know we don't necessarily always get into our psyche, and hopefully it will not be for much longer, but we are in the minority in both Chambers of Congress. The opposing party occupies the White

House. We may not enjoy that reality—I certainly don't—but it is the reality nonetheless. In this reality, sometimes stopping something bad from happening is our best shot at making something good happen. The best we can do is to stop something bad from happening in order to try to make something happen, but, eventually, to make that something happen, we are going to have to have a compromise that brings others to this effort as well as we have here tonight. Without it, we fail the 800,000 Dreamers counting on us to reach the finish line.

To my Republican colleagues, I ask you to remember the tough concessions we had to make so Dreamers have a chance to earn citizenship in the countries they know and love. In short, this deal was negotiated in good faith, with both sides making tough decisions in service of the greater good. What good could be greater than keeping American families together?

Consider the fact that 25 percent of DACA recipients are the parents of a U.S.-born child. I refuse to believe we are a country that tears young mothers and fathers away from American children to send them back to countries they don't even know.

Let me close by reminding us that we all, I am sure, held celebrations on Monday for remembering the life of Dr. Martin Luther King. It was he who said:

We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there is such a thing as being too late. Procrastination is still the thief of time.

My friends, the fierce urgency of now, as my colleagues have talked about, is confronting us yet again. We cannot let the clock run out on the American dream, we cannot keep tearing families apart, and we cannot pass up this opportunity to make history right. Let's honor Dr. King's legacy by treating this crisis with the urgency it deserves.

Join us, and together we can send this legislation to the President's desk without delay. There is no time left to spare. If we want America's Dreamers to have a future in this country, we must act as if tomorrow were today.

I thank the Presiding Officer, and I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Colorado.

Mr. BENNET. Mr. President, in my typically classy fashion, I dropped the microphone before I began to speak.

I was glad to yield to my friend from New Jersey when he told me the reason why because I have three daughters at home, and if one of them—if I were fortunate enough to have one of them here in Washington, I would want to be having dinner with her, too, instead of being here, but I am here tonight for them and for families just like the other Senators have talked about.

My family has an interesting immigration history that people are sur-

prised by sometimes when I talk about it. My mom and her parents were Polish Jews when World War II broke out. Miraculously, they survived the Holocaust. They and one other member of the family survived, and they actually lived for 2 years behind the Iron Curtain, in Eastern Europe. They were finally able to get to Sweden where they lived for 1 year, and they came to Mexico—of all places, Mexico City—where they lived for 1 year. Then they finally made it to America, a country they believed was the only place on the planet where they could rebuild their shattered lives, and that is what they did. They contributed mightily to this country. They contributed mightily to me, to my brother, and to my sister.

When I hear the stories that I hear from my colleagues tonight, what it makes me realize is that my family's story is not unique, but it is what makes America unique because you can't tell my family's story in almost any other country but this country.

I had the chance, when I was first in this job, to go to Fort Carson in Colorado to a naturalization ceremony there. There were 30 people from every corner of the globe in our uniform because they were fighting for America, but they weren't yet citizens. They took the oath to that flag, and I used to carry around the list of the countries they came from because out of 30, only 2 came from the same country. Twenty eight came from places all over the Earth, and I sat there thinking to myself how lucky we are to live in a place where that could be true. It is not true in any other country on the planet.

I want my children to grow up in the country I grew up in—a country that is a nation of immigrants committed to the rule of law. That is why I was grateful to have the chance to be part of the Gang of 8 that negotiated the comprehensive immigration bill. I was sorry when that didn't ever get a vote in the House, because I think it would have passed had it been voted on in the House. That bill, which contained \$40 billion for border security, would be well on its way to implementation today, and I think our political debate as a country would be very different than the political debate we have been having now, which would be good for our country and remind us of the values that we share. Unfortunately, we are not in that position today, and we are left with a problem, trying to deal with the fact that the Executive order that President Obama wrote for the DACA population has been set aside by this President, who then said: Congress needs to figure out what to do about it. That is why we are here tonight.

We have had a negotiation now for more than 4 months with what has evolved into the Gang of 6, and I am very pleased that in that effort we were joined by the Presiding Officer, who is my colleague from Colorado. We are the only State that has two Senators on this Gang of 6—one is a Democrat,

and one is a Republican. I thank my colleague for his courage and for his leadership at a moment when there are a lot of reasons why this isn't a comfortable place to occupy. But I think it says something about Colorado that at a moment when we have all this craziness going on in Washington and at a moment when the country can't see any sign of a bipartisan pulse here, when our approval ratings hover somewhere between 9 and 15 percent, there is a reason there is a Democrat and there is a Republican from Colorado who actually tried to solve a problem on the floor of this Senate with our colleagues, and that is because Colorado is an excellent place to live and an excellent place to be from.

The citizens of Colorado have watched the train wreck over the last 10 years in this Congress from a State that is one-third Democratic, one-third Republican, and one-third Independent. They have to work together to get anything done. Nobody gets their way all the time in the State of Colorado, and they expect this place to work like that as well, and it doesn't work like that enough.

So I want to thank again my colleague from Colorado. I want to thank Senator DURBIN, who is here, Senator MENENDEZ, and I also want to say to Senator FLAKE and Senator GRAHAM: Thank you for your courage. When you put together a compromise like this, which I think is a good compromise—it is not the bill I would have written if it were my decision. I would have had a 5-year path for the Dreamers, not a 12-year path or a 10-year path in some cases. I would have had a 5-year path. If I were writing this bill, I wouldn't have insisted that Dreamers not be able to sponsor their parents. The hour is late. It is actually not that late. We should be working, but I understand why the Republicans who negotiated this in good faith needed those concessions. I understand it.

I am not thrilled with the President's idea that we need to build a wall to secure the southern border. I do believe strongly that we do need to secure our southern border, just as I know the Republicans that have been in this negotiation believe, as I believe, that there should be a pathway for citizenship for a population of people in our country who know no other country but the United States of America, any more than my own children know any other country besides the United States of America.

There isn't, unfortunately, anybody else to do this work except for the 100 Members in the Senate and our friends in the House of Representatives. So our tendency has been to just avoid it and to put it off, and we don't have that luxury anymore because they are no longer protected. Every day in my State there is another family broken up because of the deportation that is going on, and I don't think there is virtually anybody who is a Member of this body who believes the answer for the

Dreamers is that they should be deported or that families should be split up. We may have disagreements about how to get there, but that is what the last 4 months of negotiation have been meant to sort out—to find a middle spot where we could land and where we would get not every vote in the Senate but more than 60 votes in the Senate and where we would get a bill passed in the House of Representatives. I think we found it, and one of the things we have done is to meet the four requirements that the President said he wanted when he had us over to the White House: One was DACA. That is the modified Dream Act. One was border security. We have got \$2.7 billion of border security in this bill. One was ending what he calls chain migration, which for the DACA population we do by saying that no parent can be sponsored by any child. And he said that he wanted to get rid of the diversity lottery, which we do. He may not love every part of it. I don't expect anybody to, but I do think this is the way we can move this forward, and I think we should move it forward.

BOB MENENDEZ talked about the fierce urgency that now we treat the lives that are affected by the decisions we make or, in most cases, the decisions we don't make as collateral damage that somehow we shouldn't concern ourselves with. I don't think we should go home until we address this. I don't think we should leave Washington until we address this.

Actually, I will say that I agree with something Senator GRAHAM said. Because of these crazy continuing resolutions—let me just say, in case there is the unlikely event that there is anybody actually watching this on television right now, that a continuing resolution is no different than a temporary budget, and that is all it is—now we have gotten to the place where we were running the government on continuing resolutions for the last 10 years or so. We have passed 30 continuing resolutions. We didn't get our work done at the end of the year for some reason. So now we are going to do the work we should have done at the end of the year with a continuing resolution. They are now talking about another 2-week continuing resolution. Every time you hear the words “continuing resolution” you should think of it as a temporary budget. That is what it is. It might be hard to understand it because not a single school district in our State or a single municipality in our State and not a single State among the 50 States would ever run their affairs this way, but for the last 10 years, that is the way we have run the government in a game of chicken, of fiscal cliffs, government shutdowns, and continuing resolutions. So we are now enacting laws that reflect the priorities of whoever was in the Senate 10 years ago, because that is the last time we actually had a real appropriations process around here and a real budgeting process around here. So

SENATOR GRAHAM is right when he said what he said about the defense of this country. Because of continuing resolutions, we have aircraft that are grounded for lack of parts because the budgets make it impossible for them to plan, and that means that we can't train folks to fly those aircraft, to defend us if we have to do something on the Korean Peninsula or something else.

On the other hand, on the domestic side of things, since 1980 we have cut domestic discretionary spending in this country by 35 percent as a percentage of our GDP. The Presiding Officer knows as well as I do that if you were in rural Colorado 10 years ago, you didn't hear much about opioids, but now when you have a townhall meeting in rural Colorado or when you live there, as the Presiding Officer does, you know that people actually have less access to treatment today than they did 10 years ago, and I think that is a consequence of our inability to budget properly around here and the inability to deal responsibly with our fiscal matters. It is like we have a perpetual head cold around here that robs us of our ambition to actually do anything or energy to actually do anything, and I am afraid that has infected this discussion about DACA as well.

So I want to close by saying that this is the moment when we need to do this. There is not going to be another alternative that can be supported by 60 Senators here, potentially by the President, and by the Dreamers. We are not going to succeed at passing a piece of legislation if the Dreamers feel like we are doing something to their parents that we would never accept for our own families. That is their bottom line.

I have been amazed by the young people who I have met over the years and most recently in this debate, who are saying to me: Don't sacrifice my parents for me. I would rather deal with the uncertainty of my position than to know that a trade was made that I can't live with for the rest of my life. That is at the heart of this compromise here, and I think it is entirely consistent with our traditions and values as Americans—entirely consistent with that.

So my hope is that all of us hear the voices of these Dreamers, who are contributing at their universities and in our workplaces all over the country, just like our own sons and daughters, and that we actually do something around here for once that is not predictable and that the American people will cheer for, just as the people in Colorado are glad. It is not every single one, but by and large, the people in Colorado are glad that the Presiding Officer and I are working on this. The only way that is going to happen is if we find a way to come together over the next couple of days and do something, other than what people say we are fated to do, which is have another interruption in the activities of our government over a political disagreement when the parties are actually

much closer than they have been for a long time. We have a good compromise. We have a good piece of legislation. We have a piece of legislation that if it were put on the floor could get 60 votes.

I want to close by again thanking my colleagues. There is a lot around this place that I feel embarrassed about, but I think that if the American people could have seen the negotiation that went on for 4 months, they would have been proud of what they saw because they would have seen Republicans and Democrats coming together not to

have one more political fight but to actually solve a real challenge that is facing our country and to do it in a way that is consistent with our traditions as Americans.

So I hope in the next couple of days we have the chance to pass this bill. I thank my Republican colleagues who signed onto the bill today for giving us the momentum we need to move into the next day or two, and I look forward to succeeding around here for once.

Once again, I want to thank my colleague from Colorado, the Presiding Officer, for his partnership on this legislation. I think it has meant a great

deal to the people he and I represent, and I, as a Coloradan and as a constituent of his, want to thank him for the position that he has taken.

With that, I yield the floor.

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ADJOURNMENT UNTIL 11 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m. tomorrow.

Thereupon, the Senate, at 8:15 p.m., adjourned until Thursday, January 18, 2018, at 11 a.m.

## EXTENSIONS OF REMARKS

IN HONOR OF MARVIN E. JONES'  
100TH BIRTHDAY CELEBRATION

**HON. LIZ CHENEY**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. CHENEY. Mr. Speaker, I rise today to extend my congratulations to Marvin Jones on the celebration of his 100th birthday.

I join his friends and family in extending my best to him on this occasion and in celebrating his life and contributions to our great state. I hope he uses this momentous day to do the same.

Again, Mr. Speaker, I would like to extend my congratulations to Marvin Jones on his birthday. May his year be filled with happiness and blessings.

IN RECOGNITION OF KOREAN  
AMERICAN ASSOCIATION OF  
GREATER NEW YORK ON THE OC-  
CASION OF THE 115TH KOREAN  
AMERICAN DAY

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to pay tribute to the achievements of the Korean American Association of Greater New York (KAAGNY) as it celebrates the 115th Korean American Day. Korean American Day marks the arrival of the first Korean immigrants to the United States in 1903. Since then, the Korean American community of New York City has grown to over 100,000 people, with 500,000 living in the greater metropolitan area. It is the second largest Korean community in the country.

Today, President Minsun Kim and Board Chair Charles Yoon lead an exemplary team of dedicated volunteers who have worked hard to grow the organization within New York's ever-expanding Korean American community. President Kim is the 35th president in the organization's history and I am confident she and Chairman Yoon will continue to strengthen KAAGNY.

The organization has roots dating back to 1921 when the Korean Students Association of New York was founded. In 1960, KAAGNY became a full service organization working to help Korean Americans of the New York Metropolitan Area. Since then, it has grown into an umbrella organization for more than 200 regional, professional, religious, educational, and trade organizations.

KAAGNY has played a crucial role in advocating for the advancement of Korean Americans since its founding. It plans community activities from helping campaign for Korean American participation in the decennial census survey to registering people to vote. KAAGNY has a proven track record of empowering and

engaging Korean Americans through education, community engagement, and social services.

Last year, I personally attended two KAAGNY events. After traveling to South Korea on a Congressional Delegation in August, I met with KAAGNY members to discuss the importance of the U.S.-Korea relationship. In the fall, I witnessed the unveiling of the Comfort Women Statue of Peace. The statue honors the Korean women who were abused as sex slaves during World War II. I was honored to be able to contribute an inscription to this powerful reminder of the pain and suffering endured by so many women and girls.

Mr. Speaker, I ask my colleagues to join me in recognizing the outstanding work of KAAGNY, which continues to advance the issues important for Korean Americans.

### PERSONAL EXPLANATION

**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. CUELLAR. Mr. Speaker, on Tuesday, January 16, 2018, my flight from San Antonio, TX, to Washington, D.C., was delayed due to inclement weather. As a result, I was unable to return in time to take Tuesday evening's votes.

Had I been present, I would have voted:

YEA on Roll Call 18, On Motion to Suspend the Rules and Pass H.R. 4318, Miscellaneous Tariff Bill Act of 2018; and

YEA on Roll Call 19, On Motion to Suspend the Rules and Pass S. 117, Alex Diekmann Peak Designation Act of 2017.

### PERSONAL EXPLANATION

**HON. LUIS V. GUTIÉRREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 18 and 19 on Tuesday, January 16, 2018. Had I been present, I would have voted Yea on Roll Call votes 18 and 19.

IN HONOR OF ROGER AND SID  
YEARICK'S 50TH WEDDING ANNI-  
VERSARY

**HON. LIZ CHENEY**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. CHENEY. Mr. Speaker, I rise today to extend my congratulations to Roger and Sid Yearick on the celebration of their 50th Wedding Anniversary.

This significant benchmark is a symbol of their commitment to each other and to their family. I am happy to join their friends and family in extending my best to them on this special occasion.

Again, Mr. Speaker, I would like to extend my congratulations to Roger and Sid on the celebration of their 50th Wedding Anniversary. I wish them the best today and for many more blessed years to come.

TRIBUTE TO JOSEPHSON'S  
CLOTHING STORE

**HON. JASON LEWIS**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. LEWIS of Minnesota. Mr. Speaker, I am proud to rise today and congratulate a Minnesota landmark and family-run business, Josephson's Clothing Store, on an impressive anniversary. This month Josephson's will celebrate its 140-year anniversary, making it the oldest continually running men's clothing store in the state of Minnesota.

Founder Alfred Josephson opened its doors on January 26, 1878 on Main Street in Red Wing, Minnesota. The Josephson family retained ownership of the store until August 3, 1992 when it was sold by Tom and Marilyn Josephson to its current owners, Tom and Denise Withers. The Withers have proudly operated the store for the last twenty-five years.

Josephson's Clothing Store has a long history that exemplifies Minnesotans' strong work ethic and tenacity. It has withstood economic depressions and recessions, changing demographics, and transitions in commerce preferences. Yet Josephson's remains a staple of the community in Red Wing.

It is my honor to recognize a business that represents the best of American perseverance. I am confident that Josephson's will remain a pillar of the community for years to come.

HONORING THE MILITARY SERV-  
ICE OF CHARLES EDWARD  
"BILLY" WATTS

**HON. BRIAN BABIN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. BABIN. Mr. Speaker, I rise today to remember World War II veteran and American Fighter Ace, Lieutenant Commander Charles Edward "Billy" Watts, of Baytown who passed away on Friday, January 12, 2018.

Mr. Watts was born November 14, 1921 in Ben Wheeler, Texas and grew up on the family farm. Billy attended Van public schools and attended East Texas State University in Commerce for two years.

At the age of twenty, Mr. Watts enlisted in the United States Navy Air Corps. Watts flew

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

an aircraft carrier-based fighter, the F6F Hellcat, as a member of fighter squadrons VF-17 and VF-18 in two major operations in the Pacific Theater. With 8¾ confirmed kills, Lt. Cdr. Watts earned the designation as an American Fighter Ace. Of the more than sixty thousand American fighter pilots who have served since World War I, less than 1,500 have achieved the elite status of Fighter Ace.

In 1947, Mr. Watts graduated from Southern Methodist University (SMU) and began work in the Production Department for Humble Oil Company (later Exxon). He lived in and around the Houston area until transferring to Baytown in 1963. Billy finished his career in the Houston Office in 1982.

Mr. Watts served as an active member and treasurer of both Grace United Methodist Church and later Cedar Bayou Grace United Methodist Church. He was a faithful church member and took numerous camping trips with the Methodist Camping Group.

Upon his discharge from the Navy, Mr. Watts met his future wife Wanda Lee Dodson of Van, Texas and celebrated their seventy-second wedding anniversary on December 2, 2017. Billy is survived by his wife Wanda, three children, four grandchildren, and three great grandchildren.

Lt. Cdr. Watts was proud of his Naval service and was active with the American Fighter Aces Association and was one of four aces invited to the White House for the signing of The American Fighter Aces Congressional Gold Medal Act. A year later, Mr. Watts returned to the United States Capitol and received his Congressional Gold Medal. As his Congressman, and fellow veteran, it was a tremendous honor and privilege to meet Lt. Cdr. Watts and participate in the presentation of his Congressional Gold Medal. Lt. Cdr. Watts' many military decorations include: the Navy Cross, Distinguished Flying Cross with two Gold Stars, Purple Heart, the Air Medal with seven Gold Stars, and two Presidential citations for serving on the USS *Bunker Hill* and USS *Homet* aircraft carriers.

Mr. Speaker, I rise to thank Lieutenant Commander Charles Edward "Billy" Watts for his bravery, sacrifice, and service to our great nation. May God bless Mr. Watts, all of our World War II veterans, and all of those who have served or are currently serving.

**HONORING THE TRUMBULL HIGH SCHOOL WE THE PEOPLE TEAM'S SUCCESS AT CONNECTICUT STATE UNIVERSITY'S WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION COMPETITION**

### **HON. JAMES A. HIMES**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. HIMES. Mr. Speaker, I rise today to honor Trumbull High School's first place finish at Connecticut State University's We the People: The Citizen and the Constitution competition.

Every year, thousands of high school students contend in state and national We the People competitions, in which participants explore and debate the origins and import of our nation's Constitution. Trumbull High School students have long excelled in this competi-

tion. Their victory in 2017 marked their seventh consecutive state championship under the leadership of social studies teacher and coach Katie Boland. Overall, Trumbull High School students have won the Connecticut finals 23 times since the school began competing in 1983.

Mr. Speaker, I applaud the exceptional academic prowess and intellectual curiosity the 29 Trumbull High School seniors on the team demonstrated in preparing for this competition. They researched the historical and philosophical underpinnings of the Constitution and applied their findings to the Constitutional issues of today. While the students have enjoyed a well-earned victory, they are already hard at work preparing for the We the People 2018 National Finals in April.

Mr. Speaker, I ask that you join me in recognizing these students—Lindsay Adams, Natalie Almonacid, Samantha Almonacid, Ethan Bachand, Max Bowen, Emma Butler, Shane Carley, Morgan Carrano, Danielle Cross, Connor Flaherty, Lalith Gannavaram, Sarah Giaquinto, Joseph Guedes, Gillian Kick, Manya Kidambi, Allie Lewis, Julia Luow, Lauren Luow, Stefano Mancini, Derek Marble, Mariam Marino, Mia McKinney, Joshua Merkin, Ishan Negi, Jessica Parillo, Joseph Piccolo, Laura Rosales, Alev Yorulmaz and Larry Zhang. I join the proud Trumbull community in wishing these students the best of luck as they continue to expand their understanding of the Constitution and the role it plays in upholding America's civic life.

IN SUPPORT OF H. RES. 676

### **HON. LOIS FRANKEL**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in support of H. Res. 676, a bipartisan resolution that expresses support for the citizens of Iran.

The Iranian people should be allowed to express legitimate grievances without violent retribution from their own government. As Iranians chant "think of us," their government has responded with brute force. Twenty-one people have been killed and hundreds more await an uncertain fate after being arrested. Three young Iranians have died in jail, including Sina Ghanbari, a student who was being held in Iran's notorious Evin prison.

The regime's violent suppression of dissent should come as no surprise, given its long history of denying its own citizens fundamental human rights. Torture is widespread, members of religious minorities like the Baha'i face constant persecution, and the number of executions in Iran has skyrocketed under President Rouhani.

These protests also highlight how the Iranian regime has harmed its own people by spending billions of dollars to foment aggression and destabilize the region. While Iran suffers from a youth unemployment rate of nearly 40 percent and economic hardship, the regime continues to bankroll the Assad regime in Syria, Hezbollah in Lebanon, and the Houthis in Yemen. The Iranian people are outraged, and their leaders should take notice when crowds are heard chanting, "I give my life for Iran, not Gaza, [and] not Lebanon."

Adoption of this resolution will send a clear message to the brave voices in Iran crying out for a better future that the United States stands with them.

### **PENNSYLVANIA STATE SHOWMAN ASSOCIATION 50TH ANNIVERSARY**

#### **HON. GLENN THOMPSON**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to congratulate the Pennsylvania State Showmen's Association (P.S.S.A.) on the occasion of their 50th anniversary.

I look forward to joining them Friday evening at the annual Pennsylvania State Showmen's Association Convention as they celebrate this monumental milestone.

The Pennsylvania State Showmen's Association (P.S.S.A.) has served to keep the Outdoor Amusement Industry alive and strong through their combined efforts.

The P.S.S.A. has grown because its members have learned to put their individual goals aside for the common goals of the Industry. This unity really has the strength and foresight necessary to continue its work into the next century.

The annual convention and trade show brings together board members, volunteers and staff from most of the 109 Pennsylvania county and local fairs.

For 14 years its support of scholarships has generated more than \$200,000. The P.S.S.A.'s investment in our Commonwealth's next generation of leadership is to be commended.

Mr. Speaker, I thank the Pennsylvania State Showmen's Association for working to the best of its ability to keep the Outdoor Amusement Industry the best of America's Family Entertainment.

Congratulations and Happy 50th anniversary.

### **PERSONAL EXPLANATION**

#### **HON. GENE GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. GENE GREEN of Texas. Mr. Speaker, I was unable to vote on Tuesday, January 16, 2018 due to hazardous weather conditions.

Had I been able to vote, I would have voted as follows: on H.R. 4318, the Miscellaneous Tariff Bill Act, as amended, I would have voted Yea; on S. 117, the Alex Diekmann Peak Designation Act of 2017, I would have voted Yea; and on the Journal Vote, I would have voted No.

### **PERSONAL EXPLANATION**

#### **HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. STEFANIK. Mr. Speaker, I was sick on January 16, 2018, and missed the votes on Roll Call No. 018 and Roll Call No. 019.

Had I been present, I would have voted YEA on Roll Call No. 018 and YEA on Roll Call No. 019.

**HONORING DANA MARSHALL-  
BERNSTEIN**

**HON. JACKY ROSEN**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. ROSEN. Mr. Speaker, I am here today not only to mourn the loss of a family friend and lifelong Las Vegas resident but to let Congress know what an amazing woman she was.

Dana Marshall-Bernstein died in December at the age of 28, following a lifelong battle with Crohn's Disease. She spent most of her life in and out of the hospital but, even while undergoing countless surgeries, she never let her disease define who she was.

Dana never stopped feeling optimistic about her future. She believed in looking forward. She believed in kindness. And she used her experience to comfort others who were also affected by Crohn's Disease.

Even though she was suffering, Dana never stopped showing empathy. She insisted that medical patients were treated as humans first and medical cases last. She was radiant in her love for others.

Dana believed in these words: "The only thing necessary for the triumph of evil is for good men to do nothing."

Dana was outspoken and strong-willed. She was firm in her beliefs and did everything she could to stand up for the voiceless. She was fiercely committed to patient advocacy and ensuring that anyone in her situation was heard and cared for.

She served as a beacon of hope to her parents, Ed and Cari, and to her entire extended family. My heart aches for them, but I know that in their fondest memories of Dana lies a strong sense of pride. She shined in more ways than one. She was a light even in the darkest of times, and I know she will continue to shine in the memory of each and every life she touched. May her memory be a blessing for those who loved her.

In her time on this Earth, Dana accomplished what we all should strive for; she touched others and made differences. And though she is gone now, her influence will remain forever in our hearts and minds.

In between the politics and the debates, Congress possesses a very real capability to do good. We can fund grants for research towards cures for the most deadly diseases out there.

We can help people if only we decide to.

I encourage all members here today to carry with them the courage and determination that Dana brought into this world; to always think and live life with positivity; and to never, ever stop believing in doing good by others.

**HONORING AND REMEMBERING  
THE LIFE OF PIPER, THE CHERRY  
CAPITAL AIRPORT K-9**

**HON. JACK BERGMAN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. BERGMAN. Mr. Speaker, it's my honor today to acknowledge the life and service of

the beloved K-9 of the Cherry Capital Airport, Piper. On January 3rd, Piper passed away in the arms of his handler and friend, Brian Edwards, after a yearlong battle against prostate cancer. His impact on the people of Michigan's First District will not soon be forgotten.

Piper joined the team at the Cherry Capital Airport in 2015. Working with Edwards, the airport's director of operations, Piper worked to keep wildlife clear from the runways and facilities, becoming an instant local celebrity. Through social media and news outlets, he became famous nationwide. His goggles, vest, and boots became icons of the K-9's valuable role at the airport and important place in the community. Whether it was chasing down snow owls or posing with the Blue Angels, Piper was not only critical to ensuring the safety of the operations at the Cherry Capitol Airport, but also brought joy to any who had the opportunity to watch him in action.

In 2016, Piper was named the Grand Marshal of the Cherry Royale Parade, the first time an animal has received this honor. He was also featured in Midwest Living Magazine when Traverse City was named the Best Midwest Town later the same year. Following Piper's passing, U.S. Coast Guard personnel lowered the flag flying over the Traverse City base and presented it to Edwards in honor of the K-9. A public memorial service for Piper will be held on January 20th at the City Opera House in Traverse City.

Mr. Speaker, on behalf of Michigan's First District, I ask you to join me in honoring the life of the beloved airport K-9. Piper's service to the Cherry Capital Airport and his impact on the people of Michigan cannot be overstated. His friends and community can take pride in knowing that Northern Michigan is a better place thanks to his life's work.

**PERSONAL EXPLANATION**

**HON. DINA TITUS**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. TITUS. Mr. Speaker, I was absent January 16, 2018 due to unforeseen circumstances. Had I been present, I would have voted on the following:

Roll no. 18—H.R. 4318—On motion to suspend the rules and pass the bill: YEA, and Roll no. 19—S. 117—On motion to suspend the rules and pass the bill: YEA.

**CONGRATULATING JOEL WEISMAN  
OF WTTW-CHICAGO UPON HIS RE-  
TIREMENT**

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. COHEN. Mr. Speaker, I rise today to congratulate the longtime host of Chicago Public Media's "The Week in Review" for 40 years of helping to keep the Windy City well informed. Joel Weisman conceived the longest-running series in the history of WTTW over coffee at the Palmer House with colleague John Callaway and William J. McCarter, the then-president and CEO of WTTW. The Emmy

Award-winning program has welcomed a rotating four-person panel from print, broadcast and digital news media to discuss politics and other news relevant to Chicago each Friday since. Mr. Weisman's last stint as host will be on Friday, January 19, for an hour-long special with special guests and highlights from the past four decades. Mr. Weisman, a lawyer and lifelong Chicagoan, began his journalism career at the City News Bureau after graduating from the University of Illinois. He has also worked for The Gary Post-Tribune; The Chicago American; as a reporter, columnist and metropolitan editor for The Chicago Sun-Times; and as Midwest correspondent for The Washington Post. He is also the father of my legislative director, Matt Weisman. I want to wish him all the best as he retires from "The Week in Review."

**PERSONAL EXPLANATION**

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. KING of Iowa. Mr. Speaker, I was unable to vote on January 17, 2018 for being off the floor momentarily. Had I been present, I would have voted as follows: Yes on Roll Call No. 021.

**CONGRATULATING DAVID ST.  
PIERRE**

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. QUIGLEY. Mr. Speaker, I rise today to congratulate David St. Pierre, Executive Director of the Metropolitan Water Reclamation District of Greater Chicago (MWRD), on his election as the President of the National Association of Clean Water Agencies (NACWA).

Under Mr. St. Pierre, MWRD and its nearly 2,000 staff members work to effectively protect the health and safety of the public in the Greater Chicagoland area, protect homes and businesses from flooding, protect the quality of its Lake Michigan water supply and improve water quality in regional waterways across MWRD's nearly 900 square mile service area.

In 2011, Mr. St. Pierre was unanimously selected by the Board of Commissioners as Executive Director. He brought to the District more than 25 years of experience working in the water industry in several cities and a record that included significant reductions in operating costs and improvements in utility performance and customer satisfaction. Mr. St. Pierre earned his Bachelor's degree in Electrical Engineering from Southern Illinois University and is a licensed Professional Engineer.

MWRD owns and operates seven water reclamation plants, including one of the world's largest. Its Tunnel and Reservoir Project (TARP) is one of the country's largest public works projects for pollution and flood control. MWRD treats an average of 1.4 billion gallons of wastewater each day and has over 2.0 billion gallons per day total capacity. Its role in preserving the health, environmental quality



and economy of the region cannot be understated.

Mr. St. Pierre has been a tremendous leader for the District, breaking new ground in promoting the District's resource recovery program across MWRD to transform water treatment and encourage new technologies. Mr. St. Pierre has focused on finding sustainable solutions, including adapting for climate change through storm water management, enhancing resource recovery to generate renewable energy and phosphorus, implementing biosolids composting, developing disinfection facilities, and greening Chicagoland's schoolyards. Mr. St. Pierre has also been instrumental in NACWA's peer-to-peer program, working to partner clean water agencies for mentorship and collaboration.

Mr. Speaker, once again, I congratulate David St. Pierre on his election as the President of NACWA. As he has done with the MWRD, he will lead the Association with integrity and ingenuity. I wish him, MWRD, and NACWA the very best in their endeavors.

#### CONGRATULATING ELAINE WOOD FOR RECEIVING THE 2017 DISTINGUISHED SERVICE AWARD

#### HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. BERGMAN. Mr. Speaker, it's my honor to recognize Elaine Wood for receiving the 2017 Distinguished Service Award from the Traverse City Area Chamber of Commerce. Through her exceptional leadership and steadfast devotion to her community, Elaine is an indispensable part of Northern Michigan.

Since 1929, the Distinguished Service Award has been given to leaders who have had a tremendous positive impact on the Traverse City area. With more than 40 years with Networks Northwest, Elaine has led in the creation of innovative programs for employment skills training, streamlined data research, and year-round adult education systems. Her unique work with the government even led to her appointment to Governor Snyder's Talent Investment Board in 2011.

Elaine's steadfast determination has been recognized through numerous awards throughout her career, including being named one of the area's 25 Most Powerful Women by the Traverse City Business News in 2014. She has also served on numerous boards and trustees, including Munson Healthcare, the United Way of Northwest Michigan, the Cherryland Humane Society, and for almost two decades at Northwestern Michigan College. The impact of her work on the Traverse City community and across Michigan cannot be understated.

Mr. Speaker, it's my honor to congratulate Elaine Wood for receiving the 2017 Distinguished Service Award. Michiganders can take great pride in knowing the First District is home to such a selfless and devoted leader. On behalf of my constituents, I wish Elaine all the best in her future endeavors.

#### PERSONAL EXPLANATION

#### HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Tuesday, January 16, 2018. Had I been present, I would have voted in favor of S. 117 and H.R. 4318.

#### PERSONAL EXPLANATION

#### HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. CULBERSON. Mr. Speaker, I was unable to attend votes on January 16, 2018 due to weather delays in Houston. Had I been present, I would have voted YEA on Roll Call No. 18 and YEA on Roll Call No. 19.

#### HONORING DONALD L. CHRISTIANS

#### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize the incredible life of Donald L. Christians. Donald L. Christians recently marked his 90th birthday. His is an American story of the last century in which an adventuresome, generous soul migrates from a small farming community to cities and broader global experience. Don looked back on Grafton, Iowa where he grew up (recent census of 252) and wrote Homer's Whip, that depicted a tiny prairie town with timeless small-town values. At the same time, he embraced the diverse world.

During his second year at Luther College he enlisted in the U.S. Army to fight in World War II, and served 1½ years in the occupational forces in Japan in 1946 when he was just 18. Like so many farm boys, his world was transformed. Upon discharge, Don finished college with a degree in political science from the University of Northern Iowa in 1950 and later earned a Master's Degree from Northern Colorado University.

Don headed to California in 1955, settling in North Beach, living the life of jazz, card playing, bocce ball, horse racing, and writing, while beginning his 29-year career teaching in the San Francisco Unified School District. There he met and married the artist/fellow teacher, Joan Clay, in 1960 and they spent their honeymoon driving a VW Camper Van to Tierra Del Fuego in Chile. Both often taught the most challenging students to whom they devoted their creativity, respect, and good humor.

In 1967, Don was appointed Associate Director of the Peace Corps Program in Ethiopia where Don and Joan lived until 1969 where Don was assigned to support the work of volunteers in a remote region of the country. He was extremely effective in all aspects of this assignment. He mentored volunteers in the classroom and in school protocol and inter-

action, e.g., with headmasters who required extensive memorization even though the students did not have pencils or paper. He also modeled the expected interaction with the broader community. His expertise, life experience, and winning manner made him the ideal person to relate to volunteers, faculty, administrators, townspeople, as well as the Peace Corps bureaucracy. He supported volunteers who undertook ambitious, often impactful projects that departed from the mainstream and served as the trusted confidant of Peace Corps Ethiopia leadership, shaping policy for the Program as a whole.

In 1969, Don was appointed Country Director Peace Corps Dominican Republic. Visitors recall Don selling co-op crafts to tourists on cruises on Christmas Day. Don and Joan remained in the Dominican Republic until they were recalled by President Nixon and Don worked on the Muskie campaign until Don and Joan returned to San Francisco in 1973. Don taught high school Civics for 29 years, retiring from Galileo High School in San Francisco in 1986 where he was beloved as an inspiring teacher by a wide range of students.

Over the years Don made an enormous number of friends from his many interests and vocations, reflecting his enthusiasm and variety of interests. He and Joan owned shares in 22 race horses and had particular success with "Mac Rhapsody" and "Pleasure Grounds". Don worked at Golden Gate Fields as a mutual clerk. He wrote numerous articles for horse magazines and hosted a radio program for 5 years on KWMR in West Marin interviewing authors. After Joan's passing, he met Neva Beach, a book editor, and they were together until her passing in 2010. Don has been living with their dog Cody in San Francisco's colorful Mission District since he met Neva and they were often seen feeding homeless men and women in a local park as well as taking neighborhood children to zoos and museums.

Don loves bridge and bocce ball and excels at both. He was a member of the Marin Bocce Ball team that won the Northern California Seniors championship, and he played in bridge tournaments around the U.S. as a Silver Life Master. He places bets on horseraces and plays bridge online every day when he is able.

On behalf of the people of California's Third District, I commend Donald L. Christians on his distinguished life and wish him the best in the coming years.

#### RECOGNIZING TRISTEN VIDLUND AND TORREY COOKMAN FOR COMPETING AT THE NATURAL LUGE WORLD CHAMPIONSHIP

#### HON. JACK BERGMAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. BERGMAN. Mr. Speaker, it's my honor to recognize Tristen Vidlund and Torrey Cookman for their participation in the Natural Luge World Championship. Through their perseverance and determination, Tristen and Torrey have distinguished themselves as members of the U.S. Natural Track Luge Team.

Tristen, 17, and Torrey, 13, are both natives to the Upper Peninsula of Michigan and have

competed in Natural Track, or Naturbahn, Luge for several years. They departed Michigan on Christmas Day for the World Championship series, which was held in Austria and Italy in early January. There they raced against world-class competition and represented Michigan and the United States with pride and dignity both on and off the track. Additionally, following this series, Tristen was requested by the International Luge Federation to stay in Europe for further competitions.

Tristen and Torrey are both members of the Upper Peninsula Luge Club. The UPLC's 800 meter, 32-turn track is the only natural luge track in the United States and one of only five lighted natural tracks in the world. The club hosts community events, luge instructions, and international competitions—including the 1995 Naturbahn World Cup. Their coach, Keith Whitman, is a native of the Upper Peninsula, a 40-year veteran of the sport, and a former National Luge Champion. The International Luge Federation is in the process of petitioning the International Olympic Committee to make Naturbahn Luge part of the 2022 Winter Olympics in Beijing, China.

Mr. Speaker, it's my honor to congratulate Tristen Vidlund and Torrey Cookman for their participation in the Natural Luge World Championship as members of the US, Natural Track Luge Team. Michiganders can take great pride in knowing the First District is home to such talented and dedicated individuals. On behalf of my constituents, I wish Torrey and Tristen all the best in their future endeavors.

#### CAROLE AND BOB BROWN RECEIVE PRESTIGIOUS CULTURAL VANGUARD AWARD

#### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Carole and Bob Brown for receiving the Sugar Land Cultural Arts Foundation's Cultural Vanguard Award.

Carole and Robert C. "Bob" Brown, III have been married for 63 years and have been a staple of our Sugar Land community for much of that time. Bob has over 40 years of leadership in the telecommunications industry. He remains an active member of our business and civic communities and serves as Chairman Emeritus of the Greater Fort Bend Economic Development Council. Carole has selflessly served in numerous organizations, including the Fort Bend Women's Republican Club, the American Heart Association and the Sugar Land Garden Club. Carole's passion is helping children. Both Carole and Bob have dedicated their lives to making our community a better place to live, work and raise a family.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Carole and Bob for this much deserved recognition. Thank you for your dedication to our Sugar Land community.

#### PERSONAL EXPLANATION

#### HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. JENKINS of West Virginia. Mr. Speaker, I missed votes due to difficult traveling conditions caused by inclement weather. Had I been present, I would have voted yea on Roll Call No. 18 and yea on Roll Call No. 19.

#### HONORING REV. STEPHEN JASSO ON HIS RETIREMENT

#### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Ms. GRANGER. Mr. Speaker, I rise today to pay special tribute to one of Texas' truly selfless individuals, Rev. Stephen Jasso.

Father Jasso will soon retire from his position as pastor of All Saints Catholic Church, where he has been serving the Fort Worth community since 1994. Throughout his life, Father Jasso has been a tireless advocate for the poor, the dispossessed, immigrants, and members of his parish. It was in this capacity that I first met and befriended Father Jasso, and asked him to serve as a member of my Advisory Board. His advice and counsel over the years have been invaluable.

As the pastor of All Saints, Father Jasso has been instrumental in growing All Saints Catholic School, which is now serving students from across the Dallas-Fort Worth metroplex. Father Jasso's motto is "the future is going to depend on being well educated and well trained." As a tireless champion of the importance of receiving a good education, Father Jasso tells students that "leadership is not just something that happens . . . it's something you get ready for."

Ask anyone who has had the pleasure of knowing him, and they will tell you stories about Father Jasso—how he was always there for people in need during the loss of a loved one, during challenging personal times, or in moments of serious health issues for family members and friends. Father Jasso has also been a strong advocate for immigrants, always urging those in power to treat diverse communities with dignity and respect. He has also been a man of action, serving on numerous non-profit boards and Fort Worth city task forces.

Father Jasso recently celebrated 50 years as a Franciscan friar. His lifelong commitment to serving others began while in the U.S. Army from 1953 to 1955, where he saw action in the Korean War as a Sergeant First Class in the First Armored Division. Father Jasso was called to the Franciscan Order in 1957 and was ordained a Roman Catholic priest in 1965.

Please join me in thanking Father Jasso for his service and in wishing him well in retirement.

#### HONORING THE LIFE AND SERVICE OF DEPUTY DANIEL MCCARTNEY

#### HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

Mr. REICHERT. Mr. Speaker, I rise today to remember Deputy Daniel McCartney who died in the line of duty on Monday, January 8, 2018.

On that somber day, Washington State's and our nation's law enforcement lost one of their own. Deputy Daniel McCartney from the Pierce County Sheriff's Department lost his life in the line of duty while responding to a call of a reported home invasion. Deputy McCartney was shot while on foot chasing the suspects and died the next morning from the wounds he sustained.

Deputy McCartney lived a life dedicated to serving his country. His career began with six years of service in the United States Navy beginning in 2002 where he served as an electronics technician 2nd class in Afghanistan. Following his military service, Deputy McCartney served with the Hoquiam Police Department for five years. While there, he was selected and awarded the Officer of the Quarter by his peers.

After his time in Hoquiam, Daniel McCartney served with the Pierce County Sheriff's Department for three years. He was well loved and respected by his colleagues and his community. Many of those who worked with him over the years have shared stories over the past week about the kind of man Deputy McCartney was. He was always willing to put others before himself, attending community events on his days off and assisting with extra tasks around the office when help was needed. Deputy McCartney always went above and beyond the call of duty.

Pierce County Sheriff Paul Pastor spoke highly of Deputy McCartney, saying that he always ran toward trouble and he ran to protect. He was a man who helped others with the heart of a servant, spirit, strength and compassion.

Since his passing, Washington State has greatly mourned his loss. Our thoughts and prayers are with his loving family that he leaves behind, his wife and his three young boys. We also remember his colleagues at the Pierce County Sheriff Department as they face the heartbreak of losing a coworker and friend.

Today, in Pierce County, Washington, his family, friends, colleagues, and community will unite to celebrate his life and honor his service to our country. We recognize that same service here in Washington, D.C. today. I join with his family, friends, and community in thanking Deputy McCartney for his service.

#### PERSONAL EXPLANATION

#### HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 17, 2018*

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 due to a family emergency.

Had I been present, I would have voted

Yea on Roll Call No. 2;  
 Yea on Roll Call No. 3;  
 Yea on Roll Call No. 4;  
 Yea on Roll Call No. 5;  
 Yea on Roll Call No. 6;  
 Yea on Roll Call No. 7;  
 Nay on Roll Call No. 8;  
 Nay on Roll Call No. 9;  
 Nay on Roll Call No. 10;  
 Nay on Roll Call No. 11;  
 Yea on Roll Call No. 12;  
 Nay on Roll Call No. 13;  
 Yea on Roll Call No. 14;  
 Yea on Roll Call No. 15;  
 Nay on Roll Call No. 16; and  
 Yea on Roll Call No. 17.

#### 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, January 18, 2018 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JANUARY 23

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Jelena McWilliams, of Ohio, to be Chairperson of the Board of Directors, and to be a Member of the Board of Directors, Federal Deposit Insurance Corporation, Marvin Goodfriend, of Pennsylvania, to be a Member of the Board of Governors of the Federal Reserve System, and Thomas E. Workman, of New York, to be a Member of the Financial Stability Oversight Council.

SD-538

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the performance of the electric power system in the Northeast and mid-Atlantic during recent winter weather events, including the bomb cyclone.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine facing 21st century public health threats, focusing on our Nation's preparedness and response capabilities.

SD-430

2:30 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security

To hold hearings to examine surface transportation security, focusing on

addressing current and emerging threats.

SR-253

3:30 p.m.

Committee on Armed Services

Subcommittee on Cybersecurity

To hold closed hearings to examine cyber warfighting policy.

SVC-217

JANUARY 24

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine reauthorizing the Department of Homeland Security, focusing on positioning DHS to address new and emerging threats to the Homeland.

SD-342

Committee on the Judiciary

To hold hearings to examine pending nominations.

SD-226

10:30 a.m.

Committee on the Budget

To hold an oversight hearing to examine the Congressional Budget Office.

SD-608

2:30 p.m.

Committee on Armed Services

Subcommittee on Strategic Forces

To receive a closed briefing on global nuclear developments.

SVC-217

3 p.m.

Committee on Armed Services

Subcommittee on Personnel

To hold hearings to examine officer personnel management and the Defense Officer Personnel Management Act of 1980.

SR-222

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S213–S264*

**Measures Introduced:** Five bills were introduced, as follows: S. 2314–2318. **Pages S253–54**

**House Messages:**

**FISA Amendments Reauthorization Act—Agreement:** Senate continued consideration of the amendment of the House to S. 139, to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, taking action on the following motions and amendments proposed thereto:

**Pages S215–47, S256**

**Pending:**

McConnell motion to concur in the amendment of the House to the bill. **Pages S215–25, S225–47**

McConnell motion to concur in the amendment of the House to the bill, with McConnell Amendment No. 1870 (to the House Amendment to the bill), to change the enactment date. **Page S215**

McConnell Amendment No. 1871 (to Amendment No. 1870), of a perfecting nature. **Page S215**

A unanimous-consent agreement was reached providing that notwithstanding Rule XXII, all post-cloture time on the House message to accompany the bill expire at 12:15 p.m., on Thursday, January 18, 2018. **Page S242**

A unanimous-consent agreement was reached providing for further consideration of McConnell motion to concur in the amendment of the House to the bill, post-cloture; and that the time following Leader remarks until 12:15 p.m. be equally divided between the two Leaders, or their designees.

**Page S256**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East

peace process; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–24)

**Page S250**

**Messages from the House:** **Pages S250–51**

**Measures Referred:** **Page S251**

**Measures Placed on the Calendar:** **Page S251**

**Executive Communications:** **Pages S251–53**

**Executive Reports of Committees:** **Page S253**

**Additional Cosponsors:** **Pages S254–55**

**Additional Statements:** **Page S249**

**Authorities for Committees to Meet:** **Page S255**

**Privileges of the Floor:** **Page S256**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 8:15 p.m., until 11 a.m. on Thursday, January 18, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S256.)

### Committee Meetings

*(Committees not listed did not meet)*

#### BUSINESS MEETING

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the nominations of Jerome H. Powell, of Maryland, to be Chairman of the Board of Governors of the Federal Reserve System, Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System, Brian D. Montgomery, of Texas, and Robert Hunter Kurtz, of Virginia, both to be an Assistant Secretary of Housing and Urban Development, and David J. Ryder, of New Jersey, to be Director of the Mint, Department of the Treasury.

#### COMBATING MONEY LAUNDERING AND STRENGTHENING BSA ENFORCEMENT

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine combating money laundering and other forms of illicit finance, focusing on Administration perspectives on reforming and strengthening Bank Secrecy Act enforcement, after receiving testimony from Sigal

Mandelker, Under Secretary of the Treasury, Terrorism and Financial Intelligence; and M. Kendall Day, Acting Deputy Assistant Attorney General, Criminal Division, Department of Justice.

### **TERRORISM AND SOCIAL MEDIA**

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine terrorism and social media, after receiving testimony from Monika Bickert, Facebook, Menlo Park, California; Juniper Downs, YouTube, San Bruno, California; Carlos Monje, Jr., Twitter, Inc., Washington, D.C.; and Clint Watts, Foreign Policy Research Institute, Philadelphia, Pennsylvania.

### **BUREAU OF RECLAMATION'S TITLE TRANSFER PROCESS**

*Committee on Energy and Natural Resources:* Subcommittee on Water and Power concluded a hearing to examine the Bureau of Reclamation's title transfer process and potential benefits to Federal and non-Federal stakeholders, after receiving testimony from Austin Ewell, Deputy Assistant Secretary of the Interior for Water and Science; Paul L. Arrington, Idaho Water Users Association, Inc., Boise; Jerry Brown, Contra Costa Water District, Concord, California; Michael DeVries, Metropolitan Water District of Salt Lake and Sandy, and Provo River Water Users Association, Pleasant Grove, Utah; and Jason Phillips, Friant Water Authority, Fresno, California.

### **WATER INFRASTRUCTURE NEEDS AND CHALLENGES**

*Committee on Environment and Public Works:* Committee concluded a hearing to examine America's water infrastructure needs and challenges, focusing on Federal panel perspectives, after receiving testimony from Lieutenant General Todd T. Semonite, Commanding General and Chief of Engineers, Army Corps of Engineers, and Ryan A. Fisher, Principal Deputy Assistant Secretary of the Army (Civil Works) and Acting Assistant Secretary of the Army (Civil Works), both of the Department of Defense.

### **BUSINESS MEETING**

*Committee on Finance:* Committee ordered favorably reported the nominations of Alex Michael Azar II, of Indiana, to be Secretary of Health and Human Services, and Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

Also, Committee announced the following subcommittee assignments:

*Subcommittee on International Trade, Customs, and Global Competitiveness:* Senators Cornyn (Chair), Grassley, Roberts, Isakson, Thune, Heller, Casey, Stabenow, Nelson, McCaskill, and Cardin.

*Subcommittee on Taxation and IRS Oversight:* Senators Portman (Chair), Crapo, Roberts, Enzi, Cornyn, Thune, Burr, Isakson, Toomey, Scott, Warner, Carper, Cardin, McCaskill, Menendez, Bennet, Casey, Cantwell, and Whitehouse.

*Subcommittee on Health Care:* Senators Toomey (Chair), Grassley, Roberts, Enzi, Thune, Burr, Isakson, Portman, Heller, Cassidy, Stabenow, Menendez, Cantwell, Carper, Cardin, Brown, Warner, Wyden, and Whitehouse.

*Subcommittee on Energy, Natural Resources, and Infrastructure:* Senators Heller (Chair), Grassley, Crapo, Enzi, Cornyn, Burr, Scott, Cassidy, Bennet, Cantwell, Nelson, Menendez, Carper, Warner, and Whitehouse.

*Subcommittee on Fiscal Responsibility and Economic Growth:* Senators Scott (Chair), Hatch, and Wyden.

*Subcommittee on Social Security, Pensions, and Family Policy:* Senators Cassidy (Chair), Portman, Crapo, Toomey, Brown, and Casey.

*Senators Hatch and Wyden are ex officio members of each subcommittee.*

### **NOMINATIONS**

*Committee on Finance:* Committee concluded a hearing to examine the nominations of Dennis Shea, of Virginia, to be a Deputy United States Trade Representative (Geneva Office), with the rank of Ambassador, and C. J. Mahoney, of Kansas, to be a Deputy United States Trade Representative (Investment, Services, Labor, Environment, Africa, China, and the Western Hemisphere), with the rank of Ambassador, who was introduced by Senator Moran, after the nominees testified and answered questions in their own behalf.

### **BUSINESS MEETING**

*Committee on Homeland Security and Governmental Affairs:* Committee announced the following subcommittee assignments:

*Permanent Subcommittee on Investigations:* Senators Portman (Chair), Lankford, McCain, Paul, Daines, Carper, Heitkamp, Peters, and Hassan.

*Subcommittee on Federal Spending Oversight and Emergency Management:* Senators Paul (Chair), Lankford, Enzi, Hoeven, Peters, Harris, and Jones.

*Subcommittee on Regulatory Affairs and Federal Management:* Senators Lankford (Chair), McCain, Portman, Enzi, Daines, Heitkamp, Carper, Hassan, and Harris.

*Senators Johnson and McCaskill are ex officio members of each subcommittee.*

**MEDICAID AND THE OPIOID EPIDEMIC**

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine Medicaid and the opioid epidemic, focusing on unintended consequences, after receiving testimony from Otto Schalk, Harrison County Prosecuting Attorney, Corydon, Indiana; Manny Tyndall, Tennessee Office of Inspector, Nashville; Sam Adolphsen, Foundation for Government Accountability, Manchester, New Hampshire; David A. Hyman, Georgetown University Law Center, Washington, D.C.; and Andrew Kolodny, Brandeis University Heller School for Social Policy and Management Opioid Policy Research Collaborative, Waltham, Massachusetts.

**PUBLIC HEALTH THREAT PREPAREDNESS AND RESPONSE**

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine facing 21st century public health threats, focusing on our nation's preparedness and response capabilities, after receiving testimony from Robert Kadlec, Assistant Secretary for Preparedness and Response, Scott Gottlieb, Commissioner of Food and Drugs, Food and Drug Administration, and Rear Admiral Stephen C. Redd, Director, Office of Public Health Preparedness and Response, Centers for Disease Control and Prevention, all of the Department of Health and Human Services.

**AGRIBUSINESS OPPORTUNITIES**

*Committee on Indian Affairs:* Committee concluded an oversight hearing to examine breaking new ground in agribusiness opportunities in Indian Country, after receiving testimony from Diane Cullo, Director, Office of Partnerships and Public Engagement, and Advisor to the Secretary of Agriculture; John L. Berrey, Quapaw Tribe of Oklahoma, Quapaw; Janie Simms

Hipp, University of Arkansas School of Law, Fayetteville; and Lionel Haskie, Navajo Agricultural Products Industries, Farmington, New Mexico.

**FIRST RESPONDERS INJURED IN THE LINE OF DUTY**

*Committee on the Judiciary:* Subcommittee on Crime and Terrorism concluded a hearing to examine the long-term care needs of first responders injured in the line of duty, including S. 419, to require adequate reporting on the Public Safety Officers' Benefits program, after receiving testimony from Dale Sutherland, Code 3, Vienna, Virginia; Lani Pinkney, Metropolitan Police Department, and Patrick P. O'Carroll, Federal Law Enforcement Officers Association, both of Washington, D.C.; and Chief Steven Casstevens, International Association of Chiefs of Police, Buffalo Grove, Illinois.

**STATE OF THE DEPARTMENT OF VETERANS AFFAIRS**

*Committee on Veterans' Affairs:* Committee concluded a hearing to examine the state of the Department of Veterans Affairs, focusing on a progress report on implementing 2017 Department of Veterans Affairs reform legislation, after receiving testimony from David J. Shulkin, Secretary of Veterans Affairs.

**NOMINATIONS**

*Select Committee on Intelligence:* Committee concluded a hearing to examine the nominations of Michael K. Atkinson, of Maryland, to be Inspector General of the Intelligence Community, and Jason Klitenic, of Maryland, to be General Counsel, both of the Office of the Director of National Intelligence, after the nominees testified and answered questions in their own behalf.

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## House of Representatives

***Chamber Action***

**Public Bills and Resolutions Introduced:** 9 public bills, H.R. 4810–4818; and 2 resolutions, H. Res. 697–698, were introduced.

**Pages H477–78**

**Additional Cosponsors:**

**Page H478**

**Report Filed:** A report was filed today as follows:

H. Res. 696, providing for consideration of the Senate amendment to the bill (H.R. 195) to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to

Members of Congress and other officers and employees of the United States, and for other purposes; waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules; and providing for motions to suspend the rules (H. Rept. 115–520).

**Page H477**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Valadao to act as Speaker pro tempore for today.

**Page H415**



**Recess:** The House recessed at 10:42 a.m. and reconvened at 12 noon. **Page H419**

**Journal:** The House agreed to the Speaker's approval of the Journal by a ye-and-nay vote of 225 yeas to 185 nays with one answering "present", Roll No. 26. **Pages H420, H454–55**

**Suspensions—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measures. Consideration began Tuesday, January 16th.

**Family Self-Sufficiency Act:** H.R. 4258, amended, 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, by a  $\frac{2}{3}$  ye-and-nay vote of 412 yeas to 5 nays, Roll No. 22; and **Pages H429–30**

**Expanding Investment Opportunities Act:** H.R. 4279, amended, to direct the Securities and Exchange Commission to revise any rules necessary to enable closed-end companies to use the securities offering and proxy rules that are available to other issuers of securities, by a  $\frac{2}{3}$  ye-and-nay vote of 418 yeas to 2 nays, Roll No. 25. **Page H454**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**African Growth and Opportunity Act and Millennium Challenge Act Modernization Act:** H.R. 3445, amended, to enhance the transparency and accelerate the impact of programs under the African Growth and Opportunity Act and the Millennium Challenge Corporation; and **Pages H430–35**

**Cyber Diplomacy Act of 2017:** H.R. 3776, amended, to support United States international cyber diplomacy. **Pages H435–39**

**Recess:** The House recessed at 4:23 p.m. and reconvened at 5:02 p.m. **Page H452**

**World Bank Accountability Act:** The House passed H.R. 3326, to increase accountability, combat corruption, and strengthen management effectiveness at the World Bank, by a recorded vote of 236 yeas to 184 noes, Roll No. 24. **Pages H440–52, H452–54**

Pursuant to the Rule, it shall be in order to consider as an original bill for purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. **Page H448**

Agreed to:

Norman amendment (No. 1 printed in part A of H. Rept. 115–518) that modifies a Treasury reporting requirement to ensure that the World Bank is

promoting reduction of government barriers to entrepreneurship as an important component of poverty reduction; **Pages H449–50**

Barr amendment (No. 3 printed in part A of H. Rept. 115–518) that makes U.S. opposition to IDA assistance for a foreign government mandatory if the government knowingly fails to enforce UN Security Council sanctions against North Korea; includes Presidential waiver authority; and **Pages H451–52**

Connolly amendment (No. 2 printed in part A of H. Rept. 115–518) that requires a report on steps taken by the World Bank to ensure G–5 visa holders employed by World Bank diplomats and staff are informed of the protections afforded to them pursuant to the William Wilberforce Trafficking Victims Protection Reauthorization Act (by a recorded vote of 420 yeas with none voting "no", Roll No. 23). **Pages H450–51, H452–53**

H. Res. 693, the rule providing for consideration of the bills (H.R. 3326) and (H.R. 2954) was agreed to by a recorded vote of 228 yeas to 188 noes, Roll No. 21, after the previous question was ordered by a ye-and-nay vote of 230 yeas to 187 nays, Roll No. 20. **Pages H423–29**

**Recess:** The House recessed at 9:06 p.m. and reconvened at 9:57 p.m. **Page H475**

**Suspension—Proceedings Postponed:** The House debated the following measure under suspension of the rules. Further proceedings were postponed.

**Global Health Innovation Act:** H.R. 1660, to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency. **Pages H439–40**

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2018—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 115–90). **Page H430**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H423.

**Quorum Calls—Votes:** Four ye-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages H428–29, H429, H430, H452–53, H453–54, H454, and H454–55. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 9:58 p.m.

## Committee Meetings

### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Subcommittee on Health held a markup on H.R. 1876, the “Good Samaritan Health Professionals Act of 2017”; H.R. 2026, the “Pharmaceutical Information Exchange Act”; and legislation on the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018. H.R. 1876 and H.R. 2026 were forwarded to the full Committee, as amended. Legislation on the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018 was forwarded to the full Committee, without amendment.

### MISCELLANEOUS MEASURES

*Committee on Financial Services:* Full Committee began a markup on H.R. 1264, the “Community Financial Institution Exemption Act”; H.R. 1426, the “Federal Savings Association Charter Flexibility Act of 2017”; H.R. 2226, the “Portfolio Lending and Mortgage Access Act”; H.R. 2255, the “Housing Opportunities Made Easier Act”; H.R. 2319, the “Consumer Financial Choice and Capital Markets Protection Act of 2017”; H.R. 3746, the “Business of Insurance Regulatory Reform Act of 2017”; H.R. 4061, the “Financial Stability Oversight Council Improvement Act of 2017”; H.R. 4550, the “Practice of Law Technical Clarification Act of 2017”; H.R. 4566, the “Alleviating Stress Test Burdens to Help Investors Act”; H.R. 4607, the “Comprehensive Regulatory Review Act”; H.R. 4725, the “Community Bank Reporting Relief Act”; H.R. 4738, the “Mutual Fund Litigation Reform Act”; H.R. 4768, the “National Strategy for Combating the Financing of Transnational Criminal Organizations Act”; H.R. 4771, the “Small Bank Holding Company Relief Act of 2018”; H.R. 4790, the “Volcker Rule Regulatory Harmonization Act”; H.R. 4785, the “American Customer Information Protection Act”; and H.R. 4792, the “Small Business Access to Capital After a Natural Disaster Act”.

### MORE THAN A NUCLEAR THREAT: NORTH KOREA’S CHEMICAL, BIOLOGICAL, AND CONVENTIONAL WEAPONS

*Committee on Foreign Affairs:* Subcommittee on Terrorism, Nonproliferation, and Trade; and Subcommittee on Asia and the Pacific held a joint hearing entitled “More Than a Nuclear Threat: North Korea’s Chemical, Biological, and Conventional Weapons”. Testimony was heard from public witnesses.

### CDM, THE FUTURE OF FEDERAL CYBERSECURITY

*Committee on Homeland Security:* Subcommittee on Cybersecurity and Infrastructure Protection held a hearing entitled “CDM, the Future of Federal Cybersecurity?”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURE

*Committee on the Judiciary:* Full Committee held a markup on H.R. 4170, the “Disclosing Foreign Influence Act”. H.R. 4170 was ordered reported, as amended.

### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Full Committee held a markup on H.R. 146, the “Eastern Band Cherokee Historic Lands Reacquisition Act”; H.R. 443, the “James K. Polk Presidential Home Study Act”; H.R. 553, to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park, and for other purposes; H.R. 805, the “Tulare Youth Recreation and Women’s History Enhancement Act”; H.R. 1417, the “National Law Enforcement Museum Exhibits Act”; H.R. 2987, the “21st Century Conservation Service Corps Act of 2017”; H.R. 3058, “Gateway Arch National Park Designation Act”; H.R. 3225, the “Oregon Tribal Economic Development Act”; and H.R. 3961, the “Kissimmee River Wild and Scenic River Study Act of 2017”. H.R. 443, H.R. 553, H.R. 805, H.R. 1417, H.R. 3058, and H.R. 3225 were ordered reported, without amendment. H.R. 146, H.R. 2987, and H.R. 3961 were ordered reported, as amended.

### LEGISLATIVE MEASURE

*Committee on Natural Resources:* Subcommittee on Indian, Insular and Alaska Native Affairs held a hearing on H.R. 4506, the “Jobs for Tribes Act”. Testimony was heard from Bryan Rice, Director, Bureau of Indian Affairs, Department of the Interior; and public witnesses.

### BATTLEFIELD SUCCESSES AND CHALLENGES—RECENT EFFORTS TO WIN THE WAR AGAINST ISIS

*Committee on Oversight and Government Reform:* Subcommittee on National Security held a hearing entitled “Battlefield Successes and Challenges—Recent Efforts to Win the War against ISIS”. Testimony was heard from public witnesses.

### MEMBERS’ DAY HEARING ON ARTICLE I: EFFECTIVE OVERSIGHT AND THE POWER OF THE PURSE

*Committee on Rules:* Subcommittee on Rules and Organization of the House held a hearing entitled

“Members’ Day Hearing on Article I: Effective Oversight and the Power of the Purse”. Testimony was heard from Chairman Shuster, and Representatives Hoyer, Budd, Cleaver, Culberson, DeFazio, Gohmert, Hastings, Mullin, Richmond, Palmer, Thomas J. Rooney of Florida, Sanford, Turner, Walker, and Young of Alaska.

**SENATE AMENDMENT TO H.R. 195, AN ACT TO AMEND TITLE 44, UNITED STATES CODE, TO RESTRICT THE DISTRIBUTION OF FREE PRINTED COPIES OF THE FEDERAL REGISTER TO MEMBERS OF CONGRESS AND OTHER OFFICERS AND EMPLOYEES OF THE UNITED STATES, AND FOR OTHER PURPOSES**

*Committee on Rules:* Full Committee held a hearing on Senate amendment to H.R. 195, an Act to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes [Extension of Continuing Appropriations Act, 2018]. The Committee granted, by record vote of 9–3, a rule providing for consideration of the Senate amendment to H.R. 195. The rule makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115–55. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. In section 2, the rule waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported through the legislative day of January 20, 2018. In section 3, the rule provides that it shall be in order at any time through the legislative day of January 20, 2018, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section. Testimony was heard from Chairman Frelinghuysen, and Representatives Lowey and Polis.

**AN UPDATE ON NASA COMMERCIAL CREW SYSTEMS DEVELOPMENT**

*Committee on Science, Space, and Technology:* Subcommittee on Space held a hearing entitled “An Update on NASA Commercial Crew Systems Development”. Testimony was heard from William

Gerstenmaier, Associate Administrator, Human Exploration and Operations Directorate, National Aeronautics and Space Administration; Cristina Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office; Patricia Sanders, Chair, National Aeronautics and Space Administration Aerospace Safety Advisory Panel; and public witnesses.

**STRENGTHENING SBA’S 7(A) LOAN PROGRAM**

*Committee on Small Business:* Full Committee held a hearing entitled “Strengthening SBA’s 7(a) Loan Program”. Testimony was heard from public witnesses.

**THE STATE OF THE U.S. FLAG MARITIME INDUSTRY**

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held a hearing entitled “The State of the U.S. Flag Maritime Industry”. Testimony was heard from Rear Admiral John Nadeau, Assistant Commandant for Prevention Policy, U.S. Coast Guard; Rear Admiral Mark H. Buzby, U.S. Navy (Ret.), Administrator, Maritime Administration; and public witnesses.

**THE DENVER REPLACEMENT MEDICAL CENTER: LIGHT AT THE END OF THE TUNNEL?**

*Committee on Veterans’ Affairs:* Full Committee held a hearing entitled “The Denver Replacement Medical Center: Light at the End of the Tunnel?”. Testimony was heard from Stella Fiotes, Acting Principal Executive Director, Office of Acquisition, Logistics, and Construction, Department of Veterans Affairs; Lloyd Caldwell, Director of Military Programs, Army Corps of Engineers; and Andrew Von Ah, Director, Physical Infrastructure Team, Government Accountability Office.

**THE OPIOID CRISIS: THE CURRENT LANDSCAPE AND CMS ACTIONS TO PREVENT OPIOID MISUSE**

*Committee on Ways and Means:* Subcommittee on Oversight held a hearing entitled “The Opioid Crisis: The Current Landscape and CMS Actions to Prevent Opioid Misuse”. Testimony was heard from Gary L. Cantrell, Deputy Inspector General for Investigations, Office of the Inspector General, Department of Health and Human Services; Elizabeth H. Curda, Director, Health Care, Government Accountability Office; and Kimberly Brandt, Principal Deputy Administrator for Operations, Centers for Medicare and Medicaid Services.

## Joint Meetings

No joint committee meetings were held.

### COMMITTEE MEETINGS FOR THURSDAY, JANUARY 18, 2018

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Armed Services:* to hold hearings to examine the nominations of Michael D. Griffin, of Alabama, to be Under Secretary for Research and Engineering, Phyllis L. Bayer, of Mississippi, to be an Assistant Secretary of the Navy, and John Henderson, of South Dakota, and William Roper, of Georgia, each to be an Assistant Secretary of the Air Force, all of the Department of Defense, 9:30 a.m., SD-G50.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine Committee on Foreign Investment in the United States reform, focusing on examining the essential elements, 9:45 a.m., SD-538.

*Committee on Commerce, Science, and Transportation:* business meeting to consider the nominations of Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors, Barry Lee Myers, of Pennsylvania, to be Under Secretary of Commerce for Oceans and Atmosphere, Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary of Transportation, Brendan Carr, of Virginia, to be a Member of the Federal Communications Commission, James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, and Ann Marie Buerkle, of New York, to be a Commissioner, and to be Chairman, and Dana Baiocco, of Ohio, to be a Commissioner, both of the Consumer Product Safety Commission, 11 a.m., SH-216.

*Committee on Energy and Natural Resources:* to hold hearings to examine the nominations of Melissa F. Burnison, of Kentucky, to be an Assistant Secretary (Congressional and Intergovernmental Affairs), and Anne Marie White, of Michigan, to be an Assistant Secretary (Environmental Management), both of the Department of Energy, 10 a.m., SD-366.

*Committee on Foreign Relations:* business meeting to consider the nomination of Samuel Dale Brownback, of Kansas, to be Ambassador at Large for International Religious Freedom, Richard Grenell, of California, to be Ambassador to the Federal Republic of Germany, Yleem D. S. Poblete, of Virginia, to be an Assistant Secretary (Verification and Compliance), James Randolph Evans, of Georgia, to be Ambassador to Luxembourg, Joel Danies, of Maryland, to be Ambassador to the Gabonese Republic, and to serve concurrently and without additional compensation as Ambassador to the Democratic Republic of Sao Tome and Principe, Peter Hendrick Vrooman, of New York, to be Ambassador to the Republic of Rwanda, Carlos Trujillo, of Florida, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador, and

routine lists in the Foreign Service, all of the Department of State, 2 p.m., S-116, Capitol.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine reauthorizing the Higher Education Act, focusing on financial aid simplification and transparency, 10 a.m., SD-430.

Full Committee, business meeting to consider subcommittee assignments for the Second Session of the 115th Congress, and the nominations of Mitchell Zais, of South Carolina, to be Deputy Secretary, Kenneth L. Marcus, of Virginia, to be Assistant Secretary for Civil Rights, and James Blew, of California, to be Assistant Secretary for Planning, Evaluation, and Policy Development, all of the Department of Education, Patrick Pizzella, of Virginia, to be Deputy Secretary, Scott A. Mugno, of Pennsylvania, to be an Assistant Secretary, Cheryl Marie Stanton, of South Carolina, to be Administrator of the Wage and Hour Division, and William Beach, of Kansas, to be Commissioner of Labor Statistics, all of the Department of Labor, Brett Giroir, of Texas, to be Medical Director in the Regular Corps of the Public Health Service, and to be an Assistant Secretary of Health and Human Services, Barbara Stewart, of Illinois, to be Chief Executive Officer of the Corporation for National and Community Service, and other pending nominations, 12:30 p.m., S-216, Capitol.

*Committee on the Judiciary:* business meeting to consider the nominations of Elizabeth L. Branch, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, Stuart Kyle Duncan, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, David Ryan Stras, of Minnesota, to be United States Circuit Judge for the Eighth Circuit, Annemarie Carney Axon, to be United States District Judge for the Northern District of Alabama, R. Stan Baker, to be United States District Judge for the Southern District of Georgia, Jeffrey Uhlman Beaverstock, to be United States District Judge for the Southern District of Alabama, Liles Clifton Burke, to be United States District Judge for the Northern District of Alabama, Thomas Alvin Farr, to be United States District Judge for the Eastern District of North Carolina, Charles Barnes Goodwin, to be United States District Judge for the Western District of Oklahoma, Michael Joseph Juneau, to be United States District Judge for the Western District of Louisiana, Matthew J. Kacsmaryk, to be United States District Judge for the Northern District of Texas, Emily Coody Marks, to be United States District Judge for the Middle District of Alabama, Terry Fitzgerald Moorner, to be United States District Judge for the Southern District of Alabama, Mark Saalfeld Norris, Sr., to be United States District Judge for the Western District of Tennessee, William M. Ray II, to be United States District Judge for the Northern District of Georgia, Eli Jeremy Richardson, to be United States District Judge for the Middle District of Tennessee, Holly Lou Teeter, to be United States District Judge for the District of Kansas, and Brian Allen Benczkowski, of Virginia, Jeffrey Bossert Clark, of Virginia, and Eric S. Dreiband, of Maryland, each to be an Assistant Attorney General, John H. Durham, to be United States Attorney for the District of Connecticut, Michael T. Baylous, to be United States

Marshal for the Southern District of West Virginia, and Daniel R. McKittrick, to be United States Marshal for the Northern District of Mississippi, all of the Department of Justice, 10 a.m., SD-226.

*Select Committee on Intelligence*: to receive a closed briefing on certain intelligence matters, 2 p.m., SH-219.

### House

*Committee on Armed Services*, Subcommittee on Readiness; and Subcommittee on Seapower and Projection Forces, joint hearing entitled “Surface Warfare: At a Crossroads”, 3:30 p.m., 2118 Rayburn.

*Committee on Energy and Commerce*, Subcommittee on Digital Commerce and Consumer Protection, hearing entitled “Disrupter Series: The Internet of Things, Manufacturing and Innovation”, 10 a.m., 2123 Rayburn.

Subcommittee on Environment, hearing entitled “Modernizing the Superfund Cleanup Program”, 10:15 a.m., 2322 Rayburn.

*Committee on Financial Services*, Full Committee, continue markup on H.R. 1264, the “Community Financial Institution Exemption Act”; H.R. 1426, the “Federal Savings Association Charter Flexibility Act of 2017”; H.R. 2226, the “Portfolio Lending and Mortgage Access Act”; H.R. 2255, the “Housing Opportunities Made Easier Act”; H.R. 2319, the “Consumer Financial Choice and Capital Markets Protection Act of 2017”; H.R. 3746, the “Business of Insurance Regulatory Reform Act of 2017”; H.R. 4061, the “Financial Stability Oversight Council Improvement Act of 2017”; H.R. 4550, the “Practice of Law Technical Clarification Act of 2017”; H.R. 4566, the “Alleviating Stress Test Burdens to Help Investors Act”; H.R. 4607, the “Comprehensive Regulatory Review Act”; H.R. 4725, the “Community Bank Reporting Relief Act”; H.R. 4738, the “Mutual Fund Litigation Reform Act”; H.R. 4768, the “National Strategy for Combating the Financing of Transnational Criminal Organizations Act”; H.R. 4771, the “Small Bank

Holding Company Relief Act of 2018”; H.R. 4790, the “Volcker Rule Regulatory Harmonization Act”; H.R. 4785, the “American Customer Information Protection Act”; and H.R. 4792, the “Small Business Access to Capital After a Natural Disaster Act”, 9 a.m., 2128 Rayburn.

*Committee on Homeland Security*, Subcommittee on Counterterrorism and Intelligence, hearing entitled “Combating Transnational Gangs Through Information Sharing”, 10 a.m., HVC-210.

Subcommittee on Transportation and Protective Security, hearing entitled “Innovation at TSA: Examining Threat Mitigation Through Technology Acquisitions Reform”, 2 p.m., HVC-210.

*Committee on Natural Resources*, Subcommittee on Energy and Mineral Resources, hearing entitled “Examining the Department of the Interior’s Actions to Eliminate On-shore Energy Burdens”, 2 p.m., 1324 Longworth.

*Committee on Rules*, Full Committee, hearing entitled “Article I: Effective Oversight and the Power of the Purse” [ORIGINAL JURISDICTION HEARING], 10:30 a.m., H-313 Capitol.

*Committee on Small Business*, Subcommittee on Agriculture, Energy, and Trade, hearing entitled “Engaging Energy: Small Business Resources at the Department of Energy”, 10 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment, hearing entitled “America’s Water Resources Infrastructure: Approaches to Enhanced Project Delivery”, 10 a.m., 2167 Rayburn.

*Committee on Veterans’ Affairs*, Subcommittee on Health; and Subcommittee on Economic Opportunity, joint hearing entitled “Addressing Veteran Homelessness: Current Position; Future Course”, 10 a.m., 334 Cannon.

*Permanent Select Committee on Intelligence*, Full Committee, business meeting on the public release of a Committee transcript, 9 a.m., HVC-304. This meeting will be closed.

*Next Meeting of the SENATE*

11 a.m., Thursday, January 18

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the amendment of the House to S. 139, FISA Amendments Reauthorization Act, and vote on McConnell motion to concur in the amendment of the House to the bill at 12:15 p.m.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Thursday, January 18

## House Chamber

**Program for Thursday:** Consideration of H.R. 2954—Home Mortgage Disclosure Adjustment Act. Consideration of the Senate Amendment to H.R. 195—Making further additional continuing appropriations for Fiscal Year 2018 (Subject to a Rule). Consideration of H.R. 4712—Born-Alive Survivors Protection Act (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

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