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# *House of Representatives*

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

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*March 6, 2018.*

I hereby appoint the Honorable GREGG HARPER 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.

## SECURING THE FUTURE OF DREAMERS

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

Mr. GUTIÉRREZ. Mr. Speaker, yesterday was the deadline for the U.S. Congress to secure the futures of hundreds of thousands of Dreamers. Our constituents, who grew up in the United States, have been here at least 10 years, but do not have permanent legal immigration status and, therefore, are deportable, vulnerable, and exploitable.

And guess what? The cynics were right, and Congress has taken no action. There have been a few attempts, but the reality is that Congress has not passed a bill, and the opportunities for us to pass a bill are dwindling.

How did we get here? How is it that we always end up here when it comes to immigration?

Well, it has been a failure of both parties to act, to compromise, and to legislate. But let's be honest, the President doesn't want these immigrants in this country, and Republicans in Congress only want to do what the President wants them to do because they fear his tweets and the effect it might have on their voters in November.

The President said he loved Dreamers. Remember? He wanted to preserve DACA and treat them ''with heart.'' He said he wanted to give a pathway to citizenship for Dreamers, and he told a group of lawmakers on national television that he would take the political heat and sign whatever bipartisan approach they were able to come up with, but he was lying, again.

Just like his conversations with lawmakers on guns after the massacre in Florida—also with the television cameras rolling—what the President says in public, what he does behind closed doors, what he tweets, and what he thinks from moment to moment do not seem to be connected in any logical way.

And when the cameras are turned off, the radical rightwing whispers their orders in the President's ear, and he falls right in line—whether it is with gun manufacturers or the anti-immigration nativists.

And when you cannot trust the President to have a stable opinion for more than 2, maybe 3, hours, it makes it hard for Republicans to figure out what will please him and make him happy from moment to moment.

Bipartisan proposals that could have passed the House and the Senate were brought to him and he rejected them, saying that he wanted to eliminate various types of legal immigration avenues used by people, especially people of color and people from the developing world. Without these massive cuts to legal immigration, the President just wasn't interested.

And we offered him money for his silly, mindless, stupid, dimwitted, racist wall, but he rejected that, too.

In the end, this is not about Dreamers, it is not about the wall, it is not about border security. Do you know what it is about? It is about a deeply held core belief of the President, and many of his advisers, that there are just too many people of color coming legally to the United States. There are too many family members of immigrants, unless those immigrants are members of Trump's own family.

It is clear that the President doesn't want immigrants who look like the diverse and colorful fabric of the world. And he doesn't want Dreamers who were raised in the U.S. alongside of our own children, who reflect the diversity of America.

Now, to be fair, some of my Democratic colleagues are just as happy about the injunctions in the Federal courts that are keeping the Trump deportation machine from fully engaging and going after Dreamers. Lawmakers—both Democrats and Republicans—don't need much encouragement sometimes to just kick the can down the road.

But let's not kid ourselves. Relying on the courts to save Dreamers is a cop-out, and a lot of people are left out if they do not already have DACA. And for the ones who can renew their status, we may be back here in a few days or weeks trying to prevent the deportation of Dreamers and lots of other immigrants if the courts change course, which they may.

So I will not let my colleagues in either party rest.

For now, every person who has DACA should renew their DACA as quickly as possible for whatever time they have left. I say run, don't walk, to renew.

I have been here long enough to know that even when faced with an issue on which 80 percent of the American people agree—whether it is sensible gun control or preventing the deportation of children raised in America—it is the 20 percent of the American people who Republicans are listening to, and playing to, and tweeting to, and playing nice-nice with the White House to appease.

And the rest of us, what do we get? Nothing—on immigrants, on guns, on climate change, on healthcare, or on taxes—unless we, as voters, simply reshuffle the deck.

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

## BORIS NEMTSOV

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

Ms. ROS-LEHTINEN. Mr. Speaker, last week sadly marked the third anniversary of the murder of the Russian human rights activist Boris Nemtsov.

On February 27, 2015, Boris was assassinated while crossing a bridge near the Kremlin in Moscow, shot in the back in the most cowardly manner. Boris' murder was no doubt directed by Putin, because Boris had actively organized rallies against the regime and even had the courage to report in detail on corruption in the Putin regime. His death was a great loss for the people of Russia who are fighting for a free and Democratic society.

I was lucky enough to have known Boris and met with him several times over the years. I had the great privilege to work with him on getting the Sergei Magnitsky Rule of Law Accountability Act passed into law in 2012. In fact, I met with Boris right after the House passed that bill.

That day, Boris told me something that resonated with me, Mr. Speaker. He told me that Putin had made stopping the Magnitsky Act his utmost priority.

Though that resonated with me, it did not surprise me, because I was born in communist Cuba, and I was forced to flee my homeland with my family to get away from the Castro regime. And I know that Castro would have had the same reaction as Putin, because thugs fear the people who are brave enough to challenge their authoritarian rule.

That is why Putin feared Magnitsky; that is why Putin feared Boris; and that is why Putin fears my friend and close friend of Boris' Vladimir Kara-Murza, who the Putin regime has tried to kill on two occasions, both by poisoning.

Vladimir has bravely picked up the mantle from Boris, and he carries out his mission of speaking the truth about the Putin regime and calling attention to the human rights abuses in Russia. He has carried on the legacy and brought Boris' message to the world. And through Vladimir's efforts, the legacy has been memorialized right here in Washington, D.C.

Last week, Mr. Speaker, I attended the unveiling of the naming of the plaza right in front of the Russian Embassy after Boris. Boris personified the fight for human rights in Russia.

And now, in front of the Russian Embassy in Washington, D.C., 3 years after Boris was murdered, he is now memorialized as a symbol—a symbol signifying that one person or one idea can be more powerful and more threatening to a corrupt regime than even the biggest army.

That plaza also serves as a symbol for the future because one day Putin will be gone and Boris' dream will become a reality. When that day comes, the diplomats who come to the United States, representing a free and democratic Russia, will be able to look out the windows of their embassy beaming with pride at what Boris' sacrifice helped them realize.

And they will honor Boris' legacy and everyone else who told the truth about the regime of Putin and who gave everything for a free and democratic Russia, where human rights and the rule of law are respected, not feared. I hope that day is soon upon us, Mr. Speaker.

## PASSING A STRONG, BIPARTISAN FARM BILL

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

Mr. COSTA. Mr. Speaker, I rise today to talk about the challenges that we face, not only in my constituency as it relates to California agriculture, but a host of other issues as well.

We are in the process of trying to reauthorize the farm bill, something we do every 4 years. It used to be—and we hope it will continue this year—one of the more bipartisan efforts we are engaged in.

I represent not only the heartland of the San Joaquin Valley, but third-generation farmer.

Last week—as I do every weekend when I go home—I was walking the rows of the almond trees on my ranch outside of Fresno, California. They are beautiful. They are in full bloom this time of year. There is not a time, though, in the year, in the San Joaquin Valley, where the incredible bounty of the 300 crops that we grow are not on display because they are always out there.

The blossoms in the spring grow into the almonds, walnuts, and pistachios until late summer. Tomatoes are harvested in August and September, followed by cotton in October and November. The dairymen and dairy processors work every day because those cows have to be milked every day yearround to produce the finest quality milk, cheese, and butter.

As I walked through my orchard, I remembered the countless stories and insights by my fellow California farmers, ranchers, dairymen and -women shared with me over the past year, and I think about my father, who farmed all of his life, and my grandfather.

In anticipation of the 2018 farm bill, I have held round tables and listening sessions, attended agriculture townhalls, and met with our farmers and farm workers, who, every day, work so hard to put those food products on America's dinner table.

I have done this to hear firsthand the concerns and priorities of our local producers, farm workers, and nutrition organizations regarding our Nation's food supply.

I have also had numerous meetings with key agriculture and trade officials, including Agriculture Secretary Perdue, who has been out to California a number of times.

And as we in Congress move together with farm bill negotiations, we must maintain strong support for the cultivation and production of fresh fruits and vegetables, which are the foundation of a healthy diet. California produces over half of the Nation's fruits and vegetables. It is truly amazing. Three hundred crops.

We must also make sure that we do not abandon our Nation's most vulnerable through inhumane cuts to the nutrition programs that provide a steady source of food to our Nation's food supply. We are talking about our safety net, we are talking about the SNAP program, and we are talking about Women, Infants, and Children. This has been part of the glue on a bipartisan basis that has kept Democrats and Republicans together in the reauthorization of the farm bill.

But we must have a safety net for those who are most unfortunate in our society. We should work to expand foreign markets for our products and to incentivize sound conservation practices and research. Research is very important to ensure the sustainability. Sustainability is critical—and continued growth of American agriculture.

We have the opportunity with the farm bill to address the crippling agriculture labor crisis afflicting our farms, and it must be addressed as we look at a broken immigration system that not only impacts our Dreamers—the DACA program—but a reliable supply of farm labor.

These are all among the issues that we must address to ensure that our Nation's food supply is reliable, because, guess what, it is a national security issue. People don't look at it that way. People go into the grocery store and they think: Well, what is the problem; grocery stores have all the food in the world. They go to the restaurants, and they have all the food that you need.

But the food doesn't go to the grocery store or to those restaurants without it being grown by America's men

and women who labor—less than 3 percent of the Nation's population—to produce the finest, highest quality, greatest yield, most nutritious food anywhere in the world, every night on America's dinner table.

That is why we must come together—Democrats and Republicans—to improve our Nation's food supply by passing a strong, bipartisan farm bill.

FIFTH ANNIVERSARY OF VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mr. COSTA. Mr. Speaker, I rise today to commemorate the fifth anniversary of the Violence Against Women Reauthorization Act, otherwise known as VAWRA.

Protecting the Violence Against Women Act is one of our top priorities in the Victims' Rights Caucus, a bipartisan House caucus that Congressman TED POE and I organized some 10 years ago.

□ 1015

The law seeks to both prevent violence in our communities and provides services to survivors of violence, in part, by encouraging collaboration among local law enforcement, traditional personnel, and the private sector organizations, NGOs. In my district, these organizations collaborate, and they have been vital in helping survivors of violence.

We must have numerous organizations working tirelessly together to support the victims of crime. In my district, they include the Marjaree Mason Center, Central California Legal Services, Choice Women Empowerment, Centro La Familia, and Valley Crisis Center. This is critical to end violence not only in our valley, but in our Nation, and that is why we must come together to end this violence, to ensure that the survivors have access to services for essential recovery.

We cannot stop, and we must end this horrendous violence once and for all. That is why we must support the Violence Against Women Act.

## CONGRATULATING THE CITY OF ALTON, ILLINOIS

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

Mr. BOST. Mr. Speaker, I rise today to congratulate the city of Alton, Illinois. Alton was selected from hundreds of cities nationwide to be featured on the reality TV show ''Small Business Revolution—Main Street.'' The city will also receive a $500,000 investment for its small businesses.

Alton has a rich history. It is home to historic buildings, and has a deep manufacturing heritage. It was the site of one of the Lincoln-Douglas debates, a route on the Underground Railroad, and home to blues musician Miles Davis and history's tallest man, 8-foot-11-inch Robert Wadlow.

These days, Alton is undergoing a small business revolution, from a self-pour craft beer taproom to a post office converted into a small business hub. And new businesses are popping up all over. It is an exciting time for the Alton community, and they can't wait to show the Nation southern Illinois' spirit of innovation.

RECOGNIZING THE DETERMINATION OF ROWDY LOYD

Mr. BOST. Mr. Speaker, I rise today to recognize the determination of a young man from my hometown of Murphysboro, Illinois.

Rowdy Loyd has cerebral palsy and a nerve disorder, but that has not stopped him from trying out for the Murphysboro Red Devils basketball team year after year. While he hasn't made the official roster, he serves as team manager. Going to every game all through his high school career, and every practice, Rowdy had a constant presence with the team, coaches, and our community.

Last month, Rowdy finally got the chance to see game time. Rowdy scored 10 points on the night, including a buzzer-beating 3-point shot. In Rowdy's own words:

I got a whole lot of school behind my back, and my family. I've got a lot of people that support me. So it was awesome to know that they all came to the game to watch me play.

Rowdy, we are all proud of you.

WISHING A HAPPY ANNIVERSARY TO TRACY BOST

Mr. BOST. Mr. Speaker, I rise today, if I could, to take a moment. I would like to read a part of a particular proverb, Proverbs 31:10–31:

An excellent wife, who can find? She is more precious than jewels.

The heart of her husband trusts in her, and he will have no lack of gain.

She does him good and not harm in all the days of her life.

She seeks wool and flax and works with willing hands.

She is like merchant ships; she brings her food from afar.

She rises while it is yet night and provides food for her household and portions for her maidens.

She considers a field and buys it, and from the fruit of her hands she plants the vineyards.

She dresses herself with strength and makes her arms strong.

She perceives that the merchandise is profitable, and her lamp does not go out at night.

She puts her hands to the distaff and her hands to the spindle.

She opens her hand to the poor and reaches out her hands to the needy.

She is not afraid of snow, for all her household is clothed with scarlet.

She makes bed coverings for herself. Her clothing is fine linen and purple.

Her husband is known in the gates when he sits among the elders of the land.

She makes linen garments and sells them. She delivers sash to the merchants.

Strength and dignity are her clothing, and she laughs at time to come.

She opens her mouth in wisdom, and the teaching of kindness is on her tongue.

She looks well to the ways of her household and does not eat the bread of idleness.

Her children rise up and call her blessed.

Her husband also, and he praises her: Many women have done excellently, but you surpass them all.

Charm is deceitful and beauty is vain, but a woman who fears the Lord is to be praised.

Give her the fruit of her hands, and let her works praise her in the gates.

Mr. Speaker, many may ask why I would read such a Scripture this day on the floor. Well, because 38 years ago, tomorrow, I married a beautiful young woman who has grown to become the very woman described in this Scripture. She is very beautiful and very charming, but most of all, she is virtuous.

With that, I want to wish her an early happy anniversary. I love you, Tracy.

## IN DEFENSE OF DREAMERS AND THOSE WHO BROUGHT THEM HERE

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

Mr. AL GREEN of Texas. Mr. Speaker, it is an honor for me to rise today in defense of Dreamers and those who brought them here. I rise in defense of them, Mr. Speaker, because, quite frankly, there was a desire for persons to come here. There was a desire for them to come and to work, and to work at wages that some considered subpar, a desire for them to work under conditions that were not the best. There was a desire for them to come, and they came.

I rise in defense of them because, Mr. Speaker, we are complicit in this behavior. We were complicit because we knew they were coming, and we wanted them to come.

I rise in defense of them because I don't believe that a country as great as the United States of America can ask young people to accept a pathway to citizenship but not give it to the people who brought them here: their parents, in most cases, but, in a good many cases, other persons who cared for them.

To ask these young people to sell out their parents, to borrow a term that we use, is more than a great nation should ask of young people; to say to them, ''You can stay, but your parents may have to go,'' what kind of country are we if we demand this of young people who came with people whom we wanted to come, who have done us no harm, who have worked hard in our kitchens, who have worked hard cleaning our homes, who have worked hard tending our fields, who worked hard bringing in the fruits of the labor that they brought to this country?

What kind of country says, ''You are going to go back,'' after many years of being here, and send the young people back to places of which they know very little?

Mr. Jose Escobar is a case in point. He was sent back to San Salvador. He hadn't been there in many, many years. He came here around 15 years of age.

Mr. Speaker, now is the time for this country to take the affirmative action to correct what will be an injustice if we pursue the path that the President would have us pursue. Now is the time

for us to make sure that every person is receiving the kind of liberty and justice for all that we extol in the Pledge of Allegiance. Now is the time for us to make sure that all of these young people are given the opportunity to succeed on their merits or fail on their demerits in the country that they know as home.

Mr. Speaker, we are a great country. A great country does not do what the President is proposing, and I will not stand with the President on this. I stand and defend the Dreamers and the people who brought them here: in most cases, their parents. This is what a great nation ought to do.

I know that there may be people who differ, but when you are standing on right, you don't worry about those who differ. This is the right thing for the United States of America to do.

## CONGRATULATING SCHRACK FARMS ON ITS 2018 INNOVATIVE DAIRY FARMER OF THE YEAR AWARD

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Schrack Farm Resources of Loganton, Pennsylvania, for being named the 2018 Innovative Dairy Farmer of the Year.

The national award celebrates U.S. dairy producers that apply creativity, excellence, and forward thinking to achieve greater on-farm productivity and improved milk marketing. The award is presented annually by the International Dairy Foods Association and Dairy Herd Management magazine.

Mr. Speaker, Schrack Farm Resources has a rich history in Clinton County. Located in the heart of farm country, Schrack Farms is operated by Jim and Lisa Harbach and Kevin Schrack. Lisa and Kevin are siblings. They run the farm with the help of their children and grandchildren, who now represent the 11th-generation farmers of the land. Yes, that is right; Schrack Farm Resources has been in operation since 1773, 3 years before the Declaration of Independence was even issued. They have 22 full-time employees and some part-time help as well. The owners said it is teamwork that makes it possible for them to receive this award.

It is especially meaningful to see a Pennsylvania farm with such a long history of good stewardship being named the leading innovator, nationwide, for dairy farming. Today, Schrack Farms is managing an 1,100-head dairy herd while advocating for no-till farming and maintaining soil health and promoting awareness of the Chesapeake Bay watershed.

Its farming practices truly focus on conservation. Schrack Farms also was an early adopter of renewable energy technology and installed one of the first methane digesters in Pennsylvania. Now the farm generates revenue by selling power back to the grid and reduces electricity costs for the farm.

Schrack Farms is a model operation that is at the forefront of modern-day farming practices. Their operation effectively demonstrates that investment in environmentally friendly practices can lower costs, provide new revenue streams, and offer greater efficiencies on the farm.

They also educate local legislators and the general public about their operation's positive economic and environmental benefits. Jim Harbach said the farm's practices and beliefs go well beyond the borders of farming. Family members and farm staff are involved in associations and organizations that promote dairy farming and its environmental impacts. He has traveled across the country speaking about the practices that they use right there in Loganton, Pennsylvania.

Schrack Farms accepted the award earlier this year at Dairy Forum 2018 in Palm Desert, California. Pennsylvania's Secretary of Agriculture Russell Redding nominated the farm for the award, and I was pleased to add supporting comments to the nomination.

Mr. Speaker, I am most proud of Schrack Farms and the entire family for being a leader in dairy farming not only in the Commonwealth of Pennsylvania, but nationwide. I wholeheartedly congratulate Jim, Lisa, Kevin, and their families and employees on this outstanding achievement.

## COMMEMORATING 100TH ANNIVERSARY OF POLAND'S REEMERGENCE

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

Ms. KAPTUR. Mr. Speaker, I am pleased to join my colleague, Representative JACKIE WALORSKI, as co-chairs of the Polish Caucus.

This year, we commemorate the 100th anniversary of Poland's reemergence as a European nation in 1918. As grateful Polish Americans, we join together on a bipartisan basis to acknowledge this historic achievement of freedom's advance.

The reality is history has been brutal to Poland. In the late 1700s, Poland was erased from the map of Europe for 123 years by three adjacent predatory empires because it passed a constitution inspired by ours, which included a separation of powers.

Poland became the first nation in Europe to abolish serfdom by the Polaniec Manifesto on May 7, 1794. Then, in 1918, following World War I, with the support of President Woodrow Wilson, Poland was restored to the map of Europe and resumed its torturous climb to freedom.

□ 1030

But then, in 1939, World War II began. As Poland was invaded, first by Nazi Germany, and then 3 weeks later by Communist Russia, Poland suffered an unimaginable loss of 20 percent of its population that perished during World War II, the most of any nation in that war.

Of the 14 million civilians killed by Nazi Germany and Communist Russia, over 6 million were killed in Poland; 3 million Jews and 3 million Christians, as well as Roma and Sinti, the disabled, homosexuals, and other innocents.

Poland never surrendered. There never was a collaborationist Polish Government. Establishing a free government in exile, Polish armies fought on every front in Europe, including alongside American soldiers at Normandy.

Despite the Nazi and Soviet campaign to wipe out Poland's most educated and accomplished and, indeed, Poland's history, Poland resisted at home with the largest underground resistance movement in Europe. Poland never surrendered, nor did it ever surrender to Nazi nor Communist, murderous ideology.

At Katyn, Communist Russia, with bullets to the back of their heads, killed over 12,000 Polish leaders from its military, civil society, their educational community, and their religious leadership.

1945 brought allied liberation to a war-torn Europe, but not to Poland, which fell under the Soviet yoke, repressed, and blocked from its own identity, indeed, even denied a true representation of its wartime history of heroism, tragedy, and terror.

But in 1989, after 43 years of increasing resistance to occupation inside Poland, its fierce love of liberty spilled over into successful resistance and massive electoral victory won by Solidarnosc, the labor movement that yielded ultimate liberty for Poland. This was the first wave of major popular and anti-Communist opposition across the Soviet bloc that resulted in the Berlin Wall's collapse in 1989, the wall that divided liberty from tyranny and, ultimately, communism's demise.

Poland has accomplished much in the generation of freedom that followed. She has achieved a steady economic growth in each year since its return to freedom, the most robust of any nation in Europe. Yet, the millions of souls who perished in Poland across every faith, confession, and ethnic origin, most remain unknown to history. Our globe is still weighed down with the collective sense of unresolved grief and the lack of historical truth that humanity must address.

For the millions who perished, this anniversary year of Poland's rebirth should be an occasion to uplift that historical truth to heal, not divide. As we speak, vicious Russian aggression aims to destabilize Europe and our precious transatlantic and NATO alliance, essential to liberty. Free nations, including Poland and her critics, should

use this moment to recommit to liberty and rule of law, setting aside language and gestures that inflame divisions across Europe.

Now is a time for unity, not division. Now is a time for restraint, not antagonism. Now is the time for reasoned dialogue, not media taunts. And let me commend the Polish-Israeli Reconciliation Commission for its reasoned progress and recent statement.

Now is the time for diplomatic excellence and military readiness, not provocative gestures, legislative or otherwise. Now is the time for robust archival restoration so the full truth of millions who perished can be known and recorded forever. Now is the time to strengthen freedom's umbrella, not weaken it.

May I extend all congratulations and blessings to Poland on its 100th anniversary of reborn nationhood.

## CELEBRATING THE ACCOMPLISHMENTS OF KEVIN LEZYNSKI

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

Mr. FITZPATRICK. Mr. Speaker, recently, I was fortunate to meet an impressive young man, Kevin Lezynski, and celebrate with him as he earned the rank of Eagle Scout.

Kevin, of Harleysville, Pennsylvania, is a senior at Souderton Area High School. He is involved in the community as a member of the Unified Special Olympics and the regular Special Olympics, where he competes in soccer, swimming, bocce, baseball, and track and field. He is the manager of the school lacrosse team; he is involved in this year's musical; and he was voted homecoming king.

As an Eagle Scout in Troop 91, Kevin earned 36 merit badges and led a group of 38 others in building a gazebo on the high school grounds in just 2 days. Students and teachers now use the space to learn and socialize.

Kevin is a shining example of commitment to community service and what you can accomplish when you put your mind toward a goal.

Congratulations, Kevin, on earning this well-deserved rank of Eagle Scout.

### RECOGNIZING CHRISTINE GUNSIOROWSKI, ALLI CURRO, AND KIM MCCLEARY FOR FOUNDING THE TYPE ONE PARENT PROJECT FOUNDATION

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize Christine Gunsiorowski, Alli Curro, and Kim McCleary for their work in the community combating type 1 diabetes.

After all three women had a child diagnosed with diabetes in 2014, they began raising money to find a cure. In 2016, they took their efforts even further, starting the Type One Parent Project Foundation focused on providing support and guidance for families in my district in Bucks and Montgomery Counties, as well as raising general awareness about type 1 diabetes.

This year, this organization will continue to expand its efforts, increasing the number and range of speakers at their meetings, creating a mentoring program where older kids can mentor younger children about the effects of type 1 diabetes. They will, in the coming months, award several scholarships to local families so that kids can attend the American Diabetes Association's Camp Freedom, a week-long overnight camp for kids with diabetes.

Mr. Speaker, I want to thank Christine, Alli, and Kim for all the work they are doing to keep kids safe and help kids in our community and educate our community about children facing this challenge.

## DEMOCRATS HAVE A BETTER PLAN

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

Mr. JEFFRIES. Mr. Speaker, the reckless, regressive, and reprehensible Republican budget cuts funding for Social Security, cuts Medicare, cuts Medicaid. The Republican budget cuts funding for Meals on Wheels, cuts funding for school violence prevention programs. It even cuts funding for the Special Olympics.

Who does that?

The Republican budget seeks to balance itself on the backs of working families, middle class folks, senior citizens, the poor, the sick, the afflicted, veterans, rural America, and the safety of our children. It is an abdication of responsibility. It is a dereliction of duty. It is a stunning act of legislative malpractice. The reckless Republican budget is a raw deal for the American people.

Democrats have a better deal focused on better jobs, better wages, and a better future for the American people. Democrats have a better deal focused on higher pay, lower costs, and providing the American people with the tools to succeed in a 21st century economy. Democrats have a better deal focused on improving the quality of life of everyday Americans.

## 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 38 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:

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

The Prophet Isaiah, in the first chapter, begins his message with these words: ''Hear, O heavens, and listen, O Earth, for the Lord speaks.'' All the heavens and all the Earth cannot grasp or contain Your Word, O Lord. Once spoken and unleashed upon the world, Your Word catapults imaginings to their heights and penetrates everything to its depths. May our hearing turn to listening and our listening make us so attentive that it leads to new understanding and new ways of acting.

Your Word provokes Isaiah to cry out to the people: If only we were free enough to be raised up by its power or strong enough to be embraced by its full passion. Then we, like Isaiah, would be able to hear in our broadcasted news the voice of violence coming from our own children, and we would lament as a nation searching for prophetic vision until we and our ways of acting change.

We pray for this vision now, and may all that is done this day in the people's House be for Your greater honor and glory.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. DEUTCH) come forward and lead the House in the Pledge of Allegiance.

Mr. DEUTCH 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.

## MOMENT OF SILENCE HONORING THOSE KILLED OR WOUNDED IN SERVICE TO OUR COUNTRY

The SPEAKER. The Chair asks that the House now observe a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families.

## ANNOUNCEMENT BY THE SPEAKER

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

## HONORING RICHARDSON POLICE OFFICER DAVID SHERRARD

(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, I rise today to honor the memory of Richardson Police Officer David Sherrard.

Last month, Sherrard and other officers responded to a domestic disturbance, where Sherrard was shot and later succumbed to his wound.

Mr. Speaker, David Sherrard served with the Richardson Police Department for 13 years. He was known for his generosity and bravery, but above all, he was known for his faith in God, which he shared with others.

Sherrard was the first Richardson police officer to die in the line of duty. His death is a great loss. His wife and daughters remain in my thoughts and prayers.

Mr. Speaker, I ask my colleagues to join me in honoring the service and sacrifice of David Sherrard, a true hometown hero.

## WILLIE O'REE SHOULD BE INDUCTED INTO THE HOCKEY HALL OF FAME

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

Mr. QUIGLEY. Mr. Speaker, 60 years ago, Willie O'Ree broke the color barrier in professional hockey, all while overcoming racial slurs, doubt, and blindness in his right eye.

Often referred to as the Jackie Robinson of hockey, Willie has been a trusted champion for diversity, a proponent of inclusion, and an inspiration for so many young players both off and on the ice.

Each February, we celebrate Black History Month as well as Hockey is for Everyone Month, and no one embodies both of those tributes as profoundly as living legend Willie O'Ree.

He is as humble as he is inspiring, often reminding fans that he only played in the NHL for 45 games, and while that may be true, he changed the game forever.

There are few players worthier of being inducted into the Hockey Hall of Fame, and it is long overdue that Willie's name be added to that list.

As the Hockey Hall of Fame continues to accept and review nominee submissions before the March 15 deadline, I want to remind everyone of the countless ways Willie strengthened and supported this sport.

I thank him for his continued efforts to increase access for all people of all backgrounds to get out on the ice and play the greatest game.

## UNLOCKING MONTANA'S PUBLIC LANDS TO INCREASE PUBLIC ACCESS

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

Mr. GIANFORTE. Mr. Speaker, I rise today to draw attention to Washington inactivity that has locked up hundreds of thousands of acres of Montana public lands.

In the 1970s, Congress designated over 1 million acres of Montana as wilderness study areas. The U.S. Forest Service and BLM were charged with determining whether to include them in the National Wilderness Preservation System.

By the early 1980s, the Forest Service and BLM had made their recommendations, but Congress did not act. Now, nearly 40 years later, Congress still hasn't acted, and those study areas are still locked up.

Mr. Speaker, last week I introduced the Unlocking Public Lands Act and the Protect Public Use of Public Lands Act. These bills will release nearly 700,000 acres of lands found to be not suitable for wilderness designation and return them to Forest Service and BLM management.

County commissioners, State legislators, and impacted communities support this overdue action.

Congress is about 40 years late in unlocking Montana's public lands and increasing public access to them. It is time to finish the job.

## THE NATION WILL NOT FORGET PARKLAND

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

Mr. DEUTCH. Mr. Speaker, it has been just 20 days since the shooting at Marjory Stoneman Douglas High School in Parkland, Florida; but when you spend those days going to funerals and memorial services and vigils, and when you spend those days meeting with grieving parents who don't know what life is without their loved one, and when you spend those days demanding that this House take action, it feels a lot longer.

Life moves on, new headlines fight to push our pain aside.

One Parkland student, starting her first full week back at Marjory Stoneman Douglas since the shooting, said this on Twitter: ''There are no media trucks in sight. Don't forget about Parkland.''

Mr. Speaker, the fight is not over. Mr. Speaker, this Congress cannot and will not just move on from this tragedy.

The Nation will not forget Parkland, because this time, we join with the Marjory Stoneman Douglas students in declaring: ''Never again.''

## RECOGNIZING OUR NORTH COUNTRY OLYMPIANS

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

Ms. STEFANIK. Mr. Speaker, I rise today in recognition of the hard work and dedication of our north country Olympians, who made history at the 2018 Winter Games in Pyeongchang.

The United States women's bobsled team, trained in Lake Placid in my district, finished strong with an incredible silver medal win.

We are also incredibly excited for Saranac Lake's very own Chris Mazdzer, who made Olympic history this year, taking home Team USA's first ever medal in men's singles luge.

Chris trained tirelessly at the Olympic Training Center in Lake Placid, and I know he has inspired the next generation of New York-21 athletes from across our region.

Mr. Speaker, the north country has been buzzing with excitement since the Winter Games began, and seeing Chris on the podium was an incredible moment for us all.

Congratulations to Chris and to all our Olympians, who showed the world just what the north country has to offer.

## GREAT LAKES WEEK

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

Mr. KILDEE. Mr. Speaker, this week is Great Lakes Week.

As a Michigander, I am proud of the fact that Republicans and Democrats in Congress continue to work together to highlight the importance of our shared water resources and to protect the Great Lakes.

The Great Lakes generate billions of dollars in economic activity and provide drinking water to 40 million people. We have to do everything we can to protect them from harm.

Unfortunately, President Trump recently unveiled his proposed budget, which cuts funding to the Great Lakes by 90 percent. An important restoration initiative that has succeeded and has had bipartisan support, the President nearly eliminates.

Protecting our Great Lakes has never been a partisan issue. Democrats and Republicans have come together before to restore funding cuts that were proposed by President Trump. I am confident that we will come together again.

This Great Lakes Week, as every week, I stand up for the Great Lakes and those who depend upon them. They are a critical water resource that must be protected.

## RECOGNIZING ALBERTO CARVALHO

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Alberto Carvalho, the superintendent of Miami-Dade County Public Schools, the Nation's fourth largest school system, with more than 500,000 students.

For the past decade, Alberto has worked tirelessly on behalf of students and educators throughout my congressional district. His efforts have propelled Miami-Dade public schools into a position of national prominence, and it is now one of the Nation's highest performing urban school systems.

Recently, Mr. Carvalho was offered the opportunity of a lifetime to run the largest school system in the country, and that is chancellor of New York City schools, but he showed his dedication and commitment to south Florida's students and teachers when he decided to stay in Miami-Dade. As a former Florida certified teacher, I am so glad that he is staying to continue leading Miami-Dade County Public Schools.

Mr. Speaker, on behalf of our grateful community and countless individuals who have been positively impacted by Alberto Carvalho's unwavering dedication, I want to say: Thank you, ''friend,'' ''amigo.'' Please stay.

## WE SHOULD NOT ROLL BACK FLIGHT SAFETY LAWS

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

Mr. HIGGINS of New York. Mr. Speaker, 9 years ago, Continental Flight 3407 crashed in western New York, killing all aboard and one on the ground.

The National Transportation Safety Board found that the cause of the crash was pilot error and poor training.

Prior to the enactment of flight safety laws, there were two levels of safety: one more stringent for the commercial carriers that we are all familiar with, and one considerably less stringent for the ones that we are less aware of. There were two levels of safety.

Now there is only one because of the courageous work of the families of the survivors who came to Congress and helped Congress enact very strict safety regulations. We have not had a commercial crash that ended up in fatalities since that time.

It is important that we not roll back these safety standards, as they are based on the National Transportation Safety Board's findings and the work of this Congress.

## LIMIT SCOPE OF SPECIAL COUNSEL

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

Mr. SMITH of Texas. Mr. Speaker, the special counsel investigation has pushed way beyond its authorized purpose.

Recent reports indicate that individuals have been questioned about President Trump's business activities prior to his entering the 2016 campaign. The private interests of Trump family members also are being probed.

These lines of investigation clearly violate the scope of the special counsel, which is limited to: ''. . . any links and/or coordination between the Russian Government and individuals associated with the campaign . . .''

In the interest of justice, the investigation must be limited. The Deputy Attorney General should do so immediately to ensure a fair process.

A rogue investigation should not be allowed to continue.

□ 1215

## FLORIDA HOUSE PASSES GUN SAFETY BILL

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

Ms. NORTON. Mr. Speaker, MARCO RUBIO's Florida State Senate got shocked enough by the Parkland shooting to pass a token gun safety bill. The Florida House has yet to act. Whatever Florida does, RUBIO's token gun bill in Washington is belied by his pending bill to eliminate virtually all of the District of Columbia's gun safety laws. Worse, RUBIO has put his D.C. bill in the Congress to raise his NRA rating for the last two Congresses. It did raise his NRA rating from B plus to A.

I have managed to save D.C.'s gun safety laws, but RUBIO's shamefully token responses in the Senate to the Parkland tragedy will be seen as one more act of hypocrisy until he stops meddling in the District of Columbia's affairs and withdraws his D.C. gun bill.

The SPEAKER pro tempore (Mr. GIANFORTE). Members are reminded to refrain from engaging in personalities toward Members of the Senate.

## THE ALAMO—MARCH 6, 1836

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

Mr. POE of Texas. Mr. Speaker, in the early morning hours it was cold, damp, and dark in the old, beat-up Spanish mission.

It was the Alamo.

It was March 6, 1836.

It was a battle for Texas independence.

The volunteers were from most of the States and several foreign countries, including Mexico.

The small band of 186 Texians and Tejanos, led by defiant Colonel William Barrett Travis, had already repelled two attempts by Dictator Santa Anna and his army of thousands to take the garrison.

But on this morning, after a fierce battle, the enemy overwhelmed the volunteers and killed them all. Survivors were murdered.

However, Travis wrote in a letter on March 3 that ''a victory by the enemy will cost Santa Anna more than defeat.''

He was right. The enemy losses were staggering.

The Alamo volunteers gave General Sam Houston time to organize another army. So, on April 21, Houston and his troops vanquished and routed the enemy and secured Texas independence.

Then Texas was a republic for 9 years.

Independence was successful because the valiant, relentless Alamo defenders believed death was preferable to tyranny. Today we honor their sacrifice on the altar of liberty.

And that is just the way it is.

## TRADE AND TARIFFS

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

Mr. LAHOOD. Mr. Speaker, last week I was invited to the White House to meet with President Trump and his advisers to discuss trade and the renegotiation of NAFTA. My district is the eighth largest agriculture district in the country. For districts like mine, free trade is crucial to ensuring that there are new markets for our farmers and manufacturing to sell their products and goods. That is why I urged the President to maintain and strengthen our existing trade agreements, including NAFTA, not withdraw or create new barriers to free trade.

The American economy is currently booming, thanks to once-in-a-lifetime tax reform, with disposable income seeing its highest jump since 2015. We should be working to build upon this success, not instituting protectionist tariffs that could start a trade war. In the end, the cost of tariffs are passed on to consumers and act like a new form of taxation, which could undo much of the gains we have seen since tax reform.

I urge the President and his team to reconsider the blanket tariffs discussed last week, and instead focus on fighting specific unfair trade practices that put American businesses at a disadvantage.

## THE UNHRC MUST STOP UNFAIRLY TARGETING ISRAEL

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

Mr. WILSON of South Carolina. Mr. Speaker, Israel is America's treasured ally in the Middle East, and we must stand up for our friends when they are being treated unfairly. Recently, we have seen the United Nations targeting Israel with six anti-Israel resolutions passed in the last year alone. This is hypocritical discrimination.

That is why I introduced House Resolution 728, which recognizes that the United Nations Human Rights Council wastes U.S. taxpayers' money by targeting Israel and reiterates that they

need to stop the shameful, prejudicial behavior toward Israel. Even U.N. Secretary-General Ban Ki-moon has expressed disappointment with the Human Rights Council singling out Israel, given the multitude of other human rights violations occurring around the world.

I was grateful for the opportunity to have attended the AIPAC Policy Conference this weekend, where I participated in a panel discussion on the threat to Israel from Gaza. There I highlighted the broad security concerns Israel is facing, such as the Hamas tunnels, and discussed ways in which the United States can assist to address the threats of kidnapping and murder, such as the murder of Taylor Force.

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

Americans appreciate Prime Minister Benjamin Netanyahu, a world statesman, for his visit to Congress today.

## RECOGNIZING THE IMPORTANT ROLE OF SNAPa IN THE LIVES OF STUDENTS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, this afternoon I will meet with leaders from the School Nutrition Association of Pennsylvania, commonly known as SNAPa, which is a statewide organization of school nutrition professionals.

SNAPa works to advance quality child nutrition programs through education and advocacy. Organized in 1955, SNAPa is an all-volunteer board of directors elected by its membership, which currently stands at more than 2,300 individuals. As chairman of the Agriculture Subcommittee on Nutrition and a senior member on the House Committee on Education and the Workforce, I know the essential services that SNAPa works to provide. Students throughout the Commonwealth receive high-quality, low-cost meals thanks to SNAPa.

Mr. Speaker, it is important to remember that, for some students, the only meal they may receive may be at school. This organization works to keep our children healthy and ensure that they have healthy food options through the school meal programs.

I look forward to speaking with Travis Folmar, a food services director from State College. I sincerely thank SNAPa for advancing the availability, quality, and acceptance of school nutrition programs as an essential part of education in Pennsylvania for more than 60 years.

## SUPPORTING THE COMPREHENSIVE REGULATORY REVIEW ACT

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

Mr. ARRINGTON. Mr. Speaker, I rise in support of the Comprehensive Regulatory Review Act.

As a former regulator at the FDIC, I can tell you that the road to a really bad economy is paved with seemingly good regulations. Regulations like the ones that came out of Dodd-Frank were intended to protect the consumer, but ended up creating more burden, more complexity, more cost, and fewer choices.

By the way, it destroys relationship banking in rural America and districts I represent. The best way to protect consumers and weed out the bad-acting businesses is a healthy market with robust competition, transparency, and more choices for the consumer.

The last 8 years gave us an administrative state in place of the freest and greatest economy in the world. We inherited trillions of dollars in regulatory costs, millions of hours in paperwork, and an economy that has grinded to a near halt.

Let's continue to rein in the unnecessary regulations. Let's get this economy growing again, and let's make America great again.

## HONORING CALIFORNIA FIREFIGHTERS

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

Mr. CARBAJAL. Mr. Speaker, last December, the Thomas fire raged through Ventura and Santa Barbara Counties, eventually becoming the largest wildfire in California's history. Our heroic firefighters left their families behind during the holiday season to fight tirelessly on the front lines, saving homes, businesses, and lives.

A few short weeks later, our first responders were called back into action when heavy rains brought debris flows that tragically claimed the lives of 23 people in Montecito. As residents were evacuating, these brave firefighters ran towards the disaster without a second thought, pulling people out of the mud and debris for days afterward.

I would like to thank all our first responders who so bravely answered the call of duty in these difficult conditions.

Mr. Speaker, with us here today are firefighters from IAFF Local 2046, CAL FIRE Local 2881, and the Ventura County Professional Firefighters Association, and the California Professional Firefighters.

I thank them all for their unparalleled level of service to keep our loved ones on the central coast safe.

Thank you for your service.

## A MESSAGE TO THE MILITARY RETIREES OF ALABAMA'S SECOND DISTRICT

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

Mrs. ROBY. Mr. Speaker, I rise today to share the news that I recently received that Alabama's Second District has the 13th largest population of military retirees in the Nation.

It goes without saying that this is significant. At the end of last year, there were more than 16,000 military retirees living in Alabama's Second District.

But, Mr. Speaker, while I am glad that these retired servicemembers chose us, we are truly honored to have them. As their neighbors, it is our job to make sure that they feel at home, welcome, and, most of all, appreciated.

Mr. Speaker, to the 16,000 retired military personnel who call Alabama's Second District home, I join our State and community in thanking them for their service to our country. We thank them for sacrificing on our behalf. Now let us care for them. That starts with making sure that our veterans are receiving the care that they were promised when they signed up to put their lives on the line for this Nation.

If you are a veteran who needs any kind of casework assistance with the Department of Veterans Affairs, the Social Security Administration, or other Federal agency, please contact my office now. Do not put this off. My staff and I work for you. We are grateful for you. As the Representative from Alabama's Second District, I am here to fight for you.

## COMPREHENSIVE REGULATORY REVIEW ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 747, I call up the bill (H.R. 4607) to amend the Economic Growth and Regulatory Paperwork Reduction Act of 1996 to ensure that Federal financial regulators perform a comprehensive review of regulations to identify outdated or otherwise unnecessary regulatory requirements imposed on covered persons, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ARRINGTON). Pursuant to House Resolution 747, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–61, modified by the amendment printed in part B of House Report 115–582, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 4607

*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 ''Comprehensive Regulatory Review Act''.*

***SEC. 2. AMENDMENTS TO DEFINITIONS OF THE ECONOMIC GROWTH AND REGULATORY PAPERWORK REDUCTION ACT.***

*Section 2001(c) of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (12 U.S.C. 252 note) is amended by adding at the end the following new paragraphs:*

*''(8) COVERED PERSON.—The term 'covered person' has the meaning given such term in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).*

*''(9) FEDERAL FINANCIAL REGULATOR.—The term 'Federal financial regulator' means the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Bureau of Consumer Financial Protection, and the National Credit Union Administration Board.''.*

***SEC. 3. ENSURING A COMPREHENSIVE REGULATORY REVIEW.***

*(a) IN GENERAL.—Subsection (a) of section 2222 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (12 U.S.C. 3311(a)) is amended—*

*(1) by striking ''10 years'' and inserting ''7 years'';*

*(2) by striking ''each appropriate'' and all that follows through ''review'' and inserting ''the Federal financial regulators shall each conduct a comprehensive review'';*

*(3) by striking ''such appropriate Federal banking agency'' and inserting ''such Federal financial regulator, jointly or otherwise,''; and*

*(4) by inserting ''or covered persons'' after ''insured depository institutions''.*

*(b) CONFORMING AMENDMENTS.—Such section is amended—*

*(1) in subsections (b), (c), (d), and (e), by striking ''the appropriate Federal banking agency'' each place that term appears and inserting ''the appropriate Federal financial regulator''; and*

*(2) in subsection (e)(1), by striking ''the appropriate Federal banking agencies'' and inserting ''the appropriate Federal financial regulator''.*

***SEC. 4. CONSIDERATIONS FOR COMPREHENSIVE REGULATORY REVIEW.***

*Section 2222 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (12 U.S.C. 3311), as amended by section 3, is further amended—*

*(1) in subsection (c), by striking ''10 years'' and inserting ''7 years''; and*

*(2) in subsection (d)—*

*(A) in paragraph (1), by striking ''and'' at the end;*

*(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and*

*(C) by adding at the end the following new paragraph:*

*''(3) tailor other regulations related to covered persons in a manner that limits the regulatory compliance impact, cost, liability risk, and other burdens, unless otherwise determined by the Council or the appropriate Federal financial regulator.''.*

***SEC. 5. REVIEWS CONDUCTED BY THE BUREAU.***

*Section 2222 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (12 U.S.C. 3311), as amended by section 4, is further amended by adding at the end the following new subsection:*

*''(f) REVIEWS CONDUCTED BY THE BUREAU.—The Bureau of Consumer Financial Protection shall—*

*''(1) use any relevant information from an assessment conducted under section 1022(d) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5512(d)) in conducting the review required under subsection (a); and*

*''(2) conduct such review in accordance with the purposes and objectives described in subsections (a) and (b) of section 1021 of such Act (12 U.S.C. 5511).''.*

***SEC. 6. REDUCTION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.***

*(a) IN GENERAL.—Section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is amended by striking ''$7,500,000,000'' and inserting ''$7,495,714,285''.*

*(b) EFFECTIVE DATE.—Subsection (a) shall take effect on May 1, 2018.*

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

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.

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. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. Speaker, before proceeding to the bill before us in the House, not unlike yourself, I am a proud Texan—in my case, a fifth-generation Texan.

In listening very carefully to the gentleman from Texas, Judge POE, I do wish to remind all my colleagues that it was this day in 1836 that brave men in Texas took on the minions of tyranny at the Alamo. And although they lost that battle, they inspired their nation at the time, Texas, that would later become part of our Nation. So, on this day that is special to all Texans, it should be special to all Americans.

We remember the cradle of liberty. Remember the Alamo. God bless Texas.

□ 1230

Mr. Speaker, otherwise, I rise also, today, in support of H.R. 4607, which is a very important piece of legislation brought to us by a very hardworking member of the Financial Services Committee, the gentleman from Georgia (Mr. LOUDERMILK).

It is a bill that helps address the burden of unnecessary, duplicative, and outdated regulations that too often have imposed cost on our community financial institutions that ultimately make credit more expensive and less available to our constituents. It passed out of our committee with a very strong bipartisan vote of 38–17, and I congratulate him for his bill.

Specifically, Mr. Speaker, this bill requires that all of the prudential financial regulators that now include the CFPB and the NCUA, the National Credit Union Administration—it ensures that all of our financial regulators, not just some, but all, will participate in the Economic Growth and Regulatory Paperwork Reduction Act, known as EGRPRA, a law that dates back to the Clinton era, and this ensures that our agencies review all rules that are prescribed by themselves that impact our insured financial institutions.

The purpose of this review, again, is to reduce regulation that is proven overly burdensome, duplicative, or outdated, while maintaining our safety and soundness standards. And, again, Mr. Speaker, all this is is a review. It ensures a review.

Additionally, H.R. 4607 will require that these agencies meet every 7 years for a comprehensive regulatory evaluation, as opposed to the current 10-year standard. This is especially important. I salute the gentleman from Georgia for his leadership, because we have seen our financial sector of the economy suffer under the weight, the load, the burden of regulation, particularly because six of the seven heaviest regulatory years occurred under the last administration; so we need a more thorough review of these regulations. And requiring our Federal agencies to simply review their actions in a transparent manner on a more frequent basis, it is simple; it is fair; it is straightforward; it is wise.

Mr. Speaker, a healthy financial system that provides equal opportunity to all Americans to achieve financial independence can only exist if we have smart regulation. And the explosive growth of regulation, following the enactment of Dodd-Frank, has made it significantly harder for our community banks and credit unions to serve their customers and members.

And, in fact, the complexity and cost of this regulatory burden has forced many of them out of business or has forced them to cut back services to their customers and members, and it is one of the reasons why, on average, we continue to lose one community bank or credit union a day, or every other day, in America. This should not be happening.

Ultimately, Mr. Speaker, it is not the banks and credit unions we are so concerned about. It is their customers. It is customers like Missouri mom, Michele, who explained to us how frustrating it has been for her 20-year-old daughter, with a full-time job, to get a loan to buy her first car. And, again, her daughter has a first-time job. And as Michele explained to us: ''It's a catch-22. You need credit to get credit, but no one will give you the credit to begin with. I would like to see our young adults be able to build the credit they need so they can have a decent future.''

Mr. Speaker, it is for people like Michele and her daughter that we need this regulatory review. It is why we need the bill from the gentleman from Georgia. These are the people we are trying to help.

Like Anne in Wisconsin, who was trying to get a loan to remodel her attached garage when her son was born, and she said: ''My husband and I have very high credit scores, and we have equity in our home, but because my husband has a seasonal job and finds other employment in the winter, the many banks we contacted rejected our loan request. They base that on our annual income only on the job he was currently in and said it was part of the new regulation.''

Well, of course it is, Mr. Speaker. That is why they need to be reviewed. It is people like Anne in Wisconsin we need to help.

Or Dan, a Navy veteran from Illinois, who actually had to close down—close down the small auto finance company he started with his wife 25 years ago, and he had to close it down because of new Federal regulation. He explains: ''Large companies can afford a separate legal department to deal with these issues and the myriad of new regulations. A small business like ours cannot. We had to make a decision. It was just not worth the risk to continue operations in this antibusiness environment.''

So, Mr. Speaker, it is people like Michele, it is people like Anne, it is people like Dan who deserve the opportunity to have credit for their homes, their autos, their small businesses, and so we must ensure that all of our Federal regulators—all of our Federal financial regulators take a thorough comprehensive review of their regulatory burden so that we can continue to support the people who need credit.

H.R. 4607, again, has garnered strong bipartisan support. It is practical; it is common sense; and I urge all of my colleagues to adopt it.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 4607, the so-called Comprehensive Regulatory Review Act. So instead of advancing legislation that improves our financial regulatory framework, the Republican majority is pushing yet another bill that is a giveaway to Wall Street and predatory lenders.

Let's be clear. This bill is intended to dismantle rules considered inconvenient by the financial services industry. If this bill were enacted, financial services regulators would be forced to spend more time and resources on backward-looking reviews and deregulating the financial services industry rather than strengthening protections for consumers and the economy.

Allow me to explain. The Economic Growth and Regulatory Paperwork Reduction Act, or EGRPRA, currently requires the Federal Reserve, the FDIC, and the OCC to conduct a review of the regulations that they have issued in order to identify outdated or otherwise unnecessary regulatory requirements imposed on insured depository institutions.

The banking regulators conduct this review every 10 years, but until now, this review has been a relatively balanced, careful assessment that the banking regulators have done twice in the last two decades, and the regulators have taken this process seriously.

The last review took about 3 years to complete. It involved field hearings and public engagement. The final review included many balanced and thoughtful recommendations to improve rules. Many of these would provide relief for community banks and credit unions but in a way that also maintains safeguards for consumers and protects the interests of the public and the broader economy.

Unfortunately, H.R. 4607, this bill, would make three major mistakes in changing the current review process. First, this bill actually requires regulators to change regulations so that they are less costly and burdensome for ''covered persons.''

Well, who are these covered persons? Are they the millions of consumers who were harmed by Wells Fargo's scheme to open fraudulent accounts without their knowledge? Were they? No.

Are they the many consumers who learned just a few days ago that Citigroup violated the law by charging them too much interest on their credit cards? No, no.

Are these covered persons in this bill the Latino or African-American families who were discriminated against by JPMorgan Chase, Bank of America, and so many other banks steering them into more costly mortgages when they qualified for more affordable loans? No, not at all.

Are they—the ones who are being protected—are they seniors or servicemembers who fall prey to payday lenders that trap them in a cycle of debt? No.

Are they college graduates who are harassed by debt collectors for their student loan debt? No.

Under this bill, Mr. Speaker, covered persons are defined as ''any person that engages in offering or providing a consumer financial product or service; and any affiliate of''—such—''person . . . if such affiliate acts as a service provider to such person.'' You know what that means? You know who these so-called covered persons in this bill are who they are talking about? That means Wells Fargo, JPMorgan Chase, Citigroup, Bank of America, payday lenders, mortgage brokers, debt collectors, and thousands of other financial companies.

All of these companies would get easier rules that limit their costs and burdens without appropriately considering the impact they are going to have on their customers. And this bill does nothing, absolutely nothing, to strengthen protections for consumers where there might be deficiencies or gaps in our regulatory framework.

Second, unlike the other banking regulators, which are tasked with ensuring the safety and soundness of the financial services sector, the Consumer Bureau's unique mission is the protection of consumers and of ensuring that the consumer marketplace operates in a fair, transparent, and competitive manner.

Although it may make sense for the banking agencies to periodically review their prudential rules, with a focus on their regulated entities, the Consumer Bureau should be making sure that its rules are appropriately protecting consumers and the interests of the public, not the big financial corporations.

In addition, the Consumer Bureau is already subject to unique accountability and oversight measures that the other financial regulators are not. These special checks and balances include the requirement that the Consumer Bureau have small business review panels as a part of its rulemaking process and the ability of the Financial Stability Oversight Council, that is, FSOC, to repeal any of its final rules. And the Consumer Bureau is already required to review all of the significant rules within 5 years of the time they go into effect, but in a balanced—balanced—manner.

The third problem with H.R. 4607 is that it would make it harder for the regulators to do their jobs. The bill would require a comprehensive review of all banking and consumer protection regulations once every 7 years instead of every decade. If regulators take these reviews as seriously as their previous reviews, as I believe they would, then that would mean they would be tied up spending nearly half of each 7-year cycle doing regulatory reviews instead of supervising their regulated entities and enforcing the law.

This bill would impose an unbalanced review process on regulators that favors industries' wishes—favors industries' wishes over consumers and the economy. The methodology in this bill promotes deregulation. That is what this is all about. This is a bill about deregulation instead of creating a robust process to identify gaps or deficiencies in oversight that harm consumers, undermine the safety and soundness of our financial system, or jeopardize the country's financial stability.

So I cannot support a bill that forces the Consumer Bureau to weaken rules for Wall Street and payday lenders. I am talking about the Consumer Financial Protection Bureau. I urge my colleagues to oppose H.R. 4607.

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

□ 1245

Mr. HENSARLING. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. LOUDERMILK), a very hardworking member of the Financial Services Committee and the author of H.R. 4607.

Mr. LOUDERMILK. Mr. Speaker, I want to thank my colleague from the Republic of Texas, Chairman HENSARLING, for giving me this time to move away some of the hyperbole that you may hear today and speak about the truth of what this really simple and commonsense measure really does.

Mr. Speaker, the Comprehensive Regulatory Review Act is a bill that I introduced simply to reduce the burden that outdated and unnecessary Federal regulations place on our small banks and lending institutions across the landscape of America.

I would like to start by thanking some of my colleagues on both sides of the aisle who have worked tirelessly to make this a strong, bipartisan piece of legislation. I appreciate the gentleman from New Jersey (Mr. GOTTHEIMER) for negotiating reasonable changes to this bill and for being an original cosponsor. I also appreciate Mr. DUFFY and Ms. SINEMA and the others who have reached across the aisle to cosponsor this important piece of legislation.

To fully understand this bill, Mr. Speaker, we have to go back to 1996, when Congress gave the financial regulatory agencies a useful tool by passing the Economic Growth and Regulatory Paperwork Reduction Act, or, as you have heard today, more commonly known as EGRPRA. This law directed the Office of the Comptroller of the Currency, the Federal Reserve, and the FDIC to review their regulations once every 10 years to identify those regulations that may be outdated, unnecessary, or overly burdensome. After that, the regulators were to send a report to Congress and eliminate any regulations they determined were unnecessary.

This law has been somewhat useful, and it was a good idea back in 1996 because, after all, who would be opposed to eliminating rules that even regulators thought were unnecessary? But too often, EGRPRA has been viewed as merely a check-the-box exercise by the agencies and the financial sector.

Now that we have two EGRPRA reports, a 2007 and a 2017, it is obvious that EGRPRA could have been more effective and produced more useful recommendations to policymakers. In retrospect, we also realize we need more direct action from the regulators to clean up outdated and unnecessary rules. That is why it is important for Congress to revisit EGRPRA, as this bill does.

My bill contains several reforms to the EGRPRA review process that will breathe new life into this law, this tool for the regulators, and make sure it is not simply a check-the-box exercise.

This bill will require more frequent regulatory reviews by moving the review cycle from once a decade to once every 7 years. It will expand EGRPRA to include all regulated financial institutions instead of only depository-insured institutions. It will codify the National Credit Union Administration into EGRPRA, since the agency participated in the latest review voluntarily.

The bill will also add the controversial Consumer Finance Protection Bureau, CFPB, to the EGRPRA review process. This provision is especially important because, before Dodd-Frank, consumer financial laws were implemented by the three banking agencies; but when Dodd-Frank was enacted, the CFPB was given the responsibility for enforcing consumer financial laws. Since the CFPB is exempt from EGRPRA, these laws and regulations are no longer being comprehensively reviewed.

Dodd-Frank requires the CFPB to review its regulations every 5 years after they are enacted, but this leaves out rules which are considered nonsignificant. It also excludes rules that were adopted before the CFPB was created. Also, the CFBP's regulatory reviews are under a single, 5-year look-back period.

We must ensure that each regulatory agency is comprehensively reviewing its rules, and on a regular basis.

This bill is not duplicative because it requires CFPB to use its findings from its existing regulatory reviews in its EGRPRA reports so the CFPB does not waste time on rules it has already reviewed. And, most importantly, Mr. Speaker, this bill will require the agencies to tailor rules that they find to be unnecessary based on the size and risk profile of the bank or the credit union.

Mr. Speaker, I would like to repeat that last point because it is so important. This bill does not require the agencies to cut regulations with a broad brush, as it has been presented so far, nor does it cut regulations on the payday lending industry, as some have argued. It simply states the rules will be adjusted based on a company's risk if the regulators determine that to be appropriate.

The bill ensures that if the financial regulators—the regulators—determine that a regulation is important to consumer protection for safety and soundness, the agency will still have every right to leave that regulation completely intact.

This bill is not just about eliminating unnecessary regulations; it is about good government and cleaning up unnecessary red tape that inevitably hurts the consumer.

Mr. Speaker, the Treasury Secretary came to our committee for a hearing last month, and I asked him about this very issue. He simply said:

> Rules and regulations need to be constantly looked at as markets continually change.

He also said:

> I'm not sure why the CFPB was exempted from EGRPRA, so I agree with the change.

Mr. Speaker, this bill passed out of committee with a strong bipartisan vote of more than two-thirds of the committee members, and I urge my colleagues to join us in support of this bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I knew that my friends on the opposite side of the aisle would basically refer to small banks.

This is what is normally done when we see deregulatory efforts being made. They talk about how they are trying to help small and community banks, and they fail to talk about the major financial institutions that I have talked about in my presentation that are the beneficiaries, also, of this deregulatory effort that is being put forth.

When I take a look at the existing law now and the Economic Growth and Regulatory Paperwork Reduction Act, I see that their mission is to conduct a review of their regulations to identify outdated or otherwise unnecessary regulatory requirements imposed on insured depository institutions.

This deregulatory bill that we have before us goes a lot further. As I said, it is about deregulation, and it is about reducing cost and liability risk. This does not benefit our consumers at all.

Again, what we would do in the passage of this bill is simply open up opportunities for the big banks and financial institutions to get rid of the kind of oversight, the kind of laws that we have worked so hard for because it is inconvenient for them or it interferes with their bottom line in some way.

So I do not want our Members to be tricked or fooled to think, number one, this is simply about further getting rid of paperwork or that this is about supporting the small banks. This is about new ways by which to deregulate so that the big banks that are now found to be defrauding, found to be discriminating, found to be doing things like Wells Fargo has done, this is about deregulation that will further enhance their ability to do the kinds of things that we claim to be so opposed to and that harm our consumers.

The Consumer Financial Protection Bureau that they are now including by way of H.R. 4607 should be looked at very carefully.

First of all, my friends on the opposite side of the aisle hate the Consumer Financial Protection Bureau. They want to get rid of it. They have tried, time and time again, to undermine it in so many ways. The President has sent Mr. Mulvaney over there, who is supposed to be over at the Office of Management and Budget, to basically destroy it.

Mr. Speaker, we cannot allow the Members of Congress to be tricked or fooled that somehow this is helpful that they are bringing in the Consumer Financial Protection Bureau. What they want to do is tie the hands of the Consumer Financial Protection Bureau and basically change their mission from protection for consumers to deregulation for the biggest banks in America.

Why do we have the Consumer Financial Protection Bureau? That is the centerpiece of the Dodd-Frank reform legislation that we worked so hard on.

Are we forgetting about what happened in 2008?

Are with forgetting about the recession that was caused by the big banks who had been involved with all of these exotic products and ways by which they were enticing would-be homeowners to try and get mortgages?

We can't forget about all of that. We have to know that not only did we have a recession, we were headed for a depression. Dodd-Frank reform has gone a long way toward eliminating some of the bad practices that were in place that got us into that situation in the first place.

Now, little by little, my friends on the opposite side of the aisle keep trying to creep in with new ways that they can support these big banks and financial institutions and deregulate and let them get in the position again where they are tricking our consumers, where they are coming up with these exotic products that caused our consumers to eventually get into foreclosure, and that would allow the big banks again, like Wells Fargo, to come up with all of these tricks that they use in order to enhance their bottom line. I think we are smarter than this, and I don't think that we are going to go for this legislation that is just another way to open the doors to deregulate.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), who is the chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I rise in support of H.R. 4607, the Comprehensive Regulatory Review Act.

I want to thank Chairman HENSARLING and the entire Financial Services Committee for their continued critical work on financial regulations.

As chairman of the House Small Business Committee, I consistently hear from Main Street businesses, small businesses from all over the country, that overregulation is preventing business expansion and job growth.

Just last week, I chaired a hearing on a recent report by the nonpartisan Government Accountability Office that explored whether financial regulations were adversely impacting community banks and credit unions. One of the major takeaways from that report was that we need to improve the tools available to financial regulators to reduce those burdens.

Because small businesses most often rely on conventional bank borrowing to finance their development, any additional red tape that reduces access to capital can be a monumental problem for the Nation's smallest firms. The bill that we have before us today, which would reform the Economic Growth and Regulatory Paperwork Reduction Act of 1996, is a move in the right direction.

Making sure all financial regulators have a comprehensive process in place to review regulations will strengthen our financial sector and make it more possible for America's small businesses to have access to the capital that they need to grow and expand and create more jobs for more Americans. Mr. Speaker, I therefore urge my colleagues to support the commonsense reforms that are in H.R. 4607, and I urge them to support this legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), who is vice chairman of the Financial Services Subcommittee on Oversight and Investigations.

Mr. TIPTON. Mr. Speaker, I thank the chairman for this time to be able to speak to an important piece of legislation.

In my home State of Colorado, we have a tale of two economies. The urban areas have realized economic recovery since 2008, while the more rural communities have been slower to find sustained economic growth. Essential to these areas and their ability to be able to recover, a topic that I speak frequently on, is access to credit.

As Treasury's report to the President in June of 2017 notes: Regulations on capital, liquidity, and leverage requirements, as well as regulatory parameters that guide loan underwriting, have undermined the ability of financial institutions to deliver attractively priced credit in sufficient quantity to meet the needs of the economy.

□ 1300

In other words, our community financial institutions have lost access to the tools that they need to be able to help their communities recover as they have struggled to comply with regulations intended for the largest institutions. Mr. Speaker, it is our local communities, our small businesses, our first-time home buyers, and our working families who suffer the consequences from these regulations.

Mr. Speaker, let me give you one example of what unbridled regulation does and how it impacts families trying to be able to live that American Dream.

I have an example of a credit union in my home State of Colorado that had to stop offering home equity lines of credit to its members because the cost of keeping the forms in compliance with Federal regulation exceeded the income generated by the program. In other words, regulation priced this credit union out of a critical market and at a time when the rural environment the credit union serves needed access to credit most.

Fortunately, Mr. LOUDERMILK's legislation being considered here today will take important steps to require regulators to consider the institution's size and risk profile as they evaluate the necessity and effectiveness of regulatory rulemaking under the self-review mandated to them by the Economic Growth and Regulatory Paperwork Reduction Act. Importantly, Mr. LOUDERMILK's legislation will also expand the EGRPRA process to the Consumer Financial Protection Bureau and the National Credit Union Administration, encouraging the tailoring of regulations across the regulatory spectrum.

This legislation takes steps to encourage regulators to allow small institutions adequate leeway to exercise reasonably constructed consumer lending regimes to make sure consumers have the broadest array of choices and that institutions can appropriately navigate the compliance landscape.

Mr. Speaker, by requiring regulators to more frequently review and tailor regulations, this bill will help put Main Street back on the path to prosperity and help to end the tale of two economies in Colorado and throughout the Nation. Making these adjustments will help community banks and credit unions once again be able to meet the needs of their neighbors and encourage our businesses to be able to grow.

Mr. Speaker, I urge my colleagues to support this legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. EMMER), who is yet another hardworking member of the House Financial Services Committee.

Mr. EMMER. Mr. Speaker, the House Financial Services Committee has been working hard for consumers, local banks, credit unions, and American entrepreneurs during the 115th Congress. Today, we continue our work with H.R. 4607, the Comprehensive Regulatory Review Act.

Introduced by my colleague from Georgia, Representative BARRY LOUDERMILK, this bill brings accountability and modernization to the current regulatory review process for banks, credit unions, and financial institutions across the country.

Currently, the regulatory audit conducted by our Federal financial regulators happens just once every decade, and the Consumer Financial Protection Bureau and the National Credit Union Administration are not technically a part of that review.

It has been 21 years since we evaluated possible changes to this antiquated and inefficient system. That is why we need Representative LOUDERMILK's Comprehensive Regulatory Review Act to ensure the regulations we have in place are working to do what they are supposed to do: protect consumers.

This legislation is made even more urgent given that unchecked and inefficient regulations are working against the very consumers our regulatory regime was designed to help. Take, for example, the fact that the United States lost nearly 12,000 of its federally insured banks between 1984 and 2016, making it harder for small business entrepreneurs and families to access the credit and capital they need to create new opportunities and grow.

These banks struggled under the weight of new regulations, either to disappear completely or to be swallowed up by the big banks that are able to absorb the heavy cost of compliance. For those banks that are able to survive, significant tradeoffs are required.

In Rockford, Minnesota, for instance, instead of adding another lender to their team, one small community bank needed to hire a full-time compliance officer simply to keep up with the regulatory onslaught from Washington.

That same bank is spending over $100,000 each year on compliance costs instead of using that money in ways that would benefit the local community.

Minnesota's credit unions have also been hit hard by unchecked and outdated regulation. One study found that credit unions in my State of Minnesota have incurred $102 million in costs directly related to the increased regulations created by the Dodd-Frank Act. Worse still, one in every four Minnesota credit union employees spends their time solely on regulatory compliance.

Mr. Speaker, we have a duty to stand up for these struggling financial institutions and, more importantly, the consumers whose communities are hurting without them. We can do that today.

Representative LOUDERMILK's legislation sailed through committee in January receiving support from both sides of the aisle because Republicans and Democrats know that H.R. 4607 takes necessary and important steps to ease the regulatory burdens which challenge community financial institutions in each and every congressional district.

I appreciate the hard work of the bill's sponsor and the chairman of the committee to bring this legislation to the floor today, and I urge my colleagues to vote ''yes'' on the Comprehensive Regulatory Review Act.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. GOTTHEIMER), who is a Democratic member of the Financial Services Committee.

Mr. GOTTHEIMER. Mr. Speaker, I first want to thank Congressman LOUDERMILK for working together on the Comprehensive Regulatory Review Act. Congressman LOUDERMILK has been a true partner who has been tireless in pursuing smart regulatory reform policies and in finding solutions for the people he serves. We both want to get something done for the people we represent.

I also want to thank Congresswoman SINEMA for her help and support in leading this legislation.

I urge my colleagues on both sides of the aisle to support the bipartisan Comprehensive Regulatory Review Act.

America's economic engine has been under pressure for some time now from unnecessarily burdensome and outdated regulations building up on the books of our regulators. It costs us in economic growth. And while there are clear times where smart guardrails are necessary, there are others when it actually holds back smart growth for our country and for our families.

We need a smarter, more efficient government. It is time to relieve these unnecessary burdens and spur business job growth and access to credit in New Jersey's Fifth District and across the country while protecting consumers and our economy. This bipartisan regulatory relief bill does just that. It updates and expands regulators' mandatory review of financial institutions while protecting consumers. It also requires the review be performed every 7 years rather than every 10.

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

Mr. HENSARLING. Mr. Speaker, I yield the gentleman from New Jersey an additional 30 seconds.

Mr. GOTTHEIMER: It requires regulators to consider tailoring regulations when appropriate. In short, the Comprehensive Regulatory Review Act will cut bureaucratic red tape and help our economy thrive without putting consumers at risk.

There should be nothing partisan about helping entrepreneurs and businesses of all sizes grow, create jobs, and expand the economy. With this measure, Democrats and Republicans join together to ensure outdated, unnecessary, and burdensome regulations are eliminated or reformed to better fit the needs of individual financial institutions, which ultimately saves Americans money, helps consumers and families grow—and businesses, too—and it protects, always, American consumers.

Ms. MAXINE WATERS of California. I continue to reserve the balance of my time, Mr. Speaker.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Mr. Speaker, I thank my friend from Georgia for leading on this issue.

I rise today in strong support of his bipartisan bill, the Comprehensive Regulatory Review Act.

It strikes me as common sense that Federal regulators should review their regulations and rules on a consistent basis. They should also seek comment from the people whom these rules actually affect. Mr. LOUDERMILK's bill helps accomplish this goal by requiring the CFPB and National Credit Union Administration do so every 7 years.

Mr. Speaker, since the implementation of Dodd-Frank, community banks and credit unions have had a more difficult time serving their customers. The red tape and additional burden brought on by Dodd-Frank has increased costs for the consumer and reduced their choices in the market for financial products.

One agency in particular that is guilty for this additional burden is the CFPB, which has finalized over 60 rules since their creation. Many of their rules are duplicative and unnecessary. I think, at the very least, they should review and study how their regulations are affecting real folks in the real world.

I hear from financial institutions back home how the CFPB has done nothing but harm their community bank or their credit union. They are being overwhelmed by the volume and complexity of regulations, and that is just not okay.

Harmonization is the goal of this bill, and that should not be partisan or even controversial. We simply want less people buried in paperwork and more people starting businesses through their local financial institution.

This bill is supported by folks across the political spectrum, and I am excited about the good it will do for our financial institutions back home and consumers in my district.

I want to again thank Mr. LOUDERMILK for introducing this important piece of legislation that will ensure our financial system is functioning efficiently for hardworking Americans.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), who is a real leader on our committee for commonsense regulation and the chairman of our Financial Services Subcommittee on Financial Institutions and Consumer Credit.

Mr. LUETKEMEYER. Mr. Speaker, I thank Chairman HENSARLING for all his great work and leadership on our Financial Services Committee and also thank the gentleman from Georgia (Mr. LOUDERMILK) for crafting a commonsense, bipartisan bill that requires the Federal financial regulators and the Consumer Financial Protection Bureau to conduct a comprehensive review of all the regulations promulgated with the intent of identifying those that are outdated or duplicative.

Across the Nation, financial companies continue to suffer as a result of the burdensome regulations. What my friends on the other side of the aisle don't always recognize is the impact that has on the ability of those companies to serve their customers.

Take cybersecurity as an example. Financial firms of all sizes are forced to adhere to an overlapping regulatory regime that is focused on fighting yesterday's war.

I spoke with a major bank just last week that has cybersecurity examinations from the Federal Reserve, the Comptroller of the Currency, the FDIC, the Treasury Department, and multiple State banking agencies; and that doesn't include the foreign entities that regulate the international businesses of this bank. Each agency has a slightly different exam process and requires slightly different information.

This type of regime doesn't protect companies from cybersecurity threats. The lack of coordination means this institution spends more time reacting to the regulators than it does protecting its customers.

Or look at the antiquated regime surrounding examination and enforcement of the Bank Secrecy Act and anti-money laundering laws. What was originally intended to be a reasonable process that fostered collaboration between financial institutions and law enforcement to root out bad actors and

illicit financing has become so onerous that banks are choosing to drop customers or close entire books of businesses just to avoid compliance burdens. Processes like these do very little to help consumers or the integrity of the financial system.

Every time I speak to a bank or credit union in Missouri, I ask what one rule or regulation they find to be the most burdensome or they would like to see changed. The answer is always the same: It isn't just one. It is the weight of all the rules combined that is restricting credit and the availability of financial services in our communities.

We have to make a change, Mr. Speaker. Mr. LOUDERMILK's legislation would institute a more thoughtful approach to regulations that will not only offer regulatory relief, but also foster a more responsible and stable financial marketplace.

As the gentleman from Georgia has said in the past, this bill isn't just about regulatory relief; it is about good government. This should not be a partisan exercise. I hope every Member of this body stands for responsible government and joins me in supporting H.R. 4607 today.

Mr. HENSARLING. Mr. Speaker, I have no further speakers, and I am prepared to close.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, before I proceed with my closing, I would just like to make a few comments about some of the information that was shared with us by Members on the opposite side of the aisle. I want to remind them that these poor little banks that you are talking about, which include all of the big banks in America, made record profits in 2016—more than $170 billion—and they are going to make billions more from that tax bill, that tax scam giveaway to Wall Street. Lending is up 75 percent since 2010.

So when my friends on the opposite side of the aisle continue to talk about how the banks are suffering, I don't know who they are talking about. As a matter of fact, the real bipartisanship of this committee is about community banks, and Democrats have led and will continue to lead on every way and everything that we can do for community banks.

□ 1315

Mr. Speaker, I notice that when my friends on the opposite side of the aisle come in with deregulation, they frame it in such a way that you would think that it is all about community banks, when, in fact, they always attach anything they do for community banks to the biggest banks in America.

So, Mr. Speaker, H.R. 4607 demonstrates just how much my colleagues on the other side of the aisle value the interests of Wall Street over families and consumers on Main Street.

This bill would direct the banking, credit union, and consumer protection regulators to loosen their rules to benefit bad actors on Wall Street. The bill doesn't even allow regulators to consider how to improve safeguards to better protect consumers.

It is absurd that we are here today discussing yet another bill that leads to massive deregulation and seeks to tip the scales in favor of the financial industry. The interests of the public are what we should be focused on.

This bill is yet another piece of the harmful and reckless Republican agenda. Only a few months ago, Republicans jammed their tax scam legislation through this Chamber. They added $1.8 trillion to the Federal debt in order to line the pockets of Wall Street and other megacorporations with billions in tax cuts, leaving families on Main Street and generations of their children just to pick up the tab. Democrats rejected that terrible piece of legislation and should now reject H.R. 4607 as well.

Americans for Financial Reform, a coalition of more than 200 consumer civil rights, investor, retiree, community, labor, faith-based, and business groups said that H.R. 4607, ''contains no consideration of the public benefits that are the justification for creating the regulations in the first place, and which regulators should be seeking to preserve. Any mandate to tailor regulations must include consideration of public benefits, rather than being a one-sided directive to reduce business costs.'' I agree.

For Members who are concerned with maintaining strong protections, I would highlight that Trump's OMB Director, Mick Mulvaney, has been illegally installed as Acting Director of the Consumer Financial Protection Bureau and is working every day to dial back the important work of the Consumer Bureau from within.

Congress should not be giving Mr. Mulvaney, or anyone the President eventually appoints and is confirmed to serve as the next Director of the Consumer Bureau, a green light to gut consumer protections and reduce the Consumer Bureau's ability to hold bad actors accountable.

Mr. Speaker, I urge my colleagues to oppose H.R. 4607, and I yield back the balance of my time.

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

Mr. Speaker, I listened very carefully to my friend on the other side of the aisle. Again, her comments were very heavy on thematics, very heavy on extraneous material. Unfortunately, it was a little light on the facts of H.R. 4607.

The text of the bill is 3½ pages long; so it doesn't take very long to read. But I remind all of my colleagues that this is common sense. In and of itself, this bill changes no rules. All it does is tell our regulators that every 7 years, why don't you look at what you have done and publish a report.

If you want to change any rule, you have to go through the formal rulemaking process to repropose a rule, to get public comment. So, again, in and of itself, it changes no rules. I almost want to ask my friend on the other side of the aisle: What is she scared of? What is so wrong with simply looking at the rules that have been promulgated to see if they are actually working? Are they helping our constituents? Are they making economic opportunity more available for all?

What is so odd is, the original EGRPRA legislation that dates back to the Clinton era was overwhelmingly supported on both sides of the aisle.

So what the gentleman from Georgia is doing in H.R. 4607 is simply saying all financial regulators, including the National Credit Union Administration and the Consumer Financial Protection Bureau, which really didn't even exist in the Clinton era, ought to do the same thing. They are saying, instead of doing it every 10 years, let's do it every 7 years. Just take a look and report. That is all it is.

It is a self-reporting requirement, which I think, Mr. Speaker, is why this has already been supported overwhelmingly on a bipartisan basis in the House Financial Services Committee.

So with all of the various scare tactics and horror stories that we have heard from the other side of the aisle on a mere reporting requirement, again, I ask, Mr. Speaker: What are they scared of?

What we are ultimately trying to do here is make sure that the regulatory burden is not such that it harms the very people I spoke about earlier in my opening comments: that it doesn't hurt Dan, a Navy veteran from Illinois who, because of the regulatory burden, was forced to shut down his small business; that it doesn't hurt Anne in Wisconsin, who is just trying to get a loan to remodel her garage; that it doesn't hurt Michele and her daughter in Missouri. Her daughter was just simply seeking a car loan to buy her first car.

These are the people whom we are trying to help.

And by the way, all banks—small, medium, and large—are lending to businesses and to consumers, and we want them to do that in a robust but responsible way.

So, from time to time, let's look at the regulations and ensure that they are still helping us achieve equal financial opportunity for all so that our constituents can achieve their share of the American Dream, that they can achieve financial independence.

This received strong, bipartisan support, Madam Speaker, in the House Financial Services Committee. It ought to receive strong, bipartisan support on the House floor.

Madam Speaker, I urge all Members to vote for and adopt H.R. 4607, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. ROBY). All time for debate has expired.

Pursuant to House Resolution 747, the previous question is ordered on the bill, as amended.

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

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

MOTION TO RECOMMIT

Ms. CLARK of Massachusetts. Madam Speaker, I have a motion to recommit at the desk.

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

Ms. CLARK of Massachusetts. Madam Speaker, I am opposed.

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

The Clerk read as follows:

Ms. CLARK of Massachusetts moves to recommit the bill H.R. 4607 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 3, line 21, strike ''otherwise determined'' and insert ''such action is at the request of and for the personal gain of the President, his or her immediate family members, or senior Executive Branch officials who are required to file annual financial disclosure forms, or is otherwise determined inappropriate''.

Mr. LEUTKEMEYER. Madam Speaker, I reserve a point of order on the motion to recommit.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentlewoman from Massachusetts is recognized for 5 minutes in support of her motion.

Ms. CLARK of Massachusetts. Madam Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My amendment is a commonsense measure that protects the American people from corruption and conflicts of interest.

My amendment simply states that before taking any action to eliminate or change a regulation, regulators must disclose any communications from the White House or the President's family advocating for the action and whether the President, his family, or any senior administration officials would benefit financially from such action.

The American people need to have confidence that their government is working in the best interest of the people and not to enrich a President and his family and wealthy friends.

Every day, the news is filled with stories that raise this very question. Does the Trump family benefit when the EPA loosens environmental safeguards on construction projects?

Does Jared Kushner's deeply indebted family business receive favorable treatment when he advocates for certain policies?

Do the President's sons get special permits from foreign governments when the President changes policies towards those countries?

Who in the administration gets richer when our coasts are opened up to oil drilling, when tariffs are levied on steel, or when predatory lenders are allowed to prey on college students?

President Trump has rejected the norm that all modern-day Presidents have followed. His refusal to release his tax returns or to remove himself from his family business necessitates codifying the norms and practices of previous Presidents into law in this disclosure.

Congress must do its job and provide a necessary check on a President who has shown contempt for his basic duty to put Americans first. All of these policies affect American families. They affect the taxes we pay, the air we breathe, and whether our kids can afford to go to college.

We deserve to know if these decisions are being made to enrich a President and if they are being made at the taxpayers' expense. This simple act of disclosure will allow the American people to judge for themselves who this administration is really looking out for.

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

Mr. LUETKEMEYER. Madam Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. LUETKEMEYER. Madam Speaker, I claim the time in opposition.

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

Mr. LUETKEMEYER. Madam Speaker, I appreciate the opportunity to discuss this matter today.

It is kind of interesting that we have before us an amendment that basically is something that deals with a financial services bill, something that deals with a financial services issue, yet we had the EPA and a whole bunch of other agencies brought into the discussion here, which has nothing to do with what we are trying to talk about here today.

The amendment talks about the President or his immediate family members. How is it possible that, unless those family members have the authority to make the request, they even should be considered?

This is sort of pulling things out of the air here that make no sense to me. This is a very simple bill that we have where all we are looking at trying to do is take the EGRPRA law that says that, every 10 years, all the rules and regulations are reviewed.

All we are doing is putting two agencies back into this group of agencies that are under review, one that was not even in existence at the time of the bill's passage back in the nineties, the CFPB; and the other one that needs to be included is the National Credit Union. All we are doing is taking that 10-year review down to 7.

Why is this controversial? We are taking an agency that was not even included in this originally and putting it under the purview of this bill so that there can be a review of the rules and regulations.

Is there lack of transparency on the other side?

Do we no longer want to be concerned about what is going on?

Do we no longer want to know that the rules and regulations are appropriately adjudicated here by these agencies?

I think that is the wrong way to go. I think that we need to have more transparency. Reducing from 10 years down to 7 gives us an opportunity to have a more constant review of these things to make sure that the bureaucratic folks in the executive branch of the government don't run away with what should be, in my view, the authority of the Congress.

□ 1330

Madam Speaker, I think that the motion to recommit is way out of line here, and I don't think we need to waste any more time on it.

Madam Speaker, I ask folks to decline the amendment, and I yield back the balance of my time.

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

There was no objection.

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

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

Ms. CLARK of Massachusetts. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on 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.

## PORTFOLIO LENDING AND MORTGAGE ACCESS ACT

Mr. BARR. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2226) to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2226

*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 ''Portfolio Lending and Mortgage Access Act''.

**SEC. 2. MINIMUM STANDARDS FOR RESIDENTIAL MORTGAGE LOANS.**

Section 129C(b) of the Truth in Lending Act (15 U.S.C. 1639c(b)) is amended by adding at the end the following:

''(4) SAFE HARBOR.—

''(A) IN GENERAL.—A residential mortgage loan shall be deemed a qualified mortgage loan for purposes of this subsection if the loan—

''(i) is originated by, and continuously retained in the portfolio of, a covered institution;

''(ii) is in compliance with the limitations with respect to prepayment penalties described in subsections (c)(1) and (c)(3);

''(iii) is in compliance with the requirements related to points and fees under paragraph (2)(A)(vii);

''(iv) does not have negative amortization terms or interest-only terms; and

''(v) is a loan for which the covered institution considers, documents, and verifies the debt, income, and financial resources of the consumer in accordance with subparagraph (C).

''(B) EXCEPTION FOR CERTAIN TRANSFERS.—Subparagraph (A) shall not apply to a residential mortgage loan if the legal title to such residential mortgage loan is sold, assigned, or otherwise transferred to another person unless the legal title to such residential mortgage loan is sold, assigned, or otherwise transferred—

''(i) to another person by reason of the bankruptcy or failure of the covered institution that originated such loan;

''(ii) to an insured depository institution or insured credit union that has less than $10,000,000,000 in total consolidated assets on the date of such sale, assignment, or transfer, if the loan is retained in portfolio by such insured depository institution or insured credit union;

''(iii) pursuant to a merger of the covered institution that originated such loan with another person or the acquisition of a the covered institution that originated such loan by another person or of another person by a covered institution, if the loan is retained in portfolio by the person to whom the loan is sold, assigned, or otherwise transferred; or

''(iv) to a wholly owned subsidiary of the covered institution that originated such loan if the loan is considered to be an asset of such covered institution for regulatory accounting purposes.

''(C) CONSIDERATION AND DOCUMENTATION REQUIREMENTS.—The consideration and documentation requirements described in subparagraph (A)(v) shall—

''(i) not be construed to require compliance with, or documentation in accordance with, appendix Q to part 1026 of title 12, Code of Federal Regulations, or any successor regulation; and

''(ii) be construed to permit multiple methods of documentation.

''(D) DEFINITIONS.—In this paragraph—

''(i) the term 'covered institution' means an insured depository institution or an insured credit union that, together with its affiliates, has less than $10,000,000,000 in total consolidated assets on the date on the origination of a residential mortgage loan;

''(ii) the term 'insured credit union' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

''(iii) the term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);

''(iv) the term 'interest-only term' means a term of a residential mortgage loan that allows one or more of the periodic payments made under the loan to be applied solely to accrued interest and not to the principal of the loan; and

''(v) the term 'negative amortization term' means a term of a residential mortgage loan under which the payment of periodic payments will result in an increase in the principal of the loan.''

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. BARR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

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

Madam Speaker, H.R. 2226, the Portfolio Lending and Mortgage Access Act, represents a very simple solution to a significant policy challenge facing our economy: how to expand access to mortgage credit without replicating the accumulation of excess risk in the mortgage-backed securities market like we witnessed in the run-up to the 2008 financial crisis.

My legislation achieves both goals by extending the qualified mortgage legal safe harbor to small creditors, banks, and credit unions with total consolidated assets of $10 billion or less, that originate and hold residential mortgage loans in portfolio, rather than selling or securitizing them, allowing those lenders to satisfy Dodd-Frank's ability-to-repay rule.

Such a policy would actually incentivize private sector risk retention—a goal of the Dodd-Frank Act itself—and mark a return to relationship lending in which a bank or credit union can tailor products to a consumer's needs and credit risk, without running afoul of one-size-fits-all government requirements. Under CFPB regulations, only government-defined qualified mortgages enjoy a presumption that a lender has satisfied the Dodd-Frank law's ability-to-repay requirements.

Small banks and credit unions have been disproportionately impacted by these rules, given their reliance upon residential mortgage lending and greater involvement in small dollar or balloon loans that run afoul of current QM regulations. It is no surprise that Harvard researchers have found that, since Dodd-Frank's passage, community banks have lost market share at a rate double that experienced between 2006 and 2010, a period including the entirety of the financial crisis. It is also not a surprise that many small community financial institutions have testified in front of the House Financial Services Committee and to many of my colleagues that they have simply left the mortgage business altogether because of the difficulties associated with the QM rule as currently constructed.

Indeed, a third of the National Association of Realtors survey respondents reported being unable to close mortgages due to a requirement of the qualified mortgage rule. Residential mortgages were the product or service most often identified by surveyed banks as a candidate for discontinuation as a result of Dodd-Frank. A recent study by the John F. Kennedy School of Government at Harvard University documents the falling share of bank participation in mortgage originations.

Everyone agrees, especially after the 2008 financial crisis, that a borrower should be required to show a demonstrable ability to repay. The only question is: Who is in the best position to make that determination—a community banker with a professional and, perhaps, even a personal relationship with the borrower who has full view of that borrower's character, creditworthiness, financial situation, and who is willing to assume 100 percent of the downside risk of default; or is it an unaccountable, unelected bureaucrat in Washington, D.C., who literally knows absolutely nothing about that borrower?

By bearing 100 percent of the risk, financial institutions have every incentive to make sure that a borrower can afford to repay a loan. Banks and credit unions would have more than just skin in the game. Under this legislation, their interests would align perfectly with that of a borrower.

As one witness in front of our committee testified: ''A financial institution that retains a loan's credit and interest-rate risk has a keen interest in engaging in thorough, sound underwriting to determine the borrower's ability to repay. Allowing a financial institution to make a customer-specific lending decision on a loan it intends to hold in its portfolio can be a more effective way of protecting consumers than regulatory attempts to micromanage mortgage terms with inflexible standards.''

No less than Barney Frank, former chairman of the committee, endorsed this concept in a hearing before this committee, saying he ''would like the main safeguard against bad loans to be risk retention, because that leaves the decision in the hands of whoever is making the loan,'' the CFPB also, itself, acknowledged this key point in its own rulemaking, where it recognized that portfolio lenders ''have strong incentives to carefully consider whether a consumer will be able to repay a portfolio loan at least in part because the small creditor retains the risk of default.''

This legislation also presents a viable alternative to the ''originate to distribute'' mortgage lending model that contributed to the subprime mortgage meltdown and bubble in residential real estate and taxpayer bailouts. The

result is expanded access to mortgage credit without additional risk to the financial system or to the taxpayer.

In fact, this is particularly important for young families and first-time home buyers, who tend to have difficulty meeting the ability-to-repay requirements due to circumstances, such as significant student loan debt, but who are otherwise creditworthy.

I have been working on this legislation for 5 years now, and I am happy to announce that, this year, we had a bipartisan breakthrough. That is because, at the committee markup, I offered an amendment that limited the scope of this bill to financial institutions with less than $10 billion in assets. And my distinguished colleague, Representative CAPUANO, offered a technical amendment that enhanced the legislation by clarifying a few key provisions. I am pleased to report that, because of those two amendments, the Portfolio Lending and Mortgage Access Act passed with unanimous support in the committee and is now on the floor today for consideration.

I want to thank Chairman HENSARLING, Ranking Member WATERS, Representative CAPUANO, the Kentucky Bankers Association, the Kentucky Credit Union League, the American Bankers Association, the Independent Community Bankers of America, the Credit Union National Association, the National Association of Federal Credit Unions, the National Association of Home Builders, and the United States Chamber of Commerce for their hard work on this important legislation.

If passed by the House, it is my hope that the Portfolio Lending and Mortgage Access Act moves quickly through the Senate. Eleven of our Democratic colleagues in the upper Chamber support this exact language, which is in Chairman CRAPO's community financial institution relief bill. Together, Republicans and Democrats can deliver on the regulatory relief that many of us in this body have promised to our constituents that will enable more of them to buy the home of their dreams.

Madam Speaker, I invite all of my colleagues to vote for this important pro-homeownership legislation that perfectly aligns lender and borrower interests to the benefit of America.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I thank my colleague for his persistence in offering this legislation. As he said, in committee, we had a successful markup where we were able to unanimously support this legislation. It is important legislation.

We don't agree on everything. One doesn't have to go very far. Back in committee, right now, where we have a rather contentious markup on a budget using estimates, as I said in that meeting: When we do agree, we should come together. Representative BARR and I have talked about this issue for quite some time, and I am really pleased to see it move forward.

Madam Speaker, I urge my colleagues to support H.R. 2226, the Portfolio Lending and Mortgage Access Act, which would allow certain mortgages that are originated and retained in portfolio by a bank with less than $10 billion in total assets to be considered as qualified mortgages.

In the lead-up to the financial crisis, there were a number of mortgage lenders that did not do their due diligence in underwriting mortgages. We saw a number of exotic products being offered to individuals and families premised on a continually rising housing market.

These included ''no doc'' loans where the lender did not document or verify a borrower's income. There were real consequences for those sorts of loans. Many of these borrowers never really had any hope of paying back those loans. As those mortgages went into default, the foreclosures helped lead to a financial crisis that devastated the U.S. economy, and millions of families were stripped from their single source of wealth: the equity in their home.

In the wake of that crisis, Congress passed the Dodd-Frank Act and required lenders to assess a consumer's ability to repay their mortgage loans.

We also provided statutory penalties for mortgage lenders that did not follow these new underwriting standards.

Congress also directed the Consumer Financial Protection Bureau to enact regulations to create a safe harbor for creditors, where it would be presumed that the creditor evaluated the borrower's ability to repay.

In 2013, under the direction of former Director Cordray, the Consumer Financial Protection Bureau released its ability-to-repay and qualified mortgage rule. This rule defined how lenders could take advantage of that safe harbor.

Qualified mortgages, commonly referred to as QM loans, are a special category of loans that have strong underwriting standards and certain nonpredatory loan features that help make them more likely that borrowers will be able to afford their mortgages.

So if a lender originates a QM loan, it means that the lender met certain requirements, and it is assumed that the lender followed the ability-to-repay rule as drafted by the Consumer Financial Protection Bureau. This also allows the lender to be shielded from certain types of liability associated with originating bad loans.

I and my colleagues were pleased that the Consumer Financial Protection Bureau tailored the rule to ensure that lenders who serve rural and underserved communities have flexibility in serving their customers.

While that was a very good first step, Congress has pushed to expand this tailoring to include even more community banks and credit unions, consistent with safe and sound operations. H.R. 2226, as amended in the committee, provides this targeted and, I think, reasonable relief.

As Representative BARR and I have indicated, there are additional refinements to the bill that I would have still liked to have seen adopted, such as additional guardrails on the types of products offered. I am glad, however, and as Mr. BARR indicated, the leadership of the committee, the majority, agreed to crucial language offered by Mr. CAPUANO to improve the bill.

As amended, lenders are required to continually hold these loans in portfolio, and not only consider and document, but verify a borrower's income information.

Congress should not be in the business of allowing lenders to underwrite and offer mortgage loans that borrowers have no ability to repay.

I am supportive of this bill for that reason, but also because I believe it will help in areas of the country that have weaker housing markets. This has really been the reason that I have been interested in the issue of portfolio lending.

As many know, I represent Flint, Michigan, which not unlike a number of communities across the country have very weak and very low cost markets. You can purchase a single family home in Flint for $25,000—not $250,000—$25,000.

Under the QM rules, financial institutions sometimes, justifiably, struggle to make these small mortgages, resulting in even more stagnant markets—it is a vicious cycle—and weakening these markets permanently. If we can't get people financed into mortgages, these communities and the market will never recover.

□ 1345

This bill will encourage community banks and credit unions to make those smaller mortgages, to help weaker markets.

It is for that reason and many others, but particularly for that reason, that I encourage my colleagues to support this legislation. It is a big step in the right direction for weak markets. I hope my colleagues will join me in supporting it.

Madam Speaker, I reserve the balance of my time.

Mr. BARR. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I want to thank my friend, the gentleman from Michigan (Mr. KILDEE), for his constructive comments, his support. And the gentleman is absolutely correct. He engaged with me and my colleagues who were cosponsoring this legislation in a very constructive manner. He made valuable contributions, along with Mr. CAPUANO and the ranking member. Several other members on the other side of the aisle, Mr. PERLMUTTER, for example, offered his thoughtful comments as well. I appreciate the support, the bipartisan support, working through a compromise to get this legislation to where

it is today, so I thank the gentleman for that.

Madam Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. EMMER), who is also a sponsor of this legislation and a distinguished member of the Committee on Financial Services.

Mr. EMMER. Madam Speaker, when the House passed the Financial CHOICE Act to repeal Dodd-Frank last year, we did so because we believe in Main Street, we believe in the consumer, the American consumer.

Dodd-Frank promised to protect consumers from the big banks on Wall Street. In reality, Dodd-Frank has punished small banks and credit unions and, ultimately, the American consumer.

The loss of community financial institutions tells the story. In my State of Minnesota, we had 513 community banks in 2000. Today, we have about 309, and continue to experience a drought in de novo charters.

Credit unions have, unfortunately, faced similar challenges. This means there are fewer places for Americans to turn when they are seeking a loan for their first home or perhaps to get a small business off the ground.

One specific provision in Dodd-Frank requires lenders to deny loans to individuals who do not meet government-prescribed standards. This, according to Washington, makes loans safer, since, of course, government knows best. But in reality, these mortgages have not been made safer. They have been made unavailable. As a result, the likelihood of getting approved for a loan and becoming a homeowner has plummeted.

Representative BARR's legislation, the Portfolio Lending and Mortgage Access Act, takes steps to empower lenders in Minnesota and across the country and to better serve the needs of their customers by extending important protections to institutions and ensuring access to credit for American borrowers.

At the end of the day, the most effective way to ensure an individual has the ability to repay does not always need to be government-prescribed.

I appreciate my colleague from Kentucky's hard work to protect and reinvigorate our community financial institutions, and I urge my colleagues to support H.R. 2226, the Portfolio Lending and Mortgage Access Act, as it comes before the House for a vote.

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

Mr. BARR. Madam Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. HULTGREN), who is also, I believe, a sponsor of the legislation.

Mr. HULTGREN. Madam Speaker, I thank Chairman BARR for yielding.

Madam Speaker, I rise today to speak in support of H.R. 2226, the Portfolio Lending and Mortgage Access Act, and I am proud to be an original cosponsor of this legislation.

This is something that Chairman BARR has worked on for at least two Congresses now, and I feel that we are finally in a place where we can get some commonsense changes to the CFPB's qualified mortgage rules that provide relief to community banks and credit unions.

I was very pleased to see this legislation get a unanimous vote in the Committee on Financial Services earlier this year. I am also very happy to see that the Senate Committee on Banking, Housing, and Urban Affairs is taking note of this issue and has advanced similar legislation.

The Dodd-Frank Act required the Consumer Financial Protection Bureau to come up with a series of new rules regarding mortgage lending. One of these rules was the so-called qualified mortgage rule, which provides a safe harbor to loans if they meet certain criteria prescribed by the Bureau. This effectively means that the market treats any loans that are not qualified mortgages as being much riskier.

The Bureau's rule is especially challenging for community banks and credit unions. These lenders do not tend to be as automated as larger financial institutions. They also tend to put more time into underwriting mortgages to reflect the unique circumstances of the customers in their communities.

However, the CFPB's qualified mortgage rule took away much of this flexibility from these lenders by doing things like instituting a 43 percent debt-to-income ratio. This might be a good indicator of repayment risk for a lot of mortgages, but a one-size-fits-all is almost never a good approach.

The CFPB's rule also did not acknowledge the fact that small lenders do not tend to sell these loans into the secondary market. They keep 100 percent of the risk on their portfolio. This means these lenders have a very strong incentive to issue loans that they believe will be repaid.

If loans held on portfolio can be treated as qualified mortgages, then these banks and credit unions will have a stronger incentive to manage any risk associated with these mortgages.

The Portfolio Lending and Mortgage Access Act would treat loans held on portfolio by community banks and credit unions as qualified mortgages if they meet some other criteria, such as not having a negative amortization or interest-only features.

This change to the CFPB's qualified mortgage rule will go a long way towards simplifying how our community financial institutions can help families achieve the dream of home ownership.

I have been hearing about this legislation from community banks and credit unions in Illinois, and I am confident it will help my constituents.

Madam Speaker, I want to encourage all of my colleagues to support this important legislation.

Mr. KILDEE. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, just to reiterate, we don't agree on everything. Even some of the debate in this conversation, I think we could find areas of disagreement. But when it comes to the specifics of this legislation, I think it strikes a good balance. The balance, for me, being the notion that we can deem these mortgages held by smaller institutions, as long as they are held in portfolio, as meeting the QM requirements.

In exchange for that, what we get is, in weak markets, we get a chance for folks who essentially have been locked out of home ownership to be able to get a small mortgage literally on a $25,000, $30,000, or $40,000 home and begin to build equity that will return value to that family and to that community for a long, long time.

For that reason, I support this legislation and I urge my colleagues to join me in voting ''yes'' on it.

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

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

In closing, let me just reiterate that this legislation solves two problems. It solves the problem of responsible expansion of access to mortgage credit, access to that American Dream of home ownership; and, at the same time, preventing the mistakes that led to the 2008 financial crisis, the originate to distribute model where originators of mortgages had no skin in the game and they allowed those mortgages to be poorly underwritten or not underwritten at all, with no documentation, and then securitized and sold into the secondary market, really without any eye towards the consumer and the borrower's ability to repay.

Everybody in this institution, as evidenced by the bipartisan work here, we all recognize that a borrower should demonstrate an ability to repay that loan, but the crux of this legislation, at the core of this legislation is a recognition that a local community banker, a local credit union, a lender with a personal relationship with a borrower is in the best position to determine whether or not that borrower, that prospective homeowner, can repay that loan.

When there is risk retention, when that lender is charged with the responsibility of maintaining that loan in portfolio, the lender is much more incentivized to properly underwrite that loan and make sure that that customer, that borrower, that future homeowner, has a demonstrable ability to repay. I think it is a much better substitute to a one-size-fits-all credit box from, frankly, bureaucrats in Washington, D.C., who have no eye towards the creditworthiness of that particular borrower.

We have worked with our friends on the other side of the aisle to make this a bipartisan piece of legislation limiting the size of the institutions that can access this regulatory relief. But, clearly, when community financial institutions, bankers from around the country, every part of the country, are saying that they see the QM rule as not ''qualified mortgages,'' but as ''quitting mortgages;'' and when we see an

unnecessary constraint of mortgage credit; and when the National Association of Realtors are reporting that they are unable to close mortgages due to this onerous qualified mortgage rule, clearly the pendulum has swung too far.

So, yes, we needed some reforms in the aftermath of the financial crisis. This QM rule went too far. This is a recalibration of that. And this is important regulatory relief for our community financial institutions that will inure to the benefit of the American home-buying public, and it will do so in a responsible way, providing a viable alternative to the originate to distribute practices that really led to the financial crisis.

Madam Speaker, let me just make one final observation, and that is to give credit to the administration. The Department of the Treasury, in their findings and recommendations in their report on banks and credit unions, they recognized that this was a problem in the mortgage lending space and they made a recommendation also to increase the portfolio lending safe harbor to institutions with $10 billion in assets or lower; and that, as they argued, will accommodate loans made and retained by small depository institutions, provide that needed regulatory relief to our community financial institutions, and also expand access to mortgage credit in a responsible way.

Madam Speaker, I thank my colleagues for their support. At this time I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 2226, 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.

## COMMUNITY BANK REPORTING RELIEF ACT

Mr. BARR. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4725) to amend the Federal Deposit Insurance Act to require short form call reports for certain depository institutions.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4725

*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 ''Community Bank Reporting Relief Act''.

**SEC. 2. SHORT FORM CALL REPORTS.**

Section 7(a) of the Federal Deposit Insurance Act (12 U.S.C. 1817(a)) is amended by adding at the end the following:

''(12) SHORT FORM REPORTING.—

''(A) IN GENERAL.—The appropriate Federal banking agencies shall issue regulations that allow for a reduced reporting requirement for a covered depository institution when the institution makes the first and third report of condition for a year, as required under paragraph (3).

''(B) DEFINITION.—In this paragraph, the term 'covered depository institution' means an insured depository institution that—

''(i) has less than $5,000,000,000 in total consolidated assets; and

''(ii) satisfies such other criteria as the appropriate Federal banking agencies determine appropriate.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. BARR. Madam Speaker, I yield myself such time as I may consume, and I rise today in support of H.R. 4725, the Community Bank Reporting Relief Act.

Community banks were hit hard by the Great Recession and the ensuing regulations. Numerous bankers have told me they are spending more and more money and resources and time on compliance costs and less money and resources on actually providing services to customers. This is particularly alarming because these small banks are so critical to their communities. From sponsoring the local T-ball team, to lending money to a farmer for the next year's crop, to helping the single mom purchase a used car so she can get to work, these banks are involved at every level of our communities all across America, but because of overregulation, these banks are rapidly closing and consolidating.

Unfortunately, the headline for banks in the Commonwealth of Kentucky is no different. Since the enactment of the Dodd-Frank financial control law, we have seen a 20 percent drop in the number of banks in our State and there has been a dearth of charters for new banks. In fact, since 2010, there have been only a few de novo charters for banks nationwide.

Now, some people say that consolidation and mergers have been a long-term trend for the last 30 years and, therefore, not related to the recent uptick in regulations unrelated to Dodd-Frank, but they are clearly not seeing the bigger picture, because even after mergers, many branches in rural and other underserved communities are closing, leaving many Kentuckians to drive a town or two over just to get to the nearest bank.

It is not just about a long-term trend of consolidation. There have been literally no new charters, whereas before the Dodd-Frank law was enacted, there were many, many new charters every year; and since the Dodd-Frank law was enacted, no new charters. So the consolidation trend has gotten a lot worse since this avalanche of red tape coming out of Washington, D.C., and that is having a very negative impact on rural and underserved American communities.

While new technologies are helping bring banking services to anyone with an internet connection, many people still prefer the personal one-on-one banking style that they grew up with and the personal interaction often that helps the banks themselves understand the exact needs of their customers.

□ 1400

The Dodd-Frank law was almost 2,300 pages and required dozens of agencies to create new regulations or revise existing ones. As a result, these agencies issued hundreds of regulations and, according to the Mercatus Center, the law placed about 28,000 new restrictions on the banking industry, effectively doubling the number of regulatory restrictions in title 12 of the Code of Federal Regulation to more than 52,000.

Although not part of the Dodd-Frank rush of regulations, a growing number of banks have cited the Federal Financial Institutions Examination Council's, or FFIEC, Consolidated Reports of Condition and Income—or call reports, as they are commonly called—as too burdensome.

Each quarter, all national banks, State member banks, insured State nonmember banks, and savings associations are required to file these call reports. The reports contain approximately 50 pages of financial data on each bank, including their assets, liabilities, capital accounts, expenses, and income. However, these reports are very burdensome for community banks with limited resources and offer little value to the regulators relative to the last quarter's report.

Thankfully, H.R. 4725, the Community Bank Reporting Relief Act, is fighting back against the bureaucratic nightmare of complying with these 52,000 restrictions by allowing banks with less than $5 billion in consolidated assets to file their call reports every 6 months as opposed to every 3 months.

The impact of this regulatory change will be a huge development for banks across the country. Now they will spend less time on call reports and more time on actually helping customers. This means more capital will be flowing into our local economies, spurring job growth and economic development, while making a real difference in the lives of Americans trying to access affordable capital to buy a new home or car or start a business.

I want to thank my good friend from Illinois, Congressman RANDY HULTGREN, for his leadership and for introducing this important legislation. Due to his leadership, this great community bank bill is being considered as a suspension on the floor today. That means that there is a great chance that this bill will build on its unanimous support earned during the House Financial Services Committee markup and will be a bipartisan provision in the Senate Banking chairman's Economic Growth, Regulatory Relief, and Consumer Protection Act, which is expected to pass out of the Senate very soon.

In addition to Congressman HULTGREN, I want to thank Chairman HENSARLING and Ranking Member WATERS for their hard work on this critical legislation, and I urge my colleagues to vote for H.R. 4725, the Community Bank Reporting Relief Act.

I reserve the balance of my time.

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

Mr. Speaker, I rise to support H.R. 4725, the Community Bank Reporting Relief Act, which would reduce reporting requirements through first and third quarter call reports for depository institutions with less than $5 billion in total consolidated assets.

This bill provides targeted regulatory relief to many of our smaller financial institutions, as has been the desire of both Democrats and Republicans on the committee and in this Congress for some time.

Under the Obama administration, the Federal banking agencies began taking a series of steps to reduce and streamline various bank reporting requirements. Many of these requirements had existed for decades, including the quarterly Consolidated Reports of Condition and Income for a Bank, which is commonly referred to as a call report.

These efforts by regulators have included creating a simpler call report for most community banks with less than $1 billion. Regulators have already been exploring raising the threshold to a comparable level that is proposed by this legislation. The regulators also allow for some data to be reported semiannually, as this bill would allow, or annually rather than quarterly.

I am pleased that H.R. 4725 would give the regulators discretion to decide what information should be included in a reduced call report. It is also key that the bill would require a full call report every other quarter for banks under $5 billion, including at the end of the year, to make sure that regulators and the public have sufficient information on the health of financial institutions.

Furthermore, this bill would permit regulators to limit the regulatory relief, as appropriate. This would, for example, exclude banks with foreign offices or ones that are affiliated with much larger banks, as they do today.

This bill would appropriately maintain robust oversight of our Nation's largest banks while providing targeted relief for smaller institutions.

As I said, we don't agree on everything. Many of us on this side believe that the robust protections built into Dodd-Frank have strengthened the financial system but that there are ways that we can improve and refine those restrictions in order to support particularly smaller institutions. This is a step in that direction, and I urge my colleagues to support H.R. 4725.

I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from Illinois (Mr. HULTGREN), the sponsor of the legislation and the vice chairman of the Subcommittee on Capital Markets, Securities, and Investments.

Mr. HULTGREN. Mr. Speaker, I rise today to speak in support of the Community Bank Reporting Relief Act.

I would like to begin by thanking Leader MCCARTHY and Chairman HENSARLING for their support in getting this legislation to the floor. I also want to thank and express my appreciation to my colleagues, ANDY BARR and TERRI SEWELL, for serving as original cosponsors on this legislation.

I would also like to point out that this identical language has been included in the bipartisan regulatory relief bill that the Senate is expected to take up maybe sometime this week.

By way of background, the Federal Financial Institutions Examinations Council requires banks and savings associations to file a quarterly Consolidated Report of Condition and Income, also known as the call report. Banking regulators use data in the call report to monitor the safety, soundness, performance, and risk profile of each institution and to assess the overall condition of the banking system.

I think we can all agree that our Federal banking regulators should have regular updates on the overall performance and health of financial institutions. For example, this is important if Federal banking regulators are going to be prudent stewards of Federal deposit insurance. However, this does not mean that the Federal banking regulators need regular reports about every single data point on every single financial institution.

Unfortunately, the reporting burden has grown significantly over the years, which means banks have to spend more time with compliance issues rather than working with families and businesses to meet their financial needs.

When I introduced similar legislation last Congress, one community banker in Illinois, Greg Ohlendorf, with First Community Bank and Trust, shared with me: ''The quarterly call report has increased to some 80 pages supported by almost 700 pages of instructions, and it represents a growing burden on community banks.''

According to a survey that the Independent Community Bankers of America conducted of its members in 2014, over 60 percent of the annual cost to prepare the call report goes to personnel salaries. This survey shows that this is not a highly automated process for those institutions and that oftentimes senior executives such as the chief financial officer are responsible for this regulatory burden.

We also heard testimony in the Financial Institutions and Consumer Credit Subcommittee hearing from Robert Fisher, president and CEO of Tioga State Bank, on behalf of the ICBA, who stated: ''When I first started in banking in the mid-1980s, the report was 18 pages long. No change in our basic business model since that time warrants the sharp growth in our quarterly reporting obligation.''

The length of the call report has simply gotten out of hand. Washington needs to get out of the way so that community banks can focus on meeting the needs of their communities. The role of smaller financial institutions is especially important in more rural areas, such as in my district, where larger banks tend to not have as many branches.

The Community Bank Reporting Relief Act would require Federal banking regulators to permit for a short-form call report every other quarter for banks with less than $5 billion in assets and that satisfy other criteria determined by bank regulators.

Federal banking regulators have not demonstrated there are statistically significant variations in this data quarter to quarter, and we heard testimony consistent with this from Tioga State Bank in the House Financial Services Committee. This means the banking regulators are simply collecting too much information too frequently. The Federal banking regulators would be required to take input from our neighborhood banks under consideration when making these changes. This cannot be simply check-the-box exercises, but real reform is necessary.

However, nothing in this legislation would prevent regulators from having access to the information that they need to adequately understand the health of the banking system. Regulators will still receive the most important information every quarter.

The Independent Community Bankers of America has suggested this short form call report include three schedules: schedules RI, an income statement; schedule RIA, changes in bank equity capital; and Schedule RC, the balance sheet.

Furthermore, in the event there is any reason for concern about the health of the bank, regulators would maintain their authority to make ad hoc information requests.

This legislation is supported by the American Bankers Association, the Independent Community Bankers of America, and the neighborhood banks in all of our districts who are looking for commonsense regulatory relief.

I urge my colleagues to vote in support of this legislation. We must cut regulation for community banks.

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

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

Let me once again thank the gentleman from Illinois for his tireless advocacy on behalf of our community financial institutions and providing some commonsense, basic relief to those institutions so that, instead of dealing with paperwork, they could actually better serve their customers and grow our local economies.

GENERAL LEAVE

Mr. BARR. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

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

Mr. KILDEE. Mr. Speaker, I will just close by reiterating what I said earlier. From time to time, it is clear that we can come together on solutions to problems that we come across in any regulation, in any aspect of the Federal Government. Even in areas where we might find broad disagreement on the importance of many of the protections that were put in place after the financial crisis, across the aisle, we can often find common ground around particular solutions; and, when we do that, we should act.

I think that is why so many of us were pleased to see this legislation come forward to give us a chance to demonstrate that this is a step in the right direction, particularly supporting some of our smaller institutions. I support this legislation and urge my colleagues to do the same.

I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 4725.

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

A motion to reconsider was laid on the table.

## NATIONAL STRATEGY FOR COMBATING THE FINANCING OF TRANSNATIONAL CRIMINAL ORGANIZATIONS ACT

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4768) to require the President to develop a national strategy to combat the financial networks of transnational organized criminals, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4768

*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 ''National Strategy for Combating the Financing of Transnational Criminal Organizations Act''.

**SEC. 2. NATIONAL STRATEGY.**

(a) IN GENERAL.—The President, acting through the Secretary of the Treasury, shall, in consultation with the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, the Secretary of Defense, the Director of the Financial Crimes Enforcement Network, the Director of the United States Secret Service, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, the Commissioner of Customs and Border Protection, the Director of the Office of National Drug Control Policy, and the Federal functional regulators, develop a national strategy to combat the financial networks of transnational organized criminals.

(b) TRANSMITTAL TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the enactment of this Act, the President shall submit to the appropriate Congressional committees and make available to the relevant government agencies as defined in subsection (a), a comprehensive national strategy in accordance with subsection (a).

(2) UPDATES.—After the initial submission of the national strategy under paragraph (1), the President shall, not less often than every 2 years, update the national strategy and submit the updated strategy to the appropriate Congressional committees.

(c) SEPARATE PRESENTATION OF CLASSIFIED MATERIAL.—Any part of the national strategy that involves information that is properly classified under criteria established by the President shall be submitted to Congress separately in a classified annex and, if requested by the chairman or ranking member of one of the appropriate Congressional committees, as a briefing at an appropriate level of security.

**SEC. 3. CONTENTS OF NATIONAL STRATEGY.**

The national strategy described in section 2 shall contain the following:

(1) THREATS.—An identification and assessment of the most significant current transnational organized crime threats posed to the national security of the United States or to the U.S. and international financial system, including drug and human trafficking organizations, cyber criminals, kleptocrats, and other relevant state and non-state entities, including those threats identified in the President's ''Strategy to Combat Transnational Organized Crime'' (published July 2011).

(2) ILLICIT FINANCE.—(A) An identification of individuals, entities, and networks (including terrorist organizations, if any) that provide financial support or financial facilitation to transnational organized crime groups, and an assessment of the scope and role of those providing financial support to transnational organized crime groups.

(B) An assessment of methods by which transnational organized crime groups launder illicit proceeds, including money laundering using real estate and other tangible goods such as art and antiquities, trade-based money laundering, bulk cash smuggling, exploitation of shell companies, and misuse of digital currencies and other cyber technologies, as well as an assessment of the risk to the financial system of the United States of such methods.

(3) GOALS, OBJECTIVES, PRIORITIES, AND ACTIONS.—(A) A comprehensive, research-based, discussion of short-term and long-term goals, objectives, priorities, and actions, listed for each department and agency described under section 2(a), for combating the financing of transnational organized crime groups and their facilitators.

(B) A description of how the strategy is integrated into, and supports, the national security strategy, drug control strategy, and counterterrorism strategy of the United States.

(4) REVIEWS AND PROPOSED CHANGES.—A review of current efforts to combat the financing or financial facilitation of transnational organized crime, including efforts to detect, deter, disrupt, and prosecute transnational organized crime groups and their supporters, and, if appropriate, proposed changes to any law or regulation determined to be appropriate to ensure that the United States pursues coordinated and effective efforts within the jurisdiction of the United States, including efforts or actions that are being taken or can be taken by financial institutions, efforts in cooperation with international partners of the United States, and efforts that build partnerships and global capacity to combat transnational organized crime.

**SEC. 4. DEFINITIONS.**

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate.

(2) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator'' has the meaning given that term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809).

(3) TRANSNATIONAL ORGANIZED CRIME.—The term ''transnational organized crime'' refers to those self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary or commercial gains, wholly or in part by illegal means, while—

(A) protecting their activities through a pattern of corruption or violence; or

(B) while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. BARR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4768, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

I want to, at the outset, applaud and thank my colleague Mr. KUSTOFF from Tennessee for his leadership on this important legislation and for bringing this solution to the Congress and this solution to the American people.

As Members of Congress, our number one responsibility is the national security and the well-being of the American people. Unfortunately, transnational criminal organizations threaten the safety of Americans, and we must do

everything in our power to stop them. Transnational criminal organizations, or TCOs as they are called for short, are engaged in illegal business ventures around the world such as money laundering, cybercrime, and the trafficking of drugs, weapons, endangered species, and even human beings.

While TCOs may not be motivated by a particular radical, political, or religions ideology, they are motivated by money, and they will stop at nothing to get it. According to a 2011 report published by the Obama administration, entitled, ''Strategy to Combat Transnational Organized Crime,'' TCOs have dramatically ramped up their size, scope, and influence, and are even teaming up with terrorist organizations and corrupt foreign officials to expand their networks and conceal their illicit financial assets.

These TCOs cost the Western Hemisphere about 3.5 percent of gross domestic product annually, and they generate for themselves around $870 billion, which is roughly the value of the world's largest company, Apple.

President Trump, on February 9, 2017, issued Executive Order 13773 on ''Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking.''

□ 1415

It states that TCOs in the form of transnational drug cartels have a stronghold in America and threaten the safety of the American people. From former President Obama to current President Trump, TCOs are recognized as a major risk to national security. That is why I am very pleased to see that my good friend from Tennessee, Congressman DAVID KUSTOFF, has introduced H.R. 4768, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

This legislation requires the President, the Treasury Secretary, financial regulators, and other appropriate officials to create a national strategy to combat TCOs and their illicit use of financial networks. Specifically, the legislation requires them to identify and assess the largest TCO threats to the United States. It also mandates that the strategy include the identification of the people or groups that facilitate access to financial networks for the TCOs through laundering assets, such as, real estate, art and antiquities, smuggling bulk cash, exploitation of shell companies, and the use of covert cryptocurrencies and other cyber technologies.

The legislation also requires the strategy to include long-term and short-term goals, an explanation of how goals will be integrated into existing national security apparatuses, and, if needed, suggest legislative and regulatory changes to better fight against TCOs.

This legislation passed the House Committee on Financial Services with unanimous support in January, and it is my hope that it passes with unanimous support today on the House floor.

Mr. Speaker, in addition to Congressman KUSTOFF, I thank Chairman HENSARLING and Ranking Member WATERS for their hard work on this issue. Together we can, in a bipartisan way, empower our government to better fight transnational criminal organizations, making the American people safer and our economy stronger.

Mr. Speaker, I urge my colleagues to vote for H.R. 4768, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

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

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

Mr. Speaker, if ever there is a time for Democrats and Republicans to come together in a bipartisan fashion, it would be around this issue, around an issue to combat the financing of transnational criminal organizations. That is what H.R. 4768 would do. Specifically, it would require the Secretary of the Treasury to lead the effort, in consultation with other key agencies and departments, and update the strategy to fight these organizations at least every 2 years.

Additionally, the legislation requires the administration to assess the key threats, financial support networks, and methods used by criminal groups to launder the proceeds of illicit activities. In passing this legislation, we will not only build upon but also cement the importance of the interagency approach taken by the prior administration in combating the impact of global criminal enterprises.

Indeed, in 2010, the Obama administration conducted a comprehensive assessment of organized crime, the first such review that had taken place since the mid-1990s. The assessment came to the alarming conclusion that the threat of global criminal networks had become more complex, volatile, and destabilizing and that such groups were proliferating, striking new and powerful alliances, and engaging in a growing range of illicit activities such as we have never seen before.

To combat this growing threat and lessen its impact both domestically and on our foreign partners, the Obama administration, in 2011, issued a comprehensive interagency strategy that identified 56 priority actions across five strategic objectives. One of these key objectives included breaking the economic power of transnational criminal networks and protecting strategic markets and the U.S. financial system from penetration and abuse by transnational organized crime. This strategic objective, in particular, resonates with me, as I have always believed strongly that following the money and using our economic leverage is the best way to counter illicit activity. This is especially true in countering transnational criminal organizations, whose primary objective is economic gain.

In a number of ways, this legislation before us will ensure that the Treasury, as well as the intelligence and broader U.S. national security apparatus, remains focused on some of the emerging threats posed by transnational organized crime groups; including, kleptocrats, human traffickers, drug traffickers, and cybercriminals.

Additionally, the legislation explicitly requires the administration to examine how such groups exploit the use of shell companies, misuse digital currencies and other cyber technologies.

I am also pleased that, with the concurrence of the chairman and the gentleman from Tennessee (Mr. KUSTOFF), the committee agreed to adopt an amendment offered by Ranking Member WATERS that sharpens the bill's focus on the methods by which transnational organized crime groups launder illicit funds using real estate and other tangible goods, such as art and antiquities. These significant vulnerabilities have been identified as major threats to our national security and the integrity of our financial system by a broad range of bipartisan experts, including the Financial Crimes Enforcement Network and the Financial Action Task Force.

For example, just last year, FinCEN noted in a public advisory that: ''Real estate transactions and the real estate market have certain characteristics that make them vulnerable to abuse by illicit actors. . . . For these reasons and others, drug traffickers, corrupt officials, and other criminals can and have used real estate to conceal the existence and origins of their illicit funds.''

The entities and individuals that have sought to exploit real estate to conceal illicit funds includes Iranian banks subject to U.S. sanctions, Russian oligarchs and Russian-organized crime rings, as well as Venezuelan officials found to be engaged in narcotics trafficking.

The fact that these vulnerabilities are not merely theoretical and have been used by a wide range of criminal groups should disturb all of us. We also know that money laundering through the global art and antiquities market is another key method for washing illicit funds, and that is undoubtedly being exploited by well-organized transnational criminal groups. Indeed, we know that the looting and trafficking in cultural heritage is a source of revenue that has funded ISIS' heinous activities, and we know that the opaque characteristics of the high-end art market and its lack of basic anti-money-laundering requirements make it a target for illicit funds.

So I am pleased that the members of this committee were able to agree that real estate and art market vulnerabilities should be given due consideration when it comes to transnational organized crime. Again, this is one of those

subjects around which bipartisanship should be assumed.

Mr. Speaker, I urge all Members to join in this bipartisan effort and to support this legislation.

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

Mr. BARR. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee (Mr. KUSTOFF), a member of the House Financial Services Committee and a former United States Attorney from the Western District of Tennessee, who has brought considerable prosecutorial experience in drafting and authoring this legislation.

Mr. KUSTOFF of Tennessee. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise today in support of my bill, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

On February 9 of 2017, last year, President Trump issued an executive order directing the Federal Government to combat international drug trafficking. Now, before I go any further, I want to take note that this executive order was issued in the third week of the Trump administration. This early action gives us an idea of how seriously we must take this issue. The executive order recognizes that illegal drugs are pouring into our country and they are threatening American safety, primarily at the hands of cartels and other transnational criminal organizations.

These criminal organizations are responsible, in large part, for the rising opioid epidemic sweeping across our Nation. Take my district of west Tennessee, where we continue to see a rise in the deaths caused by opioid overdoses. From heroin to fentanyl, and the more potent synthetic opioid known as carfentanil, we must continue to use every available resource to prevent the further destruction of our communities. We have got to say enough is enough.

The important legislation that we are discussing today will create a plan to track illicit money channels and cut them off at the source. Specifically, it directs the United States Treasury Department to develop a national strategy aimed at disrupting these financial crimes. The Treasury Department will work hand in hand with the Department of Defense, the Department of Homeland Security, the Department of Justice, the State Department, and the Office of the Director of National Intelligence to produce a yearly report outlining a strategy and detailing ways that the United States Government can continue to prevent these financial crimes.

For far too long, these criminal organizations have used illicit business ventures to further finance their activities, which range from money laundering and cybercrime to the trafficking of drugs, human trafficking, weapons trafficking, and trafficking in endangered species.

The United Nations Office on Drugs and Crime estimates that these cartel and transnational criminal organizations generate nearly $870 billion a year. This money is used to directly threaten the security and the prosperity of the United States of America and other countries in the Western Hemisphere. Our legislation is a critical step in disrupting this illicit finance and putting an end to the needless crimes committed by cartels.

As we have seen, these organizations have evolved in a continued effort to evade law enforcement. Therefore, in an effort to stay one step ahead of these bad actors, we have also got to evolve. These transnational organizations have developed interstate networks to and from the border in which drugs come up from Central America and the cash returns back to the country of origin. We simply cannot stand idly by as these activities continue. We must keep money out of the hands of those who intend to cause harm to our Nation.

I think this legislation does exactly that. I greatly appreciate the hard work done by my colleagues from the Financial Services Committee on this very important legislation. I urge all my colleagues to support its passage.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Arizona (Ms. SINEMA), a cosponsor of this legislation and a distinguished member of the Financial Services Committee.

Ms. SINEMA. Mr. Speaker, I rise in support of H.R. 4768, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

Mr. Speaker, according to the Drug Enforcement Administration's Phoenix division, the Sinaloa cartel is the biggest, most violent, and nastiest organization threatening Arizonans, even bigger than MS–13. It is a dangerous and highly sophisticated organization. Sinaloa smuggles heroin and methamphetamine across the border into Arizona and, with it, a pattern of crime, intimidation, and addiction that rips at the very fabric of our communities.

Arizonans know we need to be tough, smart, and aggressive to confront Sinaloa and other cartels. Our bill cracks down on the drug cartels and other international crime syndicates that threaten Arizona families and our quality of life by hitting them where it hurts: their bank accounts.

Drug cartels like Sinaloa obtain wealth and power through money laundering; cybercrime; and human, drugs, and weapons smuggling. To stop the drug cartels and protect Arizona families, we need a comprehensive approach to cut off the money that fuels their operations.

□ 1430

That is why Congressman KUSTOFF from Tennessee and I introduced H.R. 4768. This bill requires the administration to develop and execute a strategy that cuts off funding and other resources for transnational criminal organizations and to routinely report to Congress and the American people on the strategy's progress.

Our bill is a commonsense solution that protects Arizona families, communities, and businesses from the threats of transnational organized crime.

By focusing on the money, we take a meaningful step in combating cybercrime, money laundering, drug trafficking, and human trafficking, as well as other issues that transnational criminals bring to our communities.

I thank Chairman HENSARLING and Ranking Member WATERS for supporting this important legislation, and I will continue working with my colleagues across the aisle to keep Arizona families safe.

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the vice chairman of the Financial Services Subcommittee on Financial Institutions and Consumer Credit.

Mr. ROTHFUS. Mr. Speaker, I thank Chairman BARR for yielding me time.

Mr. Speaker, I rise today to express my support for the National Strategy for Combating the Financing of Transnational Criminal Organizations Act. I want to thank my colleague Representative KUSTOFF for his work on this important issue.

The Subcommittee on Terrorism and Illicit Finance has been examining global criminal organizations and the threat they pose to the United States financial system.

These sophisticated and dangerous organizations, like drug cartels, increasingly pose a direct threat to the safety and security of all Americans. They have fueled the opioid crisis that continues to kill tens of thousands of Americans each year, including the spread of human trafficking, among a host of other illicit activities.

I want to remind my colleagues that entire communities are still plagued by this crisis, including hard-hit communities in western Pennsylvania.

Beyond the opioid crisis, though, I want to highlight an exceptionally dangerous situation in which the United States finds itself.

Some of the cartels are now working directly with organizations like Hezbollah, a terrorist organization, as reflected in a recent Politico article. Fortunately, the new administration is taking a tougher stance now with the announcement of a newly created Hezbollah Financing and Narcoterrorism Team.

Mr. Speaker, it is about time America fought back against this growing international threat, and this bill will help ensure the government has a strategy to stay in this fight. Lives depend on it.

Mr. Speaker, I urge my colleagues to support this bill.

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

Mr. BARR. Mr. Speaker, I yield 3 minutes to the gentleman from North

Carolina (Mr. BUDD), a member of the Financial Services Committee.

Mr. BUDD. Mr. Speaker, I rise today in strong support of Mr. KUSTOFF's bill, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act.

Mr. Speaker, I want to thank my friend for his leadership on this important issue, even if it does have a really, really long name.

I have seen firsthand how these transnational drug cartels can disrupt civil society. In my own district, the opioid epidemic has destroyed innocent people's lives, including kids, while transnational criminal organizations, or TCOs, profit on people's misery and their death.

TCOs have brought heroin to our streets and, along with it, increased crime, placing additional burdens on law enforcement in local communities.

We are in crisis mode, and targeted steps need to be taken to address this epidemic at all phases. We have to crack down on the pusher on the street. We have to crack down on the drug cartels. We have to crack down on the drug companies that have made a profit from overprescription and filling suspect orders.

Most of all, we have to crack down on the intricate faceless and unbelievably complex international criminal organizations that allow the profits from these activities into our economy.

We must eradicate the international illicit financing networks that are the linchpin of any criminal organization's operations. But we don't have a unified national plan.

Luckily, this committee has an opportunity to make a difference by coming up with a national strategy and plan to attack transnational criminal organizations' finances.

Mr. KUSTOFF's bill would direct the Secretary of the Treasury to provide that plan, a vital first step towards addressing the threat posed by the growing sophistication of illicit financing networks.

Passing this bill is a significant step toward an effective, sustained national strategy to attack the funding that makes these TCOs possible.

Therefore, it is critical that we continue to maximize cooperation among Federal departments to keep our policies ahead of these transnational criminals.

Mr. Speaker, I urge adoption of Mr. KUSTOFF's timely and important piece of legislation.

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

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ).

Mr. GAETZ. Mr. Speaker, I thank the gentleman for yielding me time. I also thank the gentleman from Tennessee for introducing this responsible legislation.

Mr. Speaker, I look forward to circumstances where this administration will have additional tools to deal with transnational criminal organizations, and I hope that we will use those tools to counter the threat posed by Hezbollah.

Hezbollah is not a political party. It is not a quaint reflection of history. It is a web of terrorists and criminals, and that web extends here to our hemisphere.

In fact, in 2009, there was an arrest made in Philadelphia, where Hezbollah operatives were looking to move 1,200 machine guns into Syria.

More recent arrests have been made in Latin America, where countries like Argentina, Peru, and Paraguay are dealing with an enhanced Hezbollah presence.

This important legislation will help us build a plan to leverage our allies, to leverage the Organization of American States and other assets so that we recognize the threat that Hezbollah and other terrorist organizations pose and so that we meet that threat head-on.

Mr. KILDEE. Mr. Speaker, obviously, as I said, we need a national strategy to combat the financing of transnational criminal organizations.

This legislation requires that such a strategy be put together. It is an issue that crosses virtually every partisan or ideological line. It is an example of legislation that we all can embrace and should support.

Mr. Speaker, I encourage my colleagues to do so, and I yield back the balance of my time.

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

I, once again, thank my colleagues for supporting this legislation. In particular, I thank the gentleman from Tennessee (Mr. KUSTOFF) for his leadership on this issue.

I would note, also, in addition to all of the many sound and persuasive arguments that have been offered for why we need this legislation, this National Strategy for Combating the Financing of Transnational Criminal Organizations Act, the National Fraternal Order of Police has endorsed this legislation, and I include in the RECORD their letter.

NATIONAL FRATERNAL
ORDER OF POLICE,
*Washington, DC, February 15, 2018.*

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

Hon. KEVIN O. MCCARTHY,
*Majority Leader, House of Representatives, Washington, DC.*

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

Hon. STENY H. HOYER,
*Minority Whip, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER AND REPRESENTATIVES MCCARTHY, PELOSI, AND HOYER: I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for H.R. 4768, the ''National Strategy for Combatting the Financing of Transnational Criminal Organizations Act.''

The Office of National Drug Control Policy was established to set out our strategy in combatting our nation's drug problem. Similarly, the Office of Community Oriented Policing Services has served as the cornerstone for our nation's crime-fighting efforts for more than two decades. With the growing threat posed by transnational criminal organizations, it is important that we adopt a comprehensive national approach.

President Donald J. Trump took the first step by issuing Executive Order #13773, the Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking a year ago. The Threat Mitigation Working Group was set up to bring Federal agencies together a common goal of investigating, prosecuting and dismantling transnational gangs.

This bill would codify part of this Executive Order by developing a national strategy for combatting transnational criminal organizations. We need to attack their ability to profit from unlawful activity-whether it is money laundering, bulk cash smuggling, shell companies or digital currencies. Simply put, until we can stop the flow of criminal profits to these organized, unlawful enterprises, they will continue to survive no matter how many individuals we arrest and prosecute.

On behalf of the more than 335,000 members of the Fraternal Order of Police, we believe this bill will make our country safe from these transnational criminal organizations. If I can provide any additional information, please do not hesitate to contact me or my Senior Advisor, Jim Pasco, in my Washington office.

Sincerely,

CHUCK CANTERBURY,
*National President.*

Mr. BARR. Mr. Speaker, as a Member of Congress representing a State that has been ravaged by heroin and opioid addiction, I can't think of a more important thing for this Congress to do than to develop a national strategy for combating these transnational gangs that are preying on our communities.

Once again, I commend Mr. KUSTOFF for his leadership in this area and in this effort and in this fight. I applaud my colleagues for supporting the legislation on both sides of the aisle.

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

The SPEAKER pro tempore (Mr. PALMER). The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 4768, 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.

## REPACK AIRWAVES YIELDING BETTER ACCESS FOR USERS OF MODERN SERVICES ACT OF 2018

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4986) to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4986

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the ''Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018'' or the ''RAY BAUM'S Act of 2018''.

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



**SEC. 2. COMMISSION DEFINED.**

In this Act, the term ''Commission'' means the Federal Communications Commission.

## TITLE I—FCC REAUTHORIZATION

**SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

**''SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

''(a) AUTHORIZATION.—There are authorized to be appropriated to the Commission to carry out the functions of the Commission $333,118,000 for fiscal year 2019 and $339,610,000 for fiscal year 2020.

''(b) OFFSETTING COLLECTIONS.—The sum appropriated in any fiscal year to carry out the activities described in subsection (a), to the extent and in the amounts provided for in Appropriations Acts, shall be derived from fees authorized by section 9.''.

(b) DEPOSITS OF BIDDERS TO BE DEPOSITED IN TREASURY.—Section 309(j)(8)(C) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(C)) is amended—

(1) in the first sentence, by striking ''an interest bearing account'' and all that follows and inserting ''the Treasury.'';

(2) in clause (i)—

(A) by striking ''paid to the Treasury'' and inserting ''deposited in the general fund of the Treasury (where such deposits shall be used for the sole purpose of deficit reduction)''; and

(B) by striking the semicolon and inserting ''; and'';

(3) in clause (ii), by striking ''; and'' and inserting '', and payments representing the return of such deposits shall not be subject to administrative offset under section 3716(c) of title 31, United States Code.''; and

(4) by striking clause (iii).

(c) ELIMINATION OF DUPLICATIVE AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 710 of the Telecommunications Act of 1996 (Public Law 104–104) is repealed.

(2) CONFORMING AMENDMENT.—The table of contents in section 2 of such Act is amended by striking the item relating to section 710.

(d) TRANSFER OF FUNDS.—On the effective date described in section 103, any amounts in the account providing appropriations to carry out the functions of the Commission that were collected in excess of the amounts provided for in Appropriations Acts in any fiscal year prior to such date shall be transferred to the general fund of the Treasury of the United States for the sole purpose of deficit reduction.

**SEC. 102. APPLICATION AND REGULATORY FEES.**

(a) APPLICATION FEES.—Section 8 of the Communications Act of 1934 (47 U.S.C. 158) is amended to read as follows:

**''SEC. 8. APPLICATION FEES.**

''(a) GENERAL AUTHORITY; ESTABLISHMENT OF SCHEDULE.—The Commission shall assess and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.

''(b) ADJUSTMENT OF SCHEDULE.—

''(1) IN GENERAL.—In every even-numbered year, the Commission shall review the schedule of application fees established under this section and, except as provided in paragraph (2), set a new amount for each fee in the schedule that is equal to the amount of the fee on the date when the fee was established or the date when the fee was last amended under subsection (c), whichever is later—

''(A) increased or decreased by the percentage change in the Consumer Price Index during the period beginning on such date and ending on the date of the review; and

''(B) rounded to the nearest $5 increment.

''(2) THRESHOLD FOR ADJUSTMENT.—The Commission may not adjust a fee under paragraph (1) if—

''(A) in the case of a fee the current amount of which is less than $200, the adjustment would result in a change in the current amount of less than $10; or

''(B) in the case of a fee the current amount of which is $200 or more, the adjustment would result in a change in the current amount of less than 5 percent.

''(3) CURRENT AMOUNT DEFINED.—In paragraph (2), the term 'current amount' means, with respect to a fee, the amount of the fee on the date when the fee was established, the date when the fee was last adjusted under paragraph (1), or the date when the fee was last amended under subsection (c), whichever is latest.

''(c) AMENDMENTS TO SCHEDULE.—In addition to the adjustments required by subsection (b), the Commission shall by rule amend the schedule of application fees established under this section if the Commission determines that the schedule requires amendment—

''(1) so that such fees reflect increases or decreases in the costs of processing applications at the Commission; or

''(2) so that such schedule reflects the consolidation or addition of new categories of applications.

''(d) EXCEPTIONS.—

''(1) PARTIES TO WHICH FEES ARE NOT APPLICABLE.—The application fees established under this section shall not be applicable to—

''(A) a governmental entity;

''(B) a nonprofit entity licensed in the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, or Special Emergency Radio radio services; or

''(C) a noncommercial radio station or noncommercial television station.

''(2) COST OF COLLECTION.—If, in the judgment of the Commission, the cost of collecting an application fee established under this section would exceed the amount collected, the Commission may by rule eliminate such fee.

''(e) DEPOSIT OF COLLECTIONS.—Moneys received from application fees established under this section shall be deposited in the general fund of the Treasury.''.

(b) REGULATORY FEES.—Section 9 of the Communications Act of 1934 (47 U.S.C. 159) is amended to read as follows:

**''SEC. 9. REGULATORY FEES.**

''(a) GENERAL AUTHORITY.—The Commission shall assess and collect regulatory fees to recover the costs of carrying out the activities described in section 6(a) only to the extent, and in the total amounts, provided for in Appropriations Acts.

''(b) ESTABLISHMENT OF SCHEDULE.—The Commission shall assess and collect regulatory fees at such rates as the Commission

shall establish in a schedule of regulatory fees that will result in the collection, in each fiscal year, of an amount that can reasonably be expected to equal the amounts described in subsection (a) with respect to such fiscal year.

''(c) ADJUSTMENT OF SCHEDULE.—

''(1) IN GENERAL.—For each fiscal year, the Commission shall by rule adjust the schedule of regulatory fees established under this section to—

''(A) reflect unexpected increases or decreases in the number of units subject to the payment of such fees; and

''(B) result in the collection of the amount required by subsection (b).

''(2) ROUNDING.—In making adjustments under this subsection, the Commission may round fees to the nearest $5 increment.

''(d) AMENDMENTS TO SCHEDULE.—In addition to the adjustments required by subsection (c), the Commission shall by rule amend the schedule of regulatory fees established under this section if the Commission determines that the schedule requires amendment so that such fees reflect the full-time equivalent number of employees within the bureaus and offices of the Commission, adjusted to take into account factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities. In making an amendment under this subsection, the Commission may not change the total amount of regulatory fees required by subsection (b) to be collected in a fiscal year.

''(e) EXCEPTIONS.—

''(1) PARTIES TO WHICH FEES ARE NOT APPLICABLE.—The regulatory fees established under this section shall not be applicable to—

''(A) a governmental entity or nonprofit entity;

''(B) an amateur radio operator licensee under part 97 of the Commission's rules (47 C.F.R. part 97); or

''(C) a noncommercial radio station or noncommercial television station.

''(2) COST OF COLLECTION.—If, in the judgment of the Commission, the cost of collecting a regulatory fee established under this section from a party would exceed the amount collected from such party, the Commission may exempt such party from paying such fee.

''(f) DEPOSIT OF COLLECTIONS.—

''(1) IN GENERAL.—Amounts received from fees authorized by this section shall be deposited as an offsetting collection in, and credited to, the account through which funds are made available to carry out the activities described in section 6(a).

''(2) DEPOSIT OF EXCESS COLLECTIONS.—Any regulatory fees collected in excess of the total amount of fees provided for in Appropriations Acts for a fiscal year shall be deposited in the general fund of the Treasury of the United States for the sole purpose of deficit reduction.''.

(c) PROVISIONS APPLICABLE TO APPLICATION AND REGULATORY FEES.—Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by inserting after section 9 the following:

**''SEC. 9A. PROVISIONS APPLICABLE TO APPLICATION AND REGULATORY FEES.**

''(a) JUDICIAL REVIEW PROHIBITED.—Any adjustment or amendment to a schedule of fees under subsection (b) or (c) of section 8 or subsection (c) or (d) of section 9 is not subject to judicial review.

''(b) NOTICE TO CONGRESS.—The Commission shall transmit to Congress notification—

''(1) of any adjustment under section 8(b) or 9(c) immediately upon the adoption of such adjustment; and

''(2) of any amendment under section 8(c) or 9(d) not later than 90 days before the effective date of such amendment.

''(c) ENFORCEMENT.—

''(1) PENALTIES FOR LATE PAYMENT.—The Commission shall by rule prescribe an additional penalty for late payment of fees under section 8 or 9. Such additional penalty shall be 25 percent of the amount of the fee that was not paid in a timely manner.

''(2) INTEREST ON UNPAID FEES AND PENALTIES.—The Commission shall charge interest, at a rate determined under section 3717 of title 31, United States Code, on a fee under section 8 or 9 or an additional penalty under this subsection that is not paid in a timely manner. Such section 3717 shall not otherwise apply with respect to such a fee or penalty.

''(3) DISMISSAL OF APPLICATIONS OR FILINGS.—The Commission may dismiss any application or other filing for failure to pay in a timely manner any fee under section 8 or 9 or any interest or additional penalty under this subsection.

''(4) REVOCATIONS.—

''(A) IN GENERAL.—In addition to or in lieu of the penalties and dismissals authorized by this subsection, the Commission may revoke any instrument of authorization held by any licensee that has not paid in a timely manner a regulatory fee assessed under section 9 or any related interest or penalty.

''(B) NOTICE.—Revocation action may be taken by the Commission under this paragraph after notice of the Commission's intent to take such action is sent to the licensee by registered mail, return receipt requested, at the licensee's last known address. The notice shall provide the licensee at least 30 days to either pay the fee, interest, and any penalty or show cause why the fee, interest, or penalty does not apply to the licensee or should otherwise be waived or payment deferred.

''(C) HEARING.—

''(i) GENERALLY NOT REQUIRED.—A hearing is not required under this paragraph unless the licensee's response presents a substantial and material question of fact.

''(ii) EVIDENCE AND BURDENS.—In any case where a hearing is conducted under this paragraph, the hearing shall be based on written evidence only, and the burden of proceeding with the introduction of evidence and the burden of proof shall be on the licensee.

''(iii) COSTS.—Unless the licensee substantially prevails in the hearing, the Commission may assess the licensee for the costs of such hearing.

''(D) OPPORTUNITY TO PAY PRIOR TO REVOCATION.—Any Commission order adopted under this paragraph shall determine the amount due, if any, and provide the licensee with at least 30 days to pay that amount or have its authorization revoked.

''(E) FINALITY.—No order of revocation under this paragraph shall become final until the licensee has exhausted its right to judicial review of such order under section 402(b)(5).

''(d) WAIVER, REDUCTION, AND DEFERMENT.—The Commission may waive, reduce, or defer payment of a fee under section 8 or 9 or an interest charge or penalty under this section in any specific instance for good cause shown, where such action would promote the public interest.

''(e) PAYMENT RULES.—The Commission shall by rule permit payment—

''(1) in the case of fees under section 8 or 9 in large amounts, by installments; and

''(2) in the case of fees under section 8 or 9 in small amounts, in advance for a number of years not to exceed the term of the license held by the payor.

''(f) ACCOUNTING SYSTEM.—The Commission shall develop accounting systems necessary to make the amendments authorized by sections 8(c) and 9(d).''.

(d) TRANSITIONAL RULES.—

(1) APPLICATION FEES.—An application fee established under section 8 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under section 8 of the Communications Act of 1934, as amended by subsection (a) of this section, until such time as the Commission adjusts or amends such fee under subsection (b) or (c) of such section 8, as so amended.

(2) REGULATORY FEES.—A regulatory fee established under section 9 of the Communications Act of 1934, as such section is in effect on the day before the effective date described in section 103 of this Act, shall remain in effect under section 9 of the Communications Act of 1934, as amended by subsection (b) of this section, until such time as the Commission adjusts or amends such fee under subsection (c) or (d) of such section 9, as so amended.

(e) RULEMAKING TO AMEND SCHEDULE OF REGULATORY FEES.—

(1) IN GENERAL.—Not later than 1 year after the effective date described in section 103, the Commission shall complete a rulemaking proceeding under subsection (d) of section 9 of the Communications Act of 1934, as amended by subsection (b) of this section.

(2) REPORT TO CONGRESS.—If the Commission has not completed the rulemaking proceeding required by paragraph (1) by the date that is 6 months after the effective date described in section 103, the Commission shall submit to Congress a report on the progress of such rulemaking proceeding.

**SEC. 103. EFFECTIVE DATE.**

This title and the amendments made by this title shall take effect on October 1, 2018.

## TITLE II—APPLICATION OF ANTIDEFICIENCY ACT

**SEC. 201. APPLICATION OF ANTIDEFICIENCY ACT TO UNIVERSAL SERVICE PROGRAM.**

Section 302 of Public Law 108–494 (118 Stat. 3998) is amended by striking ''December 31, 2018'' each place it appears and inserting ''December 31, 2019''.

## TITLE III—SECURING ACCESS TO NETWORKS IN DISASTERS

**SEC. 301. STUDY ON NETWORK RESILIENCY.**

Not later than 36 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publically available on the Commission's website, a study on the public safety benefits and technical feasibility and cost of—

(1) making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 9–1–1 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

(2) the provision by non-telecommunications service provider-owned WiFi access points of public access to 9–1–1 services during times of emergency when mobile service is unavailable; and

(3) other alternative means of providing the public with access to 9–1–1 services during times of emergency when mobile service is unavailable.

**SEC. 302. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.**

Section 427(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''telecommunications service'' and inserting ''wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service'';

(B) in subparagraph (E), by striking the semicolon and inserting ''; or''; and

(C) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively; and

(2) by striking ''(1) provides'' and inserting ''(1)(A) provides''.

**SEC. 303. DEFINITIONS.**

As used in this title—

(1) the term ''mobile service'' means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(2) the term ''WiFi access point'' means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

(3) the term ''times of emergency'' means either an emergency as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or an emergency as declared by the governor of a State or territory of the United States.

## TITLE IV—FCC CONSOLIDATED REPORTING

**SEC. 401. COMMUNICATIONS MARKETPLACE REPORT.**

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

**''SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.**

''(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.

''(b) CONTENTS.—Each report required by subsection (a) shall—

''(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

''(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment;

''(3) assess whether laws, regulations, regulatory practices (whether those of the Federal Government, States, political subdivisions of States, Indian tribes or tribal organizations (as such terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or foreign governments), or demonstrated marketplace practices pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services;

''(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3); and

''(5) describe the actions that the Commission has taken in pursuit of the agenda described pursuant to paragraph (4) in the previous report submitted under this section.

''(c) EXTENSION.—If the President designates a Commissioner as Chairman of the Commission during the last quarter of an even-numbered year, the portion of the report required by subsection (b)(4) may be published on the website of the Commission and submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate as an addendum during the first quarter of the following odd-numbered year.

''(d) SPECIAL REQUIREMENTS.—

''(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

''(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall compile a list of geographical areas that are not served by any provider of advanced telecommunications capability.

''(3) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).''.

**SEC. 402. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.**

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e; 114 Stat. 57) is repealed.

(b) SATELLITE COMPETITION REPORT.—Section 4 of Public Law 109–34 (47 U.S.C. 703) is repealed.

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103(b)(1) of the Broadband Data Improvement Act (47 U.S.C. 1303(b)(1)) is amended by striking ''the assessment and report'' and all that follows through ''Federal Communications Commission'' and inserting ''its report under section 13 of the Communications Act of 1934, the Federal Communications Commission''.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended—

(1) in paragraph (1), by striking ''annually publish'' and inserting ''publish with its report under section 13''; and

(2) in the heading of paragraph (2), by striking ''ANNUAL''.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

(1) IN GENERAL.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENT.—Section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)) is amended by striking the last sentence.

(i) ADDITIONAL OUTDATED REPORTS.—The Communications Act of 1934 is further amended—

(1) in section 4—

(A) in subsection (b)(2)(B)(ii), by striking ''and shall furnish notice of such action'' and all that follows through ''subject of the waiver''; and

(B) in subsection (g), by striking paragraph (2);

(2) in section 215—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b);

(3) in section 227(e), by striking paragraph (4);

(4) in section 309(j)—

(A) by striking paragraph (12); and

(B) in paragraph (15)(C), by striking clause (iv);

(5) in section 331(b), by striking the last sentence;

(6) in section 336(e), by amending paragraph (4) to read as follows:

''(4) REPORT.—The Commission shall annually advise the Congress on the amounts collected pursuant to the program required by this subsection.'';

(7) in section 339(c), by striking paragraph (1);

(8) in section 396—

(A) by striking subsection (i);

(B) in subsection (k)—

(i) in paragraph (1), by striking subparagraph (F); and

(ii) in paragraph (3)(B)(iii), by striking subclause (V);

(C) in subsection (l)(1)(B), by striking ''shall be included'' and all that follows through ''The audit report''; and

(D) by striking subsection (m);

(9) in section 398(b)(4), by striking the third sentence;

(10) in section 624A(b)(1)—

(A) by striking ''REPORT; REGULATIONS'' and inserting ''REGULATIONS'';

(B) by striking ''Within 1 year after'' and all that follows through ''on means of assuring'' and inserting ''The Commission shall issue such regulations as are necessary to assure''; and

(C) by striking ''Within 180 days after'' and all that follows through ''to assure such compatibility.''; and

(11) in section 713, by striking subsection (a).

**SEC. 403. EFFECT ON AUTHORITY.**

Nothing in this title or the amendments made by this title shall be construed to expand or contract the authority of the Commission.

**SEC. 404. OTHER REPORTS.**

Nothing in this title or the amendments made by this title shall be construed to prohibit or otherwise prevent the Commission from producing any additional reports otherwise within the authority of the Commission.

## TITLE V—ADDITIONAL PROVISIONS

**SEC. 501. INDEPENDENT INSPECTOR GENERAL FOR FCC.**

(a) AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 8G(a)(2), by striking ''the Federal Communications Commission,''; and

(2) in section 12—

(A) in paragraph (1), by inserting ‘‘, the Federal Communications Commission,’’ after ‘‘the Chairman of the Nuclear Regulatory Commission’’; and

(B) in paragraph (2), by inserting ‘‘the Federal Communications Commission,’’ after ‘‘the Environmental Protection Agency,’’.

(b) TRANSITION RULE.—An individual serving as Inspector General of the Commission on the date of the enactment of this Act pursuant to an appointment made under section 8G of the Inspector General Act of 1978 (5 U.S.C. App.)—

(1) may continue so serving until the President makes an appointment under section 3(a) of such Act with respect to the Commission consistent with the amendments made by subsection (a); and

(2) shall, while serving under paragraph (1), remain subject to the provisions of section 8G of such Act which, immediately before the date of the enactment of this Act, applied with respect to the Inspector General of the Commission and suffer no reduction in pay.

**SEC. 502. AUTHORITY OF CHIEF INFORMATION OFFICER.**

(a) IN GENERAL.—The Commission shall ensure that the Chief Information Officer of the Commission has a significant role in—

(1) the decision-making process for annual and multi-year planning, programming, budgeting, and execution decisions, related reporting requirements, and reports related to information technology;

(2) the management, governance, and oversight processes related to information technology; and

(3) the hiring of personnel with information technology responsibilities.

(b) CIO APPROVAL.—The Chief Information Officer of the Commission, in consultation with the Chief Financial Officer of the Commission and budget officials, shall specify and approve the allocation of amounts appropriated to the Commission for information technology, consistent with the provisions of appropriations Acts, budget guidelines, and recommendations from the Director of the Office of Management and Budget.

**SEC. 503. SPOOFING PREVENTION.**

(a) EXPANDING AND CLARIFYING PROHIBITION ON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) COMMUNICATIONS FROM OUTSIDE THE UNITED STATES.—Section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1)) is amended by striking ‘‘in connection with any telecommunications service or IP-enabled voice service’’ and inserting ‘‘or any person outside the United States if the recipient is within the United States, in connection with any voice service or text messaging service’’.

(2) COVERAGE OF TEXT MESSAGES AND VOICE SERVICES.—Section 227(e)(8) of the Communications Act of 1934 (47 U.S.C. 227(e)(8)) is amended—

(A) in subparagraph (A), by striking ‘‘telecommunications service or IP-enabled voice service’’ and inserting ‘‘voice service or a text message sent using a text messaging service’’;

(B) in the first sentence of subparagraph (B), by striking ‘‘telecommunications service or IP-enabled voice service’’ and inserting ‘‘voice service or a text message sent using a text messaging service’’; and

(C) by striking subparagraph (C) and inserting the following:

‘‘(C) TEXT MESSAGE.—The term ‘text message’—

‘‘(i) means a message consisting of text, images, sounds, or other information that is transmitted to or from a device that is identified as the receiving or transmitting device by means of a 10-digit telephone number or N11 service code;

‘‘(ii) includes a short message service (commonly referred to as ‘SMS’) message and a multimedia message service (commonly referred to as ‘MMS’) message; and

‘‘(iii) does not include—

‘‘(I) a real-time, two-way voice or video communication; or

‘‘(II) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in clause (ii).

‘‘(D) TEXT MESSAGING SERVICE.—The term ‘text messaging service’ means a service that enables the transmission or receipt of a text message, including a service provided as part of or in connection with a voice service.

‘‘(E) VOICE SERVICE.—The term ‘voice service’—

‘‘(i) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the Commission under section 251(e)(1); and

‘‘(ii) includes transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine.’’.

(3) TECHNICAL AMENDMENT.—Section 227(e) of the Communications Act of 1934 (47 U.S.C. 227(e)) is amended in the heading by inserting ‘‘MISLEADING OR’’ before ‘‘INACCURATE’’.

(4) REGULATIONS.—

(A) IN GENERAL.—Section 227(e)(3)(A) of the Communications Act of 1934 (47 U.S.C. 227(e)(3)(A)) is amended by striking ‘‘Not later than 6 months after the date of enactment of the Truth in Caller ID Act of 2009, the Commission’’ and inserting ‘‘The Commission’’.

(B) DEADLINE.—The Commission shall prescribe regulations to implement the amendments made by this subsection not later than 18 months after the date of enactment of this Act.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 6 months after the date on which the Commission prescribes regulations under paragraph (4).

(b) CONSUMER EDUCATION MATERIALS ON HOW TO AVOID SCAMS THAT RELY UPON MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) DEVELOPMENT OF MATERIALS.—Not later than 1 year after the date of enactment of this Act, the Commission, in coordination with the Federal Trade Commission, shall develop consumer education materials that provide information about—

(A) ways for consumers to identify scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information; and

(B) existing technologies, if any, that a consumer can use to protect against such scams and other fraudulent activity.

(2) CONTENTS.—In developing the consumer education materials under paragraph (1), the Commission shall—

(A) identify existing technologies, if any, that can help consumers guard themselves against scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information, including—

(i) descriptions of how a consumer can use the technologies to protect against such scams and other fraudulent activity; and

(ii) details on how consumers can access and use the technologies; and

(B) provide other information that may help consumers identify and avoid scams and other fraudulent activity that rely upon the use of misleading or inaccurate caller identification information.

(3) UPDATES.—The Commission shall ensure that the consumer education materials required under paragraph (1) are updated on a regular basis.

(4) WEBSITE.—The Commission shall include the consumer education materials developed under paragraph (1) on its website.

(c) GAO REPORT ON COMBATING THE FRAUDULENT PROVISION OF MISLEADING OR INACCURATE CALLER IDENTIFICATION INFORMATION.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the actions the Commission and the Federal Trade Commission have taken to combat the fraudulent provision of misleading or inaccurate caller identification information, and the additional measures that could be taken to combat such activity.

(2) REQUIRED CONSIDERATIONS.—In conducting the study under paragraph (1), the Comptroller General shall examine—

(A) trends in the types of scams that rely on misleading or inaccurate caller identification information;

(B) previous and current enforcement actions by the Commission and the Federal Trade Commission to combat the practices prohibited by section 227(e)(1) of the Communications Act of 1934 (47 U.S.C. 227(e)(1));

(C) current efforts by industry groups and other entities to develop technical standards to deter or prevent the fraudulent provision of misleading or inaccurate caller identification information, and how such standards may help combat the current and future provision of misleading or inaccurate caller identification information; and

(D) whether there are additional actions the Commission, the Federal Trade Commission, and Congress should take to combat the fraudulent provision of misleading or inaccurate caller identification information.

(3) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study under paragraph (1), including any recommendations regarding combating the fraudulent provision of misleading or inaccurate caller identification information.

(d) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments made by this section, shall be construed to modify, limit, or otherwise affect any rule or order adopted by the Commission in connection with—

(1) the Telephone Consumer Protection Act of 1991 (Public Law 102–243; 105 Stat. 2394) or the amendments made by that Act; or

(2) the CAN–SPAM Act of 2003 (15 U.S.C. 7701 et seq.).

**SEC. 504. REPORT ON PROMOTING BROADBAND INTERNET ACCESS SERVICE FOR VETERANS.**

(a) VETERAN DEFINED.—In this section, the term ‘‘veteran’’ has the meaning given the term in section 101 of title 38, United States Code.

(b) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to Congress a report on promoting broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas. In such report, the Commission shall—

(1) examine such access and how to promote such access; and

(2) provide findings and recommendations for Congress with respect to such access and how to promote such access.

(c) PUBLIC NOTICE AND OPPORTUNITY TO COMMENT.—In preparing the report required

by subsection (b), the Commission shall provide the public with notice and an opportunity to comment on broadband Internet access service for veterans, in particular low-income veterans and veterans residing in rural areas, and how to promote such access.

**SEC. 505. METHODOLOGY FOR COLLECTION OF MOBILE SERVICE COVERAGE DATA.**

(a) DEFINITIONS.—In this section—

(1) the term ''commercial mobile data service'' has the meaning given the term in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401);

(2) the term ''commercial mobile service'' has the meaning given the term in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d));

(3) the term ''coverage data'' means, if commercial mobile service or commercial mobile data service is available, general information about the service, which may include available speed tiers, radio frequency signal levels, and network and performance characteristics; and

(4) the term ''Universal Service program'' means the universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) and the regulations issued under that section.

(b) METHODOLOGY ESTABLISHED.—Not later than 180 days after the conclusion of the Mobility Fund Phase II Auction, the Commission shall promulgate regulations to establish a methodology that shall apply to the collection of coverage data by the Commission for the purposes of—

(1) the Universal Service program; or

(2) any other similar program.

(c) REQUIREMENTS.—The methodology established under subsection (b) shall—

(1) contain standard definitions for different available technologies such as 2G, 3G, 4G, and 4G LTE;

(2) enhance the consistency and robustness of how the data are collected by different parties;

(3) improve the validity and reliability of coverage data; and

(4) increase the efficiency of coverage data collection.

**SEC. 506. ACCURACY OF DISPATCHABLE LOCATION FOR 9-1-1 CALLS.**

(a) PROCEEDING REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Commission shall conclude a proceeding to consider adopting rules to ensure that the dispatchable location is conveyed with a 9-1-1 call, regardless of the technological platform used and including with calls from multi-line telephone systems (as defined in section 6502 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1471)).

(b) RELATIONSHIP TO OTHER PROCEEDINGS.—In conducting the proceeding required by subsection (a), the Commission may consider information and conclusions from other Commission proceedings regarding the accuracy of the dispatchable location for a 9-1-1 call, but nothing in this section shall be construed to require the Commission to reconsider any information or conclusion from a proceeding regarding the accuracy of the dispatchable location for a 9-1-1 call in which the Commission has adopted rules or issued an order before the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) 9-1-1 CALL.—The term ''9-1-1 call'' means a voice call that is placed, or a message that is sent by other means of communication, to a public safety answering point (as defined in section 222 of the Communications Act of 1934 (47 U.S.C. 222)) for the purpose of requesting emergency services.

(2) DISPATCHABLE LOCATION.—The term ''dispatchable location'' means the street address of the calling party, and additional information such as room number, floor number, or similar information necessary to adequately identify the location of the calling party.

**SEC. 507. NTIA STUDY ON INTERAGENCY PROCESS FOLLOWING CYBERSECURITY INCIDENTS.**

(a) IN GENERAL.—The Assistant Secretary of Commerce for Communications and Information shall complete a study on how the National Telecommunications and Information Administration can best coordinate the interagency process following cybersecurity incidents.

(b) REPORT TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Assistant Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the findings and recommendations of the study conducted under subsection (a).

**SEC. 508. TRIBAL DIGITAL ACCESS.**

(a) TRIBAL BROADBAND DATA REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating broadband coverage in Indian country (as defined in section 1151 of title 18, United States Code) and on land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act.

(2) REQUIRED ASSESSMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of areas of Indian country (as so defined) and land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act that have adequate broadband coverage.

(B) An assessment of unserved areas of Indian country (as so defined) and land held by a Native Corporation pursuant to the Alaska Native Claims Settlement Act.

(b) TRIBAL BROADBAND PROCEEDING.—Not later than 30 months after the date of the enactment of this Act, the Commission shall complete a proceeding to address the unserved areas identified in the report under subsection (a).

**SEC. 509. TERMS OF OFFICE AND VACANCIES.**

Section 4(c) of the Communications Act of 1934 (47 U.S.C. 154(c)) is amended to read as follows:

''(c)(1) A commissioner—

''(A) shall be appointed for a term of 5 years;

''(B) except as provided in subparagraph (C), may continue to serve after the expiration of the fixed term of office of the commissioner until a successor is appointed and has been confirmed and taken the oath of office; and

''(C) may not continue to serve after the expiration of the session of Congress that begins after the expiration of the fixed term of office of the commissioner.

''(2) Any person chosen to fill a vacancy in the Commission—

''(A) shall be appointed for the unexpired term of the commissioner that the person succeeds;

''(B) except as provided in subparagraph (C), may continue to serve after the expiration of the fixed term of office of the commissioner that the person succeeds until a successor is appointed and has been confirmed and taken the oath of office; and

''(C) may not continue to serve after the expiration of the session of Congress that begins after the expiration of the fixed term of office of the commissioner that the person succeeds.

''(3) No vacancy in the Commission shall impair the right of the remaining commissioners to exercise all the powers of the Commission.''.

**SEC. 510. SUBMISSION OF COPY OF CERTAIN DOCUMENTS TO CONGRESS.**

Section 4 of the Communications Act of 1934, as amended by section 402(h), is further amended by adding at the end the following:

''(o) BUDGET ESTIMATES AND REQUESTS; LEGISLATIVE RECOMMENDATIONS, TESTIMONY, AND COMMENTS ON LEGISLATION; SEMIANNUAL REPORTS.—

''(1) BUDGET ESTIMATES AND REQUESTS.—If the Commission submits any budget estimate or request to the President or the Office of Management and Budget, the Commission shall concurrently transmit a copy of that estimate or request to Congress.

''(2) LEGISLATIVE RECOMMENDATIONS, TESTIMONY, AND COMMENTS ON LEGISLATION.—

''(A) IN GENERAL.—If the Commission submits any legislative recommendations, testimony, or comments on legislation to the President or the Office of Management and Budget, the Commission shall concurrently transmit a copy thereof to Congress.

''(B) PROHIBITION.—No officer or agency of the United States may require the Commission to submit legislative recommendations, testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review prior to the submission of the recommendations, testimony, or comments to Congress.

''(3) OFFICE OF INSPECTOR GENERAL SEMIANNUAL REPORTS.—

''(A) IN GENERAL.—Notwithstanding section 5(b) of the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General of the Commission shall concurrently submit each semiannual report required under such section 5(b) to the Commission and to the appropriate committees or subcommittees of Congress.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to modify the requirement for the Commission to submit to the appropriate committees or subcommittees of Congress each such semiannual report together with a report by the Commission under such section 5(b).''.

**SEC. 511. JOINT BOARD RECOMMENDATION.**

The Commission may not modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004, recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

**SEC. 512. DISCLAIMER FOR PRESS RELEASES REGARDING NOTICES OF APPARENT LIABILITY.**

The Commission shall include in any press release regarding the issuance of a notice of apparent liability under section 503(b)(4) of the Communications Act of 1934 (47 U.S.C. 503(b)(4)) a disclaimer informing consumers that—

(1) the issuance of a notice of apparent liability should be treated only as allegations; and

(2) the amount of any forfeiture penalty proposed in a notice of apparent liability represents the maximum penalty that the Commission may impose for the violations alleged in the notice of apparent liability.

**SEC. 513. REPORTS RELATED TO SPECTRUM AUCTIONS.**

(a) ESTIMATE OF UPCOMING AUCTIONS.—Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended by adding at the end the following:

''(18) ESTIMATE OF UPCOMING AUCTIONS.—

''(A) Not later than September 30, 2018, and annually thereafter, the Commission shall

make publicly available an estimate of what systems of competitive bidding authorized under this subsection may be initiated during the upcoming 12-month period.

''(B) The estimate under subparagraph (A) shall, to the extent possible, identify the bands of frequencies the Commission expects to be included in each such system of competitive bidding.''.

(b) AUCTION EXPENDITURE JUSTIFICATION REPORT.—Not later than April 1, 2019, and annually thereafter, the Commission shall provide to the appropriate committees of Congress a report containing a detailed justification for the use of proceeds retained by the Commission under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)) for the costs of developing and implementing the program required by section 309(j) of that Act.

(c) DEFINITION.—For purposes of this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Energy and Commerce of the House of Representatives; and

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

## TITLE VI—VIEWER PROTECTION

### SEC. 601. RESERVE SOURCE FOR PAYMENT OF TV BROADCASTER RELOCATION COSTS.

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Broadcast Repack Fund.

(b) AVAILABILITY OF FUNDS.—

(1) IN GENERAL.—If the Commission makes the certification described in paragraph (2), amounts in the Broadcast Repack Fund shall be available to the Commission to make reimbursements pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(2) CERTIFICATION.—The certification described in this paragraph is a certification from the Commission to the Secretary of the Treasury that the funds available in the TV Broadcaster Relocation Fund established under subsection (d) of such section are likely to be insufficient to reimburse reasonably incurred costs described in subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of such section.

(3) AVAILABILITY FOR PAYMENTS AFTER APRIL 13, 2020.—Notwithstanding subsection (b)(4)(D) of such section, the Commission may make payments pursuant to subsection (b)(4)(A)(i) or (b)(4)(A)(ii) of such section from the Broadcast Repack Fund after April 13, 2020, if, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse reasonably incurred costs described in such subsection.

(c) UNUSED FUNDS RESCINDED AND DEPOSITED INTO THE GENERAL FUND OF THE TREASURY.—

(1) RESCISSION AND DEPOSIT.—If any unobligated amounts remain in the Broadcast Repack Fund after the date described in paragraph (2), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(2) DATE DESCRIBED.—The date described in this paragraph is the earlier of—

(A) the date of a certification by the Commission under paragraph (3) that all reimbursements pursuant to subsections (b)(4)(A)(i) and (b)(4)(A)(ii) of such section 6403 have been made; or

(B) July 3, 2022.

(3) CERTIFICATION.—If all reimbursements pursuant to subsections (b)(4)(A)(i) and (b)(4)(A)(ii) of such section 6403 have been made before July 3, 2022, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(d) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the Broadcast Repack Fund.

### SEC. 602. PAYMENT OF RELOCATION COSTS OF TELEVISION TRANSLATOR STATIONS AND LOW POWER TELEVISION STATIONS.

(a) PAYMENT REQUIRED.—

(1) IN GENERAL.—From amounts made available under subsection (b)(2), the Commission shall reimburse costs reasonably incurred by a television translator station or low power television station on or after January 1, 2017, in order for such station to relocate its television service from one channel to another channel or otherwise modify its facility as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452). Only stations that are eligible to file and do file an application in the Commission's Special Displacement Window are eligible to seek reimbursement under this paragraph.

(2) LIMITATION.—The Commission may not make reimbursements under paragraph (1) for lost revenues.

(3) DUPLICATIVE PAYMENTS PROHIBITED.—In the case of a low power television station that has been accorded primary status as a Class A television licensee under section 73.6001(a) of title 47, Code of Federal Regulations—

(A) if the licensee of such station has received reimbursement with respect to such station under subsection (b)(4)(A)(i) of such section 6403 (including from amounts made available under section 601 of this title), or from any other source, such station may not receive reimbursement under paragraph (1); and

(B) if such station has received reimbursement under paragraph (1), the licensee of such station may not receive reimbursement with respect to such station under subsection (b)(4)(A)(i) of such section 6403.

(4) ADDITIONAL LIMITATION.—The Commission may not make reimbursement under paragraph (1) for costs incurred to resolve mutually exclusive applications, including costs incurred in any auction of available channels.

(b) FUNDING.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Translator and Low Power Station Relocation Fund.

(2) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—Amounts in the Translator and Low Power Station Relocation Fund shall be available to the Commission to make payments required by subsection (a)(1).

(B) AVAILABILITY AFTER APRIL 13, 2020.—Amounts in the Translator and Low Power Station Relocation Fund shall not be available to the Commission to make payments required by subsection (a)(1) after April 13, 2020, unless, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse costs reasonably incurred by a television translator station or low power television station on or after January 1, 2017, in order for such station to relocate its television service from one channel to another channel or otherwise modify its facility as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(3) UNUSED FUNDS RESCINDED AND DEPOSITED INTO THE GENERAL FUND OF THE TREASURY.—

(A) RESCISSION AND DEPOSIT.—If any unobligated amounts remain in the Translator and Low Power Station Relocation Fund after the date described in subparagraph (B), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(B) DATE DESCRIBED.—The date described in this subparagraph is the earlier of—

(i) the date of a certification by the Commission under subparagraph (C) that all reimbursements pursuant to subsection (a)(1) have been made; or

(ii) July 3, 2023.

(C) CERTIFICATION.—If all reimbursements pursuant to subsection (a)(1) have been made before July 3, 2023, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the Translator and Low Power Station Relocation Fund.

(d) DEFINITIONS.—In this section:

(1) LOW POWER TELEVISION STATION.—The term ''low power television station'' means a low power TV station (as defined in section 74.701 of title 47, Code of Federal Regulations) that was licensed and transmitting for at least 9 of the 12 months prior to April 13, 2017. For purposes of the preceding sentence, the operation of analog and digital companion facilities may be combined.

(2) TELEVISION TRANSLATOR STATION.—The term ''television translator station'' means a television broadcast translator station (as defined in section 74.701 of title 47, Code of Federal Regulations) that was licensed and transmitting for at least 9 of the 12 months prior to April 13, 2017. For purposes of the preceding sentence, the operation of analog and digital companion facilities may be combined.

### SEC. 603. PAYMENT OF RELOCATION COSTS OF FM BROADCAST STATIONS.

(a) PAYMENT REQUIRED.—

(1) IN GENERAL.—From amounts made available under subsection (b)(2), the Commission shall reimburse costs reasonably incurred by an FM broadcast station for facilities necessary for such station to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(2) LIMITATION.—The Commission may not make reimbursements under paragraph (1) for lost revenues.

(3) DUPLICATIVE PAYMENTS PROHIBITED.—If an FM broadcast station has received a payment for interim facilities from the licensee of a television broadcast station that was reimbursed for such payment under subsection (b)(4)(A)(i) of such section 6403 (including

from amounts made available under section 601 of this title), or from any other source, such FM broadcast station may not receive any reimbursements under paragraph (1).

(b) FUNDING.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the FM Broadcast Station Relocation Fund.

(2) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—Amounts in the FM Broadcast Station Relocation Fund shall be available to the Commission to make payments required by subsection (a)(1).

(B) AVAILABILITY AFTER APRIL 13, 2020.—Amounts in the FM Broadcast Station Relocation Fund shall not be available to the Commission to make payments required by subsection (a)(1) after April 13, 2020, unless, before making any such payments after such date, the Commission submits to Congress a certification that such payments are necessary to reimburse costs reasonably incurred by an FM broadcast station for facilities necessary for such station to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(3) UNUSED FUNDS RESCINDED AND DEPOSITED INTO THE GENERAL FUND OF THE TREASURY.—

(A) RESCISSION AND DEPOSIT.—If any unobligated amounts remain in the FM Broadcast Station Relocation Fund after the date described in subparagraph (B), such amounts shall be rescinded and deposited into the general fund of the Treasury, where such amounts shall be dedicated for the sole purpose of deficit reduction.

(B) DATE DESCRIBED.—The date described in this subparagraph is the earlier of—

(i) the date of a certification by the Commission under subparagraph (C) that all reimbursements pursuant to subsection (a)(1) have been made; or

(ii) July 3, 2022.

(C) CERTIFICATION.—If all reimbursements pursuant to subsection (a)(1) have been made before July 3, 2022, the Commission shall submit to the Secretary of the Treasury a certification that all such reimbursements have been made.

(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any reimbursements out of the FM Broadcast Station Relocation Fund.

(d) FM BROADCAST STATION DEFINED.—In this section, the term ''FM broadcast station'' has the meaning given such term in section 73.310 of title 47, Code of Federal Regulations, and, for an FM translator, has the meaning given the term ''FM translator'' in section 74.1201 of such title.

**SEC. 604. CONSUMER EDUCATION PAYMENT.**

(a) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund to be known as the Broadcast Station Relocation Consumer Education Fund.

(b) AVAILABILITY OF FUNDS.—Amounts in the Broadcast Station Relocation Consumer Education Fund shall be available to the Commission to make payments solely for the purposes of consumer education relating to the reorganization of broadcast television spectrum under subsection (b) of section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452).

(c) ADMINISTRATIVE COSTS.—The amount of auction proceeds that the salaries and expenses account of the Commission is required to retain under section 309(j)(8)(B) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(B)), including from the proceeds of the forward auction under section 6403 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1452), shall be sufficient to cover the administrative costs incurred by the Commission in making any payments out of the Broadcast Station Relocation Consumer Education Fund.

**SEC. 605. IMPLEMENTATION AND ENFORCEMENT.**

The Commission shall implement and enforce this title as if this title is a part of the Communications Act of 1934 (47 U.S.C. 151 et seq.). A violation of this title, or a regulation promulgated under this title, shall be considered to be a violation of the Communications Act of 1934, or a regulation promulgated under such Act, respectively.

**SEC. 606. RULE OF CONSTRUCTION.**

Nothing in this title shall alter the final transition phase completion date established by the Commission for full power and Class A television stations.

## TITLE VII—MOBILE NOW

**SEC. 701. SHORT TITLE.**

This title may be cited as the ''Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act'' or the ''MOBILE NOW Act''.

**SEC. 702. DEFINITIONS.**

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives; and

(C) each committee of the Senate or of the House of Representatives with jurisdiction over a Federal entity affected by the applicable section in which the term appears.

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(3) FEDERAL ENTITY.—The term ''Federal entity'' has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l)).

(4) NTIA.—The term ''NTIA'' means the National Telecommunications and Information Administration of the Department of Commerce.

(5) OMB.—The term ''OMB'' means the Office of Management and Budget.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

**SEC. 703. IDENTIFYING 255 MEGAHERTZ.**

(a) REQUIREMENTS.—

(1) IN GENERAL.—Not later than December 31, 2022, the Secretary, working through the NTIA, and the Commission shall identify a total of at least 255 megahertz of Federal and non-Federal spectrum for mobile and fixed wireless broadband use.

(2) UNLICENSED AND LICENSED USE.—Of the spectrum identified under paragraph (1), not less than—

(A) 100 megahertz below the frequency of 8000 megahertz shall be identified for use on an unlicensed basis;

(B) 100 megahertz below the frequency of 6000 megahertz shall be identified for use on an exclusive, licensed basis for commercial mobile use, pursuant to the Commission's authority to implement such licensing in a flexible manner, and subject to potential continued use of such spectrum by incumbent Federal entities in designated geographic areas indefinitely or for such length of time stipulated in transition plans approved by the Technical Panel under section 113(h) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)) for those incumbent entities to be relocated to alternate spectrum; and

(C) 55 megahertz below the frequency of 8000 megahertz shall be identified for use on either a licensed or unlicensed basis, or a combination of licensed and unlicensed.

(3) NON-ELIGIBLE SPECTRUM.—For purposes of satisfying the requirement under paragraph (1), the following spectrum shall not be counted:

(A) The frequencies between 1695 and 1710 megahertz.

(B) The frequencies between 1755 and 1780 megahertz.

(C) The frequencies between 2155 and 2180 megahertz.

(D) The frequencies between 3550 and 3700 megahertz.

(E) Spectrum that the Commission determines had more than de minimis mobile or fixed wireless broadband operations within the band on the day before the date of enactment of this Act.

(4) TREATMENT OF CERTAIN OTHER SPECTRUM.—Spectrum identified pursuant to this section may include eligible spectrum, if any, identified after the date of enactment of this Act pursuant to title X of the Bipartisan Budget Act of 2015 (Public Law 114–74).

(5) SPECTRUM MADE AVAILABLE ON AND AFTER FEBRUARY 11, 2016.—Any spectrum that has been made available for licensed or unlicensed use on and after February 11, 2016, and that otherwise satisfies the requirements of this section may be counted towards the requirements of this subsection.

(6) RELOCATION PRIORITIZED OVER SHARING.—This section shall be carried out in accordance with section 113(j) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(j)).

(7) CONSIDERATIONS.—In identifying spectrum for use under this section, the Secretary, working through the NTIA, and Commission shall consider—

(A) the need to preserve critical existing and planned Federal Government capabilities;

(B) the impact on existing State, local, and tribal government capabilities;

(C) the international implications;

(D) the need for appropriate enforcement mechanisms and authorities; and

(E) the importance of the deployment of wireless broadband services in rural areas of the United States.

(b) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to impair or otherwise affect the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals;

(2) to require the disclosure of classified information, law enforcement sensitive information, or other information that must be protected in the interest of national security; or

(3) to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000, or any other relevant statutory requirement applicable to the reallocation of Federal spectrum.

**SEC. 704. MILLIMETER WAVE SPECTRUM.**

(a) FCC PROCEEDING.—Not later than 2 years after the date of enactment of this Act, the Commission shall publish a notice

of proposed rulemaking to consider service rules to authorize mobile or fixed terrestrial wireless operations, including for advanced mobile service operations, in the radio frequency band between 42000 and 42500 megahertz.

(b) CONSIDERATIONS.—In conducting a rulemaking under subsection (a), the Commission shall—

(1) consider how the band described in subsection (a) may be used to provide commercial wireless broadband service, including whether—

(A) such spectrum may be best used for licensed or unlicensed services, or some combination thereof; and

(B) to permit additional licensed operations in such band on a shared basis; and

(2) include technical characteristics under which the band described in subsection (a) may be employed for mobile or fixed terrestrial wireless operations, including any appropriate coexistence requirements.

(c) SPECTRUM MADE AVAILABLE ON AND AFTER FEBRUARY 11, 2016.—Any spectrum that has been made available for licensed or unlicensed use on or after February 11, 2016, and that otherwise satisfies the requirements of section 703 may be counted towards the requirements of section 703(a).

**SEC. 705. 3 GIGAHERTZ SPECTRUM.**

(a) BETWEEN 3100 MEGAHERTZ AND 3550 MEGAHERTZ.—Not later than 24 months after the date of enactment of this Act, and in consultation with the Commission and the head of each affected Federal agency (or a designee thereof), the Secretary, working through the NTIA, shall submit to the Commission and the appropriate committees of Congress a report evaluating the feasibility of allowing commercial wireless services, licensed or unlicensed, to share use of the frequencies between 3100 megahertz and 3550 megahertz.

(b) BETWEEN 3700 MEGAHERTZ AND 4200 MEGAHERTZ.—Not later than 18 months after the date of enactment of this Act, after notice and an opportunity for public comment, and in consultation with the Secretary, working through the NTIA, and the head of each affected Federal agency (or a designee thereof), the Commission shall submit to the Secretary and the appropriate committees of Congress a report evaluating the feasibility of allowing commercial wireless services, licensed or unlicensed, to use or share use of the frequencies between 3700 megahertz and 4200 megahertz.

(c) REQUIREMENTS.—A report under subsection (a) or (b) shall include the following:

(1) An assessment of the operations of Federal entities that operate Federal Government stations authorized to use the frequencies described in that subsection.

(2) An assessment of the possible impacts of such sharing on Federal and non-Federal users already operating on the frequencies described in that subsection.

(3) The criteria that may be necessary to ensure shared licensed or unlicensed services would not cause harmful interference to Federal or non-Federal users already operating in the frequencies described in that subsection.

(4) If such sharing is feasible, an identification of which of the frequencies described in that subsection are most suitable for sharing with commercial wireless services through the assignment of new licenses by competitive bidding, for sharing with unlicensed operations, or through a combination of licensing and unlicensed operations.

(d) COMMISSION ACTION.—The Commission, in consultation with the NTIA, shall seek public comment on the reports required under subsections (a) and (b), including regarding the bands identified in such report as feasible pursuant to subsection (c)(4).

**SEC. 706. BROADBAND INFRASTRUCTURE DEPLOYMENT.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE STATE AGENCY.—The term ''appropriate State agency'' means a State governmental agency that is recognized by the executive branch of the State as having the experience necessary to evaluate and carry out projects relating to the proper and effective installation and operation of broadband infrastructure.

(2) BROADBAND INFRASTRUCTURE.—The term ''broadband infrastructure'' means any buried, underground, or aerial facility, and any wireless or wireline connection, that enables users to send and receive voice, video, data, graphics, or any combination thereof.

(3) BROADBAND INFRASTRUCTURE ENTITY.—The term ''broadband infrastructure entity'' means any entity that—

(A) installs, owns, or operates broadband infrastructure; and

(B) provides broadband services in a manner consistent with the public interest, convenience, and necessity, as determined by the State.

(4) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia; and

(C) the Commonwealth of Puerto Rico.

(b) BROADBAND INFRASTRUCTURE DEPLOYMENT.—To facilitate the installation of broadband infrastructure, the Secretary of Transportation shall promulgate regulations to ensure that each State that receives funds under chapter 1 of title 23, United States Code, meets the following requirements:

(1) BROADBAND CONSULTATION.—The State department of transportation, in consultation with appropriate State agencies, shall—

(A) identify a broadband utility coordinator, that may have additional responsibilities, whether in the State department of transportation or in another State agency, that is responsible for facilitating the broadband infrastructure right-of-way efforts within the State;

(B) establish a process for the registration of broadband infrastructure entities that seek to be included in those broadband infrastructure right-of-way facilitation efforts within the State;

(C) establish a process to electronically notify broadband infrastructure entities identified under subparagraph (B) of the State transportation improvement program on an annual basis and provide additional notifications as necessary to achieve the goals of this section; and

(D) coordinate initiatives carried out under this section with other statewide telecommunication and broadband plans and State and local transportation and land use plans, including strategies to minimize repeated excavations that involve the installation of broadband infrastructure in a right-of-way.

(2) PRIORITY.—If a State chooses to provide for the installation of broadband infrastructure in the right-of-way of an applicable Federal-aid highway project under this subsection, the State department of transportation shall carry out any appropriate measures to ensure that any existing broadband infrastructure entities are not disadvantaged, as compared to other broadband infrastructure entities, with respect to the program under this subsection.

(c) EFFECT OF SECTION.—This section applies only to activities for which Federal obligations or expenditures are initially approved on or after the date regulations under subsection (b) become effective. Nothing in this section establishes a mandate or requirement that a State install or allow the installation of broadband infrastructure in a highway right-of-way. Nothing in this section authorizes the Secretary of Transportation to withhold or reserve funds or approval of a project under title 23, United States Code.

**SEC. 707. REALLOCATION INCENTIVES.**

(a) IN GENERAL.—Not later than 24 months after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information, in consultation with the Commission, the Director of OMB, and the head of each affected Federal agency (or a designee thereof), after notice and an opportunity for public comment, shall submit to the appropriate committees of Congress a report that includes legislative or regulatory recommendations to incentivize a Federal entity to relinquish, or share with Federal or non-Federal users, Federal spectrum for the purpose of allowing commercial wireless broadband services to operate on that Federal spectrum.

(b) POST-AUCTION PAYMENTS.—

(1) REPORT.—In preparing the report under subsection (a), the Assistant Secretary of Commerce for Communications and Information shall—

(A) consider whether permitting eligible Federal entities that are implementing a transition plan submitted under section 113(h) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(h)) to accept payments could result in access to the eligible frequencies that are being reallocated for exclusive non-Federal use or shared use sooner than would otherwise occur without such payments; and

(B) include the findings under subparagraph (A), including the analysis under paragraph (2) and any recommendations for legislation, in the report.

(2) ANALYSIS.—In considering payments under paragraph (1)(A), the Assistant Secretary of Commerce for Communications and Information shall conduct an analysis of whether and how such payments would affect—

(A) bidding in auctions conducted under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) of such eligible frequencies; and

(B) receipts collected from the auctions described in subparagraph (A).

(3) DEFINITIONS.—In this subsection:

(A) PAYMENT.—The term ''payment'' means a payment in cash or in-kind by any auction winner, or any person affiliated with an auction winner, of eligible frequencies during the period after eligible frequencies have been reallocated by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) but prior to the completion of relocation or sharing transition of such eligible frequencies per transition plans approved by the Technical Panel.

(B) ELIGIBLE FREQUENCIES.—The term ''eligible frequencies'' has the meaning given the term in section 113(g)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)).

**SEC. 708. BIDIRECTIONAL SHARING STUDY.**

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, including an opportunity for public comment, the Commission, in collaboration with the NTIA, shall—

(1) conduct a bidirectional sharing study to determine the best means of providing Federal entities flexible access to non-Federal spectrum on a shared basis across a range of short-, mid-, and long-range timeframes, including for intermittent purposes like emergency use; and

(2) submit to Congress a report on the study under paragraph (1), including any recommendations for legislation or proposed regulations.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Commission shall—

(1) consider the regulatory certainty that commercial spectrum users and Federal entities need to make longer-term investment decisions for shared access to be viable; and

(2) evaluate any barriers to voluntary commercial arrangements in which non-Federal users could provide access to Federal entities.

**SEC. 709. UNLICENSED SERVICES IN GUARD BANDS.**

(a) IN GENERAL.—After public notice and comment, and in consultation with the Assistant Secretary of Commerce for Communications and Information and the head of each affected Federal agency (or a designee thereof), with respect to frequencies allocated for Federal use, the Commission shall adopt rules that permit unlicensed services where feasible to use any frequencies that are designated as guard bands to protect frequencies allocated after the date of enactment of this Act by competitive bidding under section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), including spectrum that acts as a duplex gap between transmit and receive frequencies.

(b) LIMITATION.—The Commission may not permit any use of a guard band under this section that would cause harmful interference to a licensed service or a Federal service.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the Commission or the Assistant Secretary of Commerce for Communications and Information from otherwise making spectrum available for licensed or unlicensed use in any frequency band in addition to guard bands, including under section 703, consistent with their statutory jurisdictions.

**SEC. 710. AMENDMENTS TO THE SPECTRUM PIPELINE ACT OF 2015.**

Section 1008 of the Spectrum Pipeline Act of 2015 (Public Law 114–74; 129 Stat. 584) is amended in the matter preceding paragraph (1) by inserting '', after notice and an opportunity for public comment,'' after ''the Commission''.

**SEC. 711. GAO ASSESSMENT OF UNLICENSED SPECTRUM AND WI-FI USE IN LOW-INCOME NEIGHBORHOODS.**

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study to evaluate the availability of broadband Internet access using unlicensed spectrum and wireless networks in low-income neighborhoods.

(2) REQUIREMENTS.—In conducting the study under paragraph (1), the Comptroller General shall consider and evaluate—

(A) the availability of wireless Internet hot spots and access to unlicensed spectrum in low-income neighborhoods, particularly for elementary and secondary school-aged children in such neighborhoods;

(B) any barriers preventing or limiting the deployment and use of wireless networks in low-income neighborhoods;

(C) how to overcome any barriers described in subparagraph (B), including through incentives, policies, or requirements that would increase the availability of unlicensed spectrum and related technologies in low-income neighborhoods; and

(D) how to encourage home broadband adoption by households with elementary and secondary school-age children that are in low-income neighborhoods.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that—

(1) summarizes the findings of the study conducted under subsection (a); and

(2) makes recommendations with respect to potential incentives, policies, and requirements that could help achieve the goals described in subparagraphs (C) and (D) of subsection (a)(2).

**SEC. 712. RULEMAKING RELATED TO PARTITIONING OR DISAGGREGATING LICENSES.**

(a) DEFINITIONS.—In this section:

(1) COVERED SMALL CARRIER.—The term ''covered small carrier'' means a carrier (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)) that—

(A) has not more than 1,500 employees (as determined under section 121.106 of title 13, Code of Federal Regulations, or any successor thereto); and

(B) offers services using the facilities of the carrier.

(2) RURAL AREA.—The term ''rural area'' means any area other than—

(A) a city, town, or incorporated area that has a population of more than 20,000 inhabitants; or

(B) an urbanized area contiguous and adjacent to a city or town that has a population of more than 50,000 inhabitants.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall initiate a rulemaking proceeding to assess whether to establish a program, or modify existing programs, under which a licensee that receives a license for the exclusive use of spectrum in a specific geographic area under section 301 of the Communications Act of 1934 (47 U.S.C. 301) may partition or disaggregate the license by sale or long-term lease—

(A) in order to—

(i) provide services consistent with the license; and

(ii) make unused spectrum available to—

(I) an unaffiliated covered small carrier; or

(II) an unaffiliated carrier to serve a rural area; and

(B) if the Commission finds that such a program would promote—

(i) the availability of advanced telecommunications services in rural areas; or

(ii) spectrum availability for covered small carriers.

(2) CONSIDERATIONS.—In conducting the rulemaking proceeding under paragraph (1), the Commission shall consider, with respect to the program proposed to be established under that paragraph—

(A) whether reduced performance requirements with respect to spectrum obtained through the program would facilitate deployment of advanced telecommunications services in the areas covered by the program;

(B) what conditions may be needed on transfers of spectrum under the program to allow covered small carriers that obtain spectrum under the program to build out the spectrum in a reasonable period of time;

(C) what incentives may be appropriate to encourage licensees to lease or sell spectrum, including—

(i) extending the term of a license granted under section 301 of the Communications Act of 1934 (47 U.S.C. 301); or

(ii) modifying performance requirements of the license relating to the leased or sold spectrum; and

(D) the administrative feasibility of—

(i) the incentives described in subparagraph (C); and

(ii) other incentives considered by the Commission that further the goals of this section.

(3) FORFEITURE OF SPECTRUM.—If a party fails to meet any build out requirements set by the Commission for any spectrum sold or leased under this section, the right to the spectrum shall be forfeited to the Commission unless the Commission finds that there is good cause for the failure of the party.

(4) REQUIREMENT.—The Commission may offer a licensee incentives or reduced performance requirements under this section only if the Commission finds that doing so would likely result in increased availability of advanced telecommunications services in a rural area.

**SEC. 713. UNLICENSED SPECTRUM POLICY.**

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to maximize the benefit to the people of the United States of the spectrum resources of the United States;

(2) to advance innovation and investment in wireless broadband services; and

(3) to promote spectrum policy that makes available on an unlicensed basis radio frequency bands to address consumer demand for unlicensed wireless broadband operations.

(b) COMMISSION RESPONSIBILITIES.—The Commission shall ensure that the efforts of the Commission related to spectrum allocation and assignment made available on an unlicensed basis radio frequency bands to address demand for unlicensed wireless broadband operations if doing so is, after taking into account the future needs of homeland security, national security, and other spectrum users—

(1) reasonable; and

(2) in the public interest.

(c) RULE OF CONSTRUCTION.—Nothing in this section confers any additional rights on unlicensed users or users licensed by rule under part 96 of title 47, Code of Federal Regulations, to protection from harmful interference.

**SEC. 714. NATIONAL PLAN FOR UNLICENSED SPECTRUM.**

(a) DEFINITIONS.—In this section:

(1) SPECTRUM RELOCATION FUND.—The term ''Spectrum Relocation Fund'' means the Fund established under section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928).

(2) UNLICENSED OR LICENSED BY RULE OPERATIONS.—The term ''unlicensed or licensed by rule operations'' means the use of spectrum on a non-exclusive basis under—

(A) part 15 of title 47, Code of Federal Regulations; or

(B) licensing by rule under part 96 of title 47, Code of Federal Regulations.

(b) NATIONAL PLAN.—Not later than 18 months after the date of enactment of this Act, the Commission, in consultation with the NTIA, shall develop a national plan for making additional radio frequency bands available for unlicensed or licensed by rule operations.

(c) REQUIREMENTS.—The plan developed under this section shall—

(1) identify an approach that ensures that consumers have access to additional spectrum to conduct unlicensed or licensed by rule operations in a range of radio frequencies to meet consumer demand;

(2) recommend specific actions by the Commission and the NTIA to permit unlicensed or licensed by rule operations in additional radio frequency ranges that the Commission finds—

(A) are consistent with the statement of policy under section 713(a);

(B) will—

(i) expand opportunities for unlicensed or licensed by rule operations in a spectrum band; or

(ii) otherwise improve spectrum utilization and intensity of use of bands where unlicensed or licensed by rule operations are already permitted;

(C) will not cause harmful interference to Federal or non-Federal users of such bands; and

(D) will not significantly impact homeland security or national security communications systems; and

(3) examine additional ways, with respect to existing and planned databases or spectrum access systems designed to promote spectrum sharing and access to spectrum for unlicensed or licensed by rule operations—

(A) to improve accuracy and efficacy;

(B) to reduce burdens on consumers, manufacturers, and service providers; and

(C) to protect sensitive Government information.

(d) SPECTRUM RELOCATION FUND.—To be included as an appendix as part of the plan developed under this section, the NTIA, in consultation with the Director of the Office of Management and Budget, shall share with the Commission recommendations about how to reform the Spectrum Relocation Fund—

(1) to address costs incurred by Federal entities related to sharing radio frequency bands with radio technologies conducting unlicensed or licensed by rule operations; and

(2) to ensure the Spectrum Relocation Fund has sufficient funds to cover—

(A) the costs described in paragraph (1); and

(B) other expenditures allowed of the Spectrum Relocation Fund under section 118 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 928).

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report that describes the plan developed under this section, including any recommendations for legislative change.

(2) PUBLICATION ON COMMISSION WEBSITE.—Not later than the date on which the Commission submits the report under paragraph (1), the Commission shall make the report publicly available on the website of the Commission.

(f) RULE OF CONSTRUCTION.—Nothing in this section confers any additional rights on unlicensed users or users licensed by rule under part 96 of title 47, Code of Federal Regulations, to protection from harmful interference.

**SEC. 715. SPECTRUM CHALLENGE PRIZE.**

(a) SHORT TITLE.—This section may be cited as the ''Spectrum Challenge Prize Act''.

(b) DEFINITION OF PRIZE COMPETITION.—In this section, the term ''prize competition'' means a prize competition conducted by the Secretary under subsection (c)(1).

(c) SPECTRUM CHALLENGE PRIZE.—

(1) IN GENERAL.—The Secretary, in consultation with the Assistant Secretary of Commerce for Communications and Information and the Under Secretary of Commerce for Standards and Technology, shall, subject to the availability of funds for prize competitions under this section—

(A) conduct prize competitions to dramatically accelerate the development and commercialization of technology that improves spectrum efficiency and is capable of cost-effective deployment; and

(B) define a measurable set of performance goals for participants in the prize competitions to demonstrate their solutions on a level playing field while making a significant advancement over the current state of the art.

(2) AUTHORITY OF SECRETARY.—In carrying out paragraph (1), the Secretary may—

(A) enter into a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity to administer the prize competitions;

(B) invite the Defense Advanced Research Projects Agency, the Commission, the National Aeronautics and Space Administration, the National Science Foundation, or any other Federal agency to provide advice and assistance in the design or administration of the prize competitions; and

(C) award not more than $5,000,000, in the aggregate, to the winner or winners of the prize competitions.

(d) CRITERIA.—Not later than 180 days after the date on which funds for prize competitions are made available pursuant to this section, the Commission shall publish a technical paper on spectrum efficiency providing criteria that may be used for the design of the prize competitions.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

**SEC. 716. WIRELESS TELECOMMUNICATIONS TAX AND FEE COLLECTION FAIRNESS.**

(a) SHORT TITLE.—This section may be cited as the ''Wireless Telecommunications Tax and Fee Collection Fairness Act''.

(b) DEFINITIONS.—In this section:

(1) FINANCIAL TRANSACTION.—The term ''financial transaction'' means a transaction in which the purchaser or user of a wireless telecommunications service upon whom a tax, fee, or surcharge is imposed gives cash, credit, or any other exchange of monetary value or consideration to the person who is required to collect or remit the tax, fee, or surcharge.

(2) LOCAL JURISDICTION.—The term ''local jurisdiction'' means a political subdivision of a State.

(3) STATE.—The term ''State'' means any of the several States, the District of Columbia, and any territory or possession of the United States.

(4) STATE OR LOCAL JURISDICTION.—The term ''State or local jurisdiction'' includes any governmental entity or person acting on behalf of a State or local jurisdiction that has the authority to assess, impose, levy, or collect taxes or fees.

(5) WIRELESS TELECOMMUNICATIONS SERVICE.—The term ''wireless telecommunications service'' means a commercial mobile radio service, as defined in section 20.3 of title 47, Code of Federal Regulations, or any successor thereto.

(c) FINANCIAL TRANSACTION REQUIREMENT.—

(1) IN GENERAL.—A State, or a local jurisdiction of a State, may not require a person who is neither a resident of such State or local jurisdiction nor an entity having its principal place of business in such State or local jurisdiction to collect from, or remit on behalf of, any other person a State or local tax, fee, or surcharge imposed on a purchaser or user with respect to the purchase or use of any wireless telecommunications service within the State unless the collection or remittance is in connection with a financial transaction.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the right of a State or local jurisdiction to require the collection of any tax, fee, or surcharge in connection with a financial transaction.

(d) ENFORCEMENT.—

(1) PRIVATE RIGHT OF ACTION.—Any person aggrieved by a violation of subsection (c) may bring a civil action in an appropriate district court of the United States for equitable relief in accordance with paragraph (2) of this subsection.

(2) JURISDICTION OF DISTRICT COURTS.—Notwithstanding section 1341 of title 28, United States Code, or the constitution or laws of any State, the district courts of the United States shall have jurisdiction, without regard to the amount in controversy or citizenship of the parties, to grant such mandatory or prohibitive injunctive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of subsection (c).

**SEC. 717. RULES OF CONSTRUCTION.**

(a) RANGES OF FREQUENCIES.—Each range of frequencies described in this title shall be construed to be inclusive of the upper and lower frequencies in the range.

(b) ASSESSMENT OF ELECTROMAGNETIC SPECTRUM REALLOCATION.—Nothing in this title shall be construed to affect any requirement under section 156 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000.

**SEC. 718. RELATIONSHIP TO MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.**

Nothing in this title shall be construed to limit, restrict, or circumvent in any way the implementation of the nationwide public safety broadband network defined in section 6001 of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) or any rules implementing that network under title VI of that Act (47 U.S.C. 1401 et seq.).

**SEC. 719. NO ADDITIONAL FUNDS AUTHORIZED.**

No additional funds are authorized to be appropriated to carry out this title, or the amendment made by this title. This title, and the amendment made by this title, shall be carried out using amounts otherwise authorized.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. 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 material on the bill.

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

There was no objection.

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

Mr. Speaker, I am pleased today that the House of Representatives is taking up an important bill from the House Energy and Commerce Committee. It is titled the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018, or RAY BAUM'S Act.

I thank our subcommittee chairman, MARSHA BLACKBURN, for her hard work in introducing and moving this legislation forward.

Before I get into the policy side, I want to touch on the meaning behind this bill's title.

H.R. 4986 is a nod to our dear friend, and mine of 30 years, the former staff director of our Energy and Commerce Committee, who recently lost his battle with cancer.

It is a testament of not just Ray's dedication to telecom policy—as you know, he served as public utility commissioner, he chaired the Joint Board with the FCC on communications issues, and was such a policy brain for our committee—but also his ability to work across the aisle and with all levels of government officials. He got good things done for America.

Years ago, when I became chairman of what was then called the Subcommittee on Telecommunications and the Internet, Ray, at my invitation, finally agreed to come back to Washington and work on the committee.

He had served as a State representative and as majority leader of the Oregon House. He had been chairman of the public utility commission in Oregon and brought a lot to our process as senior policy adviser.

In the years that followed, these issues remained both a priority and a passion for Ray, and I believe and I hope our bipartisan work today reflects admirably the kind of commitment he wanted all of us to share in making good public policy.

By the way, that is Ray right there, for those who didn't know.

The RAY BAUM'S Act reauthorizes the Federal Communications Commission. It includes efficiency and transparency reforms for the FCC, and it spurs the development of next generation 5G technologies.

It is good for consumers, and it is good for our Nation's critical telecommunications services.

Importantly, the bill before us today is the product of a bipartisan and bicameral agreement, House and Senate, Republicans and Democrats, including my friend from New Jersey (Mr. PALLONE), Senate Commerce Committee chairman Mr. THUNE, and the ranking member in the Senate, BILL NELSON.

Mr. Speaker, we bring you a good product today of sound policy named for a wonderful individual, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
*Washington, DC, March 6, 2018.*

Hon. GREG WALDEN,
*Chairman, Committee on Energy and Commerce, Washington, DC.*

DEAR CHAIRMAN WALDEN: I write concerning H.R. 4986, RAY BAUM'S Act of 2018. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forego action on the bill. However, this is conditional on our mutual understanding that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, this is conditional on our understanding that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I request your support for the appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

I would ask that a copy of this letter and your response acknowledging our jurisdictional interest as well as the mutually agreed upon changes to be incorporated into the bill be included in the Congressional Record during consideration of the measure on the House floor, to memorialize our understanding.

I look forward to working with the Committee on Energy and Commerce as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
*Washington, DC, March 6, 2018.*

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and Infrastructure, Washington, DC.*

DEAR CHAIRMAN SHUSTER: Thank you for your letter concerning H.R. 4986, RAY BAUM'S Act of 2018, which includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I appreciate your Committee's willingness to forego action on H.R. 4986 so that this legislation may be brought before the House of Representatives in an expeditious manner.

I agree that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, I agree that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I will support the appropriate appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

I will include a copy of your letter and this response in the Congressional Record during consideration of the measure on the House floor.

Sincerely,

GREG WALDEN,
*Chairman.*

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HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
*Washington, DC, March 6, 2018.*

Hon. GREG WALDEN,
*Chairman, Committee on Energy & Commerce, House of Representatives.*

DEAR MR. CHAIRMAN: I am writing concerning the jurisdictional interest of the Committee on Oversight and Government Reform in H.R. 4986, the ''RAY BAUM'S Act of 2018.'' As a result of your having consulted with me concerning the provisions of the bill that fall within our Rule X jurisdiction, I agree to forego further consideration by the Committee on Oversight and Government Reform.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 4986 at this time we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the bill report filed by the Committee on Energy & Commerce, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

TREY GOWDY.

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
*Washington, DC, March 6, 2018.*

Hon. TREY GOWDY,
*Chairman, Committee on Oversight and Government Reform, Washington, DC.*

DEAR CHAIRMAN GOWDY: Thank you for your letter concerning H.R. 4986, RAY BAUM'S Act of 2018, and I appreciate your willingness to forego further consideration by the Committee on Oversight and Government Reform.

I agree that by foregoing consideration of H.R. 4986 at this time, the Committee on Oversight and Government Reform does not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I will support the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, a copy of our exchange of letters on this matter will be included in the bill report filed by the Committee on Energy and Commerce, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

GREG WALDEN,
*Chairman.*

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

Mr. Speaker, I also rise in support of H.R. 4986, the RAY BAUM'S Act. This bill is the product of extensive bipartisan collaboration. After exhaustive negotiations, we were able to reach a deal that includes bills introduced by Democrats and Republicans in both the House and in the Senate. That does not happen often, and I would like to thank my colleagues for working with me so closely.

This bill is a real tribute to its namesake, Ray Baum. Ray had a passion for telecommunications policy and a special place in his heart for broadcasting. Ray was also an eternal optimist. He never faltered in his belief that we could find a way to work together to find a solution, and he was right.

We were able to incorporate proposals from Members on both sides of the aisle, just the way Ray would have liked it, and we were able to produce this legislation that will reauthorize the FCC for the first time in 28 years.

Mr. Speaker, I would like to briefly mention some aspects of this bill that I am most proud of. First, we were able to include the SANDy Act, which is named to honor those affected by Superstorm Sandy, a storm that ripped through the Northeast, including my district, over 5 years ago. During that

superstorm, we saw firsthand how important communications were for survival. From television and radio broadcasters to wireless providers and cable networks, each played its own role in making sure people knew how to find help, look for loved ones, and stay out of harm's way.

□ 1445

I used the lessons we learned from Sandy in writing this legislation. When this bill is signed into law, our networks will be stronger, more resilient, and more capable to serve in an emergency.

This FCC reauthorization bill also includes the Viewer Protection Act. I introduced the Viewer Protection Act to make sure no viewer loses signal as a result of the FCC's incentive auction. Access to local information has become even more important as the number of natural disasters has increased over the past few years.

Not only does this bill help ensure consumers' broadcast stations don't go dark, as part of this bipartisan, bicameral deal, we have agreed to provide $50 million in funding to help educate consumers about the transition. This funding is critical to make sure that people have access to information about how to get their televisions to work.

My colleagues will discuss other important aspects of this deal. But before they do, I would like to point out two important provisions that we included as part of the reauthorization. First, we included a provision that makes the FCC's inspector general independent of the Commission's chairman. The IG is currently conducting a number of critical investigations, including one into whether the chairman of the agency has been improperly favoring Sinclair Broadcast Group. But under current law, these investigations are being conducted under a cloud—the very chairman who is under investigation can obstruct the review by firing the inspector general or his or her staff at any time. So by passing this bill, we are ensuring that these important investigations can conclude without any interference.

Finally, I do not normally support unnecessarily cutting the budget of our agencies. But in this case, I would like to thank my colleagues for agreeing to limit this cut to the length of this administration. The current leadership of the FCC, in my opinion, has proven that it cannot be trusted to serve the public interest. Most notably, the agency has ignored its statutory duty and the call of the American people by destroying our net neutrality protections. Net neutrality safeguards our American values by empowering small businesses, creating new jobs, and ensuring free speech online.

By limiting the resources that we provide for the next 3 years, this reauthorization will limit this Commission's power, in my opinion, to do more harm.

For these reasons and many more, I urge my colleagues to support the bipartisan and bicameral agreement embodied by the RAY BAUM'S Act.

I would like to also thank the Democratic committee staff—David Goldman, Gerald Leverich, and Dan Miller—for all of their hard work in getting this bill to the floor today.

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

Mr. WALDEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the chair of the subcommittee, who has been an incredible leader on our communications issues on the Energy and Commerce Committee for some time.

Mrs. BLACKBURN. Mr. Speaker, I thank the chairman for the recognition, and I thank him for his efforts on this.

Mr. Speaker, it really is a pleasure to come here today to talk about the RAY BAUM'S Act. We have, for so long, talked about the need to push this through to completion, and Ray served as our staff director and really helped the committee and our subcommittee push this forward to the point that we could say: Yes, we have the FCC reauthorization done.

As Mr. PALLONE said, it has been 28 years since this agency has been reauthorized. It is certainly an honor to say we have done this in Ray's name, and we have done it in a bipartisan way.

There are so many things that are included in this bill, and one of the provisions that is in here is Chairman WALDEN's FCC reform. Many times you will hear us talk about needing to bring sunlight to these agencies, bringing order, and the ability for constituents and citizens to know what is happening. We have that included in this bill.

We also have provisions that our whip, STEVE SCALISE—the Consolidated Reporting Act—has included in this bill. We have provisions from Ms. ESHOO and from Representative ENGEL. These are all bipartisan provisions that you will see included in this legislation. Mr. JOHNSON has a provision that is included that will change the way the inspector general works in this agency so that he truly is an inspector general who is independent.

So we have worked together in a bipartisan way to do our repack which deals with our broadcasters and our spectrum to handle MobileNOW, which has been a priority of the Senate. They could not get it finished. We have finished that process, and then also the FCC reauthorization.

So I express my gratitude to the committee members, both Democrats and Republicans, and the staff members from both sides of the dais to say thank you for the work that is done to bring this bipartisan effort together to reauthorize this agency to deal with our spectrum repack and to address the MobileNOW concerns.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE), who is the ranking member of the Communications and Technology Subcommittee.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to take a moment to speak in memorial to the late Ray Baum. He was a dedicated husband and father, the staff director for the majority on the Energy and Commerce Committee, and a trusted adviser and friend to Chairman WALDEN. We were all saddened by his passing, and I would like to express our condolences to his friends and family.

The legislation before us today is the product of bipartisan and bicameral compromise. While it is not perfect, it represents a good faith effort by Ranking Member PALLONE, Chairman WALDEN, Senator NELSON, and Senator THUNE.

This compromise incorporates a number of Democratic priorities, including Ranking Member PALLONE's Viewer Protection Act and SANDy Act, and Congresswoman ESHOO's RESPONSE Act and ''Dig Once'' bill, and a number of provisions from other members of our committee on cybersecurity, Tribal broadband, broadband access for veterans, and others.

Like Ranking Member PALLONE, I am also happy to see bipartisan language included in the bill which makes the FCC inspector general an independent entity.

This sends a strong bipartisan and bicameral message to Chairman Pai that he cannot end the FCC inspector general's investigation into collusion between his office and Sinclair Broadcast Group simply by firing the current inspector general. These allegations also require congressional oversight and investigation.

I am also happy to see that we have an agreement to provide the remainder of the funds necessary to transition broadcasters as part of the FCC's incentive auction—keeping a promise that we made to them that they would be held harmless.

The agreement also includes funds for consumer education about the transition. It is critical that the public be educated about the upcoming television repack and understand the what, when, and where of how it will work.

Mr. Speaker, I look forward to continuing to work on this legislation with my colleagues as it moves forward.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), who is a talented member of our committee.

Mr. LANCE. Mr. Speaker, I rise in very strong support of the RAY BAUM'S Act, which reauthorizes the Federal Communications Commission for the first time in 28 years.

How appropriate that this critical legislation is named for Ray Baum, who dedicated his tremendous public service to these issues, and whom we all admired.

I commend the leadership. The Energy and Commerce Committee puts more bipartisan bills on the President's desk than any other committee here on Capitol Hill. This is important legislation strengthening the FCC, protecting consumers, and, most important of all, expanding the information channels our lives and the economy need.

I am pleased that this legislation includes the Anti-Spoofing Act, a bill I have worked on with Congresswoman MENG and Chairman Emeritus BARTON for several years. Spoofing is an insidious practice used by scammers to call consumers using a faked phone number, often pretending to be a bank or government agency. Millions of Americans continue to be defrauded by con artists and scammers who perpetrate this despicable crime. This disgraceful practice must end, and it will be ended in large part due to this legislation. I am pleased this FCC reauthorization enacts consumer protections like those in the Anti-Spoofing Act.

Mr. Speaker, I urge a ''yes'' vote.

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

Ms. MATSUI. Mr. Speaker, I am pleased that today we are reauthorizing the Federal Communications Commission through the RAY BAUM'S Act, which, among other things, ensures our local broadcasters have the resources they need and will deliver additional spectrum into the commercial marketplace. Spectrum is the invisible infrastructure that supports our wireless economy.

As the way we do business continues to depend on connectivity and mobility, spectrum will be a part of everything from remote health monitoring to precision agriculture, to public safety communications and connected devices.

That is why I am pleased that this package includes several of my priorities, including my Spectrum Auction Deposits Act, which I coauthored with Congressman GUTHRIE. This legislation will enable the FCC to continue to conduct auctions that will unlock the spectrum necessary to deploy next generation broadband networks. Without this fix, auctions to deliver more spectrum into the commercial marketplace may be put on hold indefinitely.

This package also includes my legislation to create a Federal spectrum challenge prize, which would accelerate the development and commercialization of innovative technologies to make spectrum use more efficient.

It could also facilitate the application of existing technologies, such as blockchain, to develop spectrum sharing mechanisms that will allow providers to access spectrum on a real-time basis.

This bipartisan legislation will promote the expansion of current and next generation broadband networks across America. It is an important step forward, and I am proud to support its passage.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER), who is a great member of our committee.

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

Mr. Speaker, I rise to support the RAY BAUM'S Act. It is fitting that this bill be named for him, a shining example of public service and a great friend. My heart goes out to his wife and all his family and loved ones.

Mr. Speaker, this legislation reauthorizes the FCC for the first time in 28 years. I am proud of the inclusion of two of my bipartisan bills.

First is the Rural Spectrum Accessibility Act, which Mr. LOEBSACK and I introduced. It expands access to coverage in rural communities by allowing licensed, unused spectrum to be sub-allocated to carriers serving rural populations.

The second is the Improving Broadband Access for Veterans Act, which Mr. MCNERNEY and I introduced. It requires the FCC to thoroughly examine veterans' access to broadband and provide recommendations to increase access, especially for rural and low-income veterans.

Again, this legislation is one more example to show the majority of the work done in Congress is bipartisan and sometimes even bicameral.

Mr. Speaker, I thank the chairman and everybody for working together to get this done, and I urge my colleagues to support the RAY BAUM'S Act.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank my ranking member and the chairman for yielding. I thank my colleagues on the other side of the aisle for their bipartisan efforts here.

I rise in support of H.R. 4986, the RAY BAUM'S Act. In the first place, this bill will help ensure that the incentive auction repack can move forward in a timely fashion and that Americans can have access to their local broadcasting stations during this period of time.

On the other hand, I am very proud that this bill includes a bipartisan provision that Congressman KINZINGER and I worked on.

This provision will move us forward in closing the digital divide for our Nation's veterans. Access to broadband internet service is critical for the more than 20 million veterans across our country, with the highest population of veterans residing in California.

Having a broadband internet connection helps veterans apply for jobs more easily, obtain necessary vocational training, communicate with family and friends, keep up with current events, access healthcare services, and get important information about their benefits and military records.

Without broadband internet access, it is difficult to fully participate in today's society. Veterans face many challenges when they return home, and not having internet access makes what is already an incredibly tough transition process even harder. This is particularly likely to be the case for low-income veterans and veterans living in rural areas.

Although we lack specific data on the number of veterans with broadband internet access, we know that Americans who live in rural areas are less likely to be connected. This is also the case for Americans who live at or below the Federal poverty level.

We must find ways to ensure that veterans, especially the more than 1.4 million veterans living below the Federal poverty level and the 5.3 million residing in rural areas, are not left behind.

This is why my provision directs the Federal Communications Commission to examine the current state of broadband access for veterans and what can be done to increase access, with a focus on low-income veterans and veterans residing in rural areas.

The findings and recommendations from this report will be important for paving the way to get more veterans connected. I urge my colleagues to vote for this bill.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS) to speak on this important legislation.

Mr. BILIRAKIS. Mr. Speaker, named in memory of a hardworking and honorable man, the RAY BAUM'S Act reauthorizes the Federal Communications Commission for the first time in 28 years.

This bill is the result of a wholly bipartisan process that includes important provisions that will benefit all our constituents.

□ 1500

This includes further prohibitions on spoofing calls, reports on promoting internet access for low-income veterans, and improving 911 caller information.

The bill also provides additional funding for the repack process and fosters technology growth by authorizing studies on spectrum available for future auctions.

I applaud the work of the subcommittee on getting this done. This bill will truly benefit innovation and our constituents, and I support its passage.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. Mr. Speaker, I thank the chair and ranking member for working to bring this bill to the floor today.

Mr. Speaker, I am pleased to see the RAY BAUM'S Act moving forward. This bill really is a good example of compromise. No one got everything that they wanted, but we worked together to find common ground. I think it represents what we need to be doing more of in Washington and in this body and what people and I want to see happen more often, namely, that Members

of Congress come together in a bipartisan manner to reach a commonsense agreement.

But today I come to the floor to talk about a piece of legislation, the Rural Wireless Access Act, which I was pleased to help introduce and incorporate into the larger FCC Reauthorization Act.

I want to thank, in particular, my friend Mr. COSTELLO for working with me on this bipartisan bill. I also want to thank Mrs. BLACKBURN, chair of the Communications and Technology Subcommittee, for helping to move this forward.

This bill, which I introduced last year, would require the FCC to establish standards for collecting wireless coverage data. Everyone at some point has been driving through places in rural America that don't get wireless coverage. Unfortunately, the maps that the FCC uses to fix coverage gaps are often inadequate.

Currently, the standards that define how wireless coverage is determined are not sufficient, meaning the coverage maps can be incomplete or inaccurate. Without accurate coverage maps, resources needed to improve wireless access will not be directed to the areas that need the most help, including rural areas.

I am pleased that the Energy and Commerce Committee agreed to include this legislation, the Rural Wireless Access Act, as part of the larger package so that we can improve wireless voice and mobile internet services and ensure the resources go to the areas that need it the most.

In order to fix the problem, we have to get the data right. I am hopeful that the passage of the FCC Reauthorization Act will help folks in rural areas get the wireless coverage they need.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. JOHNSON), who has been a real leader on telecommunications issues.

Mr. JOHNSON of Ohio. Mr. Speaker, I, too, want to add my strongest, deepest sympathies and condolences to Ray Baum's family on his passing.

Mr. Speaker, I rise today in support of H.R. 4986, the RAY BAUM'S Act, to reauthorize the FCC for the first time in 28 years. This important legislation also provides transparency and efficiency reforms, including language from my bill, H.R. 2636, to create an independent inspector general for the FCC.

Currently, the IG is not only appointed by the chairman, but also reports to and is under general supervision of the Chairman of the Commission. This legislation would require the President, with the advice and consent of the Senate, to appoint the inspector general. It is simply good governance and a matter of transparency and accountability to have an independent IG.

Importantly, this legislation also creates and authorizes a broadcast repack fund to address the anticipated shortfall in funding available to relocate broadcasters who are displaced from the most recent spectrum auction. It is important that we provide the funding necessary to successfully relocate these broadcasters and ensure an efficient and timely transition.

I urge my colleagues to support this important legislation to reauthorize the FCC.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. RUIZ).

Mr. RUIZ. Mr. Speaker, I want to thank Chairman WALDEN, Ranking Member PALLONE, and the committee for their hard work on this bipartisan bill.

This legislation includes my bill, H.R. 5007, the Tribal Broadband Deployment Act, which will direct the FCC to improve broadband access on Tribal lands within 30 months.

For the communities in my congressional district, California's 36th District, and throughout our Nation, this will be a game changer. Throughout the Coachella Valley, the San Jacinto Mountain communities, and the Pass regions of California, rural, underdeveloped Tribal lands are spread out among non-Tribal communities, both of which are often lacking broadband internet and both of which will benefit.

My bill will bring real resources and opportunities to these areas, improving connectivity and helping to close the digital divide in these historically underserved communities. With expanding access to the internet, families, students, workers, and businesses will be able to harness the power of their ideas and information to achieve their dreams and grow our local economies.

I want to thank Chairman BLACKBURN for honoring her commitment to work with me on this issue.

I urge the House to pass this important bipartisan bill.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO), a very important member of our committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise in support of H.R. 4986, RAY BAUM'S Act of 2018, named after the late Ray Baum, who dedicated his life to public service.

Mr. Speaker, this bill includes important provisions to modernize our telecommunications agencies and to craft policies that will fuel next generation services like gigabit service and 5G networks. We are going to increase access to information and services for millions of Americans with this bill, Mr. Speaker.

5G networks mean doctors can more effectively treat patients that live hours away from the closest hospital, automated vehicles can offer mobility to our Nation's most vulnerable, small or rural businesses can compete beyond their local markets, and it means that first responders can more quickly reopen critical lines of communications in the aftermath of a natural disaster.

By passing this bill, we can fully realize the benefits of an interconnected and increasingly wireless world. I urge my colleagues to support H.R. 4986.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this.

This bill, I think, is an example of the politics and legislation that Ray Baum would be particularly proud of, characterizing his work as a policymaker and a policy adviser.

I had a chance to work with Ray in his other hats: chairing the Public Utilities Commission, as a distinguished legislator and majority leader, and, of course, his role here in Congress.

I appreciate the product we have before us today. I have enjoyed listening to people reaffirm areas that they are proud of, making a difference for people.

I appreciate, in particular, the authorization of new spending to help broadcasters' expenses relating to spectrum reallocation. This is very important, especially for public broadcasting stations.

But I want to raise one item of concern, and I hope the chairman and ranking member would work with us to look at the bill's study of spectrum for commercial uses dealing with the mid-band, or C-band, to consider public broadcasting.

I fear that if we are thrust into competitive bidding with public broadcasting, they are likely to not be able to compete effectively. But it will affect millions of people across the country.

I applaud the committee's bipartisanship and work with the Senate, but I hope that future consideration of the impact of C-band reallocation on public broadcasting would be something that the committee could look at to make sure that we are protecting those vital interests.

Mr. WALDEN. Mr. Speaker, I would concur with my friend's comments. I am happy to work on these issues involving spectrum. I know there are multiple uses around, and we want to make sure that those using these frequencies are not disadvantaged. I look forward to working with the gentleman on that.

Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), a distinguished member of the Energy and Commerce Committee. He also happens to have a pretty important title around here as the whip of the House. He has been very involved in telecommunications policies since he first came on the Energy and Commerce Committee.

Mr. SCALISE. Mr. Speaker, I thank the chairman for yielding and for his leadership working together in a very bipartisan way to bring forward RAY BAUM'S Act. Not only is this piece of legislation important to reauthorize the FCC and the important work that they do, but it also is a fitting tribute

to Ray Baum himself and, in so many ways, to all of the work that our great staffs do to allow this Capitol to work properly and to allow Congress to work for the American people.

It doesn't just take Members of Congress, but an incredibly dedicated and talented staff, and each of us are blessed to have wonderful staffs—I am surely no exception—who allow us to do our jobs so well. The fact that we are using this legislation to pay tribute to Ray Baum and all of the staff of the Capitol, I think, is equally important that we do just this.

Mr. Speaker, President Trump challenged Congress to make the Federal Government more accountable to the American people and to eliminate red tape that hurts job creation and economic growth. The RAY BAUM'S Act does just that.

First of all, we meet those two goals by doing a number of things. The legislation will reauthorize the Federal Communications Commission for the first time in 28 years.

The FCC does important work for our country, especially in the telecommunications arena. I am proud to continue to serve on the Communications and Technology Subcommittee, which is one of the great examples of United States dominance—America is the dominant force in technology—and it is important that we have fair rules of the game. The FCC is that arbiter. The fact that they haven't been reauthorized for 28 years, I think, it is long past due that we get this done. We also make critical reforms that will modernize the agencies with tools that it needs to meet the demands of consumers for the 21st century.

This legislation creates an important backstop for our local radio and TV broadcasters who have been completing the final stage of the incentive auction. This keeps America on track to be the global leader on 5G communications by implementing new spectrum policy.

This is something our committee has led on. The country needs more spectrum. We have been able to find creative ways to free up more spectrum so that billions of dollars of private sector investment can be used to build out these great networks in 3G, 4G, and, now, 5G so that we can continue to advance technology.

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

Mr. WALDEN. Mr. Speaker, I yield the gentleman from Louisiana an additional 1 minute.

Mr. SCALISE. Mr. Speaker, I would like to also thank Chairwoman BLACKBURN for including the FCC Consolidated Reporting Act that I worked so closely on with Senator HELLER for years to try to get this legislation passed. This is included as part of this legislation. This will provide relief to so many job creators and to the FCC by consolidating and eliminating so many outdated reporting requirements.

What do I mean by eliminating outdated reporting requirements, Mr. Speaker?

How often do we hear about things that are on the books, laws that are on the books that are so outdated and so unnecessary? This is one of the reports that we are outdating in this bill.

Right now, there is still, on the books, a requirement that the FCC report on the annual competition within the telegraph industry. Mr. Speaker, that is right.

Since Samuel Morse invented the telegraph back in the 1830s, that might have been important in the 1800s, even in the early 1900s; but the fact that today, in 2018, there is still a requirement that the FCC issue a report on competition within the telegraph industry is a glaring example of why it is so important for us to update our laws and eliminate outdated laws.

We are getting rid of this ridiculous requirement and a number of other unnecessary and ridiculous requirements like that so that we can free the FCC up to do the important work they need to do.

□ 1515

So, again, I commend the chairman for the work that he has done in a very bipartisan way to bring forth the RAY BAUM'S Act, and I urge all of my colleagues to support this legislation.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG), who has been a very important member of our committee and active on these issues, and he had a provision in this legislation as well.

Mr. WALBERG. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I would first like to start off by remembering Ray Baum, whom this legislation is named after, very appropriately, and I thank the chairman for sharing him with us. As was correctly stated by the whip, we appreciate the staff that does so much work for us. Leaders like Ray Baum are special. He will be missed, but we will carry on in his memory and in the quality of service that he supplied.

The RAY BAUM'S Act does something that hasn't been done in over 28 years: it reauthorized the Federal Communications Commission. It is amazing to think that we have a commission as important as that and it hasn't been authorized—or reauthorized, or reauthorized. It is time to do it and bring it up to this century, as well, and beyond.

This bipartisan bill is good, forward-thinking policy that modernizes the FCC to ensure it is more transparent, efficient, and able to tackle the issues of the 21st century. It maintains the credibility of spectrum auctions and the promise the FCC made to Michigan broadcasters.

It paves the way for new spectrum auctions that will allow for the United States to maintain its leadership in developing and deploying technologies such as 5G and, ultimately, win the race to 5G.

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

Mr. WALDEN. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Michigan.

Mr. WALBERG. Additionally, it requires the FCC to report to Congress on its efforts to promote broadband internet access for veterans, especially low-income and rural veterans.

I would love to have broadband to my home, as well.

This bill is critical for consumers and our Nation's telecommunications infrastructure, and I urge its passage today.

Mr. PALLONE. Mr. Speaker, in closing, I just want to say, again, that this bill is a bipartisan bill. There has been a lot of work done on both sides of the aisle. I appreciate the fact that we are able to accomplish this and also include a lot of initiatives from Members on both sides of the aisle. And, again, as a tribute to Ray Baum and all that he did for us over the many years, I am proud to say that we enthusiastically support the bill and urge its passage.

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

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

Mr. Speaker, I want to thank my friend from New Jersey for his good work on this legislation and his kind words in memory of our mutual friend, Ray Baum.

I think it would be appropriate, as well, to thank the staff who put so much work into this, including Robin Colwell, Tim Kurth, Sean Farrell, Lauren McCarty, Evan Viau, and Elena Hernandez on the Republican side, and David Goldman, Gerald Leverich, and Dan Miller on the minority side. We thank all of them for working both here and on the Senate side.

Mr. Speaker, I just want to quickly go through the provisions again, because this really is important.

For more than a quarter of a century, the FCC has not been reauthorized. We do that here, thanks to Chairwoman BLACKBURN's legislation.

Second, we take care of our broadcasters, both public and private, and their translators, including FM translators as well as public broadcasting.

Mr. PALLONE has been a long champion of the repack effort and, of course, his SANDy legislation.

You heard from Mr. SCALISE on the legislation to consolidate redundant and outdated FCC reports: get rid of the ones we don't need, streamline the rest, and bring efficiency.

Mr. JOHNSON's legislation to establish an independent inspector general at the FCC, this is just good government we can all embrace.

Congresswoman MIMI WALTERS' legislation gives the chief information officer of the FCC the authority to play a significant role in planning, budgeting, and programming.

Congresswoman GRACE MENG's bill to prohibit spoofing calls or texts originating outside the U.S., plus an 18-month shot clock, is put on the FCC to

conduct rulemaking in this matter. I think we are all kind of getting tired of those spoofs we get on our phones. It looks like they are coming from our hometowns, and it turns out they are not. We are going to try to get to the bottom of this and have the FCC work to do that.

Congressman GUTHRIE and Congresswoman MATSUI's bill to include a spectrum auction deposit fix, this will actually allow future actions to go forward legally. They couldn't do that under existing law because of an interpretation, and so we fixed that. That was very, very important.

Congressmen MCNERNEY and KINZINGER's legislation to require the FCC to report to Congress on promoting internet excess for veterans, we all know how important that is, especially those low-income veterans in our rural communities.

Congressman LOEBSACK's legislation to improve mapping methodology for mobile coverage, we need to know where we have service in America and where we don't and have numbers we can trust.

Representative RUIZ's legislation is very, very important, dealing with broadband in Tribal areas and carrying out rulemaking to address unserved Tribal areas. We have lots of Tribal areas in our country that lack service.

ANNA ESHOO's legislation to provide further improvements on 911 caller information that builds on Kari's Law that we have already approved, that is really, really important.

And, again, ELIOT ENGEL's legislation requires the National Telecommunications and Information Administration, the NTIA, to study and consider how the agency can best coordinate the interagency process following cybersecurity incidents.

It just goes on and on, including Senator THUNE's MOBILE NOW Act that will help us move forward on 5G.

So, as you can see, this is comprehensive, thoughtful, well-written legislation on telecommunications, moves our country forward, reauthorizes the FCC, and is a fitting tribute to my friend and our policy leader, Mr. Ray Baum from Oregon.

Mr. Speaker, I encourage my colleagues to support this legislation, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 4986, the RAY BAUM'S Act, the first FCC reauthorization in 28 years, named for our dear friend, the late Ray Baum.

This bill is the product of many long hours of hard work to achieve a bipartisan, bicameral compromise. While no bill is perfect, this legislation contains many solid policy advancements for digital communications in the 21st century.

I'm especially glad to see two bills I've championed for many years included in this package, 'Dig Once' which I first introduced in 2009, and the RESPONSE Act, which I first introduced in 2010. Broadband is essential for every community in our country to function today, just as the physical roads and bridges we travel on are. For nearly a decade, I've been pushing for a 'Dig Once' policy, a commonsense proposal to ensure broadband conduit is included in the buildout of roads and highways when they're being built and where there's a demonstrated need for broadband access, rather than tearing up roads later. Dig Once will enable states to make it easier for broadband providers to enter new and underserved markets by laying the broadband conduit during construction.

H.R. 4986 also includes the RESPONSE Act that ensures that multi-line telephones commonly found in office buildings and hotels are equipped with location accuracy technologies. This is essential for responders to locate a 911 caller in a large building as quickly as possible because lives are literally on the line and every second counts. This provision will help save lives.

I'm disappointed that the FCC Collaboration Act was excluded from the final version of H.R. 4986. This is another bipartisan, commonsense proposal that I have consistently introduced since 2009. It passed out of the Communications and Technology subcommittee, the full Energy and Commerce committee, and previously passed the full House, all with bipartisan support. All of the former Democratic and Republican FCC members have supported this policy one hundred percent. It's unfortunate that despite such broad support, this provision was stripped from the final bill despite our work in Committee.

I also want to express my concerns about some parts of the bill which consolidate the FCC's reporting on issues like price hikes, competition, and program diversity, and the scaling back of provisions on critical unlicensed spectrum. I worry that we'll regret weakening these public interest policies. Nonetheless, I support H.R. 4986 as a set of largely positive developments for consumers, policymakers, and many other stakeholders in the communications marketplace. I want to thank Chairman Walden for his hard work on this, and urge my colleagues to vote YES on H.R. 4986, the RAY BAUM'S Act of 2018.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 4986, as amended.

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

The title of the bill was amended so as to read: ''A bill to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, and for other purposes.''.

A motion to reconsider was laid on the table.

## POLITICAL APPOINTEE BURROWING PREVENTION ACT

Mr. BLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1132) to amend title 5, United States Code, to provide for a 2-year prohibition on employment in a career civil service position for any former political appointee, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1132

*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 ''Political Appointee Burrowing Prevention Act''.

**SEC. 2. LIMITATION ON EMPLOYMENT OF POLITICAL APPOINTEES IN CAREER CIVIL SERVICE POSITIONS.**

(a) IN GENERAL.—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

**''§ 3115. Employment of political appointees**

''(a) APPOINTMENT APPROVAL REQUIRED.—

''(1) IN GENERAL.—The head of an agency may not appoint any individual described in paragraph (5) to a career position within the agency without receiving prior written approval from the Associate Director of Merit Systems Accountability and Compliance, consistent with the requirements of this subsection.

''(2) REQUEST.—The head of an agency shall submit a request to the Associate Director to approve the appointment of any individual described in paragraph (5) to a career position. Any such request shall include certification by the head of the agency to the Associate Director that the appointment is necessary for the agency to meet its mission.

''(3) REVIEW AND DETERMINATION.—The Associate Director shall review any request received pursuant to paragraph (2) and deny any such request unless the Associate Director determines that the appointment process with respect to the request was fair, open, and free from political influence. If the Associate Director makes that determination, the Associate Director may approve the request.

''(4) NOTIFICATION TO CONGRESS.—With respect to any request approved under paragraph (3), the Associate Director shall, not less than five days before the date the Associate Director provides approval to the head of the requesting agency, provide to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the agency certification under paragraph (2) and the agency head's rationale for that certification.

''(5) COVERED INDIVIDUALS.—An individual described in this paragraph is—

''(A) a political appointee;

''(B) a former political appointee who held any political position during the five-year period before the date of the request described in paragraph (2); or

''(C) at the discretion of the Director of the Office of Personnel Management, a former political appointee who held any political position before the five-year period described in subparagraph (B).

''(b) RESTRICTION ON APPOINTMENT.—

''(1) IN GENERAL.—Notwithstanding any other law, rule, or regulation, during the 2-year period following the date a political appointee leaves or departs from a political position, such appointee may not be appointed to any career position in the civil service.

''(2) EXCEPTION.—Paragraph (1) shall not apply to a political appointee who has not personally and substantially participated in any particular matter while employed in a political position.

''(c) APPLICATION.—Nothing in this section shall be construed to restrict the appointment of an individual who is—

''(1) entitled to reinstatement under section 3593(b); or

''(2) eligible for reinstatement under section 3593(a).

''(d) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given the term 'Executive agency' in section 105;

''(2) the term 'Associate Director' means the Associate Director of Merit Systems Accountability and Compliance at the Office of Personnel Management;

''(3) the term 'political appointee' means an individual serving in an appointment of any duration to a political position;

''(4) the term 'political position' means—

''(A) a position with respect to which appointment is made—

''(i) by the President; or

''(ii) by the President, by and with the advice and consent of the Senate;

''(B) a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character;

''(C) a position described under sections 5312 through 5316 (relating to the Executive Schedule); and

''(D) a general position in the Senior Executive Service during such time as it is filled by—

''(i) a noncareer appointee, as defined in paragraph (7) of section 3132(a); or

''(ii) a limited term appointee or limited emergency appointee, as defined in paragraphs (5) and (6) of section 3132(a), who is serving under a political appointment.

''(5) the term 'career position' means—

''(A) a position in the competitive service filled by career or career-conditional appointment;

''(B) a position in the excepted service filled by an appointment of equivalent tenure as a position described in subparagraph (A);

''(C) a career reserved position, as defined in paragraph (8) of section 3132(a), in the Senior Executive Service; or

''(D) a general position in the Senior Executive Service when filled by a career appointee, as defined in section 3132(a)(4);

''(6) the term 'participated' means an action taken as an officer or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other such action; and

''(7) the term 'particular matter' includes any investigation, application, request for a ruling or determination, rulemaking, contract, controversy, claim, charge, accusation, arrest, or judicial or other proceeding.''.

(b) CLERICAL AMENDMENT.—The table of sections of chapter 31 of title 5, United States Code, is amended by adding after the item relating to section 3114 the following:

''3115. Employment of political appointees.''.

(c) APPLICATION.—

(1) APPOINTMENT REQUESTS.—Section 3115(a) of title 5, United States Code, as added by subsection (a), shall apply to any appointment or request for appointment described in such section submitted to the Associate Director of Merit Systems Accountability and Compliance after the date of enactment of this Act.

(2) LIMITATION ON APPOINTMENTS.—Section 3115(b) of title 5, United States Code, as added by subsection (a), shall apply to any individual who leaves or departs from a political position (as that term is defined in section 3115(c)(2) of such title, as added by such subsection) after the date of enactment of this Act.

(d) REGULATIONS REQUIRED.—The Director of the Office of Personnel Management shall issue regulations necessary to carry out this Act. Such regulations shall include guidance on the definition of the term ''personally and substantially participated in a particular matter'' in section 3115(b)(2) of title 5, United States Code, as added by subsection (a), consistent with section 2641.201 of title 5, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BLUM) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1132, the Political Appointee Burrowing Prevention Act, introduced by the gentleman from Colorado, Representative BUCK.

This important bill will protect the integrity of the civil service and ensure the American people are served by a competent, nonpolitical career workforce.

Under current law, each administration appoints a political staff to help advance the administration's political goals. These political employees leave at the end of the administration to make way for the next administration's appointees.

In contrast, the career civil service is designed to carry over from administration to administration. These employees should be hired based on their qualifications and promoted based on their performance. Despite the significant differences between the two types of positions, however, political appointees are currently allowed to convert to career positions. This practice is known as ''burrowing.''

As the Government Accountability Office explained: ''Circumstances surrounding conversions can raise questions as to whether the individuals selected experienced favoritism or enjoyed an unfair advantage in the selection process.''

GAO went on to say: ''Any appearance of this could compromise the merit system's integrity.''

H.R. 1132, the Political Appointee Burrowing Prevention Act, will enact in law the requirement for OPM to review political conversions.

The bill also raises the bar for political conversions, requiring an agency certify the conversion is necessary to meet its mission. To ensure Congress can continue to monitor for abuse, the certification must be provided to Congress before it is approved.

Finally, the bill prohibits political conversions within 2 years of leaving a political appointment. This ensures sufficient time has passed between when political appointees finish their appointment and when they may become a career employee.

In closing, this bill protects the integrity of the merit-based system so career politicians stay free of politics. The American people deserve nothing less.

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

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

Mr. Speaker, the bill before us is H.R. 1132, the Political Appointee Burrowing Prevention Act, as amended.

I want to thank my friends on the majority for working with us to improve this bill since its consideration by the committee. Because of the improvements we have been able to make, I support moving this bill forward in the legislative process; however, I continue to believe that some further changes may be needed.

The bill would make it very difficult to hire former political appointees into career positions in the Federal Government. It would prohibit hiring a former political appointee into a career position for 2 years after that individual held a political position.

It would also add significant hurdles for agencies seeking to hire an applicant to a career position who separated from a political appointment in the last 5 years. The agency would be required to certify to the Office of Personnel Management that the appointment is ''necessary to the agency's ability to meet its mission.''

There are several controls already in place to ensure that the process used to hire former political appointees into career positions is fair, open, and based on merit. For example, the Office of Personnel Management must ensure, right now, that the appointment process was free from political influence and report the results of its reviews to Congress.

A February 2017 report found that OPM reviewed just 16 requests by agencies to hire former political appointees from October 1, 2016, through January 20, 2017, and did not find any reason to deny any of those requests.

We all want the best people in the Federal service, and there should be no undue favoritism in the hiring process.

In comments on this bill, OPM suggested that certain provisions may conflict with the merit system principles that have formed the basis of the Federal civil service for over a century. That issue should be clarified before this bill becomes enacted into law.

Nonetheless, we support the spirit with which the bill is offered us today, and we have no objections to the legislation in front of us.

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

Mr. BLUM. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. BUCK), the sponsor of the bill and my esteemed colleague.

Mr. BUCK. Mr. Speaker, I thank the gentleman from Iowa for the time today to talk about this important legislation.

Mr. Speaker, I want to speak on behalf of the Political Appointee Burrowing Prevention Act. This important legislation addresses a problem affecting our Federal workforce.

Our Federal civil service hiring process is supposed to be a competitive, merit-based system where the best and brightest individuals are considered based on their qualifications and ability to do their job, not because of their political connections. However, we have seen a concerning trend where excepted service employees, specifically political appointees, are converted into high-paying, lifelong civil service positions, bypassing the normal competitive hiring process.

This process, also known as ''burrowing,'' defeats the purpose of having a nonpartisan, merit-based civil service. In fact, the Government Accountability Office reports that the Obama administration converted 78 political appointments into career positions, while the Bush administration allowed 135 political appointees to burrow into career positions.

This trend raises significant concerns that individuals who were not chosen based solely on their merits may, at best, not be the most qualified candidate for the job, or, at worst, may not be willing to properly execute the law under a new administration.

□ 1530

Political appointees are supposed to serve their appointing President's agenda for a temporary period of time. Part of their duty to the Nation is to know when it is time to step down from their position of power.

Congress must act to ensure this principle is upheld and to protect the independence of our merit-based civil service. That is why I, along with my friend and colleague, Representative TED LIEU, have offered an equitable solution to ensure this problem is stopped in its tracks.

Our bill, the Political Appointee Burrowing Prevention Act, places a 2-year ban on political appointees being hired for any job in the civil service after they depart a political position.

Additionally, the bill ensures that after the 2-year ban is completed, the head of the agency seeking to employ the individual must submit a written request to OPM detailing why hiring a former appointee is necessary to the agency's mission.

Furthermore, OPM is instructed to deny the application unless the agency head can prove why it is necessary to hire this individual instead of an applicant from the merit-based hiring pool.

This commonsense bill ensures that our Federal workforce is filled with career civil servants who are the most qualified, not the most politically connected.

Mr. Speaker, I urge my colleagues to support this commonsense legislation that ensures our Federal workforce is being selected by merit, not by political patronage.

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

Mr. Speaker, I do support the bill in the spirit in which this bill is offered. I think we want to make sure we preserve the integrity of the civil service system that we have worked so hard to build in this country, where we build in integrity and we avoid nepotism and favoritism and political connections over merit.

One caveat, though, as I mentioned: once in a while, there may be a political appointee who is the best thing since sliced bread, who brings a level of expertise that we need, and we don't want to make it harder to look at those credentials on their merits. I know that is not the intention of the bill, but it may be one of the unintended consequences, and that is what we want to just make sure we are not doing as we move forward, but with that, I support the bill.

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

Mr. BLUM. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. BLUM) that the House suspend the rules and pass the bill, H.R. 1132, 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.

## SOCIAL MEDIA USE IN CLEARANCE INVESTIGATIONS ACT OF 2017

Mr. BLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3737) to provide for a study on the use of social media in security clearance investigations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3737

*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 ''Social Media Use in Clearance Investigations Act of 2017''.

**SEC. 2. STUDY ON USE OF SOCIAL MEDIA IN SECURITY CLEARANCE INVESTIGATIONS.**

Not later than 6 months after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report on the examination of social media activity during security clearance investigations, including—

(1) the current use of publicly available social media in security clearance background investigations;

(2) any legal impediments to examining publicly available social media activity, and whether those impediments are statutory or regulatory in nature;

(3) the results of any pilot programs to incorporate social media checks in such investigations, including the effectiveness and cost of such programs;

(4) options for widespread implementation of the examination of social media activity during such investigations; and

(5) estimates on the cost for such options as part of—

(A) all Top Secret investigations; or

(B) all Secret and Top Secret investigations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BLUM) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3737, the Social Media Use in Clearance Investigations Act of 2017, introduced by the gentleman from Florida, Representative DESANTIS.

According to the Pew Research Center, 7 in 10 Americans use social media today. A significant portion of those Americans' personal and professional interactions occur online. It is just common sense that the government should check the social media of individuals who apply for security clearances, but it doesn't.

H.R. 3737 will move the government toward implementing checks of social media for individuals we trust with our country's most sensitive information.

The bill requires a study of the use of social media in security clearance investigations to inform government-wide implementation of social media checks. The study will provide comprehensive information on existing pilot programs, lessons learned, and costs.

We must begin the process of strengthening the system now, and that starts with determining best practices for moving forward.

H.R. 3737 will help ensure that government checks social media before issuing security clearances.

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

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

Mr. Speaker, I think this bill is long overdue and recognizes the internet world in which we live and operate.

This bill would require the Director of the Office of Personnel Management to issue a report to Congress on the use of social media checks in background investigations for security clearances.

In recent years, a number of agencies have begun pilot programs to help develop the best methods of incorporating social media into those background checks. For example, the Army initiated a pilot program that found that while checking social media is a

valuable tool, it can be costly and may raise some legal issues.

This bill would require that OPM conduct a comprehensive study on those issues and report back to the Congress. This one-time report would describe the current uses of social media postings for investigative purposes and any legal concerns or impediments that may arise. In addition, the report would summarize the results of any pilot programs on the use of social media conducted to date and provide cost estimates for implementing their widespread use in background investigative processes.

The report would greatly assist Congress, I believe, in determining whether further legislative action is needed when it comes to the Federal Government's use of social media in background investigations.

This bill was approved without opposition by our committee, the Committee on Oversight and Government Reform, last year, and I certainly commend it to our colleagues today.

Mr. Speaker, I want to thank Mr. DESANTIS and Mr. LYNCH for their leadership on what I think is a commonsense measure that will actually improve the process.

Mr. Speaker, I urge every Member to support the bill, and I reserve the balance of my time.

Mr. BLUM. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. DESANTIS), the sponsor of this bill.

Mr. DESANTIS. Mr. Speaker, in the private sector, if an employer is going to hire somebody, a lot of times they will do a Google search, they will check social media postings to try to learn a little bit more about this prospective employee.

It may be hard to believe, but the Federal Government often fails to conduct a simple internet search on individuals before they are trusted with a security clearance.

Publicly available social media is one of the best ways to understand an individual's interests and intentions, but our investigatory process still focuses on interviewing the applicant's family, friends, and neighbors. For over a decade, various agencies, including the Office of Personnel Management, have conducted studies and pilot programs to assess the effectiveness of social media checks in security clearance investigations. Congress has not been provided those results.

What this bill will do is it will require these agencies to identify best practices so that we can use this going forward to make sure that the people who are employed by this government, armed with a security clearance, who have access to sensitive information that puts the security of the country at risk, that these are people whom we want to have there and they are not folks who have ulterior designs.

A lot of times it is going to be much more informative to look at their publicly available writings than to talk to somebody who may have lived next door to them in an apartment 10 years ago.

I think that this bill is overdue.

Mr. Speaker, I thank my colleague from Massachusetts (Mr. LYNCH) for cosponsoring it for me, and I am proud to be here today as the sponsor. I think this should have bipartisan support. I think it will give us some good answers and we can move forward and modernize this process.

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

Mr. Speaker, in closing, we think this is a commonsense bill. I agree with the sentiments just expressed by our friend from Florida that, in today's day and age, we can't not take cognizance of social media, and it can be a useful tool in evaluating someone's security clearance application.

We also understand it could be a tool that is used to invade people's privacy, and we want to avoid that. That is why what this bill does is call for a report looking at all of the legal ramifications and the practicality of utilizing this tool to get to a better outcome in the process of security clearances.

Mr. Speaker, I support the bill and commend it to our colleagues.

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

Mr. BLUM. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. BLUM) that the House suspend the rules and pass the bill, H.R. 3737.

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

A motion to reconsider was laid on the table.

## WHISTLEBLOWER PROTECTION EXTENSION ACT OF 2017

Mr. BLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4043) to amend the Inspector General Act of 1978 to reauthorize the whistleblower protection program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4043

*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 ''Whistleblower Protection Extension Act of 2017''.

**SEC. 2. REAUTHORIZATION.**

(a) IN GENERAL.—Section 3(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1)(C)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(B) by striking ''Ombudsman who shall educate agency employees—'' and inserting the following: ''Coordinator who shall—

''(i) educate agency employees—'';

(C) in subclause (I), as so redesignated, by striking ''on retaliation'' and inserting ''against retaliation'';

(D) in subclause (II), as so redesignated, by striking the period at the end and inserting the following: '', including—

''(aa) the means by which employees may seek review of any allegation of reprisal, including the roles of the Office of the Inspector General, the Office of Special Counsel, the Merit Systems Protection Board, and any other relevant entities; and

''(bb) general information about the timeliness of such cases, the availability of any alternative dispute mechanisms, and avenues for potential relief.,''; and

(E) by adding at the end the following:

''(ii) assist the Inspector General in promoting the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal, to the extent practicable, by the Inspector General; and

''(iii) assist the Inspector General in facilitating communication and coordination with the Special Counsel, the Council of the Inspectors General on Integrity and Efficiency, the agency, Congress, and any other relevant entity regarding the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, rules, and regulations.'';

(2) in paragraph (2), by striking ''Ombudsman'' and inserting ''Coordinator'';

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

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

''(3) The Whistleblower Protection Coordinator shall have direct access to the Inspector General as needed to accomplish the requirements of this subsection.''.

(b) RESPONSIBILITIES OF CIGIE.—Section 11(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

''(5) ADDITIONAL RESPONSIBILITIES RELATING TO WHISTLEBLOWER PROTECTION.—The Council shall—

''(A) facilitate the work of the Whistleblower Protection Coordinators designated under section 3(d)(C); and

''(B) in consultation with the Office of Special Counsel and Whistleblower Protection Coordinators from the member offices of the Inspector General, develop best practices for coordination and communication in promoting the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, in accordance with Federal law.''.

(c) REPORTING.—Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a), by amending paragraph (20) to read as follows:

''(20)(A) a detailed description of any instance of whistleblower retaliation, including information about the official found to have engaged in retaliation; and

''(B) what, if any, consequences the establishment actually imposed to hold the official described in subparagraph (A) accountable;''; and

(2) in subsection (b)—

(A) in paragraph (3)(D), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

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

''(4) whether the establishment entered into a settlement agreement with the official described in subsection (a)(20)(A), which shall be reported regardless of any confidentiality agreement relating to the settlement agreement; and''.

(d) REPEAL OF SUNSET.—

(1) IN GENERAL.—Subsection (c) of section 117 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199; 126 Stat. 1475) is repealed.

(2) RETROACTIVE EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on November 26, 2017.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BLUM) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 4043, the Whistleblower Protection Extension Act, a bill I introduced with Ranking Member ELIJAH CUMMINGS.

The Whistleblower Protection Extension Act reauthorizes the whistleblower ombudsman program.

Whistleblowers are the front line of defense against waste, fraud, and abuse in the Federal Government, but too many Federal employees are unaware of the laws that protect them and the options available for dealing with retaliation and other actions intended to silence them.

To address this problem, Congress created the ombudsman program in 2012. The program directs agency inspectors general to designate an ombudsman for whistleblower protections at the agency. They provide information to employees on whistleblower protections and remedies in the event of retaliation.

This program was originally a component of the 2012 Whistleblower Protection Enhancement Act and was set to expire after 5 years. Over the past 5 years, the ombudsman program has received high marks from the inspector general community. This benefits the country as a whole and makes the Federal Government more efficient. For that reason, it is imperative that we pass H.R. 4043 and make the ombudsman program permanent.

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

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

Mr. Speaker, the need for this bill comes into recent focus just today with reports, maybe unconfirmed, that one of the Trump Cabinet members is engaged in a witch hunt against a whistleblower. We need this kind of protection.

Mr. Speaker, I rise in strong support of H.R. 4043, the Whistleblower Protection Extension Act.

Representative BLUM and Committee on Oversight and Government Reform Ranking Member ELIJAH CUMMINGS introduced this bill to extend the pilot program that requires every inspector general's office to have a liaison dedicated to assisting whistleblowers.

Under this legislation, the whistleblower protection coordinator would help educate agency employees about whistleblower protection laws. This bill would help employees who want to blow the whistle know their rights, and it would put agency management on notice that it is against the law to retaliate against whistleblowers.

This bill would require whistleblower protection coordinators to provide whistleblowers who have suffered retaliation information about options available to them to have their allegations evaluated.

□ 1545

No matter how strong we make our whistleblower protection laws, they will not help if whistleblowers do not know how to exercise their rights under those laws.

I urge my colleagues to pass this bipartisan measure to strengthen whistleblower protections. I urge passage of this commonsense bill, this good government bill coming out of our committee. I thank my friend from Iowa for collaborating with the gentleman from Maryland (Mr. CUMMINGS) on this commonsense piece of legislation, and I urge its adoption.

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

Mr. BLUM. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. BLUM) that the House suspend the rules and pass the bill, H.R. 4043, 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.

## ELIMINATING GOVERNMENT-FUNDED OIL-PAINTING ACT

Mr. BLUM. Mr. Speaker, I move to suspend the rules and pass the bill (S. 188) to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 188

*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 ''Eliminating Government-funded Oil-painting Act'' or the ''EGO Act''.

**SEC. 2. PROHIBITION ON USE OF FUNDS FOR PORTRAITS.**

(a) IN GENERAL.—Subchapter III of chapter 13 of title 31, United States Code, is amended by adding at the end the following:

**''§ 1355. Prohibition on use of funds for portraits**

''(a) No funds appropriated or otherwise made available to the Federal Government may be used to pay for the painting of a portrait of an officer or employee of the Federal Government, including the President, the Vice President, a Member of Congress, the head of an executive agency, or the head of an office of the legislative branch.

''(b) In this section—

''(1) the term 'executive agency' has the meaning given the term in section 133 of title 41; and

''(2) the term 'Member of Congress' includes a Delegate or Resident Commissioner to Congress.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter III of chapter 13 of title 31, United States Code, is amended by adding after the item relating to section 1354 the following new item:

''1355. Prohibition on use of funds for portraits.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. BLUM) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. BLUM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the bill under consideration, including an exchange of letters on the House companion bill, H.R. 1701, between the Committee on Oversight and Government Reform and the Committee on House Administration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of S. 188, the Eliminating Government-Funded Oil-Painting Act, a bill introduced by Senator BILL CASSIDY. In years past, the Federal Government spent hundreds of thousands of dollars on portraits of government officials. Taxpayer funds should be invested in programs that benefit taxpayers and our country, not oil paintings of Cabinet members to boost their egos.

That is why today we consider S. 188, the Eliminating Government-Funded Oil-Painting Act, otherwise known as the ''EGO Act.'' The EGO Act makes clear, once and for all, that government agencies cannot spend taxpayer dollars on oil paintings.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

*Washington, DC, December 6, 2017.*

Hon. GREGG HARPER,

*Chairman, Committee on House Administration, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: On September 13, 2017, the Committee on Oversight and Government Reform ordered reported H.R. 1701,

the ''Eliminating Government-funded Oil-painting Act'' with an amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on House Administration.

I ask that you allow the Committee on House Administration to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on House Administration represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

TREY GOWDY.

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
*Washington, DC, December 6, 2017.*

Hon. TREY GOWDY,
*Chairman, Committee on Oversight and Government Reform, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1701. As you know, the bill was received in the House of Representatives on March 23, 2017, and referred primarily to the Committee on Oversight and Government Reform and in addition to the Committee on the Committee on House Administration. The bill seeks to restrict funds appropriated or otherwise made available to the Federal Government from being used to pay for the painting of a portrait of an officer or employee of the Federal Government, including the President, the Vice President, a Member of Congress, the head of an executive agency, or the head of an office of the legislative branch. On September 13, 2017, your Committee ordered H.R. 1701 to be reported with an amendment by voice vote.

I realize that discharging the Committee on House Administration from further consideration of H.R. 1701 will serve in the best interest of the House of Representatives and agree to do so. It is the understanding of the Committee on House Administration that forgoing action on H.R. 1701 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

GREGG HARPER,
*Chairman.*

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

This is a sad day in the swamp, to eliminate oil paintings of men and women who consider themselves very important, to make sure that taxpayer funds are never used for such a thing; sad day for the swamp in Washington.

One can come to the Capitol and look at oil paintings that bestride every corridor and wall, in hearing rooms here in the Capitol, and not know most of these people. We haven't got a clue who most of them are. We recognize John Adams, but when we go to committee hearing rooms, one or two chairmen past, we often don't know who they are.

I guess it was an attempt to achieve immortality, but it really is an act of ego that is a little embarrassing, even for Washington, D.C.

This is an important bill, a commonsense bill, that brings us all back to Earth; that none of us is expendable and that, frankly, we make our contribution and we move on.

This bill strikes at the uncontrolled egos and, I hope, sends a message to those narcissists among us that they can stay that way if they wish, but the taxpayer is not going to pay for their oil painting.

I thank my friend from Iowa for bringing up the bill. I support the bill, and urge its passage.

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

Mr. BLUM. Mr. Speaker, I would like to make the gentleman from Virginia aware that I have no further speakers and I am prepared to close. I enjoy my colleague from Virginia's rather dry sense of wit and humor.

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

Mr. CONNOLLY. Mr. Speaker, I thank my friend from Iowa, with whom I share a dry sense of humor. I will remind him, being Irish, that leprechauns are always on the shoulder, especially this time of year.

Mr. Speaker, I like this bill. I think most taxpayers are going to like this bill. I think it is high time we acted on this kind of improvement and injected a sense of humility and humanity into our enterprise here in the United States Capitol. I urge passage of this bill.

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

Mr. BLUM. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

Mr. CARTWRIGHT. Mr. Speaker, I rise today in support of S. 188, the Eliminating Government-funded Oil-painting Act, an acronym for the EGO Act.

S. 188 is the Senate companion to H.R. 1401, legislation that I introduced along with Representatives JIM BRIDENSTINE, CHERI BUSTOS, WALTER JONES, LEONARD LANCE, DAVID MCKINLEY, PETE OLSON, and TOM RICE.

My friend and former House colleague, Senator BILL CASSIDY, is the lead sponsor of S. 188 which passed the Senate unanimously on September 18, 2017.

The EGO Act would prohibit Federal funds from being used to pay for the costs of painting portraits of officers and employees of the Federal Government. Federal agencies have spent hundreds of thousands of dollars on portraits that are displayed within agency buildings, often in secure locations that are not open to the public. Although this money is only a fraction of a percentage of the federal budget, it represents a failure to exercise fiscal restraint. Every dollar the government spends on vanity projects for federal officials is a dollar that is not spent improving the lives of everyday Americans.

Congress has the responsibility to ensure that taxpayer dollars are being used efficiently and effectively. For these reasons, I am proud to sponsor the EGO Act, and urge the House to pass S. 188, sending it to the President's desk.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. BLUM) that the House suspend the rules and pass the bill, S. 188, as amended.

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

The title of the bill was amended so as to read: ''An Act to amend title 31, United States Code, to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government, and for other purposes.''.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

The motion to recommit on H.R. 4607; and

Passage of H.R. 4607, if ordered.

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

## COMPREHENSIVE REGULATORY REVIEW ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 4607) to amend the Economic Growth and Regulatory Paperwork Reduction Act of 1996 to ensure that Federal financial regulators perform a comprehensive review of regulations to identify outdated or otherwise unnecessary regulatory requirements imposed on covered persons, and for other purposes, offered by the gentlewoman from Massachusetts (Ms. CLARK), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

The vote was taken by electronic device, and there were—yeas 182, nays 228, not voting 20, as follows:

[Roll No. 94]

YEAS—182

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

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

NAYS—228

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

NOT VOTING—20

Burgess
Cleaver
Cramer
Cummings
DeFazio
Gohmert
Green, Gene
Jackson Lee
Johnson, E. B.
Lieu, Ted
Marchant
Nolan
Olson
Pearce
Polis
Scalise
Shea-Porter
Stivers
Veasey
Walz

□ 1617

Messrs. BRADY of Texas, YOHO, RENACCI, BRIDENSTINE, COLLINS of New York, Ms. HERRERA BEUTLER, Mr. GROTHMAN, Mrs. McMORRIS RODGERS, and Mr. MULLIN changed their vote from ''yea'' to ''nay.''

Ms. KELLY of Illinois and Mr. NORCROSS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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.

Ms. MAXINE WATERS of California. 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 264, nays 143, not voting 23, as follows:

[Roll No. 95]

YEAS—264

Abraham
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blunt Rochester
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Bustos
Byrne
Calvert
Carbajal
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Correa
Costa
Costello (PA)
Crawford
Cuellar
Culberson
Curtis
Davidson
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Esty (CT)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham, M.
MacArthur
Maloney, Sean
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Newhouse
Noem
Norman
Nunes
O'Halleran
Palazzo
Palmer
Paulsen
Perlmutter
Perry
Peters
Peterson
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruppersberger
Russell
Rutherford
Sanford
Schneider
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Suozzi
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—143

Adams
Barragán
Bass
Beatty
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Butterfield
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Courtney
Crist
Crowley
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Higgins (NY)
Hoyer
Huffman
Jayapal
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Krishnamoorthi
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)

| | | |
|---|---|---|
| Lipinski | Panetta | Slaughter |
| Lofgren | Pascrell | Smith (WA) |
| Lowenthal | Payne | Soto |
| Lowey | Pelosi | Speier |
| Luján, Ben Ray | Pingree | Swalwell (CA) |
| Lynch | Pocan | Takano |
| Maloney, Carolyn B. | Price (NC) | Thompson (CA) |
| | Quigley | Thompson (MS) |
| Matsui | Raskin | Titus |
| McCollum | Richmond | Tonko |
| McEachin | Roybal-Allard | Torres |
| McGovern | Ruiz | Tsongas |
| McNerney | Rush | Vargas |
| Meeks | Ryan (OH) | Velázquez |
| Meng | Sánchez | Visclosky |
| Moore | Sarbanes | Wasserman Schultz |
| Nadler | Schakowsky | |
| Napolitano | Schiff | Waters, Maxine |
| Neal | Scott (VA) | Watson Coleman |
| Norcross | Serrano | Welch |
| O'Rourke | Sherman | Wilson (FL) |
| Pallone | Sires | Yarmuth |

NOT VOTING—23

| | | |
|---|---|---|
| Black | Green, Gene | Poe (TX) |
| Burgess | Jackson Lee | Polis |
| Cleaver | Johnson, E. B. | Scalise |
| Cramer | Lieu, Ted | Shea-Porter |
| Cummings | Marchant | Stivers |
| Curbelo (FL) | Nolan | Veasey |
| DeFazio | Olson | Walz |
| Gohmert | Pearce | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1625

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CURBELO of Florida. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 95.

PERSONAL EXPLANATION

Mr. SCALISE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 94 and "yea" on rollcall No. 95.

## RESIGNATION AS MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, March 6, 2018.*

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

DEAR SPEAKER RYAN: I, Val Butler Demings, am submitting my resignation from the Committee on Oversight and Government Reform in compliance with the Rules of the Democratic Caucus. It has been a privilege and honor to have served on this Committee.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

VAL BUTLER DEMINGS,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

## ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 764

*Resolved*, That the following named Members be and are hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Gomez (to rank immediately after Mr. Raskin), Mr. Welch, Mr. Cartwright, Mr. DeSaulnier, Ms. Plaskett, and Mr. Sarbanes.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1630

## HONORING MARVIN KAHN, FLORIDA CITRUS GROWER

(Mr. THOMAS J. ROONEY of Florida asked and was given permission to address the House for 1 minute.)

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, when you drive through Florida's heartland in Highlands County, you will probably see signs that say ''Kahn Groves,'' and then you will drive through miles of citrus groves.

Marvin Kahn has been a passionate advocate for citrus over the last five decades, leading his management company from managing 400 acres to over 5,500 acres at its peak.

Mr. Kahn is one of the State's most innovative growers, caretakers, and marketers. He served on the Florida Citrus Commission for 8 years and worked on the long-range planning committee for several years after that. His devotion to Florida citrus and agriculture was real, and he did everything he could to share his passion with others, especially with young people.

Each year, the Florida Citrus Hall of Fame honors the most distinguished leaders who have made significant contributions to the Florida citrus industry, and there is no one more deserving of a spot on that hall of fame than Mr. Marvin Kahn. When it comes to serving Florida's agriculture industry, his passion for Florida's citrus is unparalleled.

Florida is a better place because of Mr. Kahn, and it has been an honor to serve him in the House of Representatives.

## COLORECTAL CANCER AWARENESS MONTH

(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, colorectal cancer is the second leading cause of death for men and women combined. It is a silent killer because the disease often has no signs or symptoms. Each year, more than 50,000 Americans die from colorectal cancer even though it is mostly preventable and treatable if caught early.

Six years ago today, my father, the late Congressman Donald Payne, died from colorectal cancer. Colorectal cancer screening just wasn't something people of his generation did.

Mr. Speaker, my father might have lived had he gotten tested for colorectal cancer. That is why each year I sponsor a resolution to recognize March as National Colorectal Cancer Awareness Month, a time to educate the public about the disease and the need for screening.

By educating people, increasing research funding, and making Medicare coverage better for seniors, we can save tens of thousands of lives each year.

I would rather not have to make this 1-minute speech every year, to have my father still be a Member of Congress from the 10th Congressional District.

## MILITARY SAVE ACT

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

Mr. PAULSEN. Mr. Speaker, I rise today to speak in support of the Military SAVE Act.

Last year, the Department of Defense reported there were an estimated 20,300 military members who indicated they had experienced a sexual assault the year prior. Many of these military sexual trauma survivors expressed concerns that services available within the VA healthcare system did not meet their post-trauma needs.

This bill will now require the Department of Veterans Affairs to establish a 3-year pilot program to allow these survivors treatment related to their injuries from the provider of their choice. Then the VA will compare the care received from outside providers with the VA so that they can find ways to provide better care for MST survivors.

Mr. Speaker, anyone who is sexually assaulted should be able to receive the care that they need, and that stands true for the men and women protecting our Nation. Members of the military should be confident in the quality of care they receive from the VA, and this new bill, when it becomes law, would help the VA to improve the services that they offer.

## INFRASTRUCTURE

The SPEAKER pro tempore (Mr. JOHNSON of Louisiana). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, I see my colleagues from the great South

are here, and they should be listening very carefully as we discuss infrastructure. I might like to draw the attention of the House to this, if I might, a fellow that we know etched in marble at the FDR Memorial: ''The test of our progress is not whether we add more to the abundance of those who have much''—keep in mind the tax bill that passed here and was signed by the President in January. ''The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.''

These are words to legislate by, wouldn't you say?

So I ask my colleagues to please keep this in mind and not leave right in the middle of a good discussion. If we are to pay attention to what is important here, keep in mind those who have little.

It turns out that the great tax cut was probably best described by the President. Shortly after he signed the bill, he went down to his Mar-a-Lago club and told his friends who had gathered there, all of whom were the great beneficiaries of that tax cut: I have made you so much more wealthy.

Indeed, that is exactly what the tax cut did. It made the wealthy in America even more wealthy to the tune of several hundred billion dollars. The American corporations saw their tax rate fall from 35 to 20 percent, and the top income earners in America saw their tax rate go down by 2½ percent. It was marvelous if you have a great deal of money, because 80 percent-plus of the $1.5 trillion—perhaps more—of the benefits went to the top 10 percent: American corporations and the superwealthy.

Is there such a thing as trickle-down economics? Is there really a probability that the superwealthy are going to buy more cars and build new homes—palatial palaces—in America with all of the new money that they received? The answer is probably not in America but probably on some island somewhere where they can use the new tax breaks for foreign investment that are in this tax bill.

Oh, they were going to close the loopholes for corporations and individuals who wanted to go offshore. No, it didn't happen. Instead, new offshore tax advantages are created for American corporations.

Were inversions eliminated? No. Corporate inversions are not eliminated. They are, in fact, continued and increased.

How did this come to pass? It probably came to pass because there was not one substantive hearing in the Ways and Means Committee and in the Senate Finance Committee on the most important tax bill that has passed out of Congress in the last 25 years.

So now we live with this. Now we live with the situation where the Treasury Department announced a couple of weeks ago that the tax revenues for the 2018 fiscal year—that is now—are down by a couple of hundred billion dollars.

So what is going to happen? When the tax bill was moving along, all of the deficit hawks—and there used to be, I don't know, a couple hundred of them over here on my Republican colleagues' side—left town in December. There was not one word about the new $1.5 trillion addition to the deficit. But like most migratory birds, they are going to come back when the weather warms up in Washington, and they are going to go after the deficit with a vengeance. I will bet they are not going to propose that we go back and clean up the tax mess that was created.

My guess is what they are going to do is go after programs. I think we know what programs they are, because the Speaker of this esteemed House has very clearly laid out in previous budgets that he wrote when he was head of the Budget Committee that he is going to go after Social Security, Medicare, and Medicaid—the programs of the social safety net.

I had a phone call just a few moments ago from a constituent in my district, saying:

You have got to understand that more and more of your constituents are getting elderly. They are getting Alzheimer's, and they need care. Their husband or their wife needs respite care. What about the programs for that?

I had the answer. It doesn't look good, because we know what the Speaker said he wanted when he was chairman of the Budget Committee, and unless he is having an epiphany, he is likely to want it again. In fact, I believe he already said they are looking at cutting Medicare and Medicaid.

So what does that mean for the working men and women who are taking care of their parents? It means there are tough times ahead. It means that the proposed discussion about the reduction in Medicaid is $1,400,000,000,000 over the next decade. It means that $500 billion will be cut from Medicare.

So, if you are a senior, you should worry. If you are among the working men and women of America whose father or mother is now a senior, you should worry.

The most expensive illness now and in the future is Alzheimer's. So what of Alzheimer's research? It is going to get reduced.

Oh, and that corporate tax cut for Pfizer? Do you remember how happy they were to have the extra $12 billion? Are they going to spend it on Alzheimer's research? No, they are not. They stopped their Alzheimer's research. Instead, guess what they are going to do with the money that they were investing in Alzheimer's research. They are going to use it, together with their tax cut money, to buy back their stock which has the marvelous result of increasing the value of their stock because there are fewer shares out there.

It is brilliant for the managers and for the corporate officers because their pay is based on the stock price. What a marvelous way to use the tax cut: end research on the most expensive illness in America, Alzheimer's and dementia, and instead use that money to buy back stock so that you can increase your pay as the corporate president.

Now, there is a good, American, capitalistic idea. That is where we are.

So today we had a hearing on infrastructure in the Transportation and Infrastructure Committee, a great opportunity to understand the President's infrastructure plan. Wow. It is big and it is beautiful, he says, and it is going to provide a gazillion jobs.

We took a look at it, and we said: Where is the beef? Where is the money? $200 billion over a 10-year period, $20 billion a year, said to be new money.

And then you look at the President's budget proposal and you tee it up with the infrastructure proposal, and you say: Wait a minute. What kind of shell game are you playing here? Your budget removes over $200 billion from infrastructure, and you come over here on your infrastructure plan and you say you have $200 billion of new money.

No, you don't. You really don't have $200 billion of new money. You have $200 billion of repurposed money in programs that actually devolve the Nation's infrastructure back to the States and the counties so that we will have a disconnect between an interstate in one State and an interstate in another State that connect at the State lines, and one is repaired and the other is not.

□ 1645

So infrastructure and transportation is a national network. But in this case, what happens is that the States are said to be given the responsibility and the Federal Government will simply pick and choose among those programs that the administration happens to like.

I represent a rural area. Sure, it is nice to have an extra $50 billion for rural infrastructure. That would be great.

But what is the definition of rural?

It is 55,000 people.

How much territory? Is it an entire State?

Well, there is no State that is rural, then.

In a county? In a multitude of counties? In a metropolitan statistical area?

We don't know.

But I will tell you that I do have a rural area. I have got two cities, Yuba City and Marysville together, with 100,000 people. Rural is 10 miles down the road.

So where is the line around this rural area?

I am concerned, particularly because the Federal Government will maintain control of that money. It doesn't go out by formula, at least as we now look at the language.

So it is a grand, a glorious, a wonderful, spectacular infrastructure plan. Incidentally, there is a small problem for

cities and counties. Presently, if the Federal Government is involved in a levee project to prevent floods, an interstate highway or one of the federally designated highways, or an airport, they will usually come up with somewhere between 70 and 80 percent of the money. That is all well.

Well, let's see. It is 70 to 80 percent Federal and another 20 to 30 percent local money. In the President's proposal, that flips. The State and the local government come up with 70 to 80 percent and the Federal Government comes up with 20 to 30 percent. The role of the Federal Government is diminished. It becomes the minor partner, and the State or local community becomes the major partner.

I had a meeting today with Hamilton City, a community of about 1,600 people right on the Sacramento River with a levee that is maybe good for a 10-year high water, but not for any extended amount of flood beyond what normally occurs. They have been trying for 30 years to raise the money locally to match the 80 percent by the Federal Government. They did it.

Are they going to be able, going into the future, to complete that flood project if this program goes into effect and they have got to come up with 80 percent of the money?

It won't happen.

I would dare say, all across this Nation, with the possible exception of Houston, Texas, no community is going to be able to come up with 70 to 80 percent of the money for a flood control project.

This is a role that has traditionally been the Army Corps of Engineers and the Federal Government. But, no. In their infrastructure proposal, this administration flips it over so that now the great burden lies with the local government.

''Oh, that is fine,'' you say. Well, I think not. All across this Nation, small communities, rural communities, and even urban communities do not have the resources.

So here we are. Here we are in a situation where we had a massive tax cut that benefits the superwealthy and American corporations. The American corporations clearly indicate—not from me; go look at the Wall Street folks that have done the analysis—clearly indicate that that tax reduction, which is now in the pockets of the corporations, is not being used for higher wages, is not being used for the plant and equipment and new jobs above the 16 percent. The rest of the money is used for acquisitions and buying back stock. So much for trickle down.

Of course, how much can the superwealthy possibly spend? How much can you possibly spend on your McMansion? How much can you possibly spend on a fleet of Mercedes?

The bottom line of it is, when it comes to infrastructure, there is no money. It is gone. It disappeared with the tax cut.

Think about what could have been done if that tax bill had actually had hearings in which the Democrats could have put forth proposals that we have introduced in bills—proposals to repatriate the offshore earnings of corporations with a lower tax and then use that money for infrastructure. We would have real dollars for an infrastructure program to the tune of maybe $50 billion to $100 billion over a period of time.

But, no. No hearings, no amendments from Democrats. No, not at all.

We could have used that tax bill to create infrastructure banks so that there would be a financing mechanism for those small communities around the Nation that needed to build a road, needed to build a levee, needed to build broadband infrastructure for their community.

But no, that didn't happen either. Not one hearing. Not one Democratic amendment to that tax bill. Therefore, we go into the great infrastructure program where we really need to do some things.

What do we need to do?

Some of you may have noticed just 12, 13 months ago the man-made creation of the biggest waterfall in the world, Oroville Dam, and the breakdown of the spillway. And 200,000 of my constituents had to evacuate within hours because that spillway, the emergency spillway next to it, was being overtopped by the river and eroded at the base and a 30-foot wall of water almost descended upon those 200,000 people. The number of deaths would be unknown, but it would have been in the thousands because they couldn't get out of town fast enough.

Thankfully, the rain stopped and the reservoir receded. Had it not, had it continued and the water continued to spill over the emergency spillway here, it would have been an unmitigated disaster.

Why did this fail?

This failed for lack of repair, for lack of maintenance. It is just one example of the thousands of dams in America that could fail. We saw this potential failure in Puerto Rico with one of the major reservoirs there. Fortunately, a third hurricane didn't occur.

Or maybe you are interested in bridges. This isn't a picture of a bridge to nowhere. This happens to be one of the main bridges on Interstate 5, an interstate highway system that goes from Vancouver to Tijuana, Mexico. It goes down through Oregon, Washington, and California. It is the major trade route on the West Coast. This is about 7 years ago. The bridge fell down.

I could put a picture up here showing another bridge that failed on the Mississippi River, in the Twin Cities area. We could put thousands of pictures up here of bridges that could fail and have failed.

This is an infrastructure structure issue. Where is the money to rebuild this?

Well, it is in the hands of the corporations who are spending it to buy back their stock and to increase the stock price so that the corporate officers can have a higher paycheck.

Oh, did I forget to mention how generous they were in bonuses?

We are talking about one-time bonuses here. We are not talking about increasing the paycheck over time. We are talking about one-time bonuses.

I do like my San Francisco-based Wells Fargo, that so generously said: ''We are going to increase the pay for the minimum wage workers.''

Good for you. You are obeying the State laws that require minimum wage increases. Good for you, obeying the law. Take credit, if you will, but it is not out of the generosity.

Where is the money for all this?

It is gone.

What if we had a chance in that tax bill to talk about a program the Democrats have been putting forth for the last year?

It is A Better Deal for America, a tax policy that actually provides benefits to the working men and women of America and the families that are on the edge of poverty. It actually provides an infrastructure program that has real money—money that can be used to build the foundation for economic growth, money that can be used for employing people in high-paying construction jobs.

By the way, it is not at all clear—in fact, there are those of us who think this may actually be in the present infrastructure plan—all of the talk about Buy American, Build America. It appears that language in that infrastructure plan would do away with the Buy American provisions in highway infrastructure.

We can't let that happen. A Better Deal for America would be tax policy. It would be a program that would provide the education and training for the men and women who we need in our manufacturing sector.

Every 6 months, I do a manufacturing advisory organization meeting of manufacturers. Every time over the last 8 years we have met, they have come back with the very same concern. And that concern is: We need highly skilled workers.

How do you get highly skilled workers?

You train them. You provide the job training for those who have lost their jobs, for those who want to improve themselves.

Whatever happened in our high schools to technical training, vocational training?

It is critically important. The programs that are out there need this support. The programs where American unions have apprenticeship training are a critical way of building our economy. They are highly skilled men and women that earn a good, solid living as welders, plumbers, and technicians of all kinds. That is what we want. It takes money to do those things.

So what are we going to do?

I don't know how we are going to come back from this tax cut. It is not

going to be done anytime soon. But I know this: we are going to be really, really short of money. It has been estimated that in this current budget year, the deficit will reach $1 trillion.

I know that we are just weeks away from the return of the deficit hawks on this floor who are going to say: ''Oh, my goodness, the money is gone. We are going to have to make cuts. We can't have these kinds of deficits.''

I can hear them already. I hear the voices of the past and I hear the voices of the future. I know they are going to come back. They are going to go after programs that are absolutely essential.

We have got work to do. We have got things we need to do in America.

The American Society of Civil Engineers points out where we need work.

Aviation. We got a D for how good our aviation system is.

Bridges, C; dams, D; drinking water, D.

Is anybody here from Michigan?

Is anybody here from the Central Valley of California?

Shall we talk about water supplies?

I remember when I was in college, you would never go outside the United States and drink the water from the tap. Now you don't go to the United States and drink water from a tap, because there is a high probability that it is contaminated. We have seen this story. We have seen this story in Flint, Michigan. We have seen this up and down the Central Valley of California.

So what are we spending our money on?

Not on drinking water, not on energy systems, hazardous waste, or inland waterways.

Oh, this is a good one. If you are on the Mississippi and the Ohio River and you have got your tugboat and a fleet of barges, you depend upon the Federal Government lock system so that you can travel up and down the river.

□ 1700

If you are out there in the maritime and you are an international shipper and you want to go into one of the harbors on the East Coast, where is the money for dredging?

Well, it disappeared with the tax cuts. It is not there.

So is your ship going to run aground?

No, you won't let that happen. What you do is you will go to some other port.

Cuba. We love to talk about Cuba, so let's talk about Cuba. At Mariel, they are building an international port for the purpose of taking the new ships that are able to go through the Panama Canal, bring them to Cuba, offload them, and put them on a smaller ship so they can get into American harbors. Now, there is an American success story. We don't have the money to dredge our harbors, but we have the money for a new Mercedes for the superwealthy.

Parks and recreation. Ports. Rail systems.

Rails are doing pretty good, but not Amtrak. The President's budget proposes to cut Amtrak—to basically defund Amtrak. If you want to go on the East corridor here, if you want to go from Washington to Boston, if you want to take a plane, well, we know we have an aviation problem. If you want to take the train, I guess you are going to hop a freight train, because Amtrak isn't going to be around to run. That is the President's budget proposal.

Schools, D-plus.

Solid waste. Transit. Wastewater.

The American Society of Civil Engineers rate America in the D range. We should be so proud of the most advanced Nation in the world. No, I think not. I certainly wouldn't take pride in our infrastructure. But it takes money.

Where did the money go?

Well, it just happens I like charts.

The Trump infrastructure scam cuts more than $168 billion from existing transportation and infrastructure programs.

I haven't talked about this one.

Do you remember I told you about the flip—80 percent Federal, 20 percent local flipped to 20 percent Federal, 80 percent local, unless you happen to be a private investor. Do you want to buy Dulles International Airport or maybe Reagan National—excuse me, I promise not to do that. Whatever the name of that airport here is. Okay, I will say Reagan. The Reagan National Airport. Do you want to buy it? It is up for sale, according to the Trump administration. And, by the way, the Federal Government will come up with 80 percent of the money. Not a bad deal.

Slashes Federal investments and passes the buck back to the local governments. We just talked about that.

We haven't talked about the environmental programs, the environmental protection programs that are significantly harmed, reduced, gutted in the proposal. The Senate is going to speed up projects. Hello? Does anybody around here know that over the last two transportation programs this Congress, with Democrat and Republican support, significantly reduced the time for an infrastructure program to be done? It is not 14 years.

The laws that have been in place now for the last almost decade significantly reduced the processing time for infrastructure projects in which the Federal Government is involved in, without harming the vital environmental protections that are out there: clean water, clean air, all of those things. Anyway, they are gone.

We have a task before us. I see my Republican colleagues anxious to get up and engage me in a debate. If they want to, I could yield to them, and we could debate the wisdom of what has happened here, but that is not happening.

What is happening is there is an alternative, an alternative that we put forth from our side that, unfortunately, was not considered in the tax legislation.

We are going to be working on the infrastructure bill. I dare say that the President's infrastructure program is going nowhere in Congress. At least it shouldn't.

We are going to have to find the money as best we can. And I have an idea. Over the next 15 years, we are going to spend $1 trillion rebuilding our entire nuclear armaments. All of the delivery system, all of the bombs, all of the satellites, all rebuilt. So will Russia and so will China, and we are in the midst of a nuclear arms race—well into the second quarter of a new nuclear arms race, exceedingly expensive and exceedingly dangerous, because the delivery systems are stealthy, designed not to be observed. That is a problem because that increases the risk.

Maybe we can use some of that money to build the infrastructure to educate our kids, to provide for seniors who have Alzheimer's, to care for the caregivers that are taking care of their parents, to build an infrastructure program that really gives America a solid foundation for economic growth, one in which the research facilities are the most modern and in which the most advantageous research is conducted. Maybe we could find, amongst our choices here, money to build a highway system that is worthy of this Nation, one in which there are not potholes every 100 yards, one in which bridges don't collapse; that we can build water systems in which you can take tap water from every fountain in this Nation and drink it, without a concern about contamination of lead or something else. We could do that. We could make some choices.

We can go back and revisit the tax scam in which there are specific inducements for offshoring American jobs. Maybe we can do that.

Maybe we can look at some of the military spending and say: Why does it cost $1 billion to launch a satellite with one system and $90 million with another system to do the same thing? There are things we can do.

And, most of all, it is time for a better deal for America: a better deal for the working men and women, a better deal for the elderly, and a better deal for the children. That is what we need to do.

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

## TAX REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Michigan (Mr. MITCHELL) is recognized for 60 minutes as the designee of the majority leader.

### GENERAL LEAVE

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my Special Order.

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

There was no objection.

Mr. MITCHELL. Mr. Speaker, this is the second week of the tax truth squad effort to share the facts, the real facts about the Tax Cuts and Jobs Act, and the impact it has already had on the American economy and the American people.

Mr. Speaker, I am pleased to be here with my fellow colleagues representing Michigan and Illinois. These two States include diverse industries and diverse people, from farmers, to bankers, to manufacturers.

I am humbled to represent the hardworking people of the 10th Congressional District and the Midwest. This is exactly what the Tax Cuts and Jobs Act has done: helped our constituents work every day supporting their family and helped their local economy.

My colleague before me proceeded to speak about we should pay attention to the needs of those close to and living in poverty. Well, I wish he had stayed. I grew up in poverty.

Like many in Michigan, I grew up in a large family. I have six brothers and sisters. My dad had a good job building trucks in a line at General Motors. My mom often had a full-time job to help make ends meet. That is why I committed to supporting policies that create real economic growth and economic opportunity for families like the one in which I grew up.

I was but a young pup in 1986, the last time our Tax Code was modernized. Since then, the Tax Code grew to 74,000 pages of rules and regulations that have only confused people. You would need to be a wizard to understand what is in the Tax Code as it stood at the end of the year. That is why I promised my constituents, when I came to office, when I ran for office, I would work hard to achieve meaningful tax cuts and reforms for the American people.

I believe Americans can, and should, make independent decisions about the use of their own money, the money they work for, not the government. The government shouldn't come first. The Tax Cuts and Jobs Act allowed hardworking individuals and business owners to do just that.

Across the Nation and back home, we have already seen the direct impact of the Tax Cuts and Jobs Act. More than 400 companies have already announced pay raises, bonuses, and increased 401(k) contributions and benefits, or, in the case of utility companies, lowered rates.

Direct bonus announcements have already reached over $3 billion across this Nation. Let me repeat that: $3 billion. Companies in Michigan have already committed more than $180 million in bonuses to employees.

A couple of examples: Fiat Chrysler, one of the State's largest employers, is reinvesting its tax savings to its employees in our community, in addition to giving a $2,000 bonus to 60,000 employees. And that is in addition to profit sharing as part of their contract.

Fiat Chrysler announced it will move heavy-duty Ram truck production from Mexico to Macomb County: a $1 billion investment that will create 2,500 jobs.

In my district, Michigan's 10th, Lakestone Bank & Trust, a small community bank, operating in Lake Lapeer, St. Clair, and Macomb Counties, gave hourly employees $1 an hour raise. I know some consider that to be crumbs. Where I grew up, $1 an hour more is real money. They gave all of their salaried employees a $1,000 bonus saying: ''We are very appreciative of all Lakestone Bank & Trust employees and certainly what they have accomplished over the years. . . . This is a once-in-a-lifetime opportunity, and we know we want to reinvest much of the savings''—in the tax bill—''back into our bank, and the first place we are going to put it is into the hands of our employees. Employees are our most important asset.''

Stories like this are not unique. From CVS to Chipotle, and AT&T to Wells Fargo, they are reinvesting tax reform savings in our hardworking employees in our communities throughout the country.

This is the second week of the tax reform truth squad—we are calling it—an initiative where Members from States across the Nation are invited to tell their stories about the benefits of tax reform. There are countless stories they are anxious to express.

Mr. Speaker, at this time, I yield to the gentleman from Michigan (Mr. WALBERG), one of those Members, my colleague, serving on the Energy and Commerce Committee, a defender of a strong rural economy and a good friend, representing the Seventh Congressional District.

Mr. WALBERG. Mr. Speaker, I thank the gentleman for yielding, and I appreciate the opportunity to talk about the truth.

We heard so much dismissal of the tax cut plan before we passed it. Now that we passed it, not only did we read it beforehand, but rereading it again we are seeing the truth is working out.

As I travel around, Mr. Speaker, the Seventh District of Michigan, optimism about the new tax cuts is hard to miss.

I have people coming up to me at the grocery store, at gas stations, even in church, saying: You know, Congressman, we heard a lot of reports that this wasn't for middle class people, but I saw my paycheck in February and, it is true, I got a raise because the government is taking less out of it.

I have heard from a number of workers excited about their bonuses and pay raises and from businesses that are looking to expand their operations.

Just last week, I toured Lowe's home center in Adrian, Michigan, to visit with their team. Because of the new tax law, their employees are receiving $1,000 bonuses and expanded maternity and parental leave.

I toured Cintas' Lansing operations. The tax cut afforded their employees $1,000 bonuses, and they reported to me that day that they jumped now on a plan that they were holding off, but now they are going to build a $17 million facility to add on to their operations.

We already heard about Fiat Chrysler giving out $2,000 bonuses to all of their workers. They are also moving production of the Ram heavy-duty truck plant back from Mexico to Michigan—I wanted to reiterate that—that is coming home and creating 2,500 new good-paying jobs.

We have also seen announcements from DTE Energy and Consumers Energy, utilities in Michigan and in other States, that their customers can expect to see lower utility bills, thanks to the tax cuts. In fact, they have submitted a request to the PSC for almost $400 million in rate reductions. That is real money.

As Vice President PENCE said last week when we welcomed him to the Motor City, tax reform is working for Michigan.

Here is even more good news: the benefits are just beginning to kick in.

This tax season is the last time taxpayers will have to file under the old and broken Tax Code.

Under the updated Code, individuals and families at every income level will see tax relief.

The standard deduction is nearly doubled to protect more of people's hard-earned income from taxation.

□ 1715

The child tax credit is expanded from $1,000 to $2,000 to help with the cost of raising kids.

With these new reforms, the typical middle-income family of four will receive a tax cut of more than $2,000.

On top of that, the law will help small businesses thrive, boost job creation here at home, and make our economy stronger and more competitive, like it ought to be, in the United States and in Michigan.

For families across Michigan, the new tax cut law means bigger paychecks and more money in their pockets, not in the Federal Government's pockets. And that is where it belongs.

Mr. Speaker, I appreciate the opportunity at any time to put forward truth, but, more importantly, truth that is optimistic, that builds on our people, that builds on letting them do for themselves with the resources they have earned.

Mr. Speaker, I express appreciation to my colleague for holding this ''truth squad'' opportunity again tonight because people need more of that. They need more optimism that comes from truth that impacts them in a growing and positive way, and I am glad to be part of it.

Mr. MITCHELL. Mr. Speaker, I thank Mr. WALBERG for his comments. I failed to recognize that I serve with Mr. WALBERG on the Committee on Education and the Workforce, on which he is a subcommittee chair. So I thank him for joining us.

I made a notation that I want to share with everyone tonight as we move forward. With the changing of the standard deduction, with the nearly doubling of the standard deduction, about 90 percent of taxpayers will be able to file their taxes on a form about this size. They will be able to file their taxes like this, rather than the pile of paperwork they have dealt with for years. Here it is on a larger scale.

Most are going to be able to simply file their wage and compensation income and use the standard deduction. They will be done except for a few other tax credits we will talk about, the tax credit they can get, for example, on investment tax credit or family child credit. We will talk about that. But most Americans can file like this. That is one of the things we wanted to achieve, one of the great achievements of the Tax Cuts and Jobs Act.

Mr. Speaker, next I yield to Congressman FRED UPTON, who represents Michigan's Sixth Congressional District, the former chairman of the Committee on Energy and Commerce, another colleague of mine from Michigan, the senior member of our delegation, experientially only, not age, with decades of experience in Congress focusing on job creation and economic opportunity for our State and for our Nation.

Mr. UPTON. Mr. Speaker, I thank the gentleman and my good friend for yielding and for hosting this hour tonight. I look forward to the comments by all my colleagues from Michigan and Illinois.

Let me just start out by saying a couple of things. I had a great ninth grade teacher, Mr. Denekas. We learned about how the government worked. You pass a bill in the House and you pass a bill in the Senate. I learned later on that the House bill is always better than the Senate. But in this case, JOHN SHIMKUS and I—and he is going to be a speaker from Illinois a little bit later on this evening—were two conferees on this bill.

I have got to say that, as we debated this bill, there were some elements that were not so good. But at the end of the day, as this bill meshed together, we took the best elements of both the House and the Senate bill and we got a bill that the President was able to sign.

I can remember being trashed left and right back in November and December about what this bill was going to do or not going to do: it wasn't going to provide real tax relief to the working class; companies weren't really going to give bonuses; this was all just going to be bogus arguments.

Now, at the end of the day, 2-plus months since the bill was signed and became enacted, my constituents are finding out good things about the bill. Yes, they are getting real take-home pay increases from the jobs that they do. Yes, they are getting bonuses.

I was at a small, little almost farmers market, multigenerational market down in Niles, Michigan, just north of Notre Dame, Shelton's Farm Market. They have 83 employees. The owners gave every employee there a bonus. I talked to one of them who literally stocks the shelves. He got $600.

He said: You know, Mr. UPTON . . .

I said: Call me FRED.

He said: This wasn't just crumbs. This made a real difference.

I said: What are you going to do with that $600?

He said: You know, my wife has cancer, and I bought her a new dress.

He was so excited that that increase in the take-home pay was actually going to do some real benefit for him and his family.

I was at a groundbreaking at Pfizer, my largest employer, in Portage, Michigan. Not only did they announce that they are going to, in the next couple of years, invest $6 billion—that is B as in ''big''—in new facilities here in North America, they also announced that they are going to give $100 million in bonuses for all of their nonexecutive employees. That is real money, and that is thanks to tax reform.

Mr. WALBERG talked a little bit about some of the utilities in Michigan. A little bit earlier today, I was with the chair of Consumers Energy, a very important player; and the chair of DTE Energy as well. Yes, because of the reduction in the corporate tax rates, they are going to pass on those savings, as they want to, to the consumers. In the case of Consumers Energy, they are going to give back $200 million in rate relief to virtually every one of their customers that they serve across the board. That is good news. It has to be approved by the Public Service Commission, but, in fact, that money is going to be there.

So whether it is a small business who is now going to get a lower rate in that passthrough rate, which means a lot, keeping your deductions on healthcare, seeing the highest corporate rate being reduced to 21 percent—and I remember well that debate that we had between Mitt Romney and Barack Obama back in 2012. In September of 2012, the question was on tax reform, and even Barack Obama said that he would support lowering that corporate tax rate to 25 percent, because we were already at the highest corporate tax rate in the world. That is what this bill did, and thank goodness.

The last point I would make is I was tired of economic growth being at .7 percent or 1 percent. We can do better than that. This bill is now starting to lead the way to see that happen. In fact, the report even this week, I think, is predicting a 3.5 percent growth rate for calendar year 2018.

That is a far cry from where we were just a few years ago. I dare say, in large part, it is due because workers are, in fact, getting more money from their paychecks. We have reduced the corporate rates so companies, instead of having an incentive to go overseas, as they did with my largest employer in one of my counties a few years ago, they now have a reason to come home and invest that money here.

So, Mr. Speaker, I appreciate the gentleman for hosting this hour. I look forward to the other folks' comments tonight.

Mr. MITCHELL. Mr. Speaker, I thank Mr. UPTON for joining us. I appreciate him taking time out of his busy schedule to talk about how the Tax Cuts and Jobs Act has impacted his district and the State of Michigan.

Let me state, as we get our next speaker to come forward, that in my district alone, the average savings for the average filer in my district is $2,700 a year.

Now, I know that some of the colleagues on the other side of the aisle refer to that as crumbs, as meaningless, but that is real money that allows people to make a difference in their lives, to move forward, make decisions about fixing their houses, go on vacation, put a downpayment on a new car, all things that wouldn't be possible.

More importantly, that is money they worked for. That is not money somebody gave them. That is their money to begin with, and they get to keep it. That is what is so important about it.

Mr. Speaker, our next speaker who wants to come forward and talk about his district is Representative SHIMKUS, who, as Mr. UPTON said, was a conferee on this bill.

Mr. Speaker, I yield to Congressman JOHN SHIMKUS, who represents the 15th Congressional District, a member of the Committee on Energy and Commerce, a conferee on the Tax Cuts and Jobs Act, and who has been an advocate for smaller government for years.

Mr. SHIMKUS. Mr. Speaker, I thank the gentleman very much for yielding. It is great to be here with my friends from the State of Michigan.

As a Republican, sometimes people ask: What is the difference?

I always say: Well, Republicans, we believe in less government, individual responsibility, lower taxes, more personal freedoms and liberties.

From my time here in Washington, I have always wanted a fairer, flatter, simpler Tax Code. We shouldn't have to fear filing our income taxes. We shouldn't have to fear whether we have the receipts.

I think the other thing that was always frustrating about the Tax Code is you never know if you have done enough of the itemizing that you are actually going to get anything or not. And then, have you forgotten something that you are not recouping?

So having said that, that is why—and I am glad Congressman MITCHELL raised this issue, the fairer, flatter, simpler Tax Code.

Before we passed the bill, 80 percent of my constituents did not itemize. Under this tax reform, 90 percent of all of my filers—90 percent—will be able to do it on this simple postcard. And it is easy to find. People can pull it up at fairandsimple.gop to check it out.

Congressman UPTON was correct: this process worked. We had a House bill and we had a Senate bill, and then the two sides merged to keep some of the deductions that people really thought were important, and a great compromise that was working.

So the question is: Is the proof in the pudding?

In other words, is it operating as advertised for either side?

I think we are down here to say it is operating as advertised and we can proudly stand down here and tell some of these stories.

What we did is we posted a question on our newsletter to ask people to respond, and I want to share some of these responses. These are on the individual side. I will talk about the corporate side in a minute.

Ken and Pam from St. Joseph—we call it St. Joe—they say: ''Personally we have seen an increase in our net wages each week. With our business, we seem to have an increase in other companies starting new things.''

Gregg from Charleston says: ''More money in my take-home check.''

A pretty simple statement.

James from Marine says: ''My retirement check just went up. Thanks.''

Jeff from Carlyle says: ''Positive results only so far, just as expected with a commonsense tax cut.''

Carl from Collinsville, which is my hometown. I am glad Carl is happy. He says: ''I am seeing more on my paycheck each week. Keep up the good work.''

So that is just on the individual side.

Then we briefly want to talk about what is going on from business. You know, these are great announcements. I had the chairman of the Committee on Ways and Means, my good friend, KEVIN BRADY, tell me 50 percent of all manufacturers in this country are planning expansion. Not 50 percent of the manufacturers in Illinois or Michigan; across the country. That is pretty awesome.

So what is going on in my district?

Griffith Trucking, Broadway Express, Heartland Peterbilt, and Heartland Classics—which are in Effingham and Newton—gave $1,000 bonuses to 65 full-time employees.

FedEx has a big distribution hub in my district, same place, in Effingham. FedEx has committed to more than $3 billion in wage increases, bonuses, pension funding, and expanded U.S. capital investment.

Charter Communications is raising their minimum wage to $15 an hour as a result of this tax cut plan.

It is great to see Congressman ROSKAM on the floor. He will get a chance to speak later. He was a major architect of this. I am very proud that he comes from Illinois. These stories are attributed to Peter's great work.

The other one I wanted to mention—of course, I live in the metro St. Louis area. Boeing has a big presence in St. Louis, but a lot of their great workers, probably their best workers, live on the Illinois side. Boeing has announced employee-related and charitable investments of $300 million as a result of the tax law.

So great things are happening.

I want to follow what FRED UPTON said, in that we as a body were tired of being in a malaise.

Is this all we can hope for?

We wanted an economy that would grow and create jobs and be vibrant, that people would be excited about going back to the workforce, working hard, taking home more of their pay, investing it into the market or in their retirement savings; and that is just what we are having.

Mr. Speaker, I have a lot of my colleagues here on the floor, so I could talk a long time on the benefits of the bill. I am very, very excited about it.

Mr. Speaker, I thank Mr. MITCHELL for organizing this tonight.

Mr. MITCHELL. Mr. Speaker, I thank Mr. SHIMKUS for the enthusiasm, the detail on the impact of the Tax Cuts and Jobs Act.

Mr. Speaker, we are going to continue on this conversation and talk a little bit about the trade States, because it has had a great impact not only on Illinois, but also on Michigan.

Joining us at this point is Congressman MIKE BISHOP, a neighbor of the 10th Congressional District, a member of the Committee on Ways and Means that had a direct impact on this bill. He has been a leading advocate for a fair and simple Tax Code. He represents the Eighth Congressional District.

Mr. Speaker, I yield to Congressman MIKE BISHOP.

□ 1730

Mr. BISHOP of Michigan. Mr. Speaker, I thank the gentleman for yielding and for leading in this effort.

It is very exciting back in the great State of Michigan, the comeback State of Michigan, our home State. After years of stagnant economic growth, our workforce is finally experiencing the benefits of a modernized Tax Code. So far, more than 4 million hard-working Michiganders have received bonuses, notices of increases in their take-home pay, and have benefited from higher wages.

Across Michigan, I have had the opportunity to travel not only in my district, but across this great State, and I have seen firsthand great things, so many great stories to tell, sitting down with folks, hearing about the new tax law and how it is impacting their community and how it is impacting their businesses. I take away from this a number of really excited testimonials from everyone that I sat down with.

For example, Dan, a small-business owner from Rochester Hills, Michigan, shared with me that, as a result of tax reform, he was able to invest in his new car wash by buying new equipment.

Erwin, a constituent from Oxford, Michigan, is seeing extra money in his monthly take-home pay.

I stopped by the Fiat Chrysler truck assembly plant to talk with workers about the new Ram truck production line that is relocating from Mexico all the way back to Michigan, where it belongs, bringing with it 2,500 new jobs. As you can imagine, there is extreme excitement within the four walls of that beautiful plant.

Michigan is the auto capital of the world. We produce more than 2.2 million cars and trucks. We produce more cars and trucks than any other State in the Union, and we are excited and proud to be the auto capital of the world, the State that put the world on wheels.

The Fiat Chrysler decision will provide more than $1 billion in U.S. investment and $2,000 bonuses, $2,000 for each employee, all as a result of tax reform.

In Lake Orion, Michigan, Complete Automation, they employ about 250 employees. I visited their operation to talk with the employees about the new benefits they will soon be seeing. As a result of tax reform, employees will see in their 401(k) contribution a match of 50 percent, up to 4 percent of their investment in their 401(k).

That is a big deal for a lot of people. It is a great deal for their family. It is a great deal for them individually, but it is a great deal for their family.

And I also say this. With the average tax cut in my district of about $2,500 per family, average family, that is not crumbs. That is real, real relief for families that could really use it right now.

The takeaway from all these conversations that I have had across my district is that the Tax Cuts and Jobs Act is working. America's optimism is rising, and the workforce is taking notice. We are finally creating an environment that fosters economic growth and brings jobs back to the United States and back to my home State and the comeback State of Michigan. And this is just the beginning.

Mr. MITCHELL. Mr. Speaker, I thank the gentleman for his feedback on the impact of the Tax Cuts bill, and I thank him for taking time out of his schedule.

Next, I have the privilege of recognizing a key player in the effort to reform our Tax Code and cut taxes, the chairman of the Ways and Means Subcommittee on Tax Policy. I thank the gentleman for his leadership on this and, hopefully, continued success on our tax laws.

Mr. Speaker, I yield to the gentleman from the Sixth District of Illinois (Mr. ROSKAM).

Mr. ROSKAM. Mr. Speaker, I thank the gentleman from Michigan for yielding.

You know, I think it is so interesting. We are all coming together, various States, to celebrate these accomplishments and to take a step back: how far we have come in the past year or the past several months where you look back and, basically, there was a national consensus that had developed, and the consensus was nobody

liked our Tax Code—I mean nobody. Nobody could defend it because it was absurd. It was so complicated.

Those of us who are from the Chicago area, we know that the last time the Tax Code was updated was when the Bears won the Super Bowl, so that is 30 years ago. And yet we have got this Tax Code that had been a complete throwback. The Tax Code was such a throwback that the last time it was updated, 1986, the internet didn't exist, basically, as a commercial enterprise.

There was no shared economy, per se. Airbnb, Uber, Lyft, all those things, they didn't exist. Global supply chains were nowhere nearly as connected as they are today, which all begged the question that we needed a Tax Code to update things.

Now, here is what was interesting: The hyperbole that surrounded the debate on the tax reform bill as H.R. 1 kept moving in and, ultimately, came to a crescendo, passed through the House, passed through the Senate, and was signed into law, it was described by, God bless them, our friends on the other side of the aisle as the worst bill ever, Armageddon, and, obviously, now, the famous line that the result of these things were crumbs. Well, none of that turned out to be true. This was a terrific bill.

Let me just give you a couple of examples, Mr. Speaker, of people in my constituency who have written publicly or they have written to me privately about this bill.

Here is Mary from Wheaton, Illinois, my hometown. She said: ''Our family is already feeling the positive impact of the changes made in the Tax Code. Our daughter and her husband just had their first baby and will be able to take advantage of the doubled child tax credit next year. Throughout our extended family, those who work for big and small businesses alike are witnessing immediate effects. Companies are investing the anticipated benefits of the new tax law in the form of bonuses, pay raises, capital improvements, and new hires. And that's just the beginning. The true value of this Tax Code will become even more evident in the months and years ahead.''

Mary is absolutely right.

Or another person, Nicole, from Elgin. She says: ''Thanks to the new tax bill, my family will be saving an estimated $4,000 on our taxes next year. Not only that, but I'm getting a $1,000 bonus and an extra $1,500 in my employee pension account from my employer as a result of the changes.''

Or how about an enrolled agent, Stephen, from Wayne. He prepares people's taxes. He says: ''As an enrolled agent entering my 35th tax season, I am anxiously awaiting the smiles I will be getting from my clients when I inform them how much they will be saving on their 2018 tax return . . . the clear majority of my clients will be paying lower tax rates in 2018 due to the recently passed Tax Cuts and Jobs Act.''

And then I will go to the end of his note. He says: ''I haven't been able to say this very often over the past 35 years, but I am actually looking forward to this tax season.''

So we know that these things are true. We know that they are manifesting themselves.

I have got a constituency where there are about 30,000 people who get hit hard by the alternative minimum tax, and they are not going to be hit by the alternative minimum tax. They are going to be spared that tax.

There are many other examples in the State of Illinois where you see real progress being made.

Up by me in Chicagoland, MK Incorporation, a fleet management company, is giving $1,000 bonuses to 150 employees.

Ameren Illinois, the customers are using both electricity and natural gas. They will see a combined savings of lower utility rates.

We have talked about AT&T already today: $1,000 bonuses to 10,000 Illinois-based employees and, nationwide, over $1 billion increase in capital expenditures.

There is example after example after example after example.

Look, if all the critics can do is basically say, well, this isn't enough or this is crumbs, they have not been to my constituency. To tell a family that I represent, Mr. Speaker, that $1,000 is crumbs is just patently obtuse. $1,000 is real money: $1,000 is getting ahead on a car payment; $1,000 is the ability to move forward and say we are going to go on a little extra special vacation, we are going to put a little bit more money toward our college fund, we are going to put a little bit more money toward our retirement. And that is just one particular example.

Mr. Speaker, I want to thank the gentleman for organizing this, and I very much appreciate his bringing us together to celebrate these things.

Mr. MITCHELL. Mr. Speaker, I will ask the gentleman to stay for just a moment for a real quick question.

First, I would say that the Bears is his example—and my example is Steve Yzerman was a rookie in the NHL and captain of the Detroit Red Wings. If you ask a young hockey fan now who Steve Yzerman is, they would look at you blankly. That is how long ago tax was tackled.

I have a question for the gentleman. Ninety percent of our taxpayers, we believe, are going to file a standard deduction, but we kept—we talked about it a great deal. We kept some key tax cuts in the Tax Code to actually help families.

Can the gentleman briefly talk about, maybe, the family and child tax credit and what we did with that and why we think that is important.

Mr. ROSKAM. What we did with it is we doubled it so that the family tax credit is now doubled. So, you know, when folks say, ''Well, I don't like this tax plan,'' really? You don't like doubling the child tax credit?

So there was very much an intentionality, as you know, to say we value family, we value children, we value domestic life, and, toward that end, we are going to support it through the Tax Code. So there was a very specific design not just to keep it, but to enhance it.

Mr. MITCHELL. I want to be clear with folks. There is a child and family tax cut, the earned income credit, and the higher education credit, and those are all credits against your tax liability. This is not simply a deduction. After taxes are determined, those are credits back, not a tax deduction.

Mr. ROSKAM. Right.

Mr. MITCHELL. People don't understand the difference some days.

Mr. ROSKAM. That is right.

So, to the gentleman's point, a deduction is a decrease in a taxable liability; a credit is a credit. Once the tax is calculated, the credit is an amount that comes off of that tax liability, so it is a very significant thing. Said another way, credits are more valuable than deductions.

Mr. MITCHELL. Mr. Speaker, I thank the gentleman for clarifying that, and I certainly hope people listen to the difference because some people don't understand that. I appreciate the gentleman taking time to join us tonight.

Mr. Speaker, I yield to the gentleman representing the 12th District of Illinois (Mr. BOST), a small family business owner himself.

Mr. BOST. Mr. Speaker, I thank the gentleman for holding this Special Order tonight. And I also say, just because we are following a theme, if we put in perspective how long ago it was that we did tax reform in this Nation, I was running for my first political office for county board. I had a mullet, and it looked good—at least my wife told me it did.

But let me tell you that, after we passed this tax reform—I come from deep southern Illinois, nowhere near Chicago, a very rural district, a little bit of metropolitan—a typical family of four will receive a break of over $2,000 per year.

Now, folks, I don't know how it would be in your district or in your hometown if you are listening to this tonight, but that is not crumbs where I come from. Some of the folks here in Washington may think that that is the case, but that is not.

Let me tell you that I have been around my district talking to people; and you go to barber shops and coffee shops, and my wife and I own a beauty salon, and you hear from the people how much they are saving, so much so that we actually asked for people to start replying on our Facebook and to tell us what their story was.

I am just going to give you a few of these. I know that we are on limited time, but I am going to tell you that Bobby from Makanda, here is what he writes:

I am a police officer and my wife is a high school teacher. Combined, the new tax rates save us over $300 a month. We have two teenage children. The additional income will help us save for upcoming college expenses.

Terry from Royalton writes:

My wife is an educator and I am in healthcare. Since these changes have affected my pay about the same as hers, we know how much it changes our monthly income. About $300.

His statement is:

Hey, Nancy, if that is crumbs in your world, it's not in mine.

Tracy from Wood River writes:

Tax reform allows more money for college, more money to be put towards paying off our home, provides more activities for our children, and allows us to save more money for the future.

These are just three stories of countless that we have heard. Countless have come in not only from individuals on the individual tax rate, but the business tax rate as well: expansion of business, growing of business, using it to expand the 401(k)s of their employees, giving increases in pay to their employees.

The bottom line is this: The tax reform allows people to keep more money of their paycheck. It allows them the opportunity to use that money in the way they see fit, not how the government wants to use it. They earned that money. It is theirs. They should be able to keep more of it to spend and save as they please. This new tax reform does just that.

Mr. MITCHELL. Mr. Speaker, I thank the gentleman for joining us this evening.

Next is Congressman ADAM KINZINGER, who serves on the Energy and Commerce Committee as well as on the Foreign Affairs Committee. Like many Members around here, he is a very busy man.

Mr. Speaker, I yield to the gentleman representing the 16th District of Illinois (Mr. KINZINGER) to talk about tax cuts in his district.

□ 1745

Mr. KINZINGER. Mr. Speaker, I thank the gentleman for yielding. This was a great thing we did. It had been—I was 8 years old the last time the Tax Code was reformed, and I think this is something we, frankly, ought to do every decade; at the worst case, every two decades; definitely not every 30 years. So it is about time to get it done.

I wish this could have been bipartisan. I think there are a lot of fantastic things in here, and I think it is quite obvious that the economy is showing some really big benefit as a result. I think it is hard to hide that. It is hard to pretend that that is not the case, even though some of our friends try to do that, but it is quite obvious it has worked.

I just want to tell a few stories of my district, the 16th District of Illinois. I was at a tax reform roundtable last month at the Illinois Valley Chamber of Commerce, and I heard from my local business community about how this bill affects them and what they would like to see moving forward. One gentleman from Walnut, Illinois, in Bureau County, was really excited about the tax cuts his small business would receive. He plans to increase hourly wages and hire 7 to 10 new employees over the next 2 years. That, my friends, is not crumbs. That is important.

The tax relief for businesses, large and small, is being shared with employees all over. Over the last few months, more than 300 companies, and counting, have announced plans to add people, add bonuses, add to retirement benefits, and give back to the U.S. economy.

Employees at UPS in my district, Home Depot, Bank of America, Ryder, AT&T, U-Haul, and many others with Illinois locations will receive these bonuses and benefits.

A few weeks ago, I went to the Fiat Chrysler plant in Belvidere, Illinois, and I met with employees who were excited and encouraged by the $2,000 bonus they will receive in the second quarter of this year.

According to the nonpartisan Institute on Taxation and Economic Policy, 85 percent of Illinoisans will see a tax cut next year, and the nonpartisan Tax Foundation has estimated that the State of Illinois stands to gain tens of thousands of jobs from this reform.

This is great news. By bringing the Tax Code into the 21st century to reflect current day is real and tangible in terms of the benefits it will put into our economy.

Our future is bright, our economy is growing stronger, and, with tax relief, the American Dream is once again on the horizon for folks in my district and across the country. I thank the gentleman for yielding.

Mr. MITCHELL. Mr. Speaker, I thank Mr. KINZINGER for joining us this evening. I appreciate the detail in his district.

We are going to continue with Illinois for a bit here. I guess it is Illinois' night for awhile.

Mr. Speaker, I now yield to the Representative from the 14th District of Illinois, Congressman RANDY HULTGREN, who has consistently been a voice of business owners across America through his work on the Financial Services Committee.

Mr. HULTGREN. Mr. Speaker, I thank Congressman MITCHELL for yielding.

Illinois is a high-tax State. We have seen Illinois State taxes continue to go up, so it is a welcome relief that Congress has brought Federal tax relief to the people of Illinois, and especially I am grateful for the residents of the 14th Congressional District, the suburbs of Chicago, who are seeing great relief and especially the benefits that come to small businesses, truly the energy and the engine behind Illinois' economy.

They are going to receive immediate benefits from a reduced tax burden and more flexible accounting rules. I am also pleased that the final version of the legislation included this portion of my bill, which was to lower taxes on Illinois' largest employers, which is small businesses, and it is called the Bring Small Businesses Back Tax Reform Act.

Further, the Tax Cuts and Jobs Act reduced corporate tax rates to 21 percent and includes provisions to deter U.S. companies from moving their headquarters and investments abroad and encouraging them to bring income and jobs back home again. Again, this is welcome news for Illinois residents.

Numerous companies who employ residents of the 14th Congressional District have announced new investments and new hiring and giving more money to their employees, wages, bonuses, trainings, and more. Just a sampling of these are: AbbVie, American Community Bank, First Midwest Bank, EMKAY, Boeing, U.S. Bank, Wells Fargo, Wintrust Financial, Home Depot, Walmart, CVS, and Starbucks.

American manufacturers are hiring more workers. In my district, a Geneva manufacturer has already brought on two new employees to manage the equipment the company invested in under the new expensing rules. A Will County food distributor plans to hire two new employees in 2018, with the money the company saved through tax reform, and the list goes on and on.

Mr. Speaker, it is time Americans were given the truth about the Tax Cuts and Jobs Act. Eighty percent of U.S. households will see a tax cut in 2018, according to the nonpartisan Tax Policy Center, but only 17 percent of Americans actually think they will.

In fact, the bill lowers individual rates for low-and middle-income Americans across the board and doubles the standard deduction for both individuals and families. If you are one of the 70 percent of Americans who currently take the standard deduction, getting an immediate rate cut and a doubling of the earnings you can keep tax free will make a big difference to you and to your family.

This bill does not cut Medicare, Medicaid, or Social Security, period. This bill does not get rid of the medical expense deduction or the charitable deduction. Those are protected and expanded. The bill did not take away healthcare from Americans. Eighty percent of the people who pay for the Affordable Care Act's individual mandate tax are families making less than $50,000 a year. This bill gets rid of the individual mandate penalty so struggling families aren't burdened by yet another tax.

It is clear: the Tax Cuts and Jobs Act is already delivering positive results to Illinois individuals, families, and small businesses; and to Americans everywhere. It is good news, and more good news is coming.

Mr. MITCHELL. Mr. Speaker, I thank Mr. HULTGREN for joining us. I appreciate him taking the time to explain the importance of this in his district.

My next speaker has extensive experience on economic development and creating a better business climate.

Mr. Speaker, I yield to Congressman DARIN LAHOOD, representing the 18th District of Illinois, a member to both the Joint Economic Committee and Ways and Means Committee.

Mr. LAHOOD. Mr. Speaker, I thank Congressman MITCHELL for yielding. I thank him and Congresswoman MIMI WALTERS for putting together and organizing this Special Order in order to highlight the effects of the Tax Cuts and Jobs Act on families in Illinois and across the country.

Thirty-one years is way too long. That is what it took before we passed comprehensive tax reform at the end of last year. And in my 2½ years here, I couldn't be more proud to support the bill. And when I went in to looking at the legislation in the bill, I really looked at two things as we looked at comprehensive tax reform. One is, how do we help middle class and lower middle class people across this country and in my district? And secondly, how do we get the economy roaring again?

We, for almost 9 years, had a very sluggish economy and stagnant wages. How do we get the economy healthy, robust, vibrant again? We succeeded on both those counts with this bill, and I am very proud to support it.

This historic tax reform law is making a real difference for our families and our workers. But you don't have to take my word for it. Take it from the hardworking people I have spoken with across Illinois' 18th District. The workers I have spoken with are already seeing the results of the new withholding tables, which is no surprise.

In fact, the median family of four in my district will save $2,593—again, let me repeat that, $2,593 every year from this new law. This figure is certainly not crumbs, as some people would describe it.

When half of Americans say they are living paycheck to paycheck, this is real money for them. The benefits have already gone beyond lowering the rates, with more bonuses and pay raises being announced every single day.

One example from my district is the Five Senses Spa in Peoria, Illinois. This is a small business. And for over a decade, the owner, Paola Hinton, has provided clients with relief from the stresses of their life at her spa. With the passage of the Tax Cuts and Jobs Act, Five Senses Spa is now providing tax relief to their employees. After calculating the savings from her business that she saw through the Tax Cuts and Jobs Act, Paola handed out $500 bonuses to all of her employees as a ''thank you'' for their hard work. This is real money that the employees can put towards expenses, new purchases, or even saving up for things like education or a home or a new car.

But tax reform also has positive effects beyond larger paychecks. Last month, I spoke with a constituent named Chris, who is a small-business owner, and also the fire marshal for Springfield and Sangamon Counties. Chris attended a roundtable discussion I hosted in Springfield and talked about how the new depreciation rules, as a part of the tax reform law, have already incentivized building owners to upgrade their sprinkler and safety equipment, which has benefitted his small business. Safer buildings and up-to-date fire prevention are a win-win for everyone.

I was glad to hear that even our local fire marshal was seeing the real effects of commonsense tax reform and reforming our Tax Code. Stories like these are coming from every district across this great country, and the benefits of the Tax Cuts and Jobs Act show no sign of slowing down, and that is good news for all Americans.

It should be clear by now that letting workers keep more of their hard-earned paychecks is a recipe for a healthy economy, and I am excited to see how this bill continues to improve the lives and security of all American families.

Mr. MITCHELL. Mr. Speaker, could the Congressman stay one moment for a quick question?

Mr. LAHOOD. Mr. Speaker, sure.

Mr. MITCHELL. Mr. Speaker, he was talking a little bit about the depreciation allowance and what that depreciation means for small business—especially small business.

One of the important things we did was to change how the taxes are structured for a path we call pass-through to small businesses. Maybe he could explain that briefly, what was done to help small business be viable and grow in this country.

Mr. LAHOOD. Mr. Speaker, I think we acknowledge that small businesses are the lifeblood of our economy. They create the most jobs in our economy. So when we looked at comprehensive tax reform, we obviously talked to those small businesses, those independent folks, and said: What can we do to help you in terms of lowering the rates, depreciation, expensing?

We took that into account, and now you are seeing the results of that. So when you talk to small businesses on the real effect, what does that mean? What do they do with those savings?

Well, they are hiring more people, they are investing in higher wages, they are investing back into their companies, which has a downstream effect throughout this country, and those are real results; and, again, that is a positive nature, which will continue into the future, and we are awful proud of those provisions.

Mr. MITCHELL. Mr. Speaker, I thank Mr. LAHOOD for detailing that, and I appreciate him taking time this evening.

We now will rotate back to Michigan, a fellow freshman, good friend of mine, also a proud Yooper. I am proud to introduce my fellow colleague in the freshman class from the northern regions of Michigan, who, throughout this process, served on the Budget Committee and had input into what this bill is.

Mr. Speaker, I yield to Congressman JACK BERGMAN from the First District of Michigan.

Mr. BERGMAN. Mr. Speaker, what a great opportunity to really stand up here and smile and talk to the American public with the words of constituents from Michigan's First District, because these are not my words. These are their words over the last 2½ months or so since we passed the Tax Cuts and Jobs Act.

You know, in November 2016, the great people of Michigan's First District sent me to Washington with a direct, yet simple, mandate: Get Washington, D.C., out of our pockets and off our backs. For a marine, that is a pretty simple mission-oriented instruction.

The Tax Cuts and Jobs Act was the first major step to accomplishing that goal. Since we passed tax reform, I have travelled throughout many of the First District's 32 counties talking with constituents, business owners, and hearing their individual stories. Farmers, businesses, both large and small, and families are already seeing the benefits that tax reform brings, and we are just getting started.

Many of these small companies said: Well, I don't know yet, but I have got to meet with my accountant around the middle of April, and then we will really see.

But now they are starting to see wage increases and bonuses, and business expansions are all beginning to roll in and take effect, and it is long overdue in our neck of the woods. And when I say, ''our neck of the woods,'' that is not a figurative statement. That is a literal statement.

You know, many families in our district live paycheck to paycheck, and even a small crisis could send them into a tailspin. An extra $100 or $150 in a paycheck in my district is not crumbs. It is not Armageddon. It is a big plus. It gives that family flexibility to live their life and to raise their kids and be a proud community—wage-earning members of that community.

That $1,000 a year may mean a new set of snow tires. And by the way, we only have, roughly, a little over 2 weeks of winter left, but we use our snow tires up there through about mid-May. That is just the way it works.

That money might go for the kids to play on a sports team. Hockey is not a cheap sport to put your son or daughter in. Or it could be, possibly, just saving up in that family rainy day fund for an emergency.

We hear of businesses from Boyne City to Marquette expanding, growing their staff, raising wages, all a result of a fairer and simpler Tax Code.

You know, when I talk to some folks, they say: You know what, I don't mind working. I am proud to work. The dignity of work is what makes me strong as an individual, what makes me strong as a mother or a father.

They just think, in some ways, it is just not fair if you don't earn your wage. So there is a certain sense of pride that goes along with that.

□ 1800

We all know that if you are looking for thanks, running for office probably isn't the field of work you should get into. Yet everywhere I go in the district these last couple of months, constituents have been coming up to me saying: Thank you.

They don't know who I am. We get to talking, and they say: You are the guy on TV. Yeah. Well, thank you for what you did. Thank you for passing tax reform.

Just a few weeks ago, I was at the Home Depot in Petoskey, and a gentleman who was working there pulled me aside and thanked me for getting tax reform done. That allowed him to keep more of his check plus a sizable bonus that was paid by Home Depot.

In the Upper Peninsula, U.S. Special Delivery gave all 200 employees $1,000 bonuses after tax reform passed because of the money that they will save as a company on their taxes this year.

A couple of weeks back, when I was in Traverse City, Traverse City State Bank announced that they are giving out new bonuses.

So many more businesses in the First District are raising wages, adding workers, giving bonuses, and expanding.

We know that this is just the beginning, and Americans can expect much more in the days ahead because of the energy that we have put into the growth of our American economy.

Mr. Speaker, this confirms the very core beliefs that I have and conservatives all throughout the country believe in. If we get the Federal Government off our back, where it is not supposed to be, and out of our pockets, we will unleash unprecedented economic potential for the citizens of our great country.

I would just close with one note, and that is I am Scandinavian, and there is a wonderful delicacy that you can only afford at the holidays, and I think more people are able to afford it now, and it is called a crumb cake, and it is great.

Mr. MITCHELL. Mr. Speaker, I thank Congressman BERGMAN, and we are wishing for spring in northern Michigan sooner than mid-May.

Mr. Speaker, I want to wrap up this evening by talking a little bit about what all my colleagues spoke about: our principles.

Our principles were that people who worked hard should keep more of their money, that their families and their pocketbooks should come first and not government come first. We have achieved that with the Tax Cuts and Jobs Act.

How did we achieve that?

We almost doubled the standard deduction. For a married couple, the standard deduction is $24,000 this tax year—$24,000, and you pay no taxes.

We lowered the individual tax rates for all tax brackets.

We simplified the Tax Code so that taxpayers can file their taxes, 90 percent of them, on a form about this size. No, you don't have to mail a postcard. You put it in an envelope. But the good news is you don't need multiple pages. You don't have to hope that you have got a wizard to help you. Ninety percent of Americans can fill out a few items on here, include the W–2, and send it on in.

We expanded, as was discussed earlier, the child tax credit from $1,000 to $2,000 for single filers and married couples to help parents with the cost of raising their children. We made that fully refundable up to $1,400. That is, even if your taxes are zero, you get a refund from the government for $1,400 to help you with childcare and taking care of your dependents.

For taxpayers that the standard deduction did not work as well, we kept a number of important deductions, the three most popular ones: Charitable deduction, kept that; the home interest deduction, we kept that; and State and local taxes.

What that means is, for 95, 98 percent of my tax filers in the 10th Congressional District, even if they fill out their deductions rather than do the standard deduction, they are much better off.

Since the tax reform bill passed, as I stated earlier, 400 companies, in about 70 days, have given a pay raise or a bonus or both, increased benefits, 401(k) contributions.

In the case of utilities, you heard in Michigan, almost $400 million a year in rate cuts, something we hadn't thought about, hadn't anticipated—real money saved by our consumers.

Four million people have received a special tax bonus, resulting in about $3 billion injected into the economy. In Michigan, it is $180 million already.

That is real money. It is not economic Armageddon. I am proud to have been part of the Tax Cuts and Jobs Act. We will continue with the Tax Truth Squad every week through the summer to send a message to the American people that we are looking out for their paychecks and the well-being of their family.

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

## THE DREAM WILL SURVIVE

The SPEAKER pro tempore (Mr. KUSTOFF of Tennessee). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Florida (Mr. SOTO) for 30 minutes.

Mr. SOTO. Mr. Speaker, tonight, I rise for the 92,000 Dreamers in the State of Florida. Tonight, I rise for the 3.6 million Dreamers across this Nation.

President Trump may have terminated the DACA program this week, but the dream will survive.

These Dreamers are serving in our military. They are our teachers. They are students and businessowners, lawyers, doctors, and engineers. They are an ambitious group of young people who are renewing our democracy and who are some of the very best of what the next generation has to offer.

I have no doubt, despite this termination this week, these young people will continue to fight, and we in the Congressional Hispanic Caucus will stand with them. We in the Democratic Caucus will continue to stand with them.

I hope some of my colleagues who have signed on to this bill in the Republican Conference will continue, but we need a vote on the floor.

Seventy percent of Americans already stand with our Dreamers.

It is true that the Federal courts this week have continued with their injunction enjoining the termination of the DACA program. This will help those who are already in the program, but that is a small fraction of the Dreamers in this country.

It is a sad state of affairs that Dreamers could only find justice in our courts. This is the people's House, and the people's business needs to be done. It is time to have a vote on the floor in a bipartisan fashion—a clean Dream Act now, or in November the voters will have their own vote regarding Dreamers.

### HONORING SERETHA TINSLEY DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Seretha Tinsley.

Seretha Tinsley is a Winter Haven resident, trailblazer, and overachiever. She was the first African-American female to attend and graduate from Wesleyan College, in 1971.

In the early 1980s, Seretha became one of the first Black female general managers in radio.

In 2008, she became the first African-American president of the Winter Haven Chamber of Commerce board of directors.

She is an entrepreneur, civic leader, mother, and wife.

Desiring to become a missionary, she took a trip to West Africa, visited six countries, and studied with educators. Consequently, she became an educator so that she could have a greater impact empowering young lives with knowledge.

Tinsley served as executive director and cofounded Chain of Lakes Achievers, an achievement center devoted to empowering youth through tutoring, leadership, and life skills training. She maintains her passion for teaching by mentoring on a daily basis.

She is a businesswoman who takes pride in assisting others in reaching their phenomenal potential. Tinsley is the CFO/owner of several family businesses, KFC, Tinsley Family Concessions, where she oversees administrative and fiduciary responsibilities.

Seretha's community service and progressive leadership have earned her

numerous honors, recognitions, and media coverage.

Seretha is involved with multiple organizations in the community. She is a Winter Haven Chamber of Commerce business member; First Missionary Baptist Church trustee; life member of the NAACP; Polk Academies Advisory Board; Winter Haven Chamber; past president of the National Coalition of 100 Black Women, Polk County Chapter; among many other accomplishments.

Seretha Tinsley, we honor you.

HONORING LISA LANDERS DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Lisa Landers.

Lisa Landers has served in the executive director position of the Winter Haven Housing Authority since 2009. She leads in the overall operations of the agency's public housing Section 8, low-income tax credit, and multifamily housing programs.

Known for her tenacious spirit, Lisa has been recognized for successfully transforming a once nonperforming troubled agency into one now competitively recognized by Florida housing officials.

Prior to joining the WHHA in 2004 as a volunteer, Lisa championed research on infant mortality and neonatology for the late Florida Governor Lawton Chiles and wife, Rhea Chiles, at their Center for Healthy Mothers and Babies at the University of South Florida in Tampa.

Ms. Landers is also an award-winning journalist for The Tampa Tribune.

Her career includes leadership as director of public relations for The Spring of Tampa Bay, one of Florida's largest domestic violence centers.

A graduate of Florida A&M University with a B.S. in journalism, Ms. Landers has also pursued advanced studies in public administration at USF and holds the distinguished Executive Director's Education Certification from Rutgers University's Center for Government Studies.

Among her board and outside interests, Ms. Landers is a member of the Winter Haven Leadership Class of 35, currently serves as the Florida State public relations representative for the Florida Association of Housing and Redevelopment Officials and its Southeastern Regional Council, and is currently a member of the Leadership Polk Class XI.

Lisa Landers, we honor you.

HONORING TWANNA DEWDNEY DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Twanna Dewdney.

Twanna Dewdney is a Winter Haven resident and proprietor of Salon Ashanti. She has proudly operated her salon in Winter Haven for over 13 years and considers it a vital resource to the community.

As a community activist, Twanna advocates for HIV and AIDS education and prevention. Her salon is an HIV testing site for the Polk County Health Department.

Salon Ashanti also serves as a location for voter outreach, registration, and school supply drives. Children within the neighborhood utilize Salon Ashanti as a place of refuge, and she prides herself as a mentor to young women.

Her ministry extends beyond her local community, as she also organizes toiletry drives for women's and men's prison ministries.

Twanna began Project Park Bench as a drive where warm items and food could be brought to the salon for donations to the homeless. Items are then donated to the Mission of Winter Haven.

Further, she also uses her salon to promote other entrepreneurs.

In 2010, Twanna received the Community Service Award from the Jewett Alumni Association and the Bringing Your Business Back Award from the NAACP.

In 2011, she received her associate of arts degree from Polk State College and bachelor of applied science in supervision management in 2013.

Twanna is an usher, president of HIV/AIDS Ministry, and member of the Willing Workers Committee at Hurst Chapel AME Church.

She was the 2014 recipient of Girls Inc. She Knows Where She's Going ''George Jenkins'' Award.

In 2015, Twanna received the Outstanding Entrepreneur's Self-Determination Award, presented by presiding elder Jimmy Thompson and the Lakeland District African Methodist Episcopal Church.

She also received the Shining Star Award for outstanding ministry and community service and was the recipient of the Minerva Achievement Award from the Lakeland Chapter of Delta Sigma Theta Sorority Inc.

Twanna Dewdney, we honor you.

HONORING GLENDA JONES DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Glenda Jones.

It has been said that humility is often found in those who serve others. Glenda Jones best personifies that statement.

For 45 years, Glenda has and continues to champion the elderly by seeking to empower them with knowledge, skill, and resources through the Winter Haven Neighborhood Service Center Inc.

As a registered nurse, she provides care and compassion for her community through civic engagement. Glenda actively serves her community and has been recognized for her participation with a number of organizations in our community.

Glenda won Woman of the Year, the highest honor in Winter Haven, in the 2008 Banker's Cup. She is involved with St. Joseph's school board, the Keep Winter Haven Clean and Beautiful organization, a charter member of the East Central Democratic Club, secretary for the Polk County Democratic Black Caucus, and the United Way of Central Florida board of directors.

She is also a current member of the Agricultural and Labor Program board of directors, PRIDE of Polk County, the Women's Club of Winter Haven, Silver Life member of the NAACP, and chair of the Winter Haven Dr. Martin Luther King, Jr., Commemorative Commission as well.

Glenda has been an official sponsor of the Winter Haven MLK Parade and other activities during King Week. She is current chair of the Florence Villa CRA in the city of Winter Haven and a past recipient of the Winter Haven Girls, Inc., She Knows Where She's Going Award.

Glenda Jones, we honor you.

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HONORING LAKECIA GUNTER DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Lakecia Gunter.

Lakecia Gunter is a Haines City native. She is currently Intel's chief of staff and technical assistant of Intel. Prior to her current role, she was the general manager of the consumer desktop segment marketing team in the client computing group, where she was responsible for maximizing desktop profitability to grow the desktop P&L.

She is an active member of the Intel Black Leadership Council, Intel's network of Intel African Americans, and Women at Intel.

Lakecia started from humble beginnings, growing up in a single-parent household. Her late mom, Barbara Griffin, always described her as a curious child. She is a trailblazer who has never been afraid to be the only one.

''If they let me in the door, I'm going to make the entrance wider,'' she says. And she does just that by sharing her time and talents with several nonprofits focused on improving educational outcomes for high school dropouts and underprepared college students. In her mentoring, she tries to impress upon kids that challenges are designed to help them grow.

Lakecia earned an MS in electrical engineering from the Georgia Institute of Technology and a bachelor of science degree in computer engineering from the University of South Florida. She also earned her project management professional certification.

Her efforts in the engineering career field and the community have garnered her national recognition. She recently was named to Business Insider's list of the 26 most powerful female engineers in 2016. She was the recipient of the Society of Women Engineers' Prism Award for demonstrating outstanding career technology leadership as well as leadership in STEM and in the community.

Further, she was named to Diversity MBA Magazine's 2014 list of top 100

under 50 diverse executive leaders for her technology leadership and achievements at Intel and in the community.

For that, Lakecia Gunter, we honor you.

HONORING GLORIA NIEC DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Gloria Niec. Ms. Niec is the executive director of the Celebration Foundation and has tackled serious issues affecting Osceola County.

In 2012, the Celebration Foundation led the effort to increase awareness of those experiencing hunger in the county by creating Osceola Connected. The group became very involved in combating childhood hunger. Today, Osceola Connected provides food to over 1,000 Osceola County elementary students every week during the school year.

While handing out bags of food or taking children to summer camp, Gloria learned that many graduating seniors had no postsecondary plans. Once she learned that most students had never even visited a college campus before, Gloria and her committee began sponsoring campus tours of Technical Education Center Osceola and Valencia College Osceola Campus. The first year, just over 100 students toured the campuses. Since then, over 6,000 students have toured the campuses, which have helped improve the county's college-going rate.

Education is one of the cornerstones of Celebration Foundation's mission ''to work hand in hand with our neighbors to build a strong and caring central Florida community.''

Gloria was concerned about the effect of media on girls and young women. She convened a group of talented women, and they formed WINGS, Women's Initiative Nurturing Girls' Strength. The goal is to help girls and women create powerful life journeys.

Gloria also gathered a group of architects and urban planners who are committed to preserving, protecting, and advancing the principles upon which Celebration was based. They teach at Lifelong Learning, lead tours, and sponsor an annual speaker.

The Concert Series, in its 16th year, is enjoying robust attendance and sponsorship. Gloria has helped to grow the series, which offers a cultural opportunity for residents in Celebration, Osceola County, and central Florida. She has also been involved with Thriving in Place and Lifelong Learning, programs that enable seniors to live healthy, safe, independent, and have enriched lives.

And for that, Gloria Niec, we honor you.

HONORING HEATHER WILKIE DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Heather Wilkie.

Heather Wilkie is the executive director of the Zebra Coalition, a network of community organizations which provide services to lesbian, gay, bisexual, transgender, and all youth. Following the tragic Pulse nightclub shooting, the Zebra Coalition evolved as a leading organization in the community's provision of services to victims and their families, and Wilkie continues to lead these efforts to ensure the LGBTQ-plus youth in central Florida have a safe space to turn.

Wilkie serves on the task force for the LGBTQ Alliance, a group of appointed LGBTQ organizations and community leaders formed to address our community's needs as a result of the Pulse shooting.

She is an experienced executive leader in the nonprofit sector with over 13 years of personal commitment and dedication to community service. A dynamic and energetic advocate for global change and equality, Wilkie contributes a strong passion for social justice.

Prior to joining the Zebra Coalition, Wilkie served as chief operating officer for the leading central Florida domestic violence organization Harbor House. During that time, she chaired the LGBTQ Caucus with the Coalition Against Domestic Violence, where she led the statewide initiative to enhance services for LGBTQ survivors of abuse.

Wilkie holds a master's degree in mental health counseling from Rollins College.

And for that, we honor you, Heather Wilkie.

HONORING MARY DOWNEY DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Mary Downey.

Reverend Mary Lee Downey is the executive director and founder of the nonprofit Community Hope Center. The Community Hope Center is a one-stop shop providing services to the homeless and disenfranchised in Osceola County. In 2016, the Community Hope Center was awarded the prestigious Bank of America Neighborhood Builders Award and, in 2015, the Bob Allen Award by Walt Disney World for innovative approaches to helping the homeless in the community.

In the last five years, the Community Hope Center has served over 25,000 individuals in the central Florida area. The Center focuses on a ''housing first'' model of care while also including a strong position regarding poverty alleviation.

Reverend Downey is a deacon in the United Methodist Church for the Florida Annual Conference. Her focus is on missional outreach through social justice in the nonprofit organizations. She is also a clergy at the Spring of Life United Methodist Church.

Previously, Mary served as the deputy director of Helping Others Make the Effort, HOME, a nonprofit committed to ending homelessness in Osceola County. She was also the program and evangelism director for the First United Methodist Church of Kissimmee, where she focused on spiritual formation, outreach, and missions.

Before moving to central Florida, Mary was a journalist. In 2004, Mary graduated cum laude from Henderson State University in Arkansas with a bachelor of art in mass media. In 2016, she graduated from Henderson State with a master of art in art history and liberal arts. In 2012, Mary graduated with a master of Christian leadership with an emphasis in missions from Asbury Theological Seminary.

Mary and her amazing husband, Martin, have three children. She enjoys writing, preaching, and reading. In her free time, you can find her and her family enjoying the theme parks in central Florida.

And for that, Mary Downey, we honor you.

HONORING SHERI MORTON DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Sheri Morton.

For over half a century, Sheri Morton has volunteered for progressive causes. From the peace, civil rights, and women's movements in the 1960s to voting, equal rights, and quality affordable healthcare, Ms. Morton has volunteered tens of thousands of hours to help improve the quality of life for people in our community, our country, and our world.

Ms. Morton began volunteering as a teenager and continued doing so during her undergraduate years, when she was the first woman from her high school to attend Harvard College. She earned a master's degree at Harvard Graduate School of Education, where she later worked.

After receiving her JD, she became an attorney and is now retired.

Sheri has held numerous volunteer political positions as well as served on the Osceola County Library Advisory Board.

A lifelong supporter of quality affordable healthcare for all Americans, she was a local volunteer spokesperson, encouraging enrollment in the Affordable Care Act health insurance exchanges.

Ms. Morton's volunteer work has ranged from teaching English to immigrants and tutoring a blind student in high school math to collecting food for Appalachia's needy and warm clothes for the homeless. Currently, she regularly volunteers hosting Jewish cultural events for the residents of a local assisted living facility.

After half a century of volunteering, Ms. Morton's dedication to improving the lives of others continues unabated.

And for that, Sheri Morton, we honor you.

HONORING KATHLEEN PLINSKE DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Kathleen Plinske.

Kathleen Plinske serves as campus president of the Osceola, Lake Nona, and Poinciana campuses at Valencia College in Orlando, Florida, and in central Florida. She has served as an advocate for increasing access to higher

education in historically underserved communities and has been instrumental in Osceola County's ''Got College?'' efforts, which have resulted in an increase in the community college's going rate by more than 20 percent over the last 5 years.

Prior to joining Valencia in 2010, Plinske began her career at McHenry County College, rising up to ultimately becoming interim president of institutional effectiveness. A graduate of Illinois Mathematics and Science Academy, Plinske attended Indiana University Bloomington as a Herman B. Wells scholar, earning a bachelor of arts in Spanish and physics with highest distinction and honors. A member of Phi Beta Kappa, she completed a master of arts in Spanish from Roosevelt University, a doctorate in education technology from Pepperdine University, and a master of business administration from the University of Florida.

Actively involved in her community, Plinske has served as a board chair of the Education Foundation of Osceola County and as president of the Rotary Club of Lake Nona. She has also served on the board of CareerSource Central Florida, the Osceola Center for the Arts, Junior Achievement of Osceola County, and the Lake Nona Education Council.

In 2010, Plinske was recognized as one of 24 emerging leaders in the world by Phi Delta Kappa. In 2012, she was named Woman of the Year by Orlando Business Journal in its 40 Under 40 competition and the Outstanding Young Alumna by Indiana University.

In 2014, she received the Compadre Award from the Hispanic Business Council of the Kissimmee/Osceola Chamber of Commerce and the Don Quijote Hispanic Community Champion Award from the Hispanic Chamber of Commerce of Metro Orlando.

Plinske was selected as an Aspen Presidential Fellow in 2016 and was named Pepperdine University's Distinguished Alumna in 2017.

And for that, Kathleen Plinske, we honor you.

HONORING KATHY WANDEL DURING WOMEN'S HISTORY MONTH

Mr. SOTO. Mr. Speaker, in honor of Women's History Month, I would like to honor Kathy Wandel.

Kathy Wandel comes from a career in transportation, which focused on sales, operations, and training. Upon her retirement, she and her husband relocated from Texas to central Florida.

She served on the board of directors for the Senior Resource Alliance, the Area Agency on Aging for Central Florida, representing Osceola County, and was board chair for three years. She also delivered Meals on Wheels for the Osceola County Council on Aging.

□ 1830

She became a volunteer guardian ad litem, helping to provide a powerful voice in court on behalf of Florida's abused, neglected, and abandoned children in 2003.

She was soon invited to join the local nonprofit for the Guardian Ad Litem Program in Osceola County, Voices for Osceola's Children, where she is serving as board chair. This nonprofit supports the efforts of over 200 certified local volunteer GALs, as well as provides for the unmet needs of over 500 local children while they are under the supervision of the court dependency system.

She is a longtime member of Rotary International's Kissimmee West Rotary Club in Osceola County. She plans on continuing to support her club's fundraising efforts through local causes, including the Adopt-A-Precinct program for the Osceola County Supervision of Elections.

She finds the Rotary ideal of ''Service Above Self'' a wonderful way to meet new people who share the ideal and work to give back to the community.

For that, Kathy Wandel, we honor you.

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

## ABORTION IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to have the opportunity to be here on the floor of the United States House of Representatives. I ask that people who are listening to our conversation weigh heavily on some of the remarks that will be made here this half hour.

I come to the floor tonight, Mr. Speaker, to address the situation of innocent, unborn human life in America and to recount the path that we have followed and to lay out a path for the future that gives us a better opportunity to save as many lives as possible.

For me, Mr. Speaker, I recall that when 1973 rolled around—January 22, 1973—on that date, we had two major decisions that came down from the United States Supreme Court: Roe v. Wade, which most everybody knows; and the other was Doe v. Bolton. Of those two cases that dropped on us in January of 1973, not very many people, if any, understood the magnitude of the decisions that had been made that day or the impact it would have on the population of the United States of America.

They did not believe that we would see 45 years of pro-life marches coming to the city in the middle of the winter and sometimes marching through the snow from down on the Mall, all the way up to the United States Supreme Court building, calling upon the Supreme Court to correct the decision that was made by an activist court in 1973.

The bottom line of that decision was that an abortion was essentially declared to be, some would say, a constitutional right for any reason or no reason at all, as much as you might want to parse the phrases in Roe v. Wade and Doe v. Bolton, Mr. Speaker.

Of course, for me, I didn't realize the impact of this in 1973. But by 1976, when my first son was born, I remember holding him in my hands and looking at David Steven King, understanding the miracle of life and the miracle of birth and thinking within that first hour of his life how anyone could take his life now, this little miracle child with that big head and dark hair and blue eyes and gurgling a little bit and crying some and squirming a lot, but a miracle.

I thought: How could anyone take his life now, when he is an hour old or a minute old or a minute before he was born or an hour before he was born? Could they take his life a day before, a week before, or a month before, or a trimester before?

When could you decide that this child's life could be ended, and do so within a moral framework rather than a framework of maybe self-interest?

I concluded that there was only one moment, only one instant. We have to choose that moment when life begins. There is only one, and that is the moment of conception. We all know that. I knew it in 1973. I am sure I knew it before then, but I hadn't thought about it very much.

And here we are today and we know. We know by the benefit of ultrasound. We are watching little babies squirm around in the womb. We are watching them yawn and stretch and suck their thumbs and try to talk and stretch themselves and belch and do all the things inside the womb that they do pretty shortly when they get outside the womb. It is life. It is miraculous life. Little hands, little feet, little fingers, a little nose, little eyes. They are little babies that are defenseless.

This Congress has allowed a Supreme Court to impose abortion on demand in America, and we have worked to put together very few limitations on that abortion on demand. I don't think we have done enough, either, to send the message to America that life begins at the moment of conception. But ultrasound has shown many of us in this country—millions of us—that life does exist inside the womb.

We know that we can, even with a transabdominal ultrasound, verify a heartbeat in 7 to 8 weeks from conception. In 7 to 9 weeks, that little baby is formed by then with a beating heart. We know that of those babies that have a detectable beating heart, 95 percent of those babies will experience a successful birth. It is at least 95 percent. Some say more.

So 95 percent of them, or more, are destined to experience a successful birth. Yet the most dangerous place for a baby is in the mother's womb. It is the most dangerous place because our hearts are hardened by a Supreme Court decision that some think will not change, that we have to live with it

in perpetuity and accept the consequences of 60 million Americans being aborted.

There is a hole in the population of America that is 60 billion babies strong. Some of those little girls who were aborted would be mothers by now. When you do the math on that just on the back of the envelope, that is perhaps as many as another 60 million babies—a missing 120 million Americans that would otherwise have been born in this country and had the opportunity to live, to love, to laugh, to learn, to worship, to be mothers or fathers themselves. That is what we are asking for here in this Congress with 170 cosponsors on the Heartbeat bill.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA), one of those cosponsors who is a bit of a rare commodity himself, a conservative from California.

Mr. LAMALFA. Mr. Speaker, I am, indeed, pleased to join my colleague from Iowa (Mr. KING) tonight, who has been a very strong, tireless leader on this issue and many other important ones for our Congress and our country. So I thank him for that and for letting me be here to be a part of this tonight.

Obviously, this is a very important issue and we need to have a much better discussion than we have had in a long time in this country.

The moral of the Heartbeat Protection Act is extremely simple to understand. It is against the law for a physician to perform an abortion after detecting a heartbeat, other than to save the life of the mother.

Mr. KING was speaking a moment ago about this. For anybody who uses common sense, life begins at that moment of conception. At that moment of conception, you have a life. If you don't have a conception, obviously, you don't have a life.

So how is it that it is even a debate? How do people hide on the sidelines, in the shadows, somehow debating it as something like, ''Well, is it really a life,'' or, ''At what line do we draw that point at?''

That is an important point Mr. KING made as well with all the different ideas of when an abortion is appropriate.

We have a 20-week mark. We have the end of the first trimester, the end of the second trimester.

What date is appropriate?

We have people these days talking about partial-birth abortion not being a problem at all. Even in some extreme quarters, some people are saying that post-birth is somehow an acceptable way and that it isn't really a person with rights at that point.

We are talking about a much narrower thing here, with the heartbeat being a true detectable moment of life. When prospective mothers go in for those ultrasounds, it is a very moving moment for her, and, hopefully, her mate there with her, to see what is going on inside there with all those little baby parts that are being formed and the miracle that life is.

But it is really a telling moment when that prospective mother hears that heartbeat. That is what is so important in this debate about having the tool of an ultrasound to show what is really going on here, for those who try to obfuscate what is happening with the pregnancy. Let that prospective mother make an informed decision, not one that is hidden, not one that is obfuscated by, ''Oh, it is just a tissue mass or something.''

The crime about a lot of this is that a lot of these women are not being allowed to make an informed decision about what is really going on.

So this Heartbeat bill that Mr. KING is championing here is an important moment in time for a prospective mom and her mate to be able to have an informed decision and really contemplate this life that is happening and the downside of what that abortion might mean.

So, indeed, is it not a crime to murder a human being with a heartbeat?

It really shouldn't be any different for babies that are yet to be born.

Arguably, since they are innocent, isn't it more important we protect their rights?

They don't really have someone to speak for them, except for those of us who realize what we are truly taking about here: an innocent life with a heartbeat that will become a life outside of the womb and walk amongst the rest of us humans with dignity, with passion, with ideas, with dreams. That is what we are defending here.

It really mystifies me how legislation like this is so difficult to move through this body, the Senate, the Congress as a whole, or State legislatures in other types of bills we have tried in order to preserve life, to preserve the value of life.

Indeed, if we are not a country that is going to value life in all of its human forms, then what are we?

Our Founders placed a great value on those liberties that have formed this country. Indeed, right above the dais it says: ''In God we trust.''

I think God watches what we do here. He is watching what is happening to these babies and he wants us to tell the truth and know the truth and be able to project the truth on what is really going on with a pregnancy or those who are contemplating a very serious decision.

This bill will go a long way toward shedding the light on a quantifiable moment when there is a detected heartbeat that anybody around that ultrasound can hear. That should be a reality moment. I think more times than not, a prospective mother will make a decision for life, given that.

I commend my colleague, Mr. KING, for battling this for those who have lost their lives so many millions of times in the past and had nobody to defend them. But he is building momentum on this legislation and his effort with so many pro-life groups around the country, so many pro-life legislators that are onboard with this. We need a couple more of these national groups to get involved and not see the fog, but, instead, see the clear path that this is.

I implore people to contact their legislators and contact the organizations that are supposed to be standing for life and make sure they get onboard with this effort, because a heartbeat is a true indication of life.

I thank Mr. KING for his effort with this.

Mr. KING of Iowa. Mr. Speaker, the gentleman gives me a little too much credit and doesn't take enough credit for himself.

□ 1845

That is that measure of humility I was asked about earlier today. Trent Franks always said: The funny thing about humility, about the time you think you have achieved it, you have lost it.

Mr. LAMALFA is a solid principled conservative, and I appreciate him coming to the floor to defend life. The effort that we have had is the whip team has gone out and pulled together 170 cosponsors on this bill that has set the stage for a path that I believe soon will be to the floor of the House of Representatives. Let's put the Heartbeat bill over on MITCH MCCONNELL's desk. That is a good place for a lot of good things to have a chance to happen, even though they are a little slower at moving over there than we are over here.

One of the nimble folks who has been actively engaged in the pro-life movement in the House of Representatives is Mr. LAMBORN from Colorado.

Mr. Speaker, I yield to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I thank Congressman KING for his endless and tireless leadership in reminding us of the humanity of the unborn. I am a proud cosponsor of the Heartbeat Protection Act. I am one of those 170 who have stepped forward to support this much-needed piece of legislation.

The development of an unborn baby is truly miraculous. Around 6 to 8 weeks, you can detect, through ultrasound, the heartbeat of the little child inside the mother's womb; 6 to 8 weeks. So I don't see how people can deny that an abortion is the taking of a human life.

How many lives would we save if we remembered that simple fact?

What if instead of rushing to abortion, which some people think is their only option, we instead turned our attention to addressing practical needs, the needs of a woman facing a pregnancy decision?

What if we empowered women to carry and raise their child?

Or what if we did everything we could to promote a stable and happy life for the child through adoption?

America was built on the principle that life is a God-given gift. Here, in Congress, it is our duty to protect

human life at all stages. I will continue to do so, and I know Representative KING will continue to do so. I thank him for his leadership. I am glad that I can support him with this wonderful piece of legislation.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Colorado for coming to the floor to make such a strong message here on the sanctity of human life.

When I think about that heartbeat, a heartbeat is a certain indicator of life. If the baby has a beating heart, we know that baby is alive. Statistically speaking, 95 percent or more of those little babies that have a beating heart, that can be detected by an ultrasound in that 6- to 8-week period of time, 95 percent of them will experience a successful birth.

I have asked the question to those who weren't supportive of the bill: Did you ever hear the expression, ''Let's error on the side of life?''

Well, let's not error with life at all if we can help it. If we have a 95 percent chance of a successful birth, we can't take a chance on ending that little baby's life.

Mr. Speaker, this bill is a bill that has come together over the last year and a half or so. Just to mention some of the points here that I think are important is that we have at least 162 pro-life organizations and leaders that support the Heartbeat bill. I have a little demonstration here.

These are some of the organizations and leaders that support the Heartbeat bill. We have to really search pretty hard to find somebody that is not onboard.

You can go down through this list. I could read these all off, but I think it would be a little bit tiresome and maybe a little bit redundant. I put this together. This may be one-third of—or maybe even one-fourth—of the overall list of 162 pro-life organizations and leaders that support the Heartbeat bill. It is nearly universal across this country.

Of course, we don't have Planned Parenthood on here. We don't have the NARAL here. The National Abortion Rights Action League is what they used to be. They say they aren't anymore, but, yes, they are.

We have the pro-life organizations here: the people who care about life, the people who understand that human life is sacred in all of its forms, it begins at the moment of conception, that we have to protect life from that time on, and that we have a constitutional duty to do so. We have an equal protection clause in the Fourteenth Amendment of the Constitution that tells us that.

But it seems as though the United States Supreme Court, in Roe v. Wade and Doe v. Bolton, upset that. They decided that a right to privacy, which was a manufactured right—I don't think I have it in my memos—but it is Griswold v. Connecticut back in the 1960s. It is a decision that a couple had a right to privacy in order to buy birth control pills. It was in Connecticut in that period of time. Shortly after that decision, they decided it wasn't just a married couple that had a right to privacy; it was an unmarried couple that had a right to privacy in the form of contraceptives. That was only in the mid-sixties.

Then Roe v. Wade came along. I think that this Court can never be defended for the decision that they made, the idea that privacy trumps life, and that the privacy of a mother will allow for an abortion at any stage, is how this all came together between Roe v. Wade and Doe v. Bolton.

But even some of our professors that you might think have been on the other side of the issue had their skepticism. In fact, there is a bit of it here in Ruth Bader Ginsburg in a statement that she made in 1985. Our Supreme Court Justice Ginsburg said:

> Roe, I believe, would have been more acceptable as a judicial decision if it had not gone beyond a ruling on the extreme statute before the court. Heavyhanded judicial intervention was difficult to justify and appears to have provoked, not resolved, the conflict.

I would restate the Fourteenth Amendment. It says this: ''No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.''

This comes back to personhood. I believe that a conceived baby from that moment is a person. We don't have the technical medical ability to define that moment at this point, Mr. Speaker, but we can define ''heartbeat,'' and we have done so in the Heartbeat Protection Act.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. ROTHFUS), who has been a leader and a fighter for life since back in the 1980s or so, when I was still in the crib.

Mr. ROTHFUS. Mr. Speaker, I would like to commend Mr. KING for his work on the Heartbeat Protection Act. It gives us an opportunity to reflect on some of those bigger issues that we have going on in our society.

This is personal to everybody. We all have our own stories of when we are in a family situation and somebody becomes pregnant. I certainly remember that when my wife and I had our first child. The first visit to the doctor when you got to hear the heartbeat was just amazing.

I remember also having a subsequent appointment where the doctor couldn't find the heartbeat. We were very concerned, very worried, so they sent us to the hospital. They wanted us to have another test. It is a small town we were in. The hospital was where they had the sonogram. My wife and I were praying all the way: Please, let this baby be okay.

Well, we got to the hospital and the technician did a sonogram, and, lo and behold, we saw the baby, we saw the beating heart, and we were just in awe at this new human life.

Mothers and fathers are forever changed when they first hear that heartbeat, that tiny pulse that reinforces the big and beautiful reality of a precious human life.

Mr. Speaker, that is why I rise in support of H.R. 490, the Heartbeat Protection Act. As a lawmaker, I took an oath to our Constitution to protect the constitutional rights of all Americans. That is why I am cosponsoring this bill.

This legislation protects a pre-born baby's life when his or her heartbeat is detected. A heartbeat is a very basic sign of life. The pulse represents a unique person with inherent dignity and natural, human and constitutional rights that extend throughout the continuum of life through conception until natural death.

And where do these rights come from?

The Founders who signed the Declaration knew, for the Declaration itself says: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights.''

That is interesting, Mr. Speaker, because the first unalienable right that is identified is the right to life.

Do you know who else knew?

President Kennedy.

President Kennedy reminded us in a different context, in the struggle against atheistic totalitarian communism. He said these words: ''And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state but from the hand of God.''

The right to life, defined in our Declaration, protected in our Constitution, and reiterated time and again by leaders across the religious and political spectrum, applies to every human life. It is easy to see who is human, if you look.

Twenty-six years ago, the late Governor Bob Casey from Pennsylvania, and others, including Sargent Shriver and Eunice Kennedy Shriver, signed onto a statement regarding abortion as true today as when it was published. Under the section of that document that was titled ''Without a Doubt, a Human Life,'' Governor Casey and his coauthors observed:

> From the beginning, each human embryo has its own unique genetic identity. Three and a half weeks after conception, its heart starts beating. At 6 weeks, brain activity can be detected. At the end of 2 months, the limbs, fingers, and toes are complete. By 3 months, the baby is quite active, forming fists, bending arms, and curling toes. At 4 months, vocal cords, eyelashes, teeth buds, fingernails, and toenails are all present. By 5 months, the baby is sucking its thumb, punching, kicking, and going through the motions of crying. By 6 months, it responds to light and sound and can recognize its mother's voice.

The statement went on:

Advocates of unrestricted abortion do not want the public to focus on these undeniable facts of fetal development, but the facts cannot be ignored. They may claim that abortion is a violent act, not against potential life, but against a living, growing human being, a life with potential.

Governor Casey subscribed to that belief.

Mr. Speaker, let's be clear. Intentionally stopping a heartbeat is not healthcare.

H.R. 490 recognizes what science has already affirmed: that there is a baby growing in her mother's womb, one with her own distinct heartbeat.

Therefore, we have an obligation to protect the most vulnerable among us: to defend the defenseless.

How can our country continue to flourish and claim itself as a champion of human rights when we allow our society to rid ourselves of our own future generations?

That is why I came to the floor today to urge support for the Heartbeat Protection Act, to give our country a chance to reflect on some of the deeper questions and deeper values, to walk in solidarity with one another when one encounters a difficult situation, and to stand in each another's shoes with empathy.

Mr. Speaker, I urge my colleagues to support this legislation.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Pennsylvania for his eloquent words.

I hadn't heard the description delivered by Governor Casey in those years back. But Governor Bob Casey—God rest his soul—captured my attention years ago, 20 or more years ago. I had a quote from Governor Bob Casey, a Democrat, that I had on my bulletin board that I don't have to look up anymore. And it was this:

Human life cannot be measured. It is the measure itself against which all other things are weighed.

It rang so clear and true to me that I cut it out of the magazine and stuck it up on the bulletin board. His words echo in this Chamber today. I wish they echoed in his son over in the Senate the same way they echoed out of the mouth of Governor Bob Casey back in those days when he was denied the opportunity to speak before the Democratic National Convention because he is pro-life. And we look today and we see this issue has been more and more polarized. I hope that we can be more broad with this and that we can be more bipartisan than we are.

□ 1900

We do have bipartisan cosponsorship on this bill. It is narrow, but it exists.

I urge, Mr. Speaker, this body to take this bill to the floor. 170 cosponsors is further ahead than any comparable piece of pro-life legislation. To have that many cosponsors and a good number of other Members who have said, ''I am not ready to sign on the dotted line, but you bring it to the floor, and I will vote 'yes,' '' I think we get to ''yes,'' but we need to bring it here.

There are concerns that, well, if we pass it off the floor of the House, the Senate won't take it up. Well, we know they won't take it up if we don't pass it off the floor of the House.

There is concern about the Supreme Court. Of course there is. We have to challenge the Court. We are going to live with the 1 million abortions a year in this country until we are willing to challenge the Court and do so successfully.

I believe, Mr. Speaker, that we are going to see one or two more appointments to this Court in the next 2 or 3 or more years, and we need to get the bill off the floor, onto the desk of Leader MCCONNELL so that it has a chance then to go to the President's desk, where I am very confident that President Trump will sign the bill. And then it has a chance to go—I am happy with it not being litigated, but we expect it will be litigated like every other effective piece of pro-life legislation.

I appreciate the attention tonight, Mr. Speaker, and the speakers who have come to the floor to weigh in for innocent, unborn human life and to lay out the path for the future that we have to follow here if we are to answer to God and country for that gift from God, which is life, in the first priority, then liberty, then the pursuit of happiness.

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

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. MCCARTHY) for after 4 p.m. today and for the balance of the week on account of personal reasons.

Mr. STIVERS (at the request of Mr. MCCARTHY) for today and March 7 on account of his duties with the Ohio National Guard.

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of flight delays.

## PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY2018 AND THE 10-YEAR PERIOD FY2018 THROUGH FY2027

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
*Washington, DC, March 6, 2018.*

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

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 2018, and for the 10-year period of fiscal years 2018 through 2027. This status report is current through February 23, 2018. The term ''current level'' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues to the overall limits, as adjusted, contained in H. Con. Res. 71, as agreed to on October 26, 2017, for fiscal year 2018, and for the 10-year period of fiscal years 2018 through 2027. This comparison is needed to implement section 311(a) of the Congressional Budget Act, which establishes a rule enforceable with a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2018 because appropriations for those years have not yet been completed.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the limits contained in the Statement of Committee Allocations of the Fiscal Year 2018 Concurrent Resolution on the Budget, published in the Congressional Record on November 2, 2017, for fiscal year 2018, and for the 10-year period of fiscal years 2018 through 2027. For fiscal year 2018 and the 10-year period of fiscal years 2018 through 2027, ''legislative action'' refers to legislation enacted after the adoption of the levels set forth in H. Con. Res. 71 and the Statement of Committee Allocations published in the Congressional Record on November 2, 2017. This comparison is needed to enforce section 302(f) of the Congressional Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal year 2018 with the ''section 302(b)'' suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation. The table also provides supplementary information on spending in excess of the base discretionary spending limits allowed under section 251(b) of the Balanced Budget and Emergency Deficit Control Act.

Table 4 compares the levels of changes in mandatory programs (CHIMPs) contained in appropriations acts with the permissible limits on CHIMPs as specified in section 5103 of H. Con. Res. 71. The comparison is needed to enforce a rule established in H. Con. Res. 71 against fiscal year 2018 appropriations measures containing CHIMPs that would breach the permissible limits for fiscal year 2018.

Table 5 displays the current level of advance appropriations for fiscal year 2019 of accounts identified for advance appropriations pursuant to the Statement published in the Congressional Record on November 2, 2017. These tables are needed to enforce a rule against appropriations bills containing advance appropriations that are: (i) not identified in the statement of the Chairman published in the Congressional Record on November 2, 2017 and (ii) would cause the aggregate amount of such appropriations to exceed the level specified in section 5104 of H. Con. Res. 71.

In addition, a letter from the Congressional Budget Office is attached that summarizes and compares the budget impact of legislation enacted after the adoption of the budget resolution against the budget resolution aggregates in force.

If you have any questions, please contact Brad Watson.

Sincerely,

STEVE WOMACK,
*Chairman, Committee on the Budget.*

TABLE 1—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2018, AND 2018–2027 CONGRESSIONAL BUDGET REFLECTING ACTION COMPLETED AS OF FEBRUARY 23, 2018

[On-budget amounts, in millions of dollars]

| | Fiscal Year 2018 [1] | Fiscal Years 2018–2027 |
|---|---|---|
| Appropriate Level: | | |
| Budget Authority | 3,136,721 | n.a. |
| Outlays | 3,131,688 | n a. |
| Revenues | 2,490,936 | 31,171,521 |
| Current Level: | | |
| Budget Authority | 3,314,353 | n.a. |
| Outlays | 3,244,451 | n.a. |
| Revenues | 2,503,102 | 31,096,088 |
| Current Level over (+)/under (−) Appropriate Level: | | |
| Budget Authority | +177,632 | n.a. |
| Outlays | +112,763 | n.a. |
| Revenues | +12,166 | −75,433 |

n.a. = Not applicable because annual appropriations Acts for fiscal years 2020 through 2027 will not be considered until future sessions of Congress.
[1] The FY2018 Concurrent Resolution on the Budget was agreed to in H. Con. Res 71.

TABLE 2—DIRECT SPENDING LEGISLATION, COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS FOR BUDGET CHANGES REFLECTING ACTION COMPLETED AS OF FEBRUARY 23, 2018

[Fiscal years, in millions of dollars]

| House Committee | 2018 | | 2018–2027 | |
|---|---|---|---|---|
| | BA | Outlays | BA | Outlays |
| Agriculture: | | | | |
| 302(a) Allocation | −2,243 | −1,991 | −209,852 | −206,919 |
| Legislative Action | +55 | +55 | +1,282 | +1,369 |
| Difference | +2,298 | +2,046 | +211,134 | +208,288 |
| Armed Services: | | | | |
| 302(a) Allocation | −1,651 | −1,485 | −32,949 | −32,601 |
| Legislative Action | −78 | −69 | −1,142 | −1,082 |
| Difference | +1,573 | +1,416 | +31,807 | +31,519 |
| Education and the Workforce: | | | | |
| 302(a) Allocation | −16,809 | −9,799 | −353,852 | −326,214 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | +16,809 | +9,799 | +353,852 | +326,214 |
| Energy and Commerce: | | | | |
| 302(a) Allocation | 7,805 | −24,661 | −1,652,820 | −1,656,131 |
| Legislative Action | +22,268 | +5,408 | −70,992 | −140,028 |
| Difference | +14,463 | +30,069 | +1,581,828 | +1,516,103 |
| Financial Services: | | | | |
| 302(a) Allocation | −10,980 | −10,695 | −124,012 | −123,666 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | +10,980 | +10,695 | +124,012 | +123,666 |
| Foreign Affairs: | | | | |
| 302(a) Allocation | 0 | 0 | 0 | 0 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | 0 | 0 | 0 | 0 |
| Homeland Security: | | | | |
| 302(a) Allocation | −430 | −193 | −25,270 | −24,689 |
| Legislative Action | 0 | 0 | −3,320 | −3,320 |
| Difference | +430 | +193 | +21,950 | +21,369 |
| House Administration: | | | | |
| 302(a) Allocation | 0 | 0 | 0 | 0 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | 0 | 0 | 0 | 0 |
| Judiciary: | | | | |
| 302(a) Allocation | −16,098 | −1,528 | −67,078 | −67,178 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | +16,098 | +1,528 | +67,078 | +67,178 |
| Natural Resources: | | | | |
| 302(a) Allocation | −3,816 | −3,171 | −60,417 | −59,302 |
| Legislative Action | +75 | +26 | −379 | −379 |
| Difference | +3,891 | +3,197 | +60,038 | +58,923 |
| Oversight and Government Reform: | | | | |
| 302(a) Allocation | −12,746 | −12,746 | −281,830 | −281,706 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | +12,746 | +12,746 | +281,830 | +281,706 |
| Science, Space and Technology: | | | | |
| 302(a) Allocation | 0 | 0 | 0 | 0 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | 0 | 0 | 0 | 0 |
| Small Business: | | | | |
| 302(a) Allocation | 0 | 0 | 0 | 0 |
| Legislative Action | 0 | 0 | 0 | 0 |
| Difference | 0 | 0 | 0 | 0 |
| Transportation and Infrastructure: | | | | |
| 302(a) Allocation | −241 | −193 | −122,290 | −3,066 |
| Legislative Action | −2 | −2 | −42 | −42 |
| Difference | +239 | +191 | +122,248 | +3,024 |
| Veterans' Affairs: | | | | |
| 302(a) Allocation | −748 | −748 | −49,022 | −49,022 |
| Legislative Action | +2,100 | +1,050 | +2,100 | +2,100 |
| Difference | +2,848 | +1,798 | +51,122 | +51,122 |
| Ways and Means: | | | | |
| 302(a) Allocation | −19,499 | −19,108 | −800,344 | −799,687 |
| Legislative Action | −8,233 | −8,584 | −102,388 | −87,522 |
| Difference | +11,266 | +10,524 | +697,956 | +712,165 |

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2018–COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF FEBRUARY 23, 2018

[Figures in Millions] [1]

| | Allocations | | 302(b) for GWOT | | Current Status General Purpose [1] | | Current Status GWOT | | General Purpose less 302(b) | | GWOT less 302(b) | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | BA | OT | BA | OT | BA | OT | BA | OT | BA | OT | BA | OT |
| Agriculture, Rural Development, FDA | n.a. | n.a. | n.a. | n.a. | 20,001 | 21,459 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Commerce, Justice, Science | n.a. | n.a. | n.a. | n.a. | 53,935 | 64,318 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Defense | n.a. | n.a. | n.a. | n.a. | 584,169 | 553,725 | 75,112 | 39,395 | n.a. | n.a. | n.a. | n.a. |
| Energy and Water Development | n.a. | n.a. | n.a. | n.a. | 37,562 | 38,915 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Financial Services and General Government | n.a. | n.a. | n.a. | n.a. | 20,230 | 22,384 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Homeland Security | n.a. | n.a. | n.a. | n.a. | 51,989 | 48,687 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Interior, Environment | n.a. | n.a. | n.a. | n.a. | 31,442 | 32,090 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Labor, Health and Human Services, Education | n.a. | n.a. | n.a. | n.a. | 157,936 | 168,354 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Legislative Branch | n.a. | n.a. | n.a. | n.a. | 3,580 | 3,697 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Military Construction and Veterans Affairs | n.a. | n.a. | n.a. | n.a. | 88,166 | 84,593 | 638 | 6 | n.a. | n.a. | n.a. | n.a. |
| State, Foreign Operations | n.a. | n.a. | n.a. | n.a. | 34,469 | 45,194 | 12,019 | 4,725 | n.a. | n.a. | n.a. | n.a. |
| Transportation, Housing & Urban Development | n.a. | n.a. | n.a. | n.a. | 56,512 | 120,914 | 0 | 0 | n.a. | n.a. | n.a. | n.a. |
| Full Committee Allowance | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. | n.a. |
| Total | 1,064,806 | 1,167,885 | 76,591 | 43,121 | 1,139,991 | 1,204,330 | 87,769 | 44,126 | +75,185 | +36,445 | +11,178 | +1,005 |

| Comparison of Total Appropriations and 302(a) allocation | General Purpose | | GWOT | |
|---|---|---|---|---|
| | BA | OT | BA | OT |
| 302(a) Allocation | 1,064,806 | 1,167,885 | 76,591 | 43,121 |
| Total Appropriations | 1,139,991 | 1,204,330 | 87,769 | 44,126 |
| Total Appropriations vs 302(a) Allocation | +75,185 | +36,445 | +11,178 | +1,005 |

| Memorandum<br>Spending in Excess of Base Budget Control Act Caps for Sec 251(b) Designated Categories | Amounts Assumed in 302(b) | | Emergency Requirements | | Disaster Funding | | Program Integrity | |
|---|---|---|---|---|---|---|---|---|
| | BA | OT | BA | OT | BA | OT | BA | OT |
| Agriculture, Rural Development, FDA | n.a. | n.a. | 4,868 | 3,125 | 0 | 0 | 0 | 0 |
| Commerce, Justice, Science | n.a. | n.a. | 1,199 | 328 | 0 | 0 | 0 | 0 |
| Defense | n.a. | n.a. | 4,921 | 1,087 | 0 | 0 | 0 | 0 |
| Energy and Water Development | n.a. | n.a. | 17,420 | 411 | 0 | 0 | 0 | 0 |
| Financial Services and General Government | n.a. | n.a. | 1,786 | 1,310 | 0 | 0 | 0 | 0 |
| Homeland Security | n.a. | n.a. | 59,323 | 21,709 | 6,793 | 340 | 0 | 0 |
| Interior, Environment | n.a. | n.a. | 1,278 | 920 | 0 | 0 | 0 | 0 |
| Labor, Health and Human Services, Education | n.a. | n.a. | 3,987 | 1,762 | 0 | 0 | 1,896 | 1,576 |
| Legislative Branch | n.a. | n.a. | 14 | 11 | 0 | 0 | 0 | 0 |
| Military Construction and Veterans Affairs | n.a. | n.a. | 1,014 | 66 | 0 | 0 | 0 | 0 |
| State, Foreign Operations | n.a. | n.a. | 0 | 3 | 0 | 0 | 0 | 0 |
| Transportation, Housing & Urban Development | n.a. | n.a. | 29,829 | 921 | 0 | 0 | 0 | 0 |
| Totals | 0 | 0 | 125,639 | 31,653 | 6,793 | 340 | 1,896 | 1,576 |

[1] Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 4—CURRENT LEVEL OF FY 2018 CHIMPS SUBJECT TO H. CON. RES. 71, SECTION 5103 LIMITS (IN MILLIONS) AS OF FEBRUARY 23, 2018

| Appropriations Bill | Budget Authority |
|---|---|
| Agriculture, Rural Development, FDA | 0 |
| Commerce, Justice, Science | 0 |
| Defense | 0 |
| Energy and Water Development | 0 |
| Financial Services and General Government | 0 |
| Homeland Security | 0 |
| Interior, Environment | 0 |
| Labor, Health and Human Services, Education | 0 |
| Legislative Branch | 0 |
| Military Construction and Veterans Affairs | 0 |
| State, Foreign Operations | 0 |
| Transportation, Housing & Urban Development | 0 |
| Total CHIMP's Subject to Limit | 0 |
| H. Con. Res.71, Section 5103 Limit for FY 2018 | 19,100 |
| Total CHIMP's vs. Limit | −19,100 |

TABLE 5—2019 ADVANCE APPROPRIATIONS PURSUANT TO SECTION 5104 OF H. CON. RES. 71 AS OF FEBRUARY 23, 2018

[Budget Authority, millions]

| Veterans Accounts Identified for Advance Appropriations | 2019 |
|---|---|
| Appropriate Level | 70,699 |

TABLE 5—2019 ADVANCE APPROPRIATIONS PURSUANT TO SECTION 5104 OF H. CON. RES. 71 AS OF FEBRUARY 23, 2018—Continued

[Budget Authority, millions]

| Veterans Accounts Identified for Advance Appropriations | 2019 |
|---|---|
| Enacted Advances: | |
| Accounts Identified for Advances: | |
| Department of Veterans Affairs | |
| Veterans Medical Services | 0 |
| Veterans Medical Support and Compliance | 0 |
| Veterans Medical Facilities | 0 |
| Veterans Medical Community Care | 0 |
| Subtotal, enacted advances | 0 |
| Enacted Advances vs. Section 601(d)(1) Limit | −70,699 |
| **Accounts Identified for Advance Appropriations** | **2019** |
| Appropriate Level | 28,852 |
| Enacted Advances: | |
| Accounts Identified for Advances: | |
| Employment and Training Administration | 0 |
| Education for the Disadvantaged | 0 |
| School Improvement | 0 |
| Special Education | 0 |
| Career, Technical and Adult Education | 0 |
| Tenant-based Rental Assistance | 0 |
| Project-based Rental Assistance | 0 |
| Subtotal, enacted advances [1] | 0 |
| Enacted Advances vs. Section 601(d)(2) Limit | −28,852 |
| **Previously Enacted Advance Appropriations** | **2019** |
| Corporation for Public Broadcasting | 445 |
| Total, enacted advances | 445 |

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, February 27, 2018.*

Hon. STEVE WOMACK,
*Chairman, Committee on the Budget,*
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2018 budget and is current through February 23, 2018. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018.

This is CBO's first current level report for fiscal year 2018.

Sincerely,

KEITH HALL,
*Director.*

Enclosure.

FISCAL YEAR 2018 HOUSE CURRENT LEVEL REPORT THROUGH FEBRUARY 23, 2018

[In millions of dollars]

| | Budget authority | Outlays | Revenues |
|---|---|---|---|
| Previously Enacted [a b c] | | | |
| Revenues | n.a. | n.a. | 2,658,139 |
| Permanents and other spending legislation | 2,070,788 | 1,985,384 | n.a. |
| Appropriation legislation | 0 | 513,307 | n.a. |
| Offsetting receipts | −866,685 | −866,685 | n.a. |
| Total, Previously Enacted | 1,204.103 | 1,632,006 | 2,658,139 |
| Enacted Legislation [b] | | | |
| National Defense Authorization Act for Fiscal Year 2018 (P.L. 115–91) | −33 | −24 | 0 |
| CHIP and Public Health Funding Extension Act (P.L. 115–96, Division C) | 705 | 205 | 0 |
| An act to amend the Homeland Security Act of 2002 . . . and for other purposes (P.L. 115–96, Division D) | 2,100 | 1,050 | 0 |
| An act to provide for reconciliation pursuant to title II and V of the concurrent resolution on the budget for fiscal year 2018 (P.L. 115–97) | −8,600 | −8,600 | −143,800 |

FISCAL YEAR 2018 HOUSE CURRENT LEVEL REPORT THROUGH FEBRUARY 23, 2018—Continued

[In millions of dollars]

| | Budget authority | Outlays | Revenues |
|---|---|---|---|
| An act making further continuing appropriations for the fiscal year ending September 30, 2018, and for other purposes (P.L. 115–120, Divisions C and D) | 14,509 | 1,203 | −1,263 |
| Bipartisan Budget Act of 2018 (P.L. 115–123, Divisions A and C–G) [d] | 7,504 | 4,050 | −9,974 |
| Further Extension of Continuing Appropriations Act 2018 (P.L. 115–123, Division B, Subdivision 3) [d] | −315 | −315 | 0 |
| Total, Enacted Legislation | 15,870 | −2,431 | −155,037 |
| Continuing Resolution [c d] | | | |
| Further Extension of Continuing Appropriations Act, 2018 (P.L. 115–123, Division B, Subdivision 3) | 1,085,570 | 627,733 | 0 |
| Entitlements and Mandatories | | | |
| Budget resolution estimates of appropriated entitlements and other mandatory programs | 1,008,810 | 987,143 | 0 |
| Total Current Level [c e] | 3,314,353 | 3,244,451 | 2,503,102 |
| Total House Resolution | 3,136,721 | 3,131,688 | 2,490,936 |
| Current Level Over House Resolution | 177,632 | 112,763 | 12,166 |
| Current Level Under House Resolution | n.a. | n.a. | n.a. |
| **Memorandum** | | | |
| Revenues, 2018–2027 | | | |
| House Current Level | n.a. | n.a. | 31,096,088 |
| House Resolution | n.a. | n.a. | 31,171,521 |
| Current Level Over House Resolution | n.a. | n.a. | n.a. |
| Current Level Under House Resolution | n.a. | n.a. | 75,433 |

Source Congressional Budget Office.

Notes: n.a. = not applicable, P.L. = Public Law.

[a] Includes the budgetary effects of the following acts that affect budget authority, outlays, or revenues and were cleared by the Congress during the 1st session of the 115th Congress, but before the adoption of H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018 the VA Choice and Quality Employment Act of 2017 (P.L. 115–46); the Harry W. Colmery Veterans Educational Assistance Act of 2017 (P.L. 115–48); a joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission (P.L. 115–54); the Continuing Appropriations Act 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–56); the Emergency Aid to American Survivors of Hurricanes Irma and Jose Overseas Act (P.L. 115–57); the Department of Veterans Affairs Expiring Authorities Act of 2017 (P.L. 115–62); the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63); the Hurricanes Harvey, Irma, and Maria Education Relief Act of 2017 (P.L. 115–64); and the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–72).

[b] Pursuant to section 314(d) of the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act), amounts designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) shall not count for purposes of Title III and Title IV of the Congressional Budget Act, and are excluded from current level totals In addition, emergency funding designated that was not designated pursuant to the Deficit Control Act does not count for certain budgetary enforcement purposes Those amounts, which are not included in the current level totals, are as follows:

| | Budget authority | Outlays | Revenues |
|---|---|---|---|
| Pursuant to Section 251(b)(2)(A) of the Deficit Control Act: | | | |
| Supplemental Appropriations for Disaster Relief Requirements Act 2017 (P.L. 115–56, Division B) | 0 | 3,406 | 0 |
| Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–72) | 36,517 | 16,256 | 0 |
| Department of Defense Missile Defeat and Defense Enhancements Appropriations Act, 2018 (P.L. 115–96, Division B) | 4,686 | 803 | 0 |
| Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (P.L. 115–123, Division B, Subdivision 1) | 84,436 | 11,185 | 0 |
| Subtotal, Deficit Control Act emergency requirements | 125,639 | 31,650 | 0 |
| Other Emergency Requirements | | | |
| Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63) | 263 | 263 | 0 |
| Bipartisan Budget Act, 2018 (P.L. 115–123, Division B, Subdivision 2) | 2,217 | 1,469 | −509 |
| Subtotal, other emergency requirements | 2,480 | 1,732 | −509 |
| Total, amounts designated as emergency requirements | 128,119 | 33,382 | −509 |

[c] Pursuant to sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255), certain funding provided to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—in 2017 through 2026 shall not count for the purposes of the Deficit Control Act or the Congressional Budget Act The amounts shown in this report do not include $866 million in budget authority and $706 million in estimated outlays from such amounts.

[d] The Bipartisan Budget Act of 2018 (P.L. 115–123) contains seven divisions Division A, Subdivision 2 of Division B, and Divisions C–F contain authorizing legislation, of which the budgetary effects of Subdivision 2 of Division B were designated as being for emergency requirements. Subdivisions 1 and 3 of Division B contain appropriations legislation Subdivision 1 provided supplemental appropriations for fiscal year 2018 for disaster relief and designated those amounts as being for emergency requirements; Subdivision 3 provided continuing appropriations until March 23, 2018, while Section 158 provided authority, for the duration of fiscal year 2018, for the Secretary of Energy to draw down and sell crude oil from the Strategic Petroleum Reserve. Division G of P.L. 115–123 provided for the budgetary treatment of Divisions A–F.

[e] For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authonty, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

## ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3656. An act to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable.

## ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 7, 2018, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4181. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2017 Annual Report, pursuant to 12 U.S.C. 1827(a)(2); September 21, 1950, ch. 967, Sec. 2(17)(a) (as amended by Public Law 101-73, Sec. 220(a)); (103 Stat. 263) and 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867); to the Committee on Oversight and Government Reform.

4182. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled, ''Computation of Annual Liability Insurance (Including Self-Insurance), No-Fault Insurance, and Workers' Compensation Settlement Recovery Threshold'', pursuant to 42 U.S.C. 1395y(b)(9)(D); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1862(b)(9)(D) (as added by Public Law 112-242, Sec. 202(a)(2)); (126 Stat. 2379); jointly to the Committees on Energy and Commerce and Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALDEN: Committee on Energy and Commerce. H.R. 4986. A bill to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes; with an amendment (Rept. 115–587, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1116. A bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes (Rept. 115–588). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4545. A bill to amend the Federal Financial Institutions Examination Council Act of 1978 to improve the examination of depository institutions, and for other purposes (Rept. 115–589). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Transportation and Infrastructure and Oversight and Government Reform discharged from further consideration. H.R. 4986 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TIPTON (for himself and Ms. KUSTER of New Hampshire):

H.R. 5171. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'HALLERAN (for himself and Mr. PEARCE):

H.R. 5172. A bill to assist Indian tribes in maintaining, expanding, and deploying broadband systems; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. VALADAO, and Mr. COSTA):

H.R. 5173. A bill to include Portugal in the list of foreign states whose nationals are eligible for admission into the United States as E-1 and E-2 nonimmigrants if United States nationals are treated similarly by the Government of Portugal; to the Committee on the Judiciary.

By Mr. WALBERG (for himself and Mr. RUSH):

H.R. 5174. A bill to amend the Department of Energy Organization Act with respect to functions assigned to Assistant Secretaries, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UPTON (for himself and Mr. LOEBSACK):

H.R. 5175. A bill to require the Secretary of Energy to carry out a program relating to physical security and cybersecurity for pipelines and liquefied natural gas facilities; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself and Mr. MICHAEL F. DOYLE of Pennsylvania):

H.R. 5176. A bill to require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency room discharge, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KNIGHT (for himself and Mrs. MURPHY of Florida):

H.R. 5177. A bill to amend title 10, United States Code, to authorize the Secretary of Defense, in awarding a contract for the procurement of goods or services, to give a preference to offerors that employ veterans, and for other purposes; to the Committee on Armed Services.

By Ms. VELÁZQUEZ:

H.R. 5178. A bill to amend the Small Business Act to provide for small business concerns located in Puerto Rico, and for other purposes; to the Committee on Small Business.

By Ms. BARRAGÁN:

H.R. 5179. A bill to direct the Secretary of Homeland Security to coordinate a National Cyber Hacking Competition for high school students, and for other purposes; to the Committee on Education and the Workforce.

By Ms. DELAURO (for herself and Ms. CLARK of Massachusetts):

H.R. 5180. A bill to amend the Fair Labor Standards Act of 1938 to provide protections for emloyees receving tips, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FASO:

H.R. 5181. A bill to require certain licensees under the Federal Power Act make annual payments to the county in which a licensed hydropower facility is located, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GALLEGO (for himself, Mr. TED LIEU of California, Mr. RASKIN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. LAWRENCE, and Ms. JAYAPAL):

H.R. 5182. A bill to require annual reports on funds expended by the Federal Government with the Trump Organization, and for other purposes; to the Committee on Oversight and Government Reform.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. SOTO, and Mr. KING of New York):

H.R. 5183. A bill to amend the Internal Revenue Code of 1986 to apply the rules related to the treatment of certain qualified film and television and live theatrical productions to Puerto Rico; to the Committee on Ways and Means.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 5184. A bill to amend the Food Security Act of 1985 to improve conservation practice standards, and for other purposes; to the Committee on Agriculture.

By Mr. MEADOWS:

H.R. 5185. A bill to make supplemental appropriations for the Cops in Schools program for fiscal year 2018; to the Committee on Appropriations.

By Mr. MEADOWS:

H.R. 5186. A bill to amend the definition of a school resource officer to include certain veterans; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALKER (for himself, Mr. BUTTERFIELD, Mr. HOLDING, Mr. JONES, Mr. PRICE of North Carolina, Ms. FOXX, Mr. HUDSON, Mr. PITTENGER, Mr. MCHENRY, Mr. MEADOWS, and Mr. BUDD):

H.R. 5187. A bill to designate the facility of the United States Postal Service located at 1585 Yanceyville Street, Greensboro, North Carolina, as the ''J. Howard Coble Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. WALZ:

H.R. 5188. A bill to amend the Food Security Act of 1985 with respect to land stewardship, and for other purposes; to the Committee on Agriculture.

By Mr. CROWLEY:

H. Res. 764. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to. considered and agreed to.

By Ms. BASS (for herself, Ms. BONAMICI, Mr. KING of New York, Ms. SCHAKOWSKY, and Ms. MATSUI):

H. Res. 765. A resolution expressing support for the designation of May 15, 2018, as ''National Senior Fraud Awareness Day'' to raise awareness about the barrage of fraud attempts that seniors face, to encourage the implementation of policies to prevent these scams from happening, and to improve protections from these scams for seniors; to the Committee on Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SCHNEIDER introduced a bill (H.R. 5189) to authorize the President to award the Medal of Honor to Francis E. Normoyle for acts of valor during the Korean War while a member of the Navy; which was referred to the Committee on Armed Services.

## 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. TIPTON:

H.R. 5171.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States;''

By Mr. O'HALLERAN:

H.R. 5172.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CICILLINE:

H.R. 5173.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WALBERG:

H.R. 5174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution, which gives Congress the power to ''regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. UPTON:

H.R. 5175.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution, which gives Congress the power to ''regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. MCKINLEY:

H.R. 5176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power . . . ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.''

By Mr. KNIGHT:

H.R. 5177.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

and

Artile I, Section 8, Clause 18

By Ms. VELÁZQUEZ:

H.R. 5178.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. BARRAGÁN:

H.R. 5179.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1 of the U.S. Constitution

''All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Ms. DELAURO:

H.R. 5180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. FASO:
H.R. 5181.
Congress has the power to enact this legislation pursuant to the following:
According to Article I, Section 8 of the United States Constitution

By Mr. GALLEGO:
H.R. 5182.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

By Miss GONZÁLEZ-COLÓN of Puerto Rico:
H.R. 5183.
Congress has the power to enact this legislation pursuant to the following:
The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1, 3, and 18 of the U.S. Constitution, which provide as follows:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [. . .]
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; [. . .]—And
To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof
Moreover, the Congress has the power to enact this legislation pursuant to Article IV, Section 3, which provides, in relevant part, as follows:
The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:
H.R. 5184.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution

By Mr. MEADOWS:
H.R. 5185.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause I states, ''The Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States. . . .''

By Mr. MEADOWS:
H.R. 5186.
Congress has the power to enact this legislation pursuant to the following:
Aritice 1, Section 8, Clause I states, ''The Congress shall have Power To . . . provide for the common Defense and general Welfare of the United States . . .'' And; Article 1, Section 8, Clause 18 states, ''The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. WALKER:
H.R. 5187.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 7: To establish post offices and post roads.

By Mr. WALZ:
H.R. 5188.
Congress has the power to enact this legislation pursuant to the following:
This bill can be enacted pursuant to Article I Section 8

By Mr. SCHNEIDER:
H.R. 5189.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 22: Mr. PALAZZO and Mr. GAETZ.
H.R. 103: Mr. DEFAZIO, Mrs. DEMINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GONZALEZ of Texas, Mr. DONOVAN, and Mr. PETERSON.
H.R. 299: Mr. COLLINS of New York.
H.R. 350: Mr. YOUNG of Iowa.
H.R. 362: Mr. KHANNA.
H.R. 394: Mr. DUNCAN of South Carolina.
H.R. 440: Mr. GAETZ.
H.R. 681: Mr. WEBSTER of Florida.
H.R. 807: Mr. ESPAILLAT.
H.R. 809: Mr. BILIRAKIS, Mr. WELCH, and Mr. LAMALFA.
H.R. 881: Mr. THORNBERRY and Mr. SWALWELL of California.
H.R. 911: Mr. NOLAN and Mr. HIGGINS of New York.
H.R. 930: Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. PANETTA, Mr. LEWIS of Minnesota, Ms. BARRAGÁN, and Mr. PERLMUTTER.
H.R. 1120: Ms. SHEA-PORTER and Mrs. WATSON COLEMAN.
H.R. 1156: Mr. DUFFY.
H.R. 1223: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1276: Mr. GOMEZ, Mr. BROWN of Maryland, Mr. THOMPSON of California, Mr. LOWENTHAL, and Mrs. NAPOLITANO.
H.R. 1439: Mr. HIMES.
H.R. 1484: Ms. LEE.
H.R. 1615: Mr. PETERS, Miss RICE of New York, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1683: Mr. MARSHALL.
H.R. 1697: Mr. CURTIS, Mr. YOHO, Ms. JACKSON LEE, Mr. TIPTON, and Mr. MEADOWS.
H.R. 1734: Mr. BARR and Mr. MAST.
H.R. 1772: Mr. MAST.
H.R. 1828: Mr. ROKITA.
H.R. 1904: Mr. ROKITA.
H.R. 1905: Mr. CRIST.
H.R. 1972: Mr. MARSHALL and Mr. BOST.
H.R. 2044: Ms. KELLY of Illinois.
H.R. 2069: Mr. CARSON of Indiana and Mr. DAVIDSON.
H.R. 2259: Ms. MCCOLLUM.
H.R. 2285: Mr. CRAMER.
H.R. 2358: Ms. SPEIER and Mr. MOULTON.
H.R. 2452: Mr. CAPUANO and Mr. KENNEDY.
H.R. 2803: Ms. LOFGREN.
H.R. 2856: Mr. SUOZZI.
H.R. 2886: Ms. JACKSON LEE.
H.R. 3207: Ms. BROWNLEY of California, Mr. CAPUANO, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. DEFAZIO, Ms. DELBENE, Mr. DOGGETT, Ms. NORTON, Mr. KHANNA, Mr. KING of New York, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. O'ROURKE, Miss RICE of New York, Mr. RUIZ, Ms. SPEIER, Mr. VISCLOSKY, Ms. WILSON of Florida, Mr. ESPAILLAT, Mrs. NAPOLITANO, and Mr. NADLER.
H.R. 3391: Mr. ROE of Tennessee.
H.R. 3497: Mr. MEADOWS and Mr. LAMBORN.
H.R. 3592: Mr. RUSH.
H.R. 3611: Mrs. LOVE.
H.R. 3613: Mrs. DEMINGS and Ms. JAYAPAL.
H.R. 3637: Mr. MOULTON.
H.R. 3641: Mr. GROTHMAN.
H.R. 3681: Mr. LARSON of Connecticut, Ms. ROSEN, and Mrs. BROOKS of Indiana.
H.R. 3773: Mr. DEFAZIO.
H.R. 3784: Ms. SEWELL of Alabama.
H.R. 3790: Mr. BARR, Mr. MACARTHUR, and Mr. FRANCIS ROONEY of Florida.
H.R. 3867: Mr. MCGOVERN.
H.R. 3871: Mr. KATKO.
H.R. 3889: Mr. CULBERSON.
H.R. 4052: Mr. BRADY of Pennsylvania.
H.R. 4058: Mr. RODNEY DAVIS of Illinois.
H.R. 4090: Mr. ROKITA.
H.R. 4099: Ms. JUDY CHU of California, Mr. SMITH of Washington, Mr. SESSIONS, Mr. GOHMERT, and Mr. BYRNE.
H.R. 4101: Ms. KUSTER of New Hampshire.
H.R. 4143: Mrs. TORRES.
H.R. 4177: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 4198: Ms. JACKSON LEE, Mr. CUMMINGS, Mr. CAPUANO, and Ms. KUSTER of New Hampshire.
H.R. 4223: Mr. DENT.
H.R. 4238: Mr. WILSON of South Carolina.
H.R. 4245: Mr. LAMBORN.
H.R. 4265: Mr. SCHWEIKERT and Mr. MEEHAN.
H.R. 4373: Mr. MOONEY of West Virginia.
H.R. 4444: Ms. TSONGAS and Mr. SCHNEIDER.
H.R. 4471: Mr. DIAZ-BALART.
H.R. 4486: Mr. CHABOT.
H.R. 4489: Mr. WALZ.
H.R. 4527: Ms. TITUS.
H.R. 4573: Mr. HASTINGS, Mr. KEATING, Ms. JACKSON LEE, Mr. SCOTT of Virginia, and Mr. RUIZ.
H.R. 4575: Mr. MESSER, Mr. MARCHANT, and Mr. ROKITA.
H.R. 4635: Mrs. RADEWAGEN.
H.R. 4659: Mr. CONAWAY and Mr. PETERSON.
H.R. 4677: Mr. RYAN of Ohio.
H.R. 4681: Mr. MOONEY of West Virginia.
H.R. 4703: Mr. GAETZ.
H.R. 4706: Mr. TIPTON.
H.R. 4720: Mr. MARSHALL, Mr. BOST, and Mr. VALADAO.
H.R. 4732: Mr. DUNCAN of Tennessee, Mr. JOHNSON of Georgia, Mr. GRIJALVA, and Mr. BUTTERFIELD.
H.R. 4747: Mr. FRANCIS ROONEY of Florida.
H.R. 4772: Mr. PAULSEN.
H.R. 4779: Mr. JOYCE of Ohio.
H.R. 4800: Mr. CURBELO of Florida and Mr. STIVERS.
H.R. 4808: Mr. DESANTIS.
H.R. 4811: Mr. O'HALLERAN, Mr. CORREA, Ms. JAYAPAL, Mr. CRIST, Mr. BERA, Mr. TED LIEU of California, Ms. KELLY of Illinois, and Mr. NADLER.
H.R. 4821: Mr. ROSS and Mr. SMITH of New Jersey.
H.R. 4828: Mr. PETERSON, Ms. SINEMA, and Mr. NUNES.
H.R. 4841: Mrs. WALORSKI, Mr. MARSHALL, and Mr. ROKITA.
H.R. 4846: Ms. TITUS, Mr. KIHUEN, Mr. SCOTT of Virginia, Mr. SMITH of New Jersey, and Ms. WASSERMAN SCHULTZ.
H.R. 4878: Mr. RUSH and Mr. PETERSON.
H.R. 4886: Mr. ROE of Tennessee and Mr. ROKITA.
H.R. 4888: Ms. TSONGAS.
H.R. 4909: Mr. MITCHELL, Mr. BLUM, Mr. COLE, Ms. TENNEY, Mr. TIPTON, Ms. MCSALLY, Mrs. HANDEL, Mr. BISHOP of Michigan, Mr. TAYLOR, Mr. FASO, Mr. UPTON, Mr. NEWHOUSE, Mrs. BROOKS of Indiana, Ms. SINEMA, Mr. KHANNA, and Mr. LOBIONDO.
H.R. 4910: Mr. SCALISE.
H.R. 4912: Ms. BONAMICI.
H.R. 4916: Mr. SMITH of Missouri and Mr. BARLETTA.
H.R. 4932: Ms. HANABUSA, Mr. GUTIÉRREZ, and Mr. ESPAILLAT.
H.R. 4940: Mr. KING of New York.
H.R. 4944: Ms. SÁNCHEZ.
H.R. 4995: Ms. JAYAPAL.
H.R. 5002: Mr. WELCH.
H.R. 5006: Mr. ROE of Tennessee.
H.R. 5012: Mr. MITCHELL.
H.R. 5022: Mr. RODNEY DAVIS of Illinois.
H.R. 5031: Ms. STEFANIK and Mr. KILMER.
H.R. 5042: Ms. ROSEN.
H.R. 5062: Ms. SLAUGHTER.

H.R. 5083: Mr. KENNEDY and Mr. HIGGINS of New York.

H.R. 5085: Mr. AL GREEN of Texas.

H.R. 5086: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 5104: Ms. BLUNT ROCHESTER and Mr. BISHOP of Georgia.

H.R. 5106: Mr. JOHNSON of Georgia, Ms. WILSON of Florida, Mrs. CAROLYN B. MALONEY of New York, Mr. KIHUEN, Mr. CAPUANO, and Mr. DESAULNIER.

H.R. 5116: Mr. GALLAGHER.

H.R. 5129: Mr. HULTGREN.

H.R. 5132: Mr. FITZPATRICK, Mr. SHERMAN, Mr. SUOZZI, Mr. GOTTHEIMER, Ms. SINEMA, Ms. WASSERMAN SCHULTZ, Mr. VARGAS, Mr. SCHNEIDER, Ms. GRANGER, Mr. CULBERSON, Mrs. LOWEY, Mr. CICILLINE, Mr. SIRES, Mr. SCHIFF, Mr. DEUTCH, Mr. SMITH of Texas, Mr. YOUNG of Iowa, Mr. KEATING, Mr. SMITH of New Jersey, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KILMER, Mr. HASTINGS, Mr. BARR, and Mr. FRANCIS ROONEY of Florida.

H.R. 5140: Mr. COLE.

H. Con. Res. 10: Mr. MCGOVERN.

H. Con. Res. 108: Ms. ADAMS, Ms. BARRAGÁN, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. EVANS, Ms. FUDGE, Mr. GENE GREEN of Texas, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS of Georgia, Mr. LOWENTHAL, Mr. MCEACHIN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Ms. PLASKETT, Mr. RICHMOND, Mr. RUSH, Ms. SEWELL of Alabama, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. THOMPSON of Mississippi, Mr. VEASEY, Mrs. WATSON COLEMAN, Ms. MAXINE WATERS of California, and Ms. WILSON of Florida.

H. Res. 128: Mrs. WATSON COLEMAN, Ms. JAYAPAL, and Mr. CLEAVER.

H. Res. 199: Mr. RUTHERFORD.

H. Res. 257: Mr. VALADAO.

H. Res. 344: Mr. MACARTHUR.

H. Res. 361: Mr. HASTINGS.

H. Res. 576: Mr. BISHOP of Utah and Mr. CURTIS.

H. Res. 632: Mr. MOONEY of West Virginia.

H. Res. 697: Ms. JUDY CHU of California.

H. Res. 752: Mr. GRIJALVA.

H. Res. 755: Ms. ADAMS, Ms. BARRAGÁN, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLAY, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CUMMINGS, Mr. COSTA, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, Mr. DESAULNIER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ELLISON, Mr. ESPAILLAT, Mr. EVANS, Mr. GENE GREEN of Texas, Ms. FUDGE, Mr. HASTINGS, Mr. KHANNA, Mr. KIHUEN, Ms. KELLY of Illinois, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LAWSON of Florida, Mrs. LAWRENCE, Ms. LEE, Mr. LEWIS of Georgia, Mrs. LOVE, Mr. LOWENTHAL, Mr. MCEACHIN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. RICHMOND, Mr. RUSH, Ms. SEWELL of Alabama, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. THOMPSON of Mississippi, Mr. PAYNE, Ms. PLASKETT, Mr. VEASEY, Mrs. WATSON COLEMAN, Ms. MAXINE WATERS of California, and Ms. WILSON of Florida.

H. Res. 760: Mr. DANNY K. DAVIS of Illinois, Mr. RASKIN, and Miss RICE of New York.

H. Res. 761: Ms. MATSUI, Mr. KHANNA, Mr. LARSON of Connecticut, Mr. GRIJALVA, Ms. JUDY CHU of California, and Mr. PANETTA.

United States
*of* America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

*Vol. 164* WASHINGTON, TUESDAY, MARCH 6, 2018 *No. 39*

# *Senate*

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

## PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, You are our refuge. Give us wisdom to live so we never disgrace Your Name. Provide our lawmakers with power and insight to accomplish Your will on Earth as they look to You for help. Please become for them their shade by day and defense by night. As they acknowledge that You alone are the source of their strength, surround them with the shield of Your favor, and direct their steps.

Lord, we also ask You to bring a spiritual awakening to our Nation and world, prompting people to experience the transformative power of Your mercy and grace. Arise, O God, and defend Your purposes in these grand and challenging times.

We pray in Your great 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, March 6, 2018.*

*To the Senate*:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
*President pro tempore.*

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

## 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.

## ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2155, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 287, S. 2155, a bill to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided between the two leaders or their designees.

### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

### RETIREMENT OF THAD COCHRAN

Mr. MCCONNELL. Mr. President, yesterday, the Senate learned that its quiet persuader will be leaving us after a long and distinguished career. Senator THAD COCHRAN's retirement will mark the end of a tenure defined by steady, honorable leadership.

Since the day he arrived in this Chamber, THAD's focus has been squarely on serving the people of Mississippi with integrity. For nearly four decades, he has done exactly that, and he has earned the admiration and gratitude of countless friends and colleagues along the way.

Those of us here today are proud to have had the privilege of working with Senator COCHRAN. His expertise as chairman of the Appropriations Committee will be sorely missed. So too will be the collegiality, warmth, and grace that is so characteristic of the senior Senator from Mississippi.

But the Senate's loss is THAD's family's gain. As we say our farewells over the next few weeks, I know all of our colleagues will join me in wishing him every happiness in his next chapter.

Mr. President, on another matter, the Senate will vote today to begin consideration of S. 2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act.

This bill recognizes a simple truth: Small community banks and Main Street credit unions are not the same as the multitrillion-dollar banks on Wall Street. It is a simple enough observation, I might add, but, at present, our laws fail to account for it.

Since Washington imposed the Dodd-Frank financial regulations back in 2010, small-scale lenders have been subjected to a litany of new regulatory, compliance, and examiner demands that were designed with the country's largest banks in mind. Dodd-Frank's enormous regulatory burden has been inefficient and unhelpful for financial institutions of all sizes, but it has hit Main Street lenders especially hard.

Many small banks have had to hire additional staff and expend additional resources solely to deal with the staggering compliance burden. According to a survey conducted last year, community bank compliance costs have risen to an average of 24 percent of net income. Let me say that again. Community bank compliance costs have

risen to an average of 24 percent of net income.

This regulatory burden crowds out the capital that is available to American families and small businesses, especially in rural communities. According to researchers at the Harvard Kennedy School, community banks provide over 50 percent of all small business loans and nearly 80 percent of agricultural loans. In Kentucky, for example, there are more than 100 community banks and more than 20 credit unions. Many of them are the only financial institutions that are present in rural and underserved communities.

But while Dodd-Frank supposedly took aim at too big to fail, in the first 4 years after it passed, the share of U.S. deposits in small banks shrunk by nearly a quarter. Deposits in small banks shrunk by a quarter in the first 4 years of Dodd-Frank. That means less access to capital for young couples who are looking to purchase their first home, less credit for aspiring small business owners who need help in turning dreams into reality, and fewer options for farmers and ranchers who are hoping to expand.

The bill before us this week will continue to unwind the damage caused by an administration and Democrat-run Congress that kept its foot firmly on the brake of the American economy. This is a modest but critical bill. By streamlining regulations, it will bring relief to the small financial institutions that have been hurt by Dodd-Frank's one-size-fits-all approach.

In a certain respect, this bill is a perfect complement to tax reform—further expanding opportunities for American families, communities, and small businesses. It is the product of years of work and a robust committee process. It is also a truly bipartisan bill, cosponsored by an equal number of Republicans and Democrats or Independents. Senators had and still have a wide diversity of views on Dodd-Frank, but there is a widening agreement that we should not continue allowing this unintended consequence to wreak havoc on community banks and small credit unions. I hope that soon we can turn that consensus into law.

TAX REFORM

Mr. President, on one final matter, every day we hear more ways that tax reform is immediately helping American workers, job creators, and middle-class families across our country, but this generational reform was not designed to be a flash in the pan. We are already seeing ways it will continue to benefit hard-working Americans even decades down the road.

Along with bonuses and wage increases, many of the 400-plus companies that have announced enhanced employee benefits are also significantly expanding their contributions to workers' retirement savings accounts.

In recent years, tight budgets have forced too many families to forgo investing for the future in order to cover today's expenses. Recent estimates suggest that two-thirds of Americans do not contribute to a 401(k). A lack of retirement savings can seem like an abstract concept for young workers, but for some senior citizens, it becomes a harsh reality. While the poverty rate for Americans under 65 has decreased since 2015, it has increased among those 65 and older.

Tax reform is already helping remedy a part of the problem. Many companies and small businesses alike have announced plans to reinvest tax reform savings in their employees' retirement accounts. Cigna is adding $30 million to its employee 401(k) program. Aflac is doubling its 401(k) match for its 10,000 employees. In Kentucky, workers will benefit from increased or accelerated retirement contributions by major employers such as UPS, Brown-Forman, Anthem, and FedEx.

As employers of all sizes continue following suit, more American families will have more flexibility as they plan for the future. At the same time, of course, lower tax rates are increasing take-home pay, making it a little easier to cover today's expenses. More money in workers' pockets for today and more money in their retirement plans for tomorrow—all thanks to tax reform.

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, ever since President Trump signed the Tax Cuts and Jobs Act on December 22, we have seen how one law can literally transform the economic landscape across the country. The New York Times has reported that there is a wave of optimism surging among job creators.

Let me just footnote that the New York Times was certainly a skeptic as to what the impact of the Tax Cuts and Jobs Act would be, but they now report that a wave of optimism is surging among job creators.

Since January 2017, 2.3 million jobs have been added in the United States, and unemployment is at a 17-year low. U.S. weekly jobless claims are at their lowest since 1969. Many people who thought that stagnant growth and flat wages were the new normal have been surprised—and maybe a better word is ''gratified''—to see what the impact of this policy has been on their take-home pay, on their confidence in their future, and on investments and new jobs. It is pretty exciting. In 2017, average unemployment rates decreased in 32 States according to the Bureau of Labor Statistics.

Mr. President, 186,000 manufacturing jobs have been added over the last 12 months. I know the President and all of us are concerned about manufacturing moving offshore because the cost of doing business in some places around the world is much lower than it is in the United States, but we should all be excited about the fact that 186,000 manufacturing jobs have been added in the last 12 months.

As I mentioned, consumer confidence is now at its highest level since November 2000, and real disposable incomes have seen their biggest gain since April 2015.

According to a National Federation of Independent Business survey, more small businesses than ever now believe it is a good time to expand. This is a very important part of the equation, and I will say more about small businesses in just a moment.

In Texas, where I am from, a survey of Houston businesses found that 2 out of 3 companies there will increase hiring and wages, while nearly 9 out of 10 said they expected to see an increase in their revenue. The head economist of the bank that conducted the survey didn't waste any words, saying that ''something real is happening in the economy.'' I agree. The positive gains from the Tax Cuts and Jobs Act are real and undeniable.

Recently, my office heard from one of my constituents by the name of Judy Patton. Judy lives in Cleburne, TX, which is roughly an hour from Dallas, down U.S. Highway 67. Judy owns a plumbing company called P&P. She said that her plumbing company will be giving both raises and bonuses to all of its employees this year because of the Tax Cuts and Jobs Act, and she just wanted to let us know that she appreciates what we are doing.

Well, all of us who have the honor of representing constituents here in the Senate hear from our constituents from time to time, and they don't always give us an ''attaboy'' or words of encouragement. Frequently they say ''Can't you all do better'' or ''You have done this, and I don't like that much.'' So it is nice to hear from people like Judy the encouragement that she has given us for the Tax Cuts and Jobs Act. I can say, for my part, to Judy that we are thrilled you decided to pay the savings forward to other folks in the Cleburne area. Plumbers are a good example of the untold stories on tax reform.

Here in Washington, we are not always conscious of the ripple effect—the way in which the changes we have enacted affect small businesses and individual lives. Judy reminds us of the positive impacts that are felt all over. It is not just the big players, the Fortune 500 companies with thousands of employees and operations around the world; it is small businesses like P&P in Cleburne, too, that are busy helping out those small communities and making lives better. Those examples are just as important as those in the Fortune 500.

FIX NICS BILL

Mr. President, another issue I will continue to be focused on concerns a bill that I cosponsored with the junior Senator from Connecticut, Mr. MURPHY, called Fix NICS. The President, when we were over at the White House last week, said: Well, maybe you need a better name for the bill. I had to explain that NICS was the National Instant Criminal Background Check System and that we believed it was broken and needed to be fixed; hence the name ''Fix NICS.'' But I take the President's point—maybe we ought to do a better job branding what it is we are selling here, and what we are selling is something vitally important that will save lives.

The Fix NICS bill will fix holes in the background check system that is utilized when firearms are purchased by individuals in the United States. As we know, when you go buy a gun at a gun store, there is a background check that has to be conducted. That is current law. When federally licensed firearm dealers like McBride's Guns, Inc., in Austin, TX, that I patronize—when you go in to buy a new shotgun to go bird hunting or something like that, they will run a background check. Of course they ask you to answer the questions, but the problem we discovered in Sutherland Springs is that not everybody is performing their responsibility and uploading the information that would show that people who are purchasing guns are lying on their background check and are legally disqualified from purchasing those firearms.

For many, the aftereffects of the shooting last month at Stoneman Douglas High School in Parkland, FL, still resonate—I know that is true for all of us—and the pain and frustration aren't going away. I always worry, though, after one of these events occurs, that given the relentless carpet-bombing of news and other information that we all sustain here in Washington, in the Nation's Capital, it is too easy to begin to lose sight of our objective to make things different and to improve outcomes when it comes to terrible events like this. Sometimes we get distracted and we move on to other topics, but we can't allow ourselves to do that. We have heard from Stoneman Douglas students themselves who are angry and deserve to be so.

Last week, the junior Senator from Florida, Mr. RUBIO, and I met with Andrew Pollack, the father of a victim who lost her life at Stoneman Douglas. Mr. Pollack's daughter isn't coming back, sadly, but the least we can do is to prevent others like her from losing their lives in similar incidents in the future.

I wanted to tell Andrew that steps have already been taken, and I wanted to say: This will not happen again. Your daughter and other future victims have pushed us, finally, to change.

But I couldn't do that, not with a straight face, and I still can't. Here we are almost a week after the meeting and we have taken zero steps forward, even though the Fix NICS bill is now cosponsored by 50 Senators on a bipartisan basis. The majority leader, a Republican, and the minority leader, a Democrat, are cosponsors of the bill. Senator MURPHY from Connecticut and Senator CORNYN from Texas—we are the principal cosponsors of the bill. We agree about very little in other areas of public policy, but we agree in this case that this is simply too important of an issue and that we really need to demonstrate our competence and to try to regain the public's confidence in our ability to actually function in a way that will save lives in the future.

Well, unfortunately, much like the DACA debate, people want to make this bill a Christmas tree, trying to decorate it with other legislative ornaments that look nice to their political base but stand no chance of passing this body or the House. I think we have to call that what it is—political posturing. It is not about getting a result. It is not about passing a bill that will actually improve the background check system to prevent people like the shooter at Sutherland Springs, for example, from actually purchasing a firearm by lying on the background check.

Thankfully, Andrew Pollack sees all this with clear eyes. He has said to me and Senator RUBIO that we need to focus on what is achievable. He, himself, is focused on school safety, and I certainly support that.

I know my colleague Senator HATCH has introduced a bill that is bipartisan and widely supported by all sides, which I support.

Another reform that is achievable today, if we were allowed to vote on it, is Fix NICS—to fix our broken background check system. We should start with what is achievable and what will actually save lives, and that describes the Fix NICS bill. It will help prevent dangerous individuals with criminal convictions and history of mental illness from buying firearms. This bill could easily pass the Senate. It has already passed the House. The President would sign it, as he told me when he called me last Thursday night. He said he supports the Fix NICS bill. There are other things he would like to do. There are other suggestions people have made, but we need to do what is achievable, and we need to do that as soon as we possibly can.

Several publications have endorsed the Fix NICS bill, saying it is a commonsense proposal that is a ''test of [Democrats'] sincerity.'' Do our colleagues really want to work together to prevent further shootings at churches and schools? Voting on this bill would be one way to do it.

The New York Times calls Fix NICS a ''rare piece of gun legislation that has no meaningful opposition and that has bipartisan support.'' That is one of the most maddening things about working here in Washington, DC—when there are bills that have no meaningful opposition and have bipartisan support and they still don't go anywhere.

The Dallas Morning News said the bill ''keeps deadly weapons away from people already prohibited from owning them.'' The San Antonio Express News calls Fix NICS a ''relatively easy place to start.'' That would be wonderful if it were true in the Senate. The Express News calls the bill ''narrow'' and ''necessary.''

I am not suggesting it is a panacea, but why don't we want to take the first step in the direction of passing legislation, which essentially enforces existing law and one that will save lives?

If the shooter at Sutherland Springs had run into the FBI background check system in the Air Force, in that case, and they uploaded his felony conviction as well as his conviction for domestic violence, where he fractured the skull of his infant stepson—if they had uploaded that information into the background check system, he would not have been able to legally purchase a firearm, but he did purchase those firearms, and he used them to walk around a little Baptist Church in Sutherland Springs one Sunday morning when people were worshiping inside. He didn't go inside at first. He shot through the wall. It wasn't a stone building. It wasn't a brick building. It was made out of wood. It was a simple little Baptist Church in Sutherland Springs. People were gathered to worship, and 26 of them were gunned down. He walked into the church, after he shot dozens of rounds through the building, and he went inside and shot them and killed them—26 people. There were 20 more wounded. Fortunately, they did not die from their wounds.

I believe, with all my heart, that those 26 people would be alive today if we made sure our broken background check system worked by enforcing current law and passing a bill like Fix NICS. I believe that would have saved their lives, and it would have stopped the change that the 20 who were wounded are now going to experience as a result of their life-altering injuries.

I told myself, at that time, I am not going to come back to that small community and look those families in the face unless I have done everything humanly possible to change the outcome in the future. How can any of us, in good conscience, look our constituents in the face, those who lose their loved ones to incidents like this—how can we look them in the face, in good conscience, and say we have done our duty, when we failed to act where we could on an achievable bill, with no opposition and broad bipartisan support?

The Waco Tribune says: ''Second Amendment advocates who regularly stress the need to enforce existing gun laws rather than forging new laws should welcome'' the bill. This bill is supported by the whole political spectrum when it comes to guns and the Second Amendment, from the NRA to people who say, well, they really have

reservations about law-abiding citizens owning guns even for their own defense or for recreation or hunting purposes. The whole political spectrum agrees this is a commonsense, achievable bill, and so do 49 colleagues in the Senate, both Republicans and Democrats.

I have said it before, but I am here to say it again: Let's pass Fix NICS now. Andrew Pollack and the rest of the Nation are waiting for a sign that we are serious about preventing wanton acts of violence that should not and cannot continue.

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. SCHUMER. 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.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

REPUBLICAN TAX BILL

Mr. SCHUMER. Mr. President, when the Republican majority forced through a $1.5 trillion tax cut to big corporations and the richest Americans, a big question was, What will those companies do with the money? Roughly, $1 trillion of that $1.5 trillion was aimed at the biggest corporations.

Republicans promised that corporations would reinvest the savings from the tax bill, stimulating jobs and economic growth. We Democrats warned that corporations would do what is best for themselves, not necessarily what is best for workers or the economy. There is often a dichotomy, as we have learned over the years.

It has been only a few months since the Republican tax cut was signed into law, and while a few corporations here and there announced annual bonuses with a whole lot of hoopla from the President and the Republicans, we don't hear a peep now that they have been announcing an avalanche of corporate stock buybacks—an absolute bonanza for corporate leaders and for wealthy shareholders. Over $200 billion in corporate buybacks have been announced since January, putting corporations on pace to spend over $1 trillion this year buying back their own stock.

This morning, the oil and gas giant Chevron announced it expects to restart its share repurchasing program since halting it in 2015. Why? Because they just reaped $2 billion in savings from the Republican tax bill. Chevron told the Houston Chronicle last week it is planning no major changes or benefits given to its workers. Let me repeat that. Chevron is planning no major benefits to its workers but huge stock buybacks. Is that what America wants? No, but that is what is happening, as we predicted, with this tax bill.

The Chevron example is not alone, unfortunately, my fellow Americans. An analysis by Just Capital found that 6 percent of the savings companies received from the tax bill are going to employees, while 58 percent are going to shareholders in the form of dividends, share buybacks, and retained earnings. The problem is, buybacks don't really help workers or average Americans. They don't really grow the economy. In fact, the money corporations spend on buybacks crowds out investment in the things that do help workers and help our economy—research, development, new equipment, new hires, better pay for employees. But those benefits are in the long term. The corporate CEOs, the boards, the leaders of the corporations—the big ones—get an immediate benefit when they buy back stock. The stock goes up, the shareholders are happy, but workers and America get no benefit.

What buybacks accomplish is the funneling of even more money to corporate executives and wealthy shareholders. Buybacks don't help the American workers. They don't grow the economy. By taking stock off the market, corporations inflate the value of their stockholdings.

Who holds all this stock? Not average Americans. The richest 10 percent of America owns 80 percent of the stock. That is including pension funds and everything else. When corporations goose their stock, those benefits go to a tiny piece of the pie—the upper crust.

(Mr. CRAPO assumed the Chair.)

This is the legacy of the tax bill: further benefits to the wealthy, incentives to raise corporate pay and stocks, and no real help—minimal real help for workers. Just as Democrats predicted, the Republican bill has unleashed a tsunami of corporate backslapping, while working Americans get left behind.

NET NEUTRALITY

Mr. President, now on an entirely different matter, yesterday Washington became the first State to institute its own net neutrality requirements after the Republican-led FCC voted to repeal net neutrality in December, helping the big ISPs and hurting the average consumer. That is typical of what the Senate on the Republican side and what our President have been doing. Over half of the States have similar legislation pending in their legislatures. The States are rightly concerned about what the end of net neutrality may mean for their residents.

When the Republican-led FCC repealed net neutrality, they handed the large internet service providers—your cable company—all the cards. They said: Do what you will with the internet. ISPs could charge consumers more for faster service or start segmenting the internet into packages, forcing consumers to purchase faster times for their favorite websites. Big companies could pay to get faster internet service, while startups, small businesses, and average Americans are left in the slow lane. High-demand websites that offer streaming television, sports, and movies could be slower if you don't pay up. Public schools that don't pay for premium service could be put at a significant disadvantage. In rural America, where there is less competition, ISPs will wield even greater power to raise the price on consumers without fear of losing business.

An internet without net neutrality is a tale of two internets where the best internet goes to the highest bidder, those with the money, and everyone else loses.

Democrats want to keep the internet free and open, like our highways, accessible and affordable to all Americans regardless of your ability to pay, where you live, or the size of your business, no slow lanes, no paying for internet packages, like cable, no one set of rules for big corporations and another for everyone else. Every American should be able to affordably and easily access the internet. That is what Democrats believe.

I am glad Washington State has already taken action to reinstitute net neutrality, but we need to do it across the country. Democrats have put together a CRA that would undo the FCC's decision and put net neutrality back on the books. As you know, Mr. President, we will be able to bring that to the floor. Every Democrat has signed on, but only one Republican has—SUSAN COLLINS. I say to the other 50 Republicans who are in this Chamber: Whose side are you on? Whose side are you on—the big cable providers or the average consumer who depends on the internet? This vote will determine that.

I urge all Americans—particularly our younger people—to contact their Senators and demand that they sign up to save the internet.

One final point. President Trump campaigned as a populist, but what he and our Republican colleagues have been doing over and over again—whether it is what they tried to do on healthcare, whether it is the tax bill, net neutrality, or anything else—they want to help the wealthiest and the most powerful. They are the ones who backed them and funded their campaigns. That is wrong. That is not what America wants.

The only good news I can see out of this is that Americans are realizing this. Over 70 percent of people believe that Donald Trump favors the wealthy over the middle class, despite how he campaigns and despite his occasional rhetoric and tweets. They are realizing that the Republican Party seems to favor them. It is just that the Democrats, whether we had the Presidency or the majority in the House or the Senate, were able to block these things until now. Now the wealthy and powerful are getting far too much, and I believe my Republican colleagues will reap the whirlwind.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAPO. Mr. President, I rise today to discuss S. 2155, the Economic

Growth, Regulatory Relief, and Consumer Protection Act, and to urge my colleagues to support its passage.

In just a few minutes, we will have the first vote to vote on cloture to bring this bill to the floor, cloture on the motion to proceed—a very critical vote. Again, I encourage all of my colleagues to support bringing this bill forward to the floor for a full debate and vote.

First, let me thank each of the cosponsors of this bill, including the many members of the Banking Committee, for their interest and involvement in the many discussions, hearings, personal negotiations, and conversations we have had to get to this point. Originally introduced by 10 Republicans and 10 Democrats, this package of commonsense reforms now has 26 Senate cosponsors, including 16 members of the Banking Committee.

Community banks and credit unions across the country have long struggled to keep up with ever-increasing regulatory compliance and examiner demands coming out of Washington. In local economies, this places a strain on small businesses looking to open or to grow.

In fact, when the Dodd-Frank legislation was initially proposed and we were debating it on the floor of this Senate, I held a news conference in Idaho, on Main Street in one of our cities. I said that this bill was not targeted at Wall Street, as it was being marketed; instead, it was being targeted at Main Street—our small financial institutions and communities. That has turned out to be exactly the case. Since the passage of Dodd-Frank, our big banks have profited wonderfully, but our small banks, our small financial institutions—credit unions and community banks—have suffered terribly.

S. 2155 is aimed at right-sizing the regulation for financial institutions, primarily community banks and credit unions, which makes it easier for consumers to get mortgages or obtain credit. It also increases important consumer protections for veterans, senior citizens, victims of fraud, and those who fall on tough financial times.

Congress has held numerous hearings in prior years exploring many of these issues, and the product before us today is the result of a years-long process and careful vetting.

This bill has received widespread support from commentators, regulators, businesses, and institutions representing millions of hard-working Americans and consumers, including over 10,000 community bankers, more than 100 million credit union consumer members, and thousands of small business owners and entrepreneurs, among others.

The reforms in this bipartisan bill help tailor the current regulatory landscape, while ensuring safety and soundness and relieving the burden on American businesses that are unfairly being treated like the largest companies in our economy.

The passage of this legislation holds real promise for local economies across America, and I encourage all of my colleagues to support its passage.

Mr. President, 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. BROWN. 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. BROWN. Mr. President, I would like to have been here today to offer strong bipartisan support for a bill that would help with rules and regulations for the smallest banks and credit unions in the country. There is a real effort on the part of a lot of us to come to an agreement particularly aimed at those banks, the community banks and the regional banks. I have three. Senator PORTMAN's and my State is the only State in the country that has three regional banks, the banks that have $50 billion, $100 billion, $150 billion—Huntington, KeyCorp, and Fifth Third.

Unfortunately, this bill started off that way, but it has become something else, and the something else is that this bill seems to me and many others to be more concerned with the largest banks and Wall Street than it does with community banks.

There are lots of things that can come out of this bill. The bill gives regulators way too much flexibility—regulators such as Mulvaney, Otting, Quarles, and others. It vests more power in FSOC—something that the Republicans didn't want to do until they got regulators like Mnuchin, Mulvaney, and people like that who are much more likely to side with Wall Street. The White House is increasingly looking like a retreat for Wall Street executives, and these are the people who are going to be doing the regulation of this bill.

Republicans and Democrats alike who believe in the need for regulation are concerned about this bill or are opposed to this bill, people like Dan Tarullo, who used to be a member of the Board of Governors at the Federal Reserve in charge of regulation; Paul Volcker, a Federal Reserve Chair who was selected by a Republican and a Democratic President; Sarah Bloom Raskin; Gary Gensler; Tom Hoenig, a Republican; Sheila Bair, President Bush's nominee at the FDIC; Phil Angelides, who did a good analysis of what actually happened 10 years ago when Wall Street almost collapsed our economy.

This body seems to have experienced sort of a collective amnesia. Take a look at what happened to the economy 10 years ago, and today we are giving relief to many of the largest banks in this country, relief that these things on the stress test—a weaker stress test, a less regular stress test, will mean many of the larger banks simply will not be under the intense examination that we have done in the past. What does that mean? What that means is those banks are more likely to jeopardize the safety and soundness of the banking system. Again, we know what happened 10 years ago when we had to bail them out.

There is a Washington Post article that came out today. The headline is ''Senate banking bill likely to boost chances of bank bailouts, CBO says.'' The CBO says that the Senate banking bill is likely to boost chances of bank bailouts. Why would we do that when banks are doing very well? Banks of all sizes are very profitable these days. We just did a tax bill that gives the largest banks—the financial services industry overall but especially the Wall Street banks—huge tax breaks. So we are going to pass a bill that the Congressional Budget Office—a neutral scorer here, the referee—the Congressional Budget Office says that this will cost taxpayers $671 million, and it will increase the chances of a bailout. Why would we pass a bill to give the banks breaks and then give them $671 million of taxpayer dollars? I just don't understand why we as a Senate would want to do such a thing.

Nobody in Ohio, except for some bank executives, are clamoring for this bill. Nobody is saying: Oh, we have to deregulate the banks. We have to help the biggest banks. We have to help these banks that drove us into the ditch 10 years ago. It simply doesn't make sense.

I ask for a ''no'' vote on the motion to proceed.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. KENNEDY).

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 287, S. 2155, a bill to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

Mitch McConnell, Ben Sasse, John Cornyn, Pat Roberts, Jerry Moran, John Kennedy, David Perdue, Tim Scott, Thom Tillis, Dean Heller, Mike Crapo, James E. Risch, Roger F. Wicker, James M. Inhofe, Tom Cotton, Richard Burr, Lindsey Graham.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2155, a bill to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 32, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—67

| | | |
|---|---|---|
| Alexander | Gardner | Paul |
| Barrasso | Graham | Perdue |
| Bennet | Grassley | Peters |
| Blunt | Hassan | Portman |
| Boozman | Hatch | Risch |
| Burr | Heitkamp | Roberts |
| Capito | Heller | Rounds |
| Carper | Hoeven | Rubio |
| Cassidy | Inhofe | Sasse |
| Cochran | Isakson | Scott |
| Collins | Johnson | Shaheen |
| Coons | Jones | Shelby |
| Corker | Kaine | Stabenow |
| Cornyn | Kennedy | Sullivan |
| Cotton | King | Tester |
| Crapo | Lankford | Thune |
| Cruz | Lee | Tillis |
| Daines | Manchin | Toomey |
| Donnelly | McCaskill | Warner |
| Enzi | McConnell | Wicker |
| Ernst | Moran | Young |
| Fischer | Murkowski | |
| Flake | Nelson | |

NAYS—32

| | | |
|---|---|---|
| Baldwin | Gillibrand | Reed |
| Blumenthal | Harris | Sanders |
| Booker | Heinrich | Schatz |
| Brown | Hirono | Schumer |
| Cantwell | Klobuchar | Smith |
| Cardin | Leahy | Udall |
| Casey | Markey | Van Hollen |
| Cortez Masto | Menendez | Warren |
| Duckworth | Merkley | Whitehouse |
| Durbin | Murphy | Wyden |
| Feinstein | Murray | |

NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Terry A. Doughty, of Louisiana, to be United States District Judge for the Western District of Louisiana.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Doughty nomination?

Mr. HELLER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 49 Ex.]

YEAS—98

| | | |
|---|---|---|
| Alexander | Gardner | Nelson |
| Baldwin | Gillibrand | Paul |
| Barrasso | Graham | Perdue |
| Bennet | Grassley | Peters |
| Blumenthal | Harris | Portman |
| Blunt | Hassan | Reed |
| Booker | Hatch | Risch |
| Boozman | Heinrich | Roberts |
| Brown | Heitkamp | Rounds |
| Burr | Heller | Rubio |
| Cantwell | Hirono | Sanders |
| Capito | Hoeven | Sasse |
| Cardin | Inhofe | Schatz |
| Carper | Isakson | Schumer |
| Casey | Johnson | Scott |
| Cassidy | Jones | Shaheen |
| Cochran | Kaine | Shelby |
| Collins | Kennedy | Smith |
| Coons | King | Stabenow |
| Corker | Klobuchar | Sullivan |
| Cornyn | Lankford | Tester |
| Cortez Masto | Leahy | Thune |
| Cotton | Lee | Tillis |
| Crapo | Manchin | Toomey |
| Cruz | Markey | Udall |
| Daines | McCaskill | Van Hollen |
| Donnelly | McConnell | Warner |
| Duckworth | Menendez | Warren |
| Durbin | Merkley | Whitehouse |
| Enzi | Moran | Wicker |
| Ernst | Murkowski | Wyden |
| Fischer | Murphy | Young |
| Flake | Murray | |

NOT VOTING—2

Feinstein McCain

The nomination was confirmed.

The PRESIDING OFFICER (Mr. CRUZ). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

### ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and consideration of the motion to proceed to S. 2155.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, sometimes—not always—but sometimes Congress operates under the principle that anything worth doing is worth overdoing, and that, to some extent, is what happened with Dodd-Frank.

It has been almost 8 years since Dodd-Frank took effect, and in that time, well over 1,700 community banks have consolidated, merged, or shut their doors forever. We are going backward. That is an average of one every 3 days.

I was reading this morning that in the last 3 years, only 13 new banks have been formed in America. That is not 13 per year, that is 13 total. Before Dodd-Frank, we averaged about 100 a year. Across America, banks of all sizes have closed more than 10,000 branches. Acknowledging the damage Dodd-Frank has wrought for our local economies is long overdue, and it is high time we did something about it.

In my State of Louisiana, out-of-control compliance costs have led to banks boarding up their windows. That means, at this point in time, in at least 15 communities in my State, folks do not have access to a bank or to a credit union. For Louisianians living in these banking deserts, getting a check or a savings account may be little more than a pipedream.

I am not suggesting to you that everything in Dodd-Frank was misguided. I think we had a handful of institutions that precipitated, in part, the meltdown in 2008, and Dodd-Frank regulates those institutions, but not every financial institution, particularly a community bank and a small credit union, should be lumped in with the larger financial institutions.

To return to my point, even the ordinary act of cashing a paycheck—something that goes sight unseen for most Americans—is next to impossible without paying high fees at the convenience store, a pawn shop, or a payday lender. Because of the shrinkage in the banking community in Louisiana, every day, ordinary Louisianians are being told to participate in the economy, manage their finances, save for their kids' future, and plan for their retirements when, thanks to Dodd-Frank and its overregulation of medium-sized and community banks and credit unions, too many Louisianians don't even have a bank branch in their community.

I think it is time to swing the pendulum back toward simple, sensible regulations. We have legislation that will be on the floor this week in the Senate that will do that. It is called the Economic Growth, Regulatory Relief, and Consumer Protection Act. I call it the Dodd-Frank fix bill or the Dodd-Frank reform bill. It doesn't destroy Dodd-Frank. It doesn't eliminate it entirely. It just brings some common sense to the legislation. I think it is a vital step in the right direction. Dodd-Frank, to some extent, particularly for medium-sized and smaller financial institutions, was like using a sledgehammer to kill a gnat. All our reform bill does is suggest that we ought to try using a flyswatter instead of a sledgehammer.

The changes made in our bill will not mean the banks that are given relief will go unregulated—far from it. They will still be heavily regulated. They just will not be overly regulated as a result of the Dodd-Frank bill.

Everybody in America knows that community banks and credit unions, which I refer to as relationship bankers, played no role—none, zero, zilch—in the 2008 financial crisis. When former Chair of the Federal Reserve Yellen testified during her term in office before the Banking Committee, I asked her point-blank: Chairwoman Yellen, what did the community banks

do wrong to contribute to the economic meltdown in 2008, and she responded: Nothing.

The businesses of these small institutions revolve around lending. I am talking about community banks and credit unions. They lend to farms, mom-and-pop businesses, and homeowners. They are not hedge fund managers. They are not playing the margins. Yet the small banks are the ones that are suffocating under the weight of Dodd-Frank's 20,000 pages of regulations. Let me say that again. Dodd-Frank is about a 900-page bill, and it has 20,000 pages of regulations.

Ultimately, our communities pay the price for the costs that have been imposed upon small- and medium-sized banks to comply with Dodd-Frank, when these banks did nothing wrong in 2008.

Studies show that when a bank branch shuts its doors, on average, the number of small business loans made in that community falls by 3 percent, and that has certainly been the case in Louisiana. The experts say the neighborhoods can take more than 8 years to recover. You multiply that by 10,000 branches that have closed across this country, and the figure is breathtaking. It doesn't take an economist to see that the ultimate cost of Dodd-Frank on our communities in Louisiana, in Texas, and elsewhere has been job losses and economic decline.

Fortunately, I think we can start to see a light at the end of the tunnel—at least if our Dodd-Frank reform bill passes. Dodd-Frank, as you know, said that all banks are created with equal risks and should be subject to the same regulations. From the largest bank to the smallest bank, they all create equal risk for the American financial system, and they should be subject to the same regulations. Whoever came up with that rule must have parachuted in from another planet.

I am cosponsoring the Dodd-Frank reform bill because I believe an international bank—and I think common sense tells us this—with $50 billion in assets poses a different risk to our economy than a community bank in Bossier City with 30 employees. The Dodd-Frank reform bill acknowledges that banks come in all different shapes and sizes and purposes, and it treats them accordingly.

We have had 8 years under Dodd-Frank to see what this level of government regulation means for our economy, and it is time to find some balance. Dodd-Frank's purpose was to prevent another financial crisis. Yet, in practice, banks across this country are now able to offer fewer products, fewer services, and fewer loans at much, much higher prices as a result of overregulation by Dodd-Frank. If we want to get our economy back on track for working and middle-class Americans, it has to stop.

I have been working closely with my colleague Senator SCHATZ on a bipartisan amendment to our Dodd-Frank reform legislation to protect consumers. Americans shouldn't have to spend months fighting to correct inaccurate information on their credit report when they didn't consent to have it collected in the first place. They shouldn't be penalized because a credit reporting agency, such as Equifax, can't keep their data safe.

Our proposal would require that the Big Three credit reporting agencies work together to create an online portal that gives consumers access to their credit reports and their credit scores. This website would allow folks to see what information has been collected about them, see who has viewed their credit report and why, and opt out of having their information packaged and sold to third parties. It would make it simple for people to dispute inaccuracies on their credit reports. In short, it would give consumers control over their financial information once again.

I respectfully urge my colleagues in the Senate to support this necessary amendment.

To conclude, the Economic Growth, Regulatory Relief, and Consumer Protection Act—the Dodd-Frank reform bill that I have been talking about—will help promote stability in our financial markets. It will protect American consumers, and it will give breathing room to some of our smaller banks and to our credit unions. It will ensure that consumers and small businesses continue to have access to mortgage credit and to capital. I respectfully submit that it will help ensure that our relationship bankers—95 percent of the bankers in America, the ones on whose back this country was built—can afford to keep their doors open and continue lending to the middle-class drivers of our economy.

Thank you.

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. THUNE. 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. THUNE. Mr. President, I ask unanimous consent to speak for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM

Mr. THUNE. Mr. President, the steady stream of good news for American workers continues. Just take a look at the headlines:

''Craft brewers putting tax savings toward expansions and new jobs.'' That is one headline.

''Grocery chain investing in employees and brand after tax reform.''

''Quad/Graphics to give $22 million in stock to employees.''

''Entergy Arkansas files plan to pass corporate tax cuts to customers.''

''Taco John's International Inc. Shares Tax Reform Benefits With Employees And Surrounding Communities.''

''Largest Health Insurer in New Jersey Says It Will Use Tax Refunds for Members.''

''Tax reform payday: Kid's clothing giant Carter's giving bonuses, boosting retirement funds.''

''Tax reform positive for farmers, ranchers.''

''Express scripts giving employee bonuses averaging $1,200 following impact from tax law.''

''Franklin Savings Bank to Give Employees $1,000 Bonus; Cites New Tax Reform.''

''Sprouts plans to invest tax reform savings in employee programs.''

''First Horizon announces minimum pay level increase.''

''NC Blue Cross: Tax cut will hold down rate increases, workers to get $1,000 bonuses.''

''Hormel to give employees stock shares, increase wages.''

I could keep reading. These are all headlines—headlines from the past 2 weeks that have come from news organizations around the country, highlighting the ways in which tax reform is benefiting American workers.

Businesses large and small are seeing the benefits of tax reform, and they are passing them on. More than 400 companies, and counting, have announced good news for American workers, from wage increases to increased retirement benefits. Utility companies in at least 39 States are passing tax savings on to consumers.

CNBC reports that small business confidence has hit a record high in 2018, driven by small business owners' optimism about the new tax law. In other words, tax reform is working exactly the way it was supposed to. It is putting more money into Americans' pockets and giving them access to new jobs, higher wages, and increased opportunity.

I don't need to tell anyone that Americans had a tough time during the last administration or that our economy had stagnated. All you have to do is look at the numbers. A chief priority of the Republican majority of this Congress has been turning things around for American families, and that is why we took up tax reform.

The Tax Code might not be the first thing people think of when they think of economic prosperity, but it actually plays a key role in determining the success of individual families and of our economy as a whole.

The more money the Federal Government takes from you in taxes, the less money you have to save or pay bills or buy a house or repair your car. The more money a business has to give to the Federal Government, the less money it has to grow the business and invest in its workers. If businesses are struggling to grow and succeed, that is a big problem for American workers.

In order for American workers to thrive, American businesses have to thrive. It is pretty hard for a small

business to hire a new worker or to raise wages if the owner can barely pay the tax bill.

It is unlikely that an American company is going to have a lot of spare cash for investing in its workforce if it is struggling to compete with foreign companies that are paying far less in taxes. And it is unlikely that America's global companies are going to focus on reinvesting in the United States if they face a tax penalty for bringing foreign earnings back home.

When it came time to draft a tax reform bill, Republicans knew that the bill had to do two things. First, it had to lower the tax burden on American families and put more money in Americans' pockets right away, and it had to create the kind of economy that would give American families access to security and prosperity for the long term.

To achieve the first goal, we lowered tax rates across the board for American families. We nearly doubled the standard deduction, and we doubled the child tax credit.

To meet the second goal, we lowered our Nation's massive corporate tax rate, which, until January 1, was the highest corporate tax rate in the developed world. We lowered tax rates across the board for owners of small and medium-sized businesses, farms, and ranches. We expanded the ability of business owners to recover investments they make in their businesses, which will free up cash so that they can reinvest in their operations and their workers. We brought the U.S. international tax system into the 21st century by replacing our outdated worldwide system with a modernized territorial tax system so that American businesses are not operating at a disadvantage next to their foreign counterparts. It is working.

In less than 3 months, we have seen lower tax burdens for American families, pay increases, bonuses, new jobs, increased investment in the American economy, better employee benefits, and other kinds of benefits, such as lower utility bills. All of that means more money in Americans' pockets. It means more money to put toward a child's education, more money to save for a house or a car, and more money to save for retirement.

Tax reform is accomplishing our goal of making life better for American families, and the benefits have just begun.

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 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, 10 years ago almost to the day, this country was on the verge of a financial crisis that would wreck the lives of millions of families. The experts—let's say the so-called experts—had their heads in the sand. They shrugged off the warnings. They told the public everything was fine.

Jim Cramer was telling hard-working Americans to invest their money in Bear Stearns. Maybe younger Members of the Senate don't really remember what Bear Stearns was. Jim Cramer said: ''I'm not giving up on the thing.''

Bank of America was putting the finishing touches on its plan to buy the subprime lender Countrywide, which they called ''the best domestic mortgage platform.''

Hank Paulson, the last Treasury Secretary who got plucked from Goldman Sachs—we have had at least one since—downplayed homeowners' pain. He said: ''You know, the stock market goes up and down every day more than the entire value of the subprime mortgages in the country.''

Meanwhile, advocates in communities—the people who were actually dealing with the consequences of the crisis—were sounding the alarm. The fair lending group Greenlining began meeting with Federal Reserve Chairman Alan Greenspan at least once a year, starting in 1999—1999—to warn about predatory mortgage lending. Attorneys general from across the country started to caution about troubling trends.

In Cleveland, which is in the Presiding Officer's home State, we saw home prices climb 66 percent in 10 years, with the housing market juiced by ''flipping on mega-steroids,'' according to a government panel that investigated the crisis. City officials in Cleveland began to hear reports that predatory home refinances were being pushed on buyers regardless of whether they could afford to repay the loans. Those refinances mean fees to bankers.

Foreclosures began to shoot up in Cuyahoga County—5,900 foreclosure filings in 2000, and by 2007, 15,000. My wife and I live in ZIP Code 44105, which includes Slavic Village in Cleveland, OH. In the first half of 2007, that ZIP Code had more foreclosures than any ZIP Code in the United States of America.

The city of Cleveland went to the Fed and asked it to use its authority to restrain subprime lending. The Fed did nothing. The people in charge in Washington were too certain, too detached, and perhaps too comfortable to listen to the warnings from Ohioans and from people across the country.

We saw what happened. All of these people who had the hubris to say that the economy could keep growing and keep growing and keep growing while the middle class was being looted—those people, thank you very much, weathered the crisis just fine. No one with a cable show had their home foreclosed on. Nobody on Wall Street who tanked the economy went to jail. In fact, many of these same people now have fancy jobs in fancy buildings and dress in fancy clothes and have fancy titles and work on Wall Street and in the White House. But in ZIP Codes like 44105, in Slavic Village and Cleveland, OH, and places like it across the country, parents were sitting down at kitchen tables to have painful conversations with their children.

Think about what this means. You lose your job, or you can't keep up with your mortgage payment. The husband, the wife, two teenage children. You have a family pet, a dog. You realize you are falling further and further behind. You are still working and you are still trying, but things aren't going well. The first thing you do—your dog has to go to the vet. You can't pay for that. You simply don't have the money. You take the dog to the shelter. You do what a lot of families in Cleveland unfortunately do; you just try to give your dog away or do something.

You then face your children. You say to your children: We are going to lose our home. We are going to have to move. We don't know where we are going to move yet. We don't know which school district. We don't know where your friends will be because we are going to have to move.

I don't think people around here really think much about what foreclosures mean to families. Remember what I said—5,900 foreclosures in Cuyahoga County in 2000 and 15,000 by 2007. Hundreds of those were in ZIP Code 44105. Think what that does to those families. My colleagues, when we vote today and tomorrow and Thursday on whether we are going to pass this giveaway bill to Wall Street, just think about that.

The CEOs and the boards at the banks and people in Washington who are supposed to be watching failed these Americans. That is why Congress, including some Republicans, did something about it 10 years ago, something to stop this from ever happening again. We passed a law. We created important protections for the financial system, for taxpayers, for homeowners. We held banks and watchdogs accountable to prevent another crisis.

Fundamentally, we did it right a decade ago, but Wall Street never gives up that easily. They didn't like that bill. They opposed that bill—most of them. Big bank lobbyists, the same ones who were so sure the 2000s crisis wasn't going to happen, those who flippantly said that things are all right—remember what Hank Paulson said. Hank Paulson, the Bush Secretary of the Treasury, said: You know, the stock market goes up and down every day more than the entire value of subprime mortgages in the country. Well, Hank Paulson didn't pay much of a price.

None of the regulators paid much of a price.

Ten years ago, we did it right. As I said, the big banks never gave up. Big bank lobbyists went to work.

Get this: The day the President signed the Dodd-Frank bill implementing these safety rules and regulations—implementing the consumer protections, making sure that the government was actually on the side of consumers and people paying their mortgage and homeowners—the same day President Obama put his ''Barack Obama'' signature on the Dodd-Frank law, the top financial services lobbyists in Washington said: Now it is half time. In other words, we may have lost the first half. They passed this bill. We didn't want it, but don't worry about us in the second half.

To these people, the economy is a game. They can't tell the difference between putting millions of Americans' lives and homes and savings at risk and a game of pickup basketball.

Piece by piece, Wall Street has gone to the agencies, they have gone to the courts, they have gone to Congress to dismantle the consumer protections we put in place. The drumbeat is constant. It is ongoing. It has been happening for 10 years. They always want a new exemption, they always want a weaker standard, they always want a new tax break, and do you know what? They can always find a whole lot of Senators and House Members who will write a letter to the Federal Reserve, who will make a call to the Office of Consumer Counsel, who will go at it and will attack in public the Consumer Bureau. They can always find Members in this body who are fueled by lots of Wall Street contributions and a lot of allies in New York. They can always find people to do their bidding. That is why you see this drum. That is how you hear this drumbeat. They want a new exemption, a new weaker standard, a new tax break.

The last year has been a really good time to be a bank lobbyist. After the crisis, we had created the Consumer Protection Bureau to represent the interests of regular Americans who have to fight with their bank or their credit card company. Now, in this administration, the Consumer Bureau, unbelievably so, is run by a guy who believes—publicly said it—it shouldn't even exist. The Consumer Bureau's new protections are under attack.

One quick story. All Democrats, even some Republicans, agreed we should protect consumers' right to take their bank to court. What is more American than that; if you think your bank cheated you, that you should be able to go to court.

Bank lobbyists, with a lot of allies on this side of the aisle, convinced the Vice President of the United States to come to this very Senate Chamber late at night—late at night here, at 9 or 10, the public is not watching, but you can be damned sure the special interests are alive and well and watching in their offices and making calls and doing all that.

The Vice President of the United States came to this Senate Chamber to break a tie, to cast a tie-breaking vote to vote against hard-working American families. Instead of protecting these families, the Vice President and his allies in the Senate—they voted for Wells Fargo, they voted for Equifax, they voted for Citigroup. The rule is gone. That rule to ensure that consumers have their day in court if their bank cheated them, that rule is gone, piece by piece by piece.

The watchdogs who are supposed to be protecting Main Street all come to their jobs fresh from—surprise—Wall Street and K Street. The President's Cabinet looks like an executive retreat for Wall Street bankers. They have released blueprint after blueprint on how to dismantle all the rules put in place after the crisis, and they are putting their people in place to do it. They just rammed through Congress a bill to give Wall Street an enormous tax break that will cost American families $1.5 trillion, but it gives big bank CEO's a huge raise.

That is 10,000 times more than what we spend at HUD every year to protect kids from toxic levels. Back to ZIP Code 44105, the health department of the city of Cleveland told me almost all those homes built before World War II, 99 percent of them have levels of toxic lead that will make children sick—99 percent of those homes. Yet we can do this big tax cut and not take care of those families.

Not long ago, another bank lobbyist told us their plan: We don't want a seat at the table, he said, we want the whole table—and they are about to get it under the bill the Senate will consider this week. Piece by piece, they tear these protections down. This bill gives them the whole table. It leaves nothing for working families.

If you thought the Secretary of HUD's $31,000 he spent to buy that fancy table for his dining room—31,000 taxpayer dollars—if you thought that was a bad deal for taxpayers, wait until I tell you about the billions and billions of dollars at risk that are packed into this effort.

This bill puts Americans at risk of another bank bailout. The Congressional Budget Office, the independent, nonpartisan scorekeeper, confirmed yesterday that this bill would increase the probability of a big bank failure and a financial crisis. It will add $671 million to the deficit. The Washington Post said: ''Senate banking bill likely to boost chances of bank bailouts.''

It is bad enough we are going to pass—after banks have been so profitable the last decade, after they were bailed out by the public—thank you very much—they have had a really, pretty darned good decade. Then they got a big tax cut. Now they want this and a little cherry on top. First, they get this bill, which is about to pass—which will be really good for bankers—but then they get $671 million extra from taxpayers. So, again, thank you very much, taxpayers, for taking care of the banks. So we are going to weaken the rules, and we will pay Wall Street for the privilege of doing it.

This bill weakens stress tests for all large banks, even Wall Street megabanks that are designated as global, systemically important banks—like JPMorgan Chase, $2.5 trillion in assets. Now, 2.5 trillion is 2,500 billion, and a billion is a thousand million. So $2.5 trillion—that is hard to calculate, but that is a lot of money. So JPMorgan Chase gets a break. They get their $2.5 trillion in assets. Bank of America gets a break. They get $2.3 trillion in assets. Wells Fargo, which can't stay out of trouble—every week there seems to be something new—$1.9 trillion in assets. Citibank, $1.9 trillion in assets. These banks—and the Wall Street Journal, hardly a paper hostile to business or a bank that is really always close to Wall Street. Wall Street Journal headline this morning: ''[Wall Street] Banks Get a Big Win in Senate Rollback Bill.''

So don't let my colleagues—don't let anybody who supports this bill—tell you this is all for the community banks. The community banks get some things in this bill. I would love to support the community banks and make this a bill about community banks, about credit unions, even about the regional banks like the ones in my State that generally do the right thing—Huntington and Fifth Third and KeyBank. But this bill, this is the Wall Street Journal: ''Big Banks Get a Big Win in Senate Rollback Bill.''

This is about those four banks I mentioned: JPMorgan Chase, Bank of America, Wells Fargo, Citigroup. These banks hold 51 percent—more than half—of all industry assets. They are a pretty darned big part of our economy, and we are doing things for them. As they are profitable, as their executives make maybe tens of millions of dollars, as they are doing stock buybacks to make even more millions of dollars, we are doing things for them. We are not dealing with infrastructure, we are not dealing with the opioid crisis, we are doing nothing here about guns, but we have time to do a lot for America's largest banks. With this deregulation, these are banks whose collapse could cause ripples across the world.

Together, the country's biggest banks took $239 billion in taxpayer bailouts. So without the rigorous annual stress test that we put in Dodd-Frank a decade ago and we are relaxing now, taxpayers could, once again, be on the hook if too-big-to-fail banks collapse, and we don't have the right tools in place to see it coming.

This is maybe even more unbelievable than the fact that this body has fallen all over itself to help the biggest banks. This bill also weakens the oversight for foreign megabanks operating in the United States—the same banks that repeatedly violate U.S. laws. Let's

run through the rap sheets of some of these banks.

Deutsche Bank, a big German bank, manipulated the benchmark interest rates used to set mortgages. It is also known as the only large bank in the world that will finance the President's businesses.

Santander, a Spanish bank, illegally repossessed cars from members of the military who were serving our country overseas. So we are going to give a break to a Spanish bank that repossessed the cars of men and women at Wright-Patterson Air Force Base and others when they were serving overseas. Santander repossessed their cars, a Spanish bank, and we are going to deregulate and make them more profitable with less accountability.

Barclays, a British bank, manipulated electric energy prices. If you live on the West Coast—I don't; my constituents weren't affected—but a whole lot of people were as they manipulated energy prices.

Credit Suisse and UBS, two Switzerland banks—one of them illegally did business with Iran. We have tried to tighten the sanctions on Iran to get Iran to behave better so they don't continue to harass—or worse—Israel and all the threats they make. We are going to help a bank that did business with Iran, and UBS sold toxic mortgage-backed securities.

It didn't have to be this way. I tried for months to work with the chairman of the committee—and I like Senator CRAPO a lot. We work together well. I tried for months to work in a commonsense package of reforms aimed at lifting up community banks and credit unions. That is what we ought to do. That is what we could do. That is what we still could do. These are the local financial institutions that fuel home ownership and small businesses. I know a lot of them. They come to see me when they are in Washington. I see them in their communities. I see them in Sycamore, Columbus, and Mansfield, and all over the State. These are not the people who caused the meltdown 10 years ago. These are the ones who got dragged down when big banks crashed the economy. I support relief to those banks and regional banks that do things right and play by the rules. I want to do more to help average Americans who have to cope with unfair tricks and traps, but that is not what this bill does. That is how it started out. That is what Wall Street wants you to think; this is a bill for the community banks.

Don't forget, they said that about the tax cut bill: It is a tax cut for the middle class. Well, 81 percent of the benefits of the tax cut go to the richest 1 percent. So don't always believe what they say when they talk about this.

This was a false choice. Why should we have to roll back rules for the largest banks in Switzerland to help out community banks or credit unions in Ohio? Of course we shouldn't. It has been a false choice. We could pass a bill today that helps those local banks invest more in their communities while keeping in place strict rules for Wall Street megabanks, but Wall Street and Republicans don't want to do that. They want to use the little guys, the community banks we all want to help. They want to use the little guys to extract something for the big guys. It is the oldest trick in the book around here.

We are going to cut taxes for the middle class. Well, really we are kind of hoping we can give big tax breaks to the richest 1 percent. We are going to help the community banks, but really we are hoping—we know we are going to help Wall Street.

This city, Washington, this government, this Senate, this Senate Banking Committee are all suffering from collective amnesia. They just forgot what happened 10 years ago. Maybe it is convenient they don't want to remember what happened. Thankfully, the IMF, the International Monetary Fund—an agency of international financial experts—has done us a favor, to help jog memories. They have cataloged 300 years of history of bank deregulation efforts all across the globe. Do you know what they found? We deregulate, the economy explodes. We put in protections, the economy gets better. We deregulate again, the economy explodes. We put in protections, the economy gets better. We deregulate again—wash, rinse, repeat.

We can do better. We owe it to the people we serve to do better. The Senate owes it to 176,000 kids in Ohio and other kids across the country whose lives and education were disrupted by the foreclosure crisis. Think how many children lived in homes when their parents were foreclosed on or their parents were evicted, and everything in their lives turned upside down. We don't care about them. We are going to forget about them, this collective amnesia. We are going to forget about them because we want to help the big banks get bigger and bigger and bigger. Is that what we are going to do? We owe it to the millions of people whose retirements were wiped out. Millions of Americans lost big chunks of their retirement, but we bailed out the big banks at the same time. We owe it to the students who graduated in the great recession and may have low earnings for the rest of their lives.

The watchdogs who understand these markets are trying to warn us. Paul Volcker, former Chair of the Federal Reserve, has cautioned us about this bill. He was the Fed Chair for a Democrat and a Republican President. Sheila Bair, who helped us put protections in place after the crisis, is a Republican warning us about this bill. Tom Hoenig, the current Vice Chair at the FDIC, selected to that position by Republicans, has told us this bill is harmful. Barney Frank, as in Dodd-Frank, has said he would vote no if he were here. Former member of the Federal Reserve Dan Tarullo, who used to do the bank regulation with the Federal Reserve, has outlined a long series of concerns. Sarah Bloom Raskin, Antonio Weiss, Gary Gensler, law professors, fair housing advocates, big bank experts, people who provide legal services across this country who deal with foreclosures and civil rights groups are telling us we can't go down that path again.

We know what happens next. It is hubris to think we can gut the rules on these banks again but avoid the next crisis. If you strip the rules away from the big banks and you turn your back as regulators on misfeasance and malfeasance, that collective amnesia—we are going to pay for it, and we know we are.

There are so many important things we should be doing here instead. We should be addressing the fact—and the Presiding Officer and I have been working on this bill—that workers and retirees in Ohio and across the country might have their pensions they have spent a lifetime earning slashed in half if Congress doesn't act. We can be doing that. We could be addressing the fact that 400,000 Ohioans pay more than half their income each month on rent to keep a roof over their head. We could be creating jobs. We could be attacking the opioid epidemic. We could be fighting against high drug prices. We could be investing in our crumbling roads and bridges. Instead, guess what. We are here helping the big banks. Everybody is willing to work full time to help Wall Street.

It is a question of whose side are we on? Are we on the side of megabank lobbyists or are we on the side of American taxpayers and homeowners and students and workers?

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

PROTECT PUBLIC USE OF PUBLIC LANDS BILL

Mr. DAINES. Mr. President, Montanans want to access and enjoy our State's public lands, and for a very good reason. Nothing beats our way of life in Montana—our hunting, fishing, hiking, biking, skiing, backpacking, climbing, all with a backdrop of breathtaking views and a very rich history of conservation. That is why Congressman GIANFORTE and I introduced the Protect Public Use of Public Lands Act.

Our bill protects our pristine natural resources while also ensuring that Montanans are able to recreate in U.S. Forest Service lands that are not wilderness, but they have been locked up in regulatory limbo for decades. Congressman GIANFORTE's second bill deals with similarly locked-up Bureau of Land Management lands.

Here is what the Protect Public Use of Public Lands Act does. It ensures public access to land within five wilderness study areas across Montana. They are also called WSAs. While there are thousands more acres of public land that are still in limbo, I put these five

WSAs in my bill for two simple reasons. First, the Forest Service determined that these lands were not suitable for wilderness in their final plan. In fact, that was a charge given by Congress in 1977. They said: Go out and study these Forest Service lands and tell us which acres are suitable for wilderness and which are not.

The acreages I am proposing we should release are those that were deemed not suitable for wilderness in the final plan by the Forest Service.

Second, there is strong local support for unlocking these lands from the grassroots up, including the Montana State Legislature, countless local community members, and dozens of sportsmen, county commissioners, and wildlife groups, including the Western Montana Fish & Game Association and the Montana Sportsmen for Fish and Wildlife.

Unlocking these lands from a WSA does not—does not—automatically authorize any particular use of the land. It simply opens up and allows for public conversation about how the lands should be used by setting up the planning process for public comment. In fact, protections like the 2001 roadless rule, the Endangered Species Act, and the existing forest and travel management plans remain intact. Do you know what this means? You can't construct a new road, and that would be kept after the release of the WSAs.

This has been a bottom-up approach from the get-go, and here is the bottom line. Montana's public lands are meant for everyone. They are meant for people who like to recreate in many different ways—for those who love to hike, of course, but also folks who enjoy recreating with mountain bikes, hunting, snowmobiling, and riding ATVs.

Creating access to our public lands is critical to Montana's jobs and our $7 billion outdoor economy. In fact, communities in Montana understand this is an important local economic driver that will strengthen local economies that depend on outdoor jobs. In fact, just recently, the Bureau of Economic Analysis agreed. They said that outdoor recreation generates $373 billion of the GDP across our country, mostly from motorized vehicles, boating, fishing, hunting, and shooting. Our bill will help Montanans recreate with all of these uses by unlocking our public lands.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I am going to be joined today by some of my colleagues from the Banking Committee who are also supporters of the Economic Growth, Regulatory Relief, and Consumer Protection Act. We rise today to speak about this bipartisan legislation, which advanced out of the committee last year by a vote of 16 to 7, a bipartisan vote. The primary purpose of this legislation is to make targeted changes to simplify and improve the regulatory regime for community banks, credit unions, midsized banks, and regional banks to promote economic growth.

Many of us represent rural States where community banks and credit unions are the primary providers of credit and financial services. These institutions hold a competitive advantage over their larger counterparts, operating with a relationship-based knowledge of their customers and an understanding of their unique needs. They are decidedly disadvantaged when it comes to keeping up with the ever-increasing compliance and examiner demands coming out of Washington.

Our bill offers much needed reforms that will reduce unnecessary burdens on smaller financial institutions so that they can use more of their capital serving customers rather than complying with Federal regulations that were never intended for them. It also adds protections against fraud and identity theft for consumers, veterans, senior citizens, and others, as well as for those falling on hard financial times.

This bill is the product of robust, bipartisan negotiation. It was years in the making. It is the outgrowth of feedback and input garnered from a process we initiated in the Banking Committee across all stakeholders in America, as well as from previous meetings, briefings, and many conversations and negotiations among the members.

I see Senator HEITKAMP is here, and I am going to ask her to talk about this process, how we reached this point today, and what it means for North Dakotans.

Senator HEITKAMP.

Ms. HEITKAMP. Thank you. I was going to say ''Mr. Chairman,'' but I guess at this point he is just Senator CRAPO.

Mr. President, I want to take a moment and personally thank Senator CRAPO from Idaho for his incredible leadership. Frequently we are asked: What is wrong in the U.S. Senate? Why can't you seem to get anything done, even though there is common purpose; that is, to protect the American public, defend the American public, and help the American public be prosperous?

Frequently my response is that many times it is a lack of leadership. It is a lack of willingness to sit down, listen, and prepare a product that can get results. That hasn't been our problem with Senator CRAPO. He has been there personally every step along the way, not delegating to staff but working with us one on one—sometimes, maybe, four on one. He may feel a little bit ganged up on, but I think it was fair odds for him, I might say. I also know that this would not be here without the leadership of Senator CRAPO and the Banking Committee, a committee that historically has a reputation for being notoriously bipartisan. I want to extend my great appreciation for his work and for his willingness to listen and to work with all of us.

What are we celebrating today? We haven't quite gotten it over the finish line, but certainly the vote we just had a couple of hours ago, which was broad bipartisan support on a cloture vote, is not something we see very often in this body. I think what we have to say is that this bill is a piece of almost old-fashioned legislating. It is a prime example of how Senators can work together to effectively achieve a result and do it in a bipartisan way.

Despite the Washington gridlock of partisanship, a group of us on Banking wrote and introduced this bipartisan bill through a good-faith negotiation, which lasted literally years. I have been working on this since coming to the U.S. Senate and being assigned to the Banking Committee. In fact, I have been working on these reforms since 2013.

The bill didn't come together overnight. It was carefully crafted. It was done not just with these regulators in discussion but also the Obama-era regulators as well. We know that we have an opportunity to do something that no one thought was possible—take a piece of legislation that didn't come through in rule XIV, didn't come through in reconciliation. It came through in the traditional way, through a Banking Committee process where we sat—and I will again applaud the Chairman. No amendment was told it was out of order. No amendment wasn't given an opportunity to be heard or voted on. In fact, we sat for 7 hours and voted on amendments and listened to debate on this bill. Those people who think it came quickly are wrong. This did not come quickly. It came over a long period of time, through extensive discussions.

I want to talk about why I care so much about this bill. When I was going around the State in 2012, talking to folks who had opinions about the Federal Government, one of the things I frequently heard from my small credit unions and my independent community bankers and my bankers—in North Dakota, independent community bankers frequently tend to be members of the North Dakota Bankers Association. They said one thing to me that really resonated, and that was: How is it that Dodd-Frank, which was supposed to deal with the largest lenders in this country, the largest institutions in this country—how is it that you have this Dodd-Frank bill that was supposed to stop too big to fail, and it has become too small to succeed? The compliance burdens are overwhelming. The confusion that we have about this—we wonder why all of this is on us when we weren't part of the problem. We are getting punished for being a financial institution and for no good reason, other than we are in a class that includes much bigger actors.

One of the things I would tell you is that this bill is critical to rural America. When you look at the challenges that rural America faces, access to capital has to be on top of the list. Plus, I

think all of those who have been to a Class B basketball tournament or a Class B basketball game can look at the program, turn it over, and what they will see is sponsorship from their local lending institution; they will see a part of the community. Whether it is helping host fundraisers, whether it is being involved in cancer drives, that Main Street institution of the community bank is there every step of the way. We are seeing more and more those institutions being challenged by things such as overregulation.

I want to talk a little bit about my hometown bank, the first bank in which I had a checking account and a savings account. It is a little bit of a funny story. The statute of limitations has probably run, but back in the day, in every small town, there was illegal gambling. I know, people might be shocked.

My dad put my name in a raffle they were having. That night at the stag party, I won the raffle. It was $30, which years ago was a lot of money. The first thing my dad did was take me to Lincoln State Bank to open a savings account. I put that $30 into a savings account. That institution was there, and from there, we had our first checking account. From there, I knew that my dad had a relationship with his banker that would help him through some tough times when he needed a little bit of extra cash and help him through times when he needed a car loan.

When we lose those local lenders, when we lose the ability of those local lenders to do business, that means the opportunity for relationship banking is gone. What do I mean by that? I have told this story many times in committee. You are the small town banker. A guy comes in, and maybe he has a shoebox full of receipts. He doesn't have a fancy cash flow statement. He doesn't have a fancy work plan. But you know that this guy has never not paid a bill. He owes nobody any money. That is part of his character—who he is. He never cheats anyone. He fixes the plumbing. He fixes the furnace, and it stays fixed. He doesn't ask for a lot in return, but maybe he needs a new piece of equipment. Maybe he needs a new car. He goes to the local lender. That may not pencil out. It may not be the best loan they are going to make, but it is who they are, and it is what they contribute to that institution.

They give that guy the loan, not based on any paperwork in that shoebox. They give that guy the loan based on who they know he is.

Then, there is the other guy in the small town who comes in. He may have a fancy cash flow statement, and he may have a wonderful statement of net worth that he can present to the bank.

Yet one thing the banker knows about him is that there may be some unpaid bills and that he may be the guy who takes out a loan but then wants to negotiate 80 cents on the dollar.

In America, we have to bring back relationship lending. You can say: Well, none of these regulations really apply to them. Why don't you talk to these folks who are in the banking world and realize that they have retracted from mortgage lending because they are fearful that they will do something wrong and will not be able to afford the fines that they may be assessed. They are fearful that they will not be able to contribute and be part of the community effort because we have overregulated the smallest institutions to the point at which they wonder if their children, who could inherit their institutions, really want to stay in business.

There will be a lot of discussion about this bill. There has been a lot of discussion already. The one thing I want to say is that we stand ready to defend any of these provisions.

Before I close and turn this over to the Senator from Georgia, I want to just say that one of the things we need to be very careful of here when we debate this bill is that we do not in any way misstate the effects of this bill, because that misstatement will become part of the public record. I am going to be very aggressive in making sure that we push back against statements that I believe are false, statements that characterize this bill in a way that was not intended and that, in fact, is not part of the legislative language.

Mr. CRAPO. Before the Senator yields to the Senator from Georgia, may I make one comment?

Ms. HEITKAMP. Yes.

Mr. CRAPO. I just want to express appreciation for the Senator's chart.

For those who cannot see the chart, this is a chart that the Senator from North Dakota has put up that shows the intersection of Main Street and relief for Main Street. The reason I mention this is that back when we were debating this regulatory system that was put into place that we are now trying to rightsize and correct, I had held a news conference on Main Street in Boise, ID. I had said: This legislation is being promoted as targeting Wall Street excesses, but the bulls-eye is on Main Street across this country, which is what we are trying to fix today.

So I just wanted to tell the Senator how much I love her chart.

Ms. HEITKAMP. The Senator from Idaho can borrow it at any time. I have no pride of authorship, and there is no copyright on here. He may pass it around.

Mr. CRAPO. I will take the Senator up on that.

I yield to the Senator from Georgia.

Mr. PERDUE. Mr. President, I thank the Senator and am honored to follow my good friend from North Dakota.

It took courage for the Senator from North Dakota to be a leader on this issue in committee. The Banking Committee fought hard and long on this issue. I think there were 30 amendments that we discussed and voted on in coming to this bill that we are bringing forward today. The Senator from North Dakota was a shining star in that debate, one that reminded both sides of what was most important—the people back home. The Senator has reminded me today of something that I have come prepared to talk about but that, I think, warrants merit.

The Citizens State Bank was my hometown bank, and it has been bought and sold a few times. My father, who was a schoolteacher and a school superintendent, was actually on that board. It was my first exposure as to how banking worked. I remember going with my dad then, who was a schoolteacher and didn't make a lot of money but who wanted a loan to buy a car. At that time, I was a little older, but this was a 1954 Ford that my dad had been driving. I am not really that old, but it was an old car, and he wanted to buy a new car. I remember sitting off to the side and listening to the conversation.

When you talk about relationship lending, relationship lending could not go very long if that relationship lending didn't lead to a loan that got paid back. I knew the lending officer because he taught me in Sunday school. We saw him every week in church. His children went to the school where my dad was the principal.

This is a different time today—I understand that—but the fact still remains that relationship lending, as the Senator from North Dakota just reminded us, should be at the core of what we consider here when we talk about this being a lending institution, making a transaction with an individual for him to then pay that loan back. That is what we tend to forget sometimes because of the debacle in 2008.

Since Dodd-Frank has become law, over 1,700 banks have been closed. Let me say that again. Since Dodd-Frank has become law, 1,700 banks have been shut down. Most of these are community banks and regional banks—entities that had nothing whatsoever to do with the financial situation in 2008. While some in this body may see that as encouraging signs that Big Government is now getting more control of the lending principal in the banking industry, I think they are misguided. I think they are overlooking the reality that these 1,700 banks aren't the massive big banks or the very few banks that had responsibility in the 2008 financial crisis. These are local banks, credit unions, regional banks—the banks supporting our Main Street, as the Senator from North Dakota just reminded us. They are providing small businesses with capital and sponsoring Little League Baseball games.

I grew up in Little League, as many Senators here did—and in softball leagues and so forth. Right there in center field was The Citizens State Bank sign, for, every year, they were involved in that effort in that community. Yet, for nearly 8 years, those same small town entities have been hammered by Big Government regulations that had been enacted by the

Dodd-Frank Act. Credit unions, community banks, regional banks were simply not responsible for the financial crisis of 2008, period. None of the draconian rules put on them make them safer today than they were in 2007. These onerous rules have subjected these small lenders to the same regulation and compliance costs to which the major four or five banks are now being subjected. Overall, it is estimated that compliance costs for community banks have risen by at least 20 percent, but I think it is much higher than that.

I met with a regional bank just this morning from Georgia, and their compliance costs have gone up $400 million because of Dodd-Frank. That is money that could be in the community in the form of loans; yet it is now coming in the form of higher compliance costs. Some of those are fines, by the way, coming from the Federal Government up here. That is another topic for another day that we don't address in this bill.

This is eating up those small banks' bottom lines and is discouraging some banks from offering some services to their communities—services that small businesses and Main Street rely on for capital every day as they try to grow. What happens when a bank grows? Lending grows. That means small businesses grow. What happens when small businesses grow? Jobs are created. Compliance costs run diametrically opposite to that dynamic and do not increase or lower the risk.

The CFPB's qualified mortgage rule is a perfect example. This rule has driven many community banks actually out of the mortgage lending business altogether. So, while it was intended to protect the consumer, yes, it protected the consumer all right. It protected him from being able to get a mortgage.

Government restrictions on reciprocal deposits are what is at topic here in this bill. Reciprocal deposits have created uncertainty around this critical lifeline for community banks and especially minority-owned banks that have specialized in serving customers with limited discretionary income and limited access to capital. Dodd-Frank is crippling the ability of community banks and regional banks to serve these communities.

We recently heard from one community bank in Georgia that has not even established a residential mortgage department to serve the community because of these draconian compliance regulations. Why isn't it doing this? It is simply because the Federal Government—the people in this room—decided a few years ago in the Dodd-Frank Act that they knew more about the free enterprise system, the capital formation dynamic, the relationship between a lending entity and a borrowing entity, and how all of that translates into jobs and economic growth. Because of that, we have ended up with this arcane Dodd-Frank rule that overregulates these small regional and community banks.

Look, we are not trying to blow up Dodd-Frank. Many of us have taken a big step back in terms of what we think we need to do in terms of growing the economy in order to accommodate this bill. I think there are some 14 cosponsors on the other side of the aisle, and I applaud them for the courage that it has taken to work with us to get to a bill on which we both give and take. In the Senate, the No. 1 criticism we get back home is: Why can't you guys work together to get anything done? Here is a shining example. If we can get it across the finish line here and get a vote on this, we may have a tremendous example that will have a dramatic impact on Main Street back home.

Small banks tend to spend too much time and resources dealing with the regulation and compliance costs that this Dodd-Frank law has created. Put simply, Dodd-Frank is just another one-size-fits-all, Washington bureaucratic policy that hurts the very people it claims to champion—the middle class and the working poor and those communities that have the least access to capital to borrow. Fortunately, we have an opportunity to do something today to fix these problems.

The Economic Growth, Regulatory Relief, and Consumer Protection Act takes major steps to roll back Dodd-Frank's overreach. It will bring relief to the more than 5,000 community banks across the country. It will help free up capital for small businesses to invest in our economy and put people to work. It will help minority-owned banks, again, to provide a wider range of services.

In my State, the Citizens Trust Bank is a minority-owned bank in Atlanta. Why is that important? You may have heard of that bank. Martin Luther King, Jr., was a customer of the Citizens Trust Bank. Martin Luther King, Sr., served on its board. Many distinguished Atlantans and Georgians have been customers and members of the board of this auspicious bank in Georgia. Citizens Trust, though, has been forced to draw back its entire mortgage business because of the regulatory costs that have been imposed by Dodd-Frank. This is counterintuitive. Thanks to the action we are taking this week in the U.S. Senate, Citizens Trust will be able to grow its mortgage business again because of safe harbor provisions in this plan.

Citizens Trust is not alone. Carver Bank is a minority-owned bank that has been serving Savannah, GA, for 90 years. The restrictions and regulatory uncertainty on reciprocal deposits have limited its resources. This bill we are voting on this week will more than remove government restrictions on reciprocal deposits, meaning Carver Bank and Citizens Trust and many others will have additional lending capacity and lower compliance costs, which is another way to provide more capital to the community.

This bill was written by both Democrats and Republicans. It is a shining example of what people back home expect us to do up here—our job. No, it is not perfect from my perspective. It is not perfect from the Senator from North Dakota's perspective, but do you know what? Between us, there is common ground, and we have found it. This bill will bring relief to rural communities and help small businesses, which will, in turn, grow our economy—something that both sides want dearly. This bill also preserves and improves consumer credit protections.

A vote on this plan is a vote for Main Street growth, obviously. It is a vote for rural communities and small businesses. It is a vote for people who work with their local banks to secure capital so that they can keep building the American dream.

I commend my colleagues on both sides of the aisle for coming together in support of this bipartisan effort, and I encourage every Member of this body to think seriously about this and to support this bill in its final passage.

I thank the chairman of the Banking Committee, the Senator from Idaho. I cannot tell him how much I appreciate his leadership. This has been a yeoman's effort, and I am committed to seeing this through, across the finish line, and getting a vote on it this week. I thank him for his leadership.

Mr. CRAPO. I thank very much the Senator from Georgia.

I next ask Senator CORKER if he would like to weigh in and let us know his thoughts on this.

Mr. CORKER. Mr. President, I will be very brief as I know numbers of people here would like to speak to this bill, which will be an accomplishment for us, and we greatly appreciate the Senator's leadership in making it happen.

I was here when Dodd-Frank was passed. I was on the Banking Committee at that time. I didn't support it. The reason I didn't support it is for the many reasons and the many things we are doing today to correct it.

Whenever regulation passes, it begins at the targeted group, which, in this case, was made up of the larger institutions in our country which failed. Then, over time, the regulatory processes seeped down to the smaller entities, the smaller banks, that were housed in the communities all across our respective States—the members of the Rotary Club, the Kiwanis Club, the Lions Clubs International, the Chamber of Commerce—the people who make things happen in our communities back home. We have ended up in a situation now in which our community banks and credit unions, which serve our communities and cause economic growth to occur, have these large back office operations that are spread over a smaller asset base. It has made them noncompetitive and has made it very difficult for them to do the jobs we all cherish that they do back home, which is to help to grow those economies. This bill is focused on them.

Senator TESTER, I know, has been focused on this for many years, but what

we are doing here is giving relief to those institutions. It is about time. We have had enough time to see what needs to happen. This was done in a bipartisan way, for which I am thankful.

Mr. President, I would like to thank Senator CRAPO for his leadership here in working with people on both sides of the aisle to create a responsible bill that is not an overreach. Some of the provisions of Dodd-Frank, we all know, are good. Some of them are good, and we are leaving many of those in place. At the same time, what we are doing is taking a very constructive step to make sure that these smaller institutions, which represent a very small amount of the assets in our Nation but have such outsized impact on the communities they are in, have the ability again to flourish and do the things that are necessary for our economies back home to grow.

I thank Senator CRAPO. I am proud to be a part of this and a cosponsor. I thank Senator CRAPO for letting us be a part of it, and I hope that collectively we will ensure that this is a very successful effort.

I yield the floor.

(Mr. HOEVEN assumed the Chair.)

Mr. CRAPO. I thank Senator CORKER. I appreciate that.

Next, I would like to turn to my colleague from the other side of the aisle—another colleague from the other side of the aisle, just showing the bipartisanship we have here on this bill—Senator TESTER from Montana.

Mr. TESTER. Mr. President, I thank Chairman CRAPO. I want to associate myself with my good friend from Tennessee, Senator BOB CORKER. We always say ''good friend,'' but the truth is that Senator CORKER has truly been a good friend. We came to this body together, and he has exhibited uncommon common sense in this body time and again, and once again, he has today. I thank Senator CORKER for his remarks about this bill.

Mr. President, time and again over the past year, I have been here on the Senate floor raising my concerns about the direction this body is heading—secret backroom deals on the healthcare bill, a ''take it or leave it'' tax bill that was dropped on our desks literally hours before the vote, and the floor time that has been wasted to score political points. Quite frankly, this dysfunction has turned the world's most deliberative body into a shell of its former self.

Folks in Washington have shied away from the big debates and refused to tackle the tough issues that are facing hard-working Americans every day, but this week I am hopeful that can change.

Today we begin the debate on the bipartisan Economic Growth, Regulatory Relief, and Consumer Protection Act. This bill is the product of years of bipartisan negotiations, hearings, and compromises. Under the leadership of Chairman CRAPO and my good friends Senators HEITKAMP, DONNELLY, and WARNER, we have struck a bipartisan agreement that is needed to provide an economic boost for rural America. Folks from both parties put their differences aside. We negotiated from our points of agreement, and we emphasized common ground. We kept working toward our shared goal of strengthening America's economy by providing commonsense regulatory reform to small- and medium-sized banks, community banks, and credit unions.

During the committee process, this bill was marked up and debated for 7 hours. We voted on 36 amendments during an open amendment process. The chairman handled that committee process incredibly professionally.

Since this bill was introduced in the Banking Committee last year, it has been strengthened by Senators who are not on that committee, and it has been endorsed by regulators, veterans groups, and job creators from both parties. This bipartisan bill has support from folks of all walks of life and is cosponsored by more than a quarter of this body because they know that reform is desperately needed.

In my home State of Montana, prior to the financial crisis in 2008, there were 72 chartered banks. Today that number has dropped to 49. What we have seen in Montana is not unique throughout this country. Across rural America, bank consolidation is leaving communities underserved. Community banks and credit unions didn't cause the financial crisis back in 2008, but they have suffered under a one-size-fits-all set of regulations specifically designed to rein in the behavior on Wall Street. As a result of complying with these regulations, many of our community bankers are hanging up their hats, and our local banks are being swallowed up by bigger banks. Ultimately, they will be swallowed up by the folks on Wall Street.

Furthermore, when a community bank is bought out by a big bank, its business model changes and it is no longer tailored to fit that community. Despite being a small portion of the banking industry, community banks provide—listen to this—48 percent of the small business loans in this country, 15 percent of the residential mortgage lending, 43 percent of farmland and farm lending, and 34 percent of commercial real estate loans. These banks are designed and built to serve their communities.

Since the passage of Dodd-Frank, the number of banks in this country has declined by 14 percent, and in our State of Montana, with some quick math, it is closer to 30 percent. If you are a product of rural America like I am, you know full well the consequences when a bank leaves town. It is just a matter of time before that community shrivels up. Folks, something must be done.

Eight years ago, during the dark days of the financial crisis, I proudly supported Dodd-Frank. Dodd-Frank was needed to crack down on risky financial behavior. For the most part, Dodd-Frank has been successful, but, like all major bills, Dodd-Frank had some unintended consequences. Since its passage, small business lending has declined by 41 percent. That is why our bill is needed—to bring more capital to Main Streets across America and to protect community banks from further consolidation.

Our bill provides small and midsized banks and credit unions with more flexibility to meet the unique needs of the communities they serve. It also provides our community banks with much needed regulatory relief and cuts the redtape to keep our local banks competitive. It includes critical consumer protection provisions to better protect our veterans, our seniors, and tenants. This bipartisan bill makes it easier for young families to purchase their first home. It helps family farmers and ranchers secure the capital they need to survive a tough year when Mother Nature doesn't cooperate. It helps small businesses and startups secure the funding they need to grow their businesses and create more jobs. It protects the small banks that serve as a cornerstone of rural communities from being eaten alive by the big boys on Wall Street.

In addition to banking reform, this bill strengthens the rights of consumers. It provides consumers with unlimited free credit freezes and unfreezes. It prevents mortgage companies from immediately kicking tenants out of their homes if a landlord is foreclosed on. It increases safeguards against fraud for veterans, Active-Duty servicemembers, seniors, and children.

Over the course of this debate, there are going to be some folks who come to this floor and peddle misinformation, so let me be clear about what this bill does not do. It does not roll back the regulations on Wall Street's fat cats. It does not make structural changes to the Consumer Financial Protection Bureau. It does not weaken or repeal the Volcker rule for large banks. It does not change the way the Federal Reserve regulates foreign banks. It does not weaken efforts to combat lending discrimination.

I have already seen a lot of falsehoods about this bill claimed out there, so I hope this debate stays grounded in the facts, and the fact is that folks in rural America need this bill.

Take for instance the Community Bank in Polson, MT. Polson's population is 5,000, and that might be generous. The Community Bank had faithfully served this community for decades, but the regulations from Dodd-Frank were so burdensome on that small bank and so costly that it was forced to sell out to a larger bank.

But it is not just Polson. Here is what other folks in my State are saying about the bill. A small credit union in Billings, MT, said:

> As a small credit union, we spend a ridiculous amount of time complying with complex rules and I am pleased to see a bill that would eliminate some of this red tape so I can focus my resources on serving members.

That was from Sydney El-Bakken, manager of Homestead Federal Credit Union in Billings, MT.

This is a quote from another bank in Jordan, MT:

Dodd-Frank has disproportionately affected small banks like mine who have limited staff and resources to comply with the regulations created by the bill. Prior to Dodd-Frank's passage, my bank was able to keep up with compliance regulations with one staff member. Now, in addition to our one staff person, we also have outside compliance consultants that cost us over $23,000 last year alone.

I am going to get back to that figure in a second.

I have talked to many of my fellow bankers who decided to sell to, or merge with, another bank. Almost every one of them has told me that the regulatory burden was one of the main reasons for them to sell or merge.

The loss of small community banks is not good for our country, our consumers, or our economy. This bill provides many remedies to lessen the regulatory burden on small banks, which allow us to remain competitive, viable, and able to serve the needs of our communities.

The reason I bring up the $23,000 is that there are some out there who may be listening and may say that $23,000 is not even a rounding error in a lot of businesses. Rex Phipps is the CEO of Garfield County Bank in Jordan, MT. Their total assets are $86 million. This is a small bank that is getting pounded and that this bill is going to help in a big, big way.

I am going to tell you, I could go on reading the words of community bankers and credit union leaders and businesses in Montana that support this bill, but the bottom line is this: Folks sent us to the Senate to do something to help out the folks we represent. For too long, this body has been dragged into the mud, and as a result, we have had partisan and zero-sum policies and zero-sum politics. Dysfunction has kept this Congress from doing its job, and part of that job is to fine-tune laws to ensure that regulation fits the risk.

Enough is enough already. We must do something. And I am proud to work with 13 Republicans, 12 Democrats, and 1 Independent who worked so hard to compromise on this bill that I think works very well for rural America. The Economic Growth, Regulatory Relief, and Consumer Protection Act is a jobs bill, and it is a much needed solution for the folks who power our local economies. I look forward to this week's debate.

It is encouraging to see that the Senate is back here doing the job we were sent here to do. It is encouraging that we have a bill here that has gone through the process to gather public input, gather bipartisan support, and it is now on the floor so that we can debate it. I look forward to that debate, and I hope that debate is based on the facts.

I want to say one more thing before I yield the floor. We would not be here today without Chairman CRAPO. Chairman CRAPO has done a fine job getting everybody's opinion, respecting everybody's opinion, and walking that line to allow for negotiations and having a good bill as the final product. I don't know what is going to be in the final managers' package, but I hope it doesn't change this bill dramatically because I think this bill really fits the needs of our economy, especially in rural America right now.

With that, I would just say, look, we have some work to do. Hopefully we can do it in a timely fashion and get this bill off to the House. Hopefully the House doesn't screw it up and we can get it to the President's desk for his signature.

I yield the floor.

Mr. CRAPO. Mr. President, I thank my colleague from Montana, Senator TESTER. Earlier in my remarks, I said that this bill had been years in the making, and Senator TESTER is one of those who have been involved the entire time, helping us to get here, as are Senator DONNELLY from Indiana and Senator WARNER, who is here—he had to step out for just a second—and Senator HEITKAMP, who was here earlier.

I now want to turn to one of our colleagues on the Republican side, Senator MORAN from Kansas, who also is one of those who have been with us for years, working to make sure we get this critically needed legislation to the floor.

Senator MORAN.

Mr. MORAN. Mr. President, I thank the Senator from Idaho for his kind remarks, and I join my colleagues in expressing our gratitude for his efforts to make certain we are here today. What a long time it has been to get us to this point.

This is important legislation, and we ought not suggest that because there is such bipartisan support, that this is a minor accomplishment. We come together, it seems, on the small things around here, but on the big things, it seems awfully impossible for us to bridge the gap. Therefore, to suggest that what we are doing here today is nothing important would be a total mistake,would be a fabrication of the facts.

If we are successful in passing this legislation and the House accepting it in a form that is acceptable to the Senate and having it signed by the President, this legislation will make a significant and tremendous difference in America and especially on Main Street, in farms and small businesses across the country.

A significant component of what I am about in my work in the Senate is trying to make certain that my colleagues from places that are not rural understand the rural nature of much of America and understand how we do business and how things get done.

As has been indicated by many of my colleagues, in smalltown America, nothing gets done without the support of your local financial institution. We earn a living in much of Kansas by small businesses—by farms and ranches—and in the absence of access to credit, the ability for us to continue to earn a living in smalltown America disappears.

It was a sad day when the Banking Committee—now 3 years or so ago—passed Dodd-Frank reform legislation but did so with only Republican votes. The sadness is that we were unable to find common ground and make a difference in a piece of legislation that was passed in years gone by. We were unable to make the improvements that were necessary, the changes, the alterations that could make Dodd-Frank work for rural America, that could limit its scope to Wall Street, not Main Street.

I think when Dodd-Frank was passed and many of us voted against it, Republicans were saying: We are going to repeal Dodd-Frank. That caused many Democrats to say: We are not going to let you touch Dodd-Frank. So we have been at an impasse when Republicans and Democrats alike know that this legislation, Dodd-Frank, is causing serious harm to places across the country. But we have gone to our corners. We have argued for full repeal, and you have argued that we are not going to touch it. This is a good day in which we have decided that it is neither one of those extremes. It is the idea that we can find the solutions to problems that exist as a result of legislation that Congress approved.

This legislation is important, and it matters. It is important because it demonstrates that the Senate can function in its proper form, that we can accomplish good, commonsense things. It is also important because it will alter the landscape in the future for communities across Kansas and around the country.

In rural America, we need access to credit. It is too often that access to credit is only available from that smalltown lender—that local bank, that credit union—and they know the community and know their borrowers.

Earlier, one of my colleagues talked about relationship banking. It is the banking system that many of us grew up with, and it is the banking system that still works for us in smalltown America. In the absence of the reforms included in this legislation, the ability of many of my banks in Kansas to make home loans will continue to be absent.

For the years that I have been on the Banking Committee, I have questioned the examiners, the FDIC, the Comptroller of the Currency, and the State banking commissioners: What are you doing to make certain that the regulations don't put out of business the smalltown lenders who are so important to the communities that I represent?

It seems that we have gotten lipservice: We have a committee. We have a commission. We study these things. When you ask ''What rule or regulation have you eliminated?'' there is never an answer that outlines that that has happened.

Today, we are altering the opportunity for the regulators to continue to overregulate financial institutions that are only important to the communities they serve, and if they have financial challenges, it does not create a threat to the rest of our banking system or to our country's economy and fiscal condition. Relationship banking matters.

Today we have a regulatory environment in which bankers are fearful of making a home loan to a citizen within their community. If somebody wants to buy a home or build a home, they are told by their local bank: We can't afford the cost associated with the regulations for making these loans. We can't afford the risk that if we make a technical error, the financial consequences to our bank will be so great, we will be out of the home loan business.

Who would ever expect to go to their hometown bank and discover they don't make home loans? And it is not because there is not the opportunity to make a loan that will be repaid—the bank will make money, and the borrower will get the benefit of the loan—it is because, upon a mistake, the regulations are so onerous and so expensive that the business decision is made not that this person is not creditworthy but that the risk associated with the regulations is so great that they can't make the loan.

We need more banks, more financial institutions making home loans in more communities so that more people in rural American can access the American dream. If we create a banking system in which the rules and regulations dictate that every ''t'' must be crossed and every ''i'' must be dotted, and it is like you have a computer program and plug in the numbers and make a decision whether that local banker can make a loan, rural America will no longer be here.

For much of the time I have served in Congress and tried to explain rural America to my colleagues, I have indicated that in communities that I represent, it is often true that economic development can be the difference between whether or not there is a grocery store in town. Most people in Washington, DC, don't understand the nature of that small town. Is there a hardware store? Can the newspaper continue to print newspapers and sell enough advertising and subscriptions to make ends meet? When you lose your grocery store, you begin to lose your home town.

What I have learned over time is that if only that local financial institution is making a loan, are we going to have a grocery store in our town? That local relationship lender knows their community, knows their borrowers, and knows whether they have the character to repay the loan.

I saw this happen recently, and we are experiencing this in Kansas again this month. Wildfires are consuming acres of land across rural Kansas. Our grasslands are burning. A year ago this month, nearly 80 percent of Clark County, KS, was consumed in a wildfire. It is a ranching community. Ashland, the county seat, has a population of 900. That is rural. That is the biggest town in the county. As a result of those fires, thousands of head of cattle were killed in the fire or had to be euthanized. As you would think, there was a terrible economic consequence to the community. You would wonder, how do we recover? One of the things you would think about is, well, I can go to my bank and borrow money to keep my farm or my cattle operation in business. But those cattlemen no longer had any collateral. There was no collateral. You could not tell your banker: I pledge my cattle to repay the loan. If I don't repay the loan, you get my cattle. The fire consumed their opportunity to rebuild.

The Presiding Officer is a member of the Agriculture Committee. He will be asked about the safety net that is in a farm bill, and that is important to us. But the safety net that many farmers and ranchers have in Kansas is the relationship they have with their banker, who makes a decision. It is not based upon a computer program or that every ''t'' is crossed and every ''i'' is dotted. That banker makes a decision based upon the character and the relationship and the history.

Many of our banks in Kansas are owned by families. They have been in the family for generations. The same is true of our farms and ranches. That relationship allows a banker to make a loan even when there is no cattle due to the result of a natural disaster. The collateral is gone, but the banker knows the family. He knows the history and knows whether this potential borrower has character. They know that if he or she makes a promise to repay, that he or she will.

All too often, those decisions have been taken away from those relationship lenders and reside here in Washington, DC, with a myriad of regulators who are telling our bankers through their examiners, through the examination process, this is a loan you can't make or this is a loan we will write for you.

Today, we make another step in the process toward returning the ability for smalltown America—its businesses, its farmers, and its ranchers—to have a future. This is important legislation that will make a significant difference in the future of communities and the people who live in rural America and in rural Kansas.

This is not about taking care of bankers. It is not about taking care of credit unions. It is about taking care of the people they serve, their borrowers, and that means a bright future for the rest of rural America, for the other people who live in the communities, because access to credit determines whether there is a grocery store in town or whether a farmer or a rancher can borrow money to keep their business going, to keep their farm or ranch going.

This is a good day, and I commend my colleagues. It is a good day for the Senate, to see us working together, Republicans and Democrats, to reach a result that will make a difference. It is a good day for America. It is a good day for rural America. It is an opportunity for us to correct when we went too far following the financial collapse of 2008.

Thank you for the opportunity to speak. I appreciate my colleagues, especially the chairman, the Senator from Idaho, for his tremendous efforts in bringing us together and getting us to this point.

Mr. CRAPO. Mr. President, I thank the Senator from Kansas, Mr. MORAN, for his kind comments and especially for so clearly explaining the true beneficiaries of this legislation.

There is a lot of talk about financial institutions and even small banks and credit unions, but the real beneficiaries are the borrowers. They are the small businesses and the individuals who live in small and rural communities across this country and, frankly, even in some of our larger communities across this country. I thank you for explaining that so well.

The first words in the name of this bill are the ''Economic Growth,'' then ''Regulatory Relief, and Consumer Protection Bill.''

I would like to turn to Senator DONNELLY from Indiana—another one of the giants in terms of sticking to it and helping us get this important legislation drafted and moved to the floor.

Mr. DONNELLY. Mr. President, I want to thank Chairman CRAPO and my good friend from Kansas, whose statement is so similar to mine in many ways.

In rural Indiana—you talked about relationship banking. That is, in many ways, the heartbeat of a community. Our small businesses, our farms that are handed down from generation to generation—you find the grandsons of our farmers dealing with the grandsons of the person who developed the bank. It is a privilege to be part of this.

I thank the chairman of the Banking Committee, Senator CRAPO, for leading this debate and for his good-faith efforts to make this a bipartisan process.

As we debate the Economic Growth, Regulatory Relief, and Consumer Protection Act, the Senate is on the verge of doing something significant. We are breaking through the gridlock on a bipartisan legislative package to reduce unnecessary regulatory burdens on Main Street banks and credit unions, while also expanding protections for consumers, servicemembers, and veterans.

This is an example of what we can achieve when we work together. I am proud to have worked closely with my friend the chairman, Senator CRAPO, among others, to craft this bipartisan legislation that, as my friend Senator TESTER mentioned—13 Republicans, 12 Democrats, 1 Independent.

I have worked on this issue since I came to the Senate in 2013. This bill is

the result of dozens of meetings, Banking Committee hearings, and a 7½-hour committee markup, where more than 100 amendments from both sides were filed, and 36 were considered and voted on. This bill is carefully written and narrowly tailored.

This commonsense legislation is intended to help Main Street community banks and local credit unions to focus more on traditional banking—our small businesses, our farms, our families—while maintaining the safety and soundness of our financial system.

In rural areas and in many towns across my beloved home State of Indiana, Main Street community banks and credit unions are the institutions that Hoosiers turn to—whether it is a family seeking a mortgage for their first home to make their dreams come true or an entrepreneur with a dream who is looking to start a small business, create more jobs, and make his or her community grow.

Unfortunately, the 103 community banks and 154 credit unions in Indiana have been unintentionally burdened by rules and regulations that were intended to hold Wall Street accountable, to make sure they would never damage our economy again. Since 2008, the number of small business loans is down 41 percent nationally. That is according to our Federal banking regulators.

This package includes a number of important new consumer protections as well, including for servicemembers, as I mentioned, for veterans, seniors, and tenants.

One provision is based on my bipartisan Protecting Veterans Credit Act. It ensures that veterans are not wrongly penalized when the Department of Veterans Affairs is late in paying a vet's medical bills.

In response to Equifax's massive data breach and other data breaches, for the first time, every American—let me repeat that—every American would be able to freeze and unfreeze their credit free of charge and set year-long fraud alerts.

This bill also provides free credit monitoring for all Active-Duty servicemembers.

This makes a big difference. It helps folks like Cpl Logan Hartz, a Hoosier, who serves proudly in the U.S. Marine Corps. He was training at Camp Lejeune when he learned his personal information may have been compromised by Equifax. He said it was really stressful to try to figure out what to do and challenging to get his credit frozen. Corporal Hartz says the free credit monitoring in this bill would provide peace of mind to servicemembers like him whose first focus is on protecting our country.

I also want to highlight another provision I authored on manufactured housing, which serves as a vital source of affordable housing not only in Indiana but across our country, particularly in rural and underserved communities. This effort provides a narrow exemption to allow consumers to receive general financing information from a manufacturer, while creating new disclosures to prevent conflicts of interest and prohibiting retailers from directly advising consumers on financial transactions.

This legislation has broad bipartisan support, it maintains strong financial oversight, and it adds new consumer protections. It is reasonable, it is balanced, and it is the result of very thoughtful negotiation and hard work. I am very hopeful it will pass the Senate soon.

Again, I thank our chairman, Senator CRAPO, for his bipartisan work, for his willingness to be flexible, to stay with it when it looked so difficult to get done. As a result, there are families who are going to be in homes for the first time from loans they were able to get from a banker who knew them in town, who, when every computer program showed something different, they knew the family was worth investing in. That is what this bill is going to do.

I very much thank the chairman.

Mr. CRAPO. Mr. President, I very much thank Senator DONNELLY. I truly appreciate the Senator's solid, strong, and continued commitment to making this bill work, come to be a reality, and now helping to get it across the floor of the Senate. The Senator truly is appreciated.

Next, I turn to my good friend and another great colleague on the Democratic side of the aisle, Senator WARNER from Virginia, another one of those who has consistently been there for years working to help us get to these solutions and to get them right.

Senator WARNER.

Mr. WARNER. I thank the distinguished chair.

Mr. President, first of all, let me thank my good friend, the Senator Indiana, for his great work on this and actually getting rid of half of my speech. I think he started to go through, in very good detail, a number of the new consumer protections that are put into this legislation, and a lot of that is due to his good work.

The truth is, in a few days, we may actually do something that hasn't been seen in a really long time—the Senate producing a meaningful piece of legislation with a strong bipartisan coalition.

Now, neither side got everything they wanted. I compliment the chairman for his good work, but as my friend from Indiana—you should have seen the original list of wants of the Senator from Idaho. The truth is, we are only here because, at the end of the day, we all went back and recognized the people we work for—our constituents in our respective States and, for that matter, Americans at large—one, they want to see the Senate work; and, two, they want to see it work in a meaningful way to protect people's lives. What this legislation will do is, bottom line, make sure there is more access to capital on Main Street by cutting some of the excessive regulations on community banks and credit unions, as well as a number of the consumer protection items and others that have been put forward. It also provides some relief for regional banks and, as mentioned, major expansion of consumer protections.

Let me also step back. As somebody who got to the Senate right after the financial crisis, we all know the system needed stronger financial reform a decade ago, and I am very proud of the role I played, in some small way, on drafting Dodd-Frank. Title I and title II were areas that then-Chairman Dodd gave me a great deal of responsibility.

Let me be clear that I will do nothing and support no legislation that seriously undermines or cuts back on the provisions and the systemic protections that were put in place by title I and title II and, for that matter, for all of Dodd-Frank, but 8 years later—2 years it took us to do the bill—there is widespread agreement that some of the standards we set in Dodd-Frank needed time for review.

One of those was the standard we put in place at the $50 billion threshold for enhanced prudential standards. We know, 8 years later, that number is just too low. There is a legitimate debate about where that standard should be reset, but recognizing that this standard was set 8 years ago at $50 billion, if you just take inflation and growth in the economy, it would be dramatically different. That is a view shared by Federal Reserve Gov. Dan Tarullo, who is the architect of much of the legislation implementing Dodd-Frank. It is also the view of former Federal Reserve Chair Janet Yellen and current Reserve Chair Jay Powell.

The fact is, there is an awful lot of difference even between some of these regional banks and some of the largest six banks in our country. At this point, they still control about 60 percent of all total assets.

If we don't do this legislation, what we will see—and this is where, again, I have to disagree with some of my Democratic colleagues—is there will be more pressure on consolidation, not only for community banks and credit unions but, for that matter, more consolidation among regional banks, which will place more and more power in those largest of institutions, where I think we have pretty good protections and protections that we don't want back at all in this legislation, but I don't think we ought to encourage that greater consolidation. So, again, we focus not only on community banks and credit unions but also on some of these regional banks.

I want to make clear, what we have done is make no changes to the applicability of enhanced prudential standards for the big banks with assets above $250 billion. These are both the largest and, in many ways, because of some of their products, the riskiest financial institutions, and the full set of postcrisis regulations should apply to

them, but we have required the Fed to tailor those standards appropriately for banks with total assets between $100 billion and $250 billion. I want to highlight that the bill actually sets a very low bar for the Fed to apply enhanced standards to regional banks.

Under the bill, the Fed can apply enhanced prudential standards to a bank with assets larger than $100 billion for financial stability reasons or to promote the safety and soundness of the bank—part of their traditional prudential regulations as they stand, but I don't think every enhanced prudential standard should apply to every bank with assets larger than $100 billion. There is a broad agreement that standards should be tailored for this group.

Again, let me cite someone whom most of the folks on this side of the aisle, myself included, have a great deal of respect for: former Fed Chair Janet Yellen. She called this bill ''a move in a direction that we think would be good.''

More recently, Chairman Powell testified that the Fed will implement standards over the next 18 months for banks with assets between $100 billion and $250 billion. Chairman Powell also testified that the regional banks will continue to be subject to the most important enhanced prudential standard: meaningful, strong, and frequent stress tests. Those are his words, not mine. He called himself a strong believer in stress testing. Again, let me say, so am I.

Critically, again, this bill does not change the existing requirement that the Fed conduct annual stress tests on banks with assets larger than $250 billion. I know I am getting into a lot of details, but details in banking regulations are important. Again, unfortunately, I don't think some of my colleagues who are in opposition to the bill are setting out what this bill truly does or doesn't do.

Again, let me point out another thing on stress tests. The bill also does not alter the comprehensive capital analysis and review or what banking regulators call the CCAR process. The Fed capital planning process is actually not part of Dodd-Frank, but it is another core pillar of the Fed's supervisory regime. We believe it should continue to apply as much as it does today.

So for banks within this $100 billion to $250 billion range, you have not only CCAR, but you have the chairman himself saying he will put in place—somewhat similar to the existing DFAST stress test—meaningful, strong, and frequent stress tests. As has been mentioned as well, banks with assets above $250 billion should expect to have the annual stress test.

Let me touch on another subject, foreign banks. Another thing this bill does not do is change the enhanced prudential standards applied to the largest foreign banks' U.S. operations. This gets pretty technical, but I think for the record it is important that it is reflected.

All foreign G-SIBs that have total consolidated assets greater than $250 billion have enhanced prudential standards, and those enhanced prudential standards will continue to apply to these largest and systemic important foreign banks, and the Fed will continue to have the authority to apply these enhanced prudential standards on foreign banks with total consolidated assets of more than $100 billion.

So a large foreign bank—let's say Deutsche Bank, for example, that had problems recently—that may have only $100 billion or less than $250 billion of American assets, but the fact that their consolidated balance sheet has greater than $250 billion will mean that the Fed will continue to enhance the full G-SIB regulation.

Again, let's move to Chairman Powell. He was approved by 84 Senators to this post—40 Democrats. He made clear in his Banking Committee testimony that the Fed requires establishment of intermediate holding companies by certain foreign banking organizations independently of Dodd-Frank. Chair Powell made clear that nothing in this bill requires any change to the IHC requirement. This is by design, as we believe the IHC requirement is an important innovation that greatly helps international holding companies. For those keeping track of these comments, it is an important innovation that greatly helps the Federal Reserve supervise and apply enhanced prudential standards to the U.S. operations of foreign banks.

As explained by the Federal Reserve in its final rule, in applying enhanced prudential standards to foreign banking organizations, there were unique financial stability issues associated with some of the large foreign banks' operations in the United States during the crisis.

We remember that it was some of the foreign banks and operations in the United States that were part of causing the crisis back in 2008, and those enhanced standards need to stay in place.

In that final rule and in other rules implementing prudential requirements for the intermediate holding companies of foreign banks, the Federal Reserve has distinguished between which standards should apply to U.S. banks and the IHCs of foreign banks and how they should apply it.

The Federal Reserve remains fully capable of assessing the unique risks associated with large foreign banks' U.S. operations and applying appropriate enhanced prudential standards on these institutions and their IHCs, giving due regard to the principle of competitive equality, while remaining focused on the mandate under this bill and under section 165 of Dodd-Frank to protect financial stability and safety and soundness.

This is the final point I want to make. I also want to make clear that my support for section 402 in this bill—again, which deals with a technical issue but a very important issue, the supplemental leverage issue, which excludes deposits from the calculation of supplemental leverage ratio for custody banks—this exclusion for custody banks, those assets deposited within a central bank, such as the Fed, while we are carving out this one exclusion, it does not mean that I support removing other assets from the calculation of that leverage ratio.

Again, there is widespread agreement from former Governor Tarullo to current Chair Powell that the leverage ratio should not be the binding capital constraint on custody banks because of a unique business model that relies on less risky business.

When the leverage ratio is the binding constraint on a business, it encourages actually riskier activity and rewards making bets that tend to decrease, rather than increase, safety and soundness. That gives the wrong incentive. This bill will fix the narrow problem that exists for custody banks and goes no further.

I personally say that I would have no support for any movement further than what is narrowly carved out in this bill.

I know my friend the Senator from Vermont is here, and he will have a different opinion on some of these issues, but I want to again thank Senator CRAPO. As well, I do hope we will have a chance to enter into further colloquy on this debate and to further make clear for the record both his and my support for strong capital, that our system is stronger and, particularly for the largest institutions, that nothing we are doing will reverse keeping American banks the strongest in the world.

I know there are strong opinions on the other side. I look forward to the continued debate. I look forward to a managers' package that I believe will actually continue to expand certain areas around consumer protections and other areas where there is broad-based general agreement. I look forward to the conclusion of this debate and an amendment process that again allows other issues to be vetted.

With that, I thank the chairman, and I look forward to further discussions.

Mr. CRAPO. Mr. President, I thank Senator WARNER, my good friend and colleague from Virginia. I see that Senator SANDERS from Vermont is here and the time has arrived for his time on the floor.

I will just conclude by saying that I agree with Senator WARNER. We both support strong capital standards for our banks. I have a pretty solid, long speech on that that I was going to give if there was time. I will give it later.

I agree with Senator WARNER that one thing we need to make clear is that the foreign banks with $250 billion in global consolidated assets will continue and still be subject to enhanced standards. Our bill does nothing to change that.

Mr. WARNER. Mr. President, if I could ask the Senator a question—we

may come back for a more formal colloquy at some point. We are working on some additional language to further reinforce this point.

I thank the chairman for his good work on this bill. I am thankful for the fact that the legislative RECORD will reflect at least this short conversation and other speeches and conversations which recognize that a consolidated balance sheet of foreign banks, if they only have $100 billion in assets in the United States but $1 trillion in total assets, will still be subject to the enhanced prudential standards.

Again, I thank the chairman and look forward to continued debate.

Mr. CRAPO. I thank the Senator from Virginia.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Vermont.

Mr. SANDERS. Mr. President, I get around my own State of Vermont a lot. In fact, I get around the country a lot. I hear from a lot of people and I talk to a lot of people about what is on their minds.

Needless to say, in these very complicated and difficult times, there is a lot the American people are concerned about. They are concerned about gun violence, and they want strong legislation to be passed as soon as possible to protect their kids and the American people.

Overwhelmingly, they want legislation—over 80 percent of the American people in poll after poll—want legislation to protect the 1.8 million young people who are eligible for the DACA Program. That is what people talk about.

People talk about the high cost of healthcare, and they talk about the fact that they cannot afford prescription drugs because the drug companies are ripping us off every single day.

They talk about climate change and their fear about what kind of planet we are going to be leaving our kids and our grandchildren if we don't transform our energy system away from fossil fuel.

The people I talk to in Vermont and throughout the country talk about our crumbling infrastructure.

They talk about the need for decent-paying jobs.

They talk about the high cost of a college education. I just talked to a teacher the other day in Wisconsin. She had tears in our eyes because she cannot afford to send her own daughter to college. I talk, every day it seems, to people who graduate from college, $30,000, $50,000, $100,000 in debt, and they wonder how that debt will impact the rest of their lives.

I talk to people in Vermont and around the country about the childcare crisis that we have and about the lack of affordable housing and about a million other issues that are on the minds of people in Arizona, in Vermont, and all across this country.

But I can honestly say that I have not heard one person come up to me and say: Bernie, we have to deregulate 25 of the largest banks in this country with cumulative assets of $3.5 trillion. No one has ever come up to me and said that is a major priority for the American people. No one has ever suggested to me that instead of talking this week about and moving forward on gun safety legislation or the DACA issue or the high cost of prescription drugs, we should be here on the floor of the U.S. Senate talking about the needs of some of the largest banks in this country. But that is precisely what the Senate will be discussing this week and probably next week as well.

If you want to know why the American people, in very, very strong numbers, hold the U.S. Congress in contempt, it is precisely because we have a Republican leadership that does exactly the opposite of what the American people want. And it is not just not dealing with the DACA issue or dealing with the gun violence issue. Over the last year, despite the overwhelming objections of the American people, Republican leadership tried to throw some 32 million Americans off of health insurance. Thank God we were able to beat that back.

At a time of massive income and wealth inequality, the American people do not believe that the Koch brothers and other billionaires should receive massive tax breaks. That is exactly what the Republican leadership provided.

And on and on it goes.

The needs of the middle class and working families are ignored while the needs of the wealthy and powerful, including Wall Street, are addressed.

Today, my Republican colleagues, along with some Democrats, tell us that what we should be doing right now is spending our time on deregulating some of the largest banks in America. How absurd is that? Not gun violence, not the DACA crisis, not the high cost of prescription drugs, not 30 million people without health insurance, but deregulating some of the largest banks in America.

Are our memories so short that we learned nothing from the 2008 Wall Street crash? Have we learned nothing from the savings and loan disaster of the early 1990s or the thievery of Wells Fargo over the last couple of years or the dishonesty of Equifax or the accounting fraud at Enron and Arthur Anderson or the failure of long-term capital management or the billions of dollars in fines that financial institution after financial institution has paid out for illegal or deceptive activities?

Just 10 years ago, as a result of the greed and the recklessness and the illegal behavior on Wall Street, this country was plunged into the worst economic crisis since the Great Depression. The official unemployment rate shot up to 10 percent and the real unemployment rate jumped to over 17 percent. At the height of the financial crisis, more than 27 million Americans were unemployed, underemployed, or stopped working altogether because they could not find employment.

Fifteen million families, as a result of that financial crisis, lost their homes to foreclosure as more and more people could not afford to pay their mortgages. Thousands of Americans set up tent cities in Sacramento, Fresno, Tampa Bay, and Reno because they had no place left to live.

As a result of the illegal behavior of Wall Street, American households lost over $13 trillion in savings, which shattered retirement dreams, wiped out life savings, and made it impossible for parents to send their kids to college. That is what Wall Street did 10 years ago. Against my strong opposition then, Congress and the Federal Reserve provided the largest taxpayer bailout in the history of the world to these huge banks because they were too big to fail.

But now, 10 years later, hoping that we forget all about that, these large financial institutions are back again. How pathetic is that? Just yesterday, the Congressional Budget Office told us that the legislation we are debating today will ''increase the likelihood that a large financial firm with assets of between $100 billion and $250 billion would fail.'' That is from the CBO.

In other words, this legislation makes it more likely that we will see another financial crisis and makes it more likely that there will be another huge taxpayer bailout and massive dislocation of our economy.

Under this bill, large banks with assets of up to $250 billion will no longer have to submit comprehensive plans on winding down if they fail. They will no longer have to hold sufficient capital in case their loans go bad. And they may never have to undergo a stress test to find out if they are adequately prepared to withstand an economic downturn.

Further, this legislation makes it easier for financial institutions to offer bogus subprime mortgages that caused so many Americans to suffer during the 2008 financial crisis.

This legislation makes it easier for large banks to steer African Americans, Hispanics, and the elderly into mortgages with high interest rates and hidden fees.

This legislation deregulates foreign banks like Deutsche Bank—a bank that in January of 2017 agreed to a $7.2 billion settlement for selling toxic mortgages during the financial crisis.

This legislation guts the Volker rule, allowing banks all over this country to gamble with the bank deposits of their customers on risky derivative schemes that were at the heart of the financial meltdown.

Let us be very clear. The major banks that we are deregulating in this bill were forced to pay over $49 billion in fines for a wide variety of fraudulent and deceptive activity. These very same banks received a taxpayer bailout of $47 billion from the Treasury and trillions in financial assistance from

the Federal Reserve. Many of these banks, it should be pointed out, like Wall Street in general, have enjoyed record-breaking profits over the last 2 years. They are not coming here because they are losing money. Over the last 2 years, most of these banks have done very, very well.

So how does it happen that Congress finds itself worrying about the needs of huge financial institutions but ignores the concerns of ordinary Americans? The answer, as I think most Americans understand, has everything to do with following the money. Follow the money.

Since the 1990s, the financial sector has given more than $3.2 billion in campaign contributions and last year alone spent over $200 million on lobbying. If you want to hear about the corruption of the American political system, here it is. Since the 1990s, the financial sector has given more than $3.2 billion in campaign contributions and last year alone spent over $200 million on lobbying. That is why Congress will be spending day after day trying to make life easier for these large financial institutions, while at the same time ignoring the needs of working families.

No, we can't get a bill on the floor of the Senate that will lower the cost of prescription drugs. We can't do that. The American people overwhelmingly want us to act on gun violence. We can't do that. We are not able to protect the 1.8 million young people who are eligible for the DACA Program. We can't do that. But we can spend a week or two worrying about the needs of some of the largest financial institutions in this country. And that is why the American people are disgusted with what goes on in Washington, DC.

I have a radical idea, and that is that maybe—just maybe—instead of listening to the lobbyists here in DC, maybe we should listen to the American people, who believe that we should strengthen, not weaken, Wall Street regulations.

Believe it or not—of course we are not going to hear any discussion of this at all—believe it or not, the four largest banks in America are, on average, 80 percent bigger today than they were before we bailed them out because they were too big to fail. Incredibly, the six largest banks in America—this is wealth. This is power. This is who owns America. The six largest banks in America have over $10 trillion in assets—six banks, $10 trillion—equivalent to 54 percent of the GDP of this Nation. The six largest banks hold more than half of all credit card debt, control over 90 percent of all bank derivatives, underwrite a third of all mortgages, and control over 40 percent of all bank deposits. If any of these financial institutions were to get into financial trouble again, there is no doubt in my mind that once again the taxpayers of this country would be asked to bail them out—except this time, the bailout might be even larger than it was in 2008.

Now is not the time to be talking about deregulating large financial institutions—quite the contrary. If a financial institution is too big to fail, in my view, it is too big to exist. Now is the time to take on the greed and power of Wall Street and break up the largest financial institutions in this country, and I will be introducing an amendment to this bill to do just that.

I understand fully, as the American people do, the power of Wall Street and the huge amounts of money they spend on campaign contributions and lobbying. That should not, however, intimidate us. Now is the time for us to have the courage to stand up to these very wealthy and powerful institutions, defeat this legislation, and support the needs of the American people.

The PRESIDING OFFICER. The Senator from Tennessee.

SCHOOL SAFETY AND MENTAL HEALTH SERVICES

Mr. ALEXANDER. Mr. President, later this week Senators Blunt, Cassidy, Collins, Roberts, and Young will join me in introducing the School Safety and Mental Health Services Improvement Act.

Three weeks ago, 14 high school students, a teacher, a coach, and an athletic director were killed at Marjory Stoneman Douglas High School in Parkland, FL. As the authorities tried to get to the bottom of exactly what happened in the shooting, many of us in local, state, and federal government have been looking at what can be done to help keep students safe at school. We can't stand still and do nothing while our children are being killed.

I am the chairman of the Senate Health and Education Committee and sponsor, with Senator MURRAY, of the Every Student Succeeds Act of 2015, which reauthorized the law overseeing kindergarten, elementary, and secondary education. I also sponsored with Senator MURRAY the 21st Century Cures Act of 2016, which made the first major mental health reforms in a decade, focusing the federal government's efforts on early intervention.

The bill I am introducing this week with several of my colleagues will help States use every federal dollar available to them to keep their schools safer from violence and have the mental health services they need. This is complementary to a bill Senator HATCH introduced this week that addresses programs in the Judiciary Committee to improve school safety and stop school violence.

There are 100,000 public schools in the United States, and most of the responsibility for making them safer for children lies with the State and local governments and families and communities that provide 90 percent of school funding. But the Federal Government can and should help create an environment where communities, school boards, and States can create safer schools.

Under this bill, the Federal Government can help in the following four ways:

No. 1, allow schools to use title II funding under the Elementary and Secondary Education Act to hire more counselors.

About a fifth of all children age 9 to 17 have ''a diagnosable mental or addictive disorder that causes at least minimal impairment.'' In the 2014-to-2015 school year, there was a counselor-to-student ratio of 482 to 1, while the American School Counselor Association recommends a counselor-to-student ratio of 250 to 1. This bill would help schools make up that difference.

No. 2, make it clear that schools can use federal funding they are already receiving through titles II and IV under the Every Student Succeeds Act to improve the professional development of school counselors and to improve the school safety infrastructure, including installing new alarm systems, improving entrances and exits of schools, installing security cameras, and other infrastructure upgrades.

No. 3, our bill renews and updates a law to expand a successful program that helped to train education personnel and ensure children have the services they need after a violent incident. This program was piloted after the shooting in Newtown, CT, and has shown to be effective.

No. 4, create an interagency task force led by the Secretary of Education, with the Departments of Health and Human Services, Justice, Homeland Security, Interior, and Defense, to make recommendations—not mandates; recommendations—on best practices, policies, and procedures to improve school safety and school safety infrastructure.

This bill would encourage and reinforce for Tennessee and for all other States that Federal dollars may be used to hire more counselors, psychologists, and other mental health professionals at schools; to build safety infrastructure—such as securing doors, automatic locks, and smart entrances—to prevent intruders; and to develop mental health programs to identify children who might be dangerous to other children.

While most of the responsibility for improving the safety of our schools and the environment or climate of our schools rests with local and State officials, the federal government has a role to play.

In conclusion, in addition to the policies in this bill that I described, I support President Trump's directive to the Department of Justice to craft regulations to ban so-called ''bump stocks,'' which have the effect of making a semiautomatic firearm function more like an automatic firearm.

I, along with 49 other Senators, have cosponsored bipartisan legislation to have more effective background checks. This legislation, sponsored by Senator MURPHY and Senator CORNYN, would ensure that Federal agencies and States get information about individuals who should be prohibited from buying a gun through the National Instant Background Check System.

I hope my colleagues will cosponsor and support our legislation to help

States use every Federal resource available to them to keep their schools safer from violence and have the mental health services they need.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, this week we are considering a bill to roll back the rules on some of the biggest banks in the country. Over the course of this week, I am going to be spending a lot of time on the Senate floor talking about the problems with this bill and how it threatens working families and American taxpayers, but I want to start by looking back to 2008 and the reason we have these rules in the first place.

Ten years ago next week, Americans started holding our breaths. For years, financial institutions had been riding high, selling dangerous products to consumers, and making risky bets. All the while, Washington looked the other way, cozying up to big banks, loosening rules left and right, and shrugging off rules they couldn't get rid of. And no wonder—the revolving door was spinning like crazy. Bank officials became regulators and then went back to the banks, getting richer and richer. Bank profits were sky high and getting higher.

But business built on scams and hype can't grow forever. Ten years ago this month, Bear Stearns, an 85-year-old institution on Wall Street, went belly up because of $46 billion in scam mortgages and other questionable investments on its books. The failure gave the rest of the world a glimpse of Wall Street's addiction to risky bets. The disease spread. It turned out that a lot of other banks had invested heavily in scam mortgages too. Investors panicked, sending the markets into a nosedive.

When the American economy fell off a cliff in 2008, American families got crushed. Almost 9 million people lost their jobs. Workers lost $2.6 trillion from their retirement accounts—about 25 percent of their savings for someone who had been working for 20 years. In 2008 alone, foreclosures spiked 81 percent, and 3.1 million notices went out to homeowners across the country telling them they would lose their homes. In a single year, 1 out of 54 homes in the United States was in foreclosure.

Behind those enormous numbers were real people and real families whose lives were shaken up and turned upside down, little kids who worried about where they were going to live, and bigger kids who worried about whether they would lose their chance to go to college.

I know that feeling. I lived in Oklahoma City, and my folks had picked out our house because it was right inside the boundary line of what my mother believed was the best school district in the county. Our lives seemed to be on track right up until the day my daddy had a heart attack, and then it all started sliding sideways. He was out of work for a very long time.

My mother usually picked me up from school in our bronze, two-toned station wagon, and one day she showed up driving the old, off-white Studebaker that daddy had been driving back and forth to work. As I climbed into the car, I asked where our station wagon was.

It is gone.

Gone where?

Gone.

I just kept pushing. My mother was staring straight ahead, fingers tight on the steering wheel, and after one more ''Where?'' from me, she answered in a low voice: We couldn't pay. They took it.

The house was next in line. My family was right on the brink of foreclosure when my mom put on her best dress, walked into the Sears, and landed a minimum-wage job. But that feeling—the feeling of being on the brink, the feeling of no security, nothing under your feet—is a feeling no family in this country should have, especially not have it because Congress decided it was OK to let the big banks gamble with the economy again. Yet here we are, on the verge of making the same mistake Congress has made so many times before.

The banks don't want you to know what is in this bill because if you did know, you would fight back. It was written by Senators in back rooms and jammed through the Banking Committee, where its authors voted down every single amendment, every single idea to make the bill even one smidgen better or protect consumers just one tiny bit more. They voted against every amendment, even if they agreed with it, because Republicans and Democrats had locked arms to do the bidding of the big banks.

There is a lot of dangerous stuff in this bill. Today I want to focus on the harm it will do to America's consumers, but I will start with what is not in the bill because what is not in the bill should make Congress ashamed. Strong consumer protections—that is what is not in this bill. Banks get their wish list, but consumers get next to nothing. This bill is called the Economic Growth, Regulatory Relief, and Consumer Protection Act, but in all 148 pages, there are only a few watered-down provisions to help consumers.

Equifax loses data for nearly half of all adults in America, lies about it, and this Congress, these Senators, still can't manage to pass a bill with some teeth in it to hold the company accountable. That says it all.

This bill was written by big banks to help big banks. It is not a bill to help American families who are still getting cheated by the companies that make huge profits off them.

What is actually in this bill? Start with the first part of the bill, section 101, ''Improving Consumer Access to Mortgage Credit.'' When you get a mortgage, usually your lender spends some time combing through your financial records to make sure you can repay the loan. That is good. American families don't want to take out loans they can't afford, and banks don't want to make loans that can't be repaid.

Before the financial crisis, that whole process went haywire. Lenders were making crazy loans with balloon payments and exotic features that consumers didn't understand. Lenders didn't care if their customers could repay. Why? Because they got their fees up front and then sold the loans to distant investors, and the original lender was long gone before the homeowner got in trouble. But the families were stuck. Eventually, the payments skyrocketed, and homeowners who couldn't keep up defaulted and lost their homes.

After the crisis, Congress changed the rules. They told lenders that they had to start underwriting their loans again to protect consumers and the economy. But that takes time and money, so Congress told the Consumer Financial Protection Bureau to write a rule that says that there is no need to investigate if the lender knows that it is issuing a super-safe, boring, plain-vanilla loan. OK. That sounds reasonable. But section 101 of this bill is not reasonable. It takes the CFPB rule and stretches it in all directions, tearing open big, dangerous loopholes. This bill that is on the floor says: Banks, have some fun out there. It says: Bring back the greatest hits of the financial crisis housing scams. Scoop up profits on the front end, and leave families holding the bag on the back end.

I understand breaks for banks that make straightforward loans, but these loans in this bill are too risky and they come at a bad time. Rising interest rates mean that exotic products like adjustable rate mortgages are starting to make a comeback. Bank lobbyists are dragging us back to the bad old days when banks had free reign to scam their customers.

Here is another section. Section 104 makes it harder to enforce anti-discrimination laws by telling loads of institutions that they don't have to comply with a law called the Home Mortgage Disclosure Act, or HMDA. HMDA requires most financial institutions to tell the public and the CFPB who they are lending to and at what rates and what terms. Regulators and law enforcement then use that data to make sure that American families don't have a harder time getting one of those loans because of who they are or where they come from.

This bill takes a sledgehammer to HMDA by exempting 85 percent of banks from reporting HMDA data. If this bill passes, there will be entire communities in America where there will be no data whatsoever, which means there will be no ability to monitor whether people are getting cheated because of their race or their gender.

Once again, this couldn't come at a worse time. Lending discrimination is real. A new, comprehensive report that

looked at housing markets all across the country just came out from the Center for Investigative Reporting and Reveal, and its findings should make us all sick to our stomachs.

In 2015 and 2016, nearly two-thirds of mortgage lenders denied loans to people of color at higher rates than for White people. According to Reveal, in the Washington metro area, ''in 2016, Native American applicants were 2.3 times as likely to be denied a conventional home mortgage as white applicants. For black applicants, it was 2.2 times as likely. For Latino applicants, it was 1.9 times as likely. For Asian applicants, it was 1.6 times as likely.

The Reveal report showed that this problem happens in giant banks and also in small banks.

Here is the thing: None of that analysis—none of it—would have been possible without HMDA data from big institutions and small ones. Without the data, we would all be sitting in the dark, wondering if maybe some mortgage lenders discriminated against African Americans or women or Native Americans, but we wouldn't have any way to know. That means we wouldn't have any way to change it if it was happening. Gutting HMDA allows us—actually forces us—to look the other way when discrimination happens, and that is disgraceful.

There is one more section in this bill that really hurts consumers; that is, section 107, ''Protecting Access to Manufactured Homes.'' Eighteen million Americans live in manufactured homes. Many are low-income, elderly, or disabled. It is a good option for many Americans, especially in rural areas, but it is very important to make sure buyers don't get scammed.

Under today's law, mortgage lenders cannot steer a borrower toward a higher cost loan so the lender can get a kickback. That is the law today but not if this bill passes. Instead, the rules for mobile home lenders will be weaker rules, and that means it will be much easier to cheat buyers of mobile homes.

Congress imposed strict requirements on loan originators because Congress knew most of us don't buy a lot of homes in our lifetime, and we rely on the people helping us through the process to tell it straight. Owners of mobile homes deserve the same protection as people who buy brick-and-mortar homes. They need that protection.

Abusive lending practices are rampant in the manufactured housing industry. In 2015, the Seattle Times wrote about Kirk and Patricia Ackley in Ephrata, WA. Kirk worked construction, and Patricia worked at Walmart. They had already bought the foundation for their new mobile home when they sat down to close on their mortgage. What happened at closing? Surprise. The interest rate was higher than they had been told, and the payments were larger than they could afford. The mortgage broker then convinced them to go ahead and sign up anyway, promising that they could refinance that loan later on.

You can probably guess the end of the story. The Ackleys signed, the lender wouldn't refinance, they lost all the money they had put in up front, and they lost their home. It turns out that the homebuilder, the dealer, and the mortgage lender—all three of them—were owned by one company, Clayton Homes. All the incentives were to push the Ackleys into a loan they couldn't afford because Clayton got the purchase price, the commissions, and the fees, and they got the mobile home back again. No one was looking out for the Ackleys.

The backers of this bill say that this provision will help small lenders, but the truth is that manufactured home lending is mostly done by giant lenders like Clayton. In fact, in 2013, Clayton alone—one company—provided 39 percent of mobile home loans. Savings from rolling back these consumer protections would go right out of the pockets of working families like the Ackleys and right into the pockets of dealers like Clayton.

The Ackleys' story is not unique. I wish it were. These same problems happen all over the country, and they are exacerbated by the special characteristics of mobile homes. The lifespan of a manufactured home is shorter than a traditional home. That means the purchaser may not be able to take out equity by reselling it.

A woman from Oklahoma told the CFPB:

> I was given a loan for a single width mobile home through [a mortgage company]. They switched it to Green Tree and next to Ditech. The home started deteriorating in 10 years and is now unsafe to live in, as I have had electrical problems and many of the pipes are broken where the bathtub and faucets in the master bathroom are not functioning. The floor under the shower has completely caved in, windows are crooked and allow flies to get into the house in warm weather. Most of the floors have buckled under the legs of furniture, and the rain has caused the areas around the windows to buckle. Walls are little more than cardboard. I believe the flooring is waferboard and unfit for floor foundation.
>
> When I tried to trade this [model], the dealer [] told me he couldn't because the house is worth much less than what I owe and that this sounded like a Predatory Mortgage Loan. He said that mobile homes do not have 30 year mortgages because they don't last that long. He said my loan should have been a 15 year loan at the most. Also, right before Ditech took the predatory loan over, they added about {$100.00} to my monthly payments, which went from {$360.00} to {$460.00} a month. Ditech claims the {$100.00} is for insurance; however, as of yet they have repaired nothing, although I have made several claims.
>
> I was also told I should complain because when they put the mobile home on my property, they did not put it on a cement foundation and instead put it on the ground, which has caused the home to sink.

This bill is designed to make it easier for the lender/dealer to squeeze people like this woman from Oklahoma.

This bill is a punch in the gut to American consumers. If it passes, it will be harder to police banks that sell abusive mortgages, harder to police lenders who discriminate against their customers, and harder to police giant monopolies that build, sell, and offer financing to mobile home buyers. Only a bunch of bank lobbyists and their friends in Washington would call this a consumer protection bill.

American families weren't in the back room when this bill was written. They don't have millions of dollars in campaign cash to get Senators' attention. They don't keep an army of lobbyists on their payroll. No. American families are busy going to work, helping the kids with homework, and trying to catch up on a thousand things. They are trying to pay off student loans or maybe save a little for their own kids to go to college. Some are trying to put aside a few bucks for a mortgage so they can buy a home. They trust us to stand up for them and make sure they have a fair shot at home ownership, at the American dream. They trust us to make sure we are not turning over the keys to our economy to the same people who crashed it 10 years ago and ran over a bunch of American families on the way.

I know we are outnumbered, but this fight isn't over. Make no mistake—I am going to do whatever I can to convince enough other Senators that this is a bad deal for American families and a dangerous one. I will push and I will tug and I will talk to anyone who will listen about how this bill will hurt the people we were sent here to represent. And maybe, just maybe, for once, the Senate will start listening to voters instead of donors.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 1551

Mr. FLAKE. Mr. President, I have been in Congress now for about 18 years—12 years in the House and now 6 in the Senate. It is an honor of a lifetime, obviously, to represent Arizona here.

After being here so long, I have to say I get a little defensive when I hear somebody say that Congress is incapable of solving big problems. Yet it is a hard point to argue after watching the Senate squander the best opportunity we have had in a long time to pass legislation to protect young immigrants who are impacted by an uncertain future of the DACA Program and to strengthen security along the border. Somehow, despite sweeping public support for both of these items, we have been incapable of finding a compromise that can garner the support of 60 Senators. To say this has been a disappointment would be an understatement.

I do appreciate Majority Leader MCCONNELL's attempt to facilitate an open debate. I truly believe he wanted this process to provide the necessary dialogue so as to deliver an effective bipartisan solution. I am certainly not alone in my efforts to forge genuine consensus on these subjects. There are a lot of Senators on both sides of the aisle who want to fix this problem. Unfortunately, as too often happens, the siren call of politics brought too many of us back into partisan trenches and blocked any hope of real results.

There are teachers and students and members of the military who are DACA recipients. They are friends and colleagues who represent the very best ideas of America. They are hard workers and productive members of their families and communities. They don't have the luxury of being able to admit defeat and move on to the next topic.

Likewise, those of us from border States, like Arizona, know that law enforcement officers who are tasked with patrolling the borders and protecting our neighborhoods just can't give up and go home. We have neighbors and family members who simply cannot shrug off failure and accept the status quo when it comes to securing the border.

That is why I have introduced legislation to extend DACA protections for 3 years and to provide 3 years of increased funding for border security. I am the first to admit that this is far from a perfect solution, but it does provide a temporary fix to these crucial problems. It begins the process of improving border security, and it ensures that DACA recipients will not lose protections and be left to face potential deportation.

We in Congress have too regularly confused action with results and have been entirely too comfortable with ignoring problems when they seem too difficult to actually solve. To put it as bluntly as possible, this is not something we can ignore any longer.

I thank Senator HEITKAMP for joining me as a cosponsor on this bill and for illustrating that the drive to get something done on these issues is a bipartisan effort. She has been a trusted partner on border security and sensible immigration reform measures.

We may not be able to deliver a permanent solution to these problems, but we cannot completely abdicate the responsibility of Congress to solve them. There are many people whose lives and well-being depend on our ability to deliver meaningful results here.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 300, H.R. 1551. I further ask that the Flake substitute amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I reserve the right to object. There is no question that I want to see legislative solutions here, and I am actually glad to stand with my colleague from Arizona to talk about how we get a solution on this issue.

As we have seen from Congress, especially over the last 20 years, the challenge has been, if Congress does a temporary patch once, it will do it 20 times again. My concern is for the 7,500 DACA kids who are in my State of Oklahoma. They are looking for an actual solution. They want a sense of permanence. Their status has been in limbo since 2012. The question is, Can we actually resolve this for them?

I have put forward a presentation—Senator FLAKE has been passionate about this as well—for those individuals to actually end up toward naturalization, not to have a temporary patch of just being in limbo status again. It would be to work them through a process to get them in a line in which they actually end up in naturalization at the end of it. At the same time, there would be border security and some other things that we think would be connected to it. I would like to see us work through this process to actually get to a resolution. A couple of Federal courts have pushed back on the administration and have bought Congress a little more time to be able to resolve this issue. I would like for us to use the better wisdom of that to actually get to a solution during this time period.

The goal is: How do we get this resolved?

I am pleased to say the President has moved a long way on this issue. The President has laid out naturalization for 1.8 million people, has dealt with border security, and has engaged in a conversation to actually get it resolved. We had a completely failed effort a couple of weeks ago with four different proposals coming up, with all four of them getting bipartisan support, but with all four of them failing. I would love to see us get on any one of them and start amending it.

The Senator from Arizona and I have already had conversations about changes that I would like to see even in some of the bills that I supported, but the way to resolve that is get on one of them. Let's actually start amending one, and at the end of it, let's let this body work its will. The frustration I have had with this body in these 3 short years that I have been here is, most of the time, we fail to even debate an issue. When it requires 60 votes to even open debate on something, we just, simply, start the process, never get 60, never debate it, never resolve it. Then this body just moves on to another topic.

I commend my colleague from Arizona for reminding this body again that we have an unanswered issue still sitting out there that needs to be resolved. I agree with him completely on that one. Let's get on it. Let's resolve it long term, and let's provide a sense of permanency to this solution, not another temporary patch that will end up being the same temporary patch we will do 3 years from now, 3 years after that, and 3 years after that.

May I remind our body that we are on our fourth continuing resolution just this year. We need to resolve this and take the moment to be able to do that.

UNANIMOUS CONSENT REQUEST—H.R. 2579

Mr. President, I ask unanimous consent that the Senator modify his request so that the Senate resume consideration of H.R. 2579. I further ask that the pending amendments be withdrawn with the exception of the Grassley amendment No. 1959. Finally, I ask that the Grassley amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Does the Senator from Arizona wish to modify his request?

Mr. FLAKE. Mr. President, reserving the right to object, let me just say that we had a debate for a week, and I commend the Senator from Oklahoma for his hard work on this topic and constructive contribution during that entire time. We considered several proposals, one of which was this proposal, the Grassley amendment. It did get bipartisan support, but it still fell well short of the goal. I think there were 39 votes in favor. We had bipartisan support for a countermeasure that I supported, but we failed to get the 60 votes as well. We got only 54.

I would love to get a permanent solution. I have been working my entire 18 years in this body to try to get comprehensive immigration reform through. The problem is what has been proposed as an amendment here is, for all intents and purposes, comprehensive immigration reform, which, in moving ahead, would make changes to the legal immigration structure. That is, simply, too much to bite off at this time.

As much as I don't like to do it, I am offering something that is a stopgap, but at least it is for 3 years. At least it will give 3 years to those who are affected and give us in Congress some time to actually come to a solution. What we cannot do is force these kids through more uncertainty. I would love to get to a permanent solution. That is what I have tried to do for a number of years here. I know the Senator from Oklahoma has, as well, but we just cannot do it right now.

I prefer to simply go with the 3 for 3 amendment for which I am asking 3 years of extended protections on DACA in exchange for 3 years of border security funding at the President's request for this year. I think that is a realistic proposal for which we can get bipartisan support here and in the House. I believe the White House can support it

as well. So I object to a modification of the request.

The PRESIDING OFFICER. Objection to the modification is heard.

Is there objection to the original request?

Mr. LANKFORD. I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Florida.

GUN VIOLENCE

Mr. RUBIO. Mr. President, since the tragedy 3 weeks ago tomorrow in Parkland, FL, we have all, as a nation, had a conversation about how did this happen, why did it happen, and what can we do to make sure something like this never happens again. As part of that conversation, we have spent a significant amount of time talking to all sorts of different groups and individuals—from students and teachers impacted by this to experts across the country, to other communities that have put in place policies to address this. We have learned a lot about not just this particular incident but some of the dangers around the country.

It is interesting, just in the last couple of weeks since it happened, you have seen a significant increase in the number of potential shooters who have been reported to law enforcement and people who have been arrested. I think one of the lessons from this terrible tragedy is, we live in a day and age when someone who is out there talking about hurting people has to be taken seriously. We can no longer afford to be a country in which people make these sorts of threats, and they are taken lightly.

Based on all of this information we have gathered, last week I came to the floor and announced a number of initiatives that I hope the Senate will move forward on to make sure these things never happen again. It is important to begin by recognizing that those of us who serve here are in the business of passing laws and making public policy. Making public policy isn't just about coming up with the best idea you can come up with, but it is also about coming up with the best idea you can come up with that actually has a chance of being implemented into law. What that means is, in order to get something done, we need 60 votes in the Senate on virtually any issue, we need a majority of the votes in the House, and we need a White House that is willing to sign it. If those three things don't happen, you do not have a law.

So what we spent time trying to do is identify what can we get 60 votes for in the Senate, can pass in the House, and be signed by the President that will make a difference. That has been our criteria. That does not mean there are not other important issues that deserve to be debated—and they will continue to be debated—but it means what can we pass quickly and put in place because, unlike tax policy or some of the other issues we talk about here, there is a time urgency related to this. The time urgency is that it is fair to say there is a high probability that somewhere in America today there is someone like the killer in Parkland who has ideas about doing something similar, and we do not have the luxury of waiting until November or waiting until next year before we act, especially if there are things we agree on.

Something remarkable happened over the weekend. Almost all of the 17 families impacted by this horrifying event came together and spent a significant amount of time meeting and talking because they wanted to issue a joint statement as families. It was difficult because these families and some of the people in these families have very different views on a number of issues, including on the Second Amendment, but the one thing they all agreed on is, our schools should be safe places and that when we drop our children at school in the morning, they should be safe, and no one should be worried there is a possibility their children may not come home that afternoon because someone walked into the school and took their life.

I would say that is not just true of these 17 families; I think that is true of the country. No matter where you are on the issues regarding the Second Amendment—how much or how little you believe our laws should govern and regulate the sale of guns and what type of guns should be sold—I cannot imagine there is anyone in this country in their right mind who does not believe our schools should be safe. I also do not believe there is anyone in this country in their right mind who would disagree, if we have the opportunity to identify someone before they act, we should act against them and stop them. Because there is such broad consensus on those issues, those are the first steps I believe we should try to take.

Now, sometimes when you describe it that way, people think, ''Well, that is all you are going to do or that is all you want to talk about,'' and that is not true. That can't be true because these Second Amendment issues preexist Parkland. We have debated them in the past, and we will continue to debate them in the future. They often find their ways into court. So those issues aren't going anywhere, and they will continue to be here for us to debate and act on, if the body so chooses.

The issue that I am afraid will go away, the issue I am afraid may be forgotten in a number of weeks is the fact that, in this case, there was the chance to stop the shooter before he acted. There were clear signs. It is one of the things you see in every single one of these events. It isn't like from one moment to the next they woke up one morning in a bad mood and did these sorts of things. They had been showing signs, for a significant period of time, in case after case after case. If we know this, should we not then create systems in this country to identify people before they act and stop them?

On that point, I believe there is broad consensus, and on that point is where I think we should start. Let's act. If there is a law we can pass or a program we can put in place to prevent one of these things from happening, let's do it. Obviously, we may part ways on different views on the other parts of this, but at least, for now, we are together to get these things done. This is the commonsense way forward. This is the way people operate in real life.

In real life, if you and another group of people agree on something, you do the thing you agree on first, you get that out of the way, and then you have the debate and the vote on the things you may not have a consensus on. We have a chance to do some things, and they are meaningful.

The first is a bill Senator HATCH introduced yesterday. We joined him, along with a broad bipartisan coalition, on the STOP School Violence Act. Senator HATCH's bill is a bill that was innovated by Sandy Hook Promise. It is their No. 1 legislative priority right now, and it is a bill I cannot imagine having a single ''no'' vote in the U.S. Senate. What the bill does is it basically creates a Federal grant program through the Department of Justice for States and through the States' local communities to create risk assessment programs—in essence, to have programs in place to train teachers, administrators, and students to identify the warning signs of someone who may hurt themselves or may hurt other people. It also sets up a task force in each one of these school districts to monitor these students, to identify them collectively. For example, if it had existed in Broward County or something like it that was effective, you can only imagine a room where the sheriff's office and the school and the Department of Children and Families and potentially even the FBI were all there comparing notes. If those entities had been together in one room comparing notes, the sheriff's office would have said we have been to his house 40 times for all sorts of things. The school would have said we had to kick him out, and we had to do all kinds of things because he had fights, he was violent, and made threats. The FBI would say someone actually called our hotline and said this guy was going to shoot up a school. I cannot imagine, through that collaboration, there would not have been action or, at least, the opportunity for action. It didn't happen that way, and we have a chance now to change that.

By the way, I saw last week where it was described by some media outlets as a modest bill. This is not modest. Just because it is not controversial doesn't make it modest. Preventing an attack, identifying an attacker, and stopping them before they act is the best thing we could possibly do.

Hopefully, the STOP School Violence Act is something we will be able to move on fairly quickly. The House announced earlier today that they will be

taking that bill up next week on the floor, and I hope we will move quickly to pass Senator HATCH's bill that has already over 20 other Senators involved in it.

Another bill that has been filed that we have joined with as well, with Senators TOOMEY and COONS, is ''Lie and Try.'' Another problem we have identified in the broader scheme of things is that local law enforcement may not always have sufficient information to investigate individuals who try to buy a firearm, knowing that they are prohibited from doing so. Under our current law, when a person fails an FBI background check, some State law enforcement authorities are not even made aware of the failed background check. Individuals who are willing to lie and try to buy a gun in these situations could very well be very dangerous, and laws are only as good as our willingness and our ability to enforce them. We have to crack down on this. If someone who is ineligible to buy a firearm is trying to buy a firearm, shouldn't law enforcement already, at least, know that—because they may be able to take that piece of information and put it together with other pieces of information to realize this is someone we need to be looking at because they might be up to something.

I hope we can pass that. Again, I cannot imagine anyone not being in favor of it. This law would require Federal authorities to alert State law enforcement within 24 hours when someone who is prohibited from buying a firearm lies and tries to do so.

The third thing I hope we will look at—and we are working on the language now to address this—is the PROMISE Initiative in schools. As I already said, improving our prevention and information sharing systems as the first two pieces of legislation would do is the best thing we can do to stop school shootings before they happen, but these systems will not work if the clearest warning signs of school shootings—suspicious and violent misbehavior at the school—are not reported in the appropriate places in the first place. Anything blocking this flow of information is very dangerous, and it is a risk to our children. For this reason, a directive to schools issued by the Federal Government during the previous administration deserves for us to look at it again.

In 2014, the Department of Education, working with the Department of Justice, issued guidance which used the threat of reduced Federal funding to encourage schools to alter how and which misconduct at school is reported to law enforcement. Now, the goal of this directive was to reduce the school-to-prison pipeline, to reduce suspensions and expulsions, to prevent racially biased discipline. These are laudable goals, which I share and support, but we have to balance that with some common sense. The failure to report violent misbehavior from students—like the shooter in Parkland—to law enforcement can end up having some very serious repercussions as we saw. So no matter how laudable this goal is, it is not worth risking the safety of our children or losing the public's trust and the trust of our parents about sending their kids to school. This directive needs to be refined. It has to allow for schools and law enforcement to communicate, when warranted, for the safety of the student and the community, and furthermore we need clear pathways of intervention and repercussions that need to be established and followed so local education agencies and law enforcement are effectively able to work together to either navigate students back onto the correct path, properly identify and address red flags that can lead to severe consequences or prevent a student from being lost in the system altogether.

Yesterday, I wrote to the Department of Education and the Department of Justice, and I asked them to immediately revise this directive from 2014, and any associated guidance, to make sure that schools are appropriately reporting violence and dangerous actions to local law enforcement.

In addition to asking them to do that, proactively, I will also be introducing legislation to make sure that the Federal Government does not fail our children in this way.

Finally, I believe the Parkland shooting has identified an area of law that can be improved to reduce gun violence of all kinds, particularly school shootings. Amidst the many systems that we have in place, law enforcement often lacks a flexible tool that they can use to prevent the sale or the possession of guns to someone who should not have them, based on their behavior and the behavior that they have exhibited around those who know them best.

There has to be a way to identify and prevent circumstances like what occurred in Parkland, while also preserving the Second Amendment constitutional right of law-abiding Americans and the right to due process. That is why we are working to try to figure out a way to encourage States to enact policies like the gun violence restraining order, so State and local law enforcement and families who have identified someone who is at risk of either taking their own life or hurting other people could petition a court to obtain a court order that allows law enforcement temporarily to stop that person either from buying a gun or from possessing that gun and the ammunition. This would put power back in the hands of people who see something, not just to say something, but they have the opportunity to do something about it.

We continue to work on what the right formulation of that is. The most effective implementation is at the State level. We are trying to figure it out with our colleagues. There are different ideas floating around about the right way to structure it.

It has to have strong due process. You don't want this used to abuse people. You don't want courts to misuse it or have it being used for false claims, but we need to have a tool at our disposal. If the schools and local law enforcement, and others, identify someone who poses a threat but has yet to commit a crime, there has to be a tool available to stop them from buying guns or using the ones they already have.

The State of Florida is probably going to be passing, either today or tomorrow, a law that puts that in State law. Other States like Indiana and California have one as well. What can we do at the Federal level to incentivize more States to do this and have these tools? That is what we are working on.

Hopefully, we will have the resolution on a bill that doesn't just work, but that can pass. We can all file the perfect bill in our own minds, but if it doesn't have 60 votes, it is nothing but a piece of paper. That is why we need to work toward that.

I want to conclude by mentioning one of the students, Kyle Kashuv, who is a junior at Marjory Stoneman Douglas High School. Like many students at that school, he is motivated to advocate for changes in our laws to prevent something like what happened in his school from ever happening again. In his advocacy, he wants to make sure that the Second Amendment is protected. His No. 1 concern is to make sure that the rights of innocent Americans aren't infringed upon.

His opinion on this issue might be different from some of his other classmates, but that doesn't change their shared goal, which is to stop this from happening to anyone ever again. Although their opinions may vary, he and his classmates still go to school together and still root for the same sports teams at their school. They take the same classes with the same teachers, and they still faced the same danger on February 14. As they lift their voices in political discourse to advocate for change, they have differences. They have differences on some issues, but they share a common goal, to keep themselves and students like them safe.

I think we can learn something from this example—from them and from their parents. The lessons learned from Parkland are that changes can be made. Some of them I just mentioned action on would immediately reduce the chances of school shootings but would not infringe upon the Second Amendment rights of all Americans.

The Members elected to the Senate, like the students at Parkland, have a wide array of opinions on many of these issues, but I think we all share a common goal. We all agree that our schools should be safe. So I am here to urge my colleagues to remember that we have to share a country, no matter what our views may be on any political issue. We have to find a way not just to live together but to thrive as a nation. We have to find a way to keep our children safe. If we keep that in mind, I am

sure we can work together to create real, enduring consensus on solutions, on things we agree on that will stop these from happening again.

We can have respectful and productive debates on the issues upon which our Nation and this body are still divided, but let us first come together and do the things we agree on. Then we will have the time to argue and debate and solve the things we may not agree on. This is the opportunity before us, and we should not let it pass us by.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

RUSSIAN ELECTION INTERFERENCE

Mr. WHITEHOUSE. Mr. President, I will be joined by a series of my colleagues who are coming to the floor this afternoon to talk about the November 2018 elections coming up and the steps we need to take to make sure that the Russian influence effort that bedeviled our 2016 election is not replicated in the 2018 election.

I guess the first question to answer is, Is this a realistic prospect? Is this something we should concern ourselves with—that the Russians would come back again in 2018 and try to meddle in our elections?

Everyone in the Trump administration who has been asked about this, perhaps outside of the Oval Office itself, has said: Yes, absolutely. They are coming. The Director of the CIA, the Director of National Intelligence, the head of the FBI, the Attorney General, the Department of Justice—there is no contest. There is no disagreement. There is no doubt, even among the President's senior national security and law enforcement team that they are coming back, that they are going to do this again. That leads us to the question of what we are doing about it.

It seems that the silence from the Oval Office on this subject is deafening. The White House doesn't ever want to talk about doing anything about this. To the extent that we get signals from tweets and things like that, they are usually nonfactual and highly politicized challenges to the basic facts that all of the President's senior Cabinet staff seem to agree with.

I don't know why they haven't sorted out why the President says one thing and all of his Cabinet officials say something else, but that is for them. What is for us is to review this in Congress, to do oversight, and to do what legislation might be necessary to raise our defenses to make sure that we can effectively counter what we have been warned is coming at us.

We have no proposal from the administration. One would think with something like this, where we have an election that has been attacked by a hostile foreign country—one would think that would be the kind of thing that would bring our country together and would get the President's attention. He swore an oath to protect and defend the Constitution, and last I heard, the elections are a part of our Constitution. Yet there is nothing—crickets.

Where is the proposal? Where are the congressional hearings on our proposals? Where are the markups? Where are the bills? We are seeing an extraordinary lack of interest and initiative in something about which we have been very forcefully warned.

The failure at the White House is very profound. Over and over again, we have heard senior Trump officials say that they have not been instructed by the President to take this seriously. My senior colleague, Senator JACK REED, asked Director Chris Wray of the FBI about whether the FBI had taken specific actions to confront and blunt Russian influence and disinformation activities. On February 13, in the Senate Intelligence Committee, he said, ''not as specifically directed by the President, no.''

To read the transcript more completely, Senator REED asked:

So let me begin with Mr. Wray and say, has the President directed you and your agency to take specific actions to confront and blunt Russian influence activities that are ongoing?

Wray: We're taking a lot of specific efforts to blunt Russian . . .

Reed: . . . directed by the President?

Wray: Not—not as specifically directed by the President, no.

Similarly, 2 weeks later, February 27, in testimony before the Senate Armed Services Committee, the NSA's Director, ADM Mike Rogers, said that he had not been granted the authority nor directed specifically by the President to take action to disrupt Russian election hacking operations.

Again, Senator REED asked:

So, you would need, basically, to be directed by the President, through the Secretary of Defense, to get—

Rogers interrupts:

Yes, sir, as I—I mentioned that in my statement.

Reed: Have you been directed to do so, given the strategic threat that faces the United States and the significant consequences you recognize already?

Rogers: No, I have not.

There is a lot of room for improvement here. You can also add to this list the failures of activity at the State Department, which was allocated $120 million to counter foreign efforts to meddle in elections to sow distrust in democracy. According to the March 4 story in the New York Times:

Not one of the 23 analysts working in the department's Global Engagement Center—which has been tasked with countering Moscow's disinformation campaign—speaks Russian, and a department hiring freeze has hindered efforts to recruit the computer experts needed to track the Russian efforts.

So when Congress provides $120 million to the State Department to take steps to protect against Russian election interference, what we get back is that none of that money gets spent, and a hiring freeze prevents the people with the necessary qualifications from even coming in to do the job. That is not taking the problem seriously—not at the FBI, not at the NSA, and not at the State Department.

As far as I can tell, there actually is no formal executive branch interagency process that is designed to examine what the Russians did and put together legislative recommendations for Congress to follow up on. In national security matters, that is the President's role; that is the executive branch's role. We have the authority to make the laws, but because they are doing the day-to-day work, we count on the executive branch to put the proposals together for us. And again, there is nothing.

There is one thing that we did do. We wanted to send a strong signal to Vladimir Putin that there was a price to be paid for this kind of misbehavior—manipulating our elections. We voted, virtually unanimously, in this Chamber, 98 to 2. I don't know the numbers on the House side, but it was equally virtually unanimous on the House side.

It was 98 to 2 here in the Senate. We passed tough sanctions to hit Vladimir Putin where it hurts, which is right in the oligarchs. That is what he cares about, the oligarchs who support him, the oligarchs whose corrupt enterprises he has corruptly engaged with. That whole racketeering enterprise that runs the Russian Government is what the sanctions would go after.

Well, the administration has refused to implement them. The State Department has said that they are not needed. Not needed? We are hearing from all of the Trump administration's own senior executive agencies that they are going to come and do this again in 2018. How are they not needed if this is no deterrence for what they did in 2016? It would be one thing to say they are not needed if the evidence was: OK, they got the message. They are not going to do this again. We are fine in 2018.

But that is not what Trump's own Cabinet officials and national intelligence leaders are telling us. They are telling us that they are needed because they are coming at us again. So this added bit of deterrence would be very important.

When it came to something as simple as putting together the list of targeted oligarchs to put maximum pressure on President Putin, they didn't even put a list together on their own; they went to Forbes magazine and took the list out of a public magazine. That doesn't look like a serious or conscientious effort.

So right up and down the administration, you see failure to take this seriously traceable directly to the White House, and that is very, very regrettable.

The other thing that we don't know is what the White House has been up to with respect to Congress. There was a lot of talk early on about how we needed to have an independent committee to take a look at this, to be independent, to put together a package of reforms, observations, and recommendations, and we have had no

support for doing that. What we were told was: Don't worry. Work through the committees.

Well, the committees aren't doing much, to tell you the truth. It is like the gavels are made out of foam rubber around here. We could do a lot better, and there is no independent commission.

It raises the question, what was the role of the White House? What was the role of the President in stopping an independent commission? How active were they in doing that? Those are questions that need answers, but obviously, if there aren't serious investigative processes going on in our committees, it is hard to get those answers.

Here is another question: What was the role of the White House in coordinating or colluding with the House Intelligence Committee—with Representative Nunez and/or his staff—in preparation for the so-called Nunez memo?

We have learned a lot about that memo since it came out. We have learned that it was essentially phony. It had a couple of basic accusations. One was that the FBI had misled the FISA Court. They were misled that one of the sources that supported the affidavit that got the FISA warrant for the surveillance of Carter Page—that one of those sources had been in touch with or had been funded by a political campaign; that this was a phony effort cooked up on behalf of the Clinton campaign and run before the Foreign Intelligence Surveillance Court.

Well, as it turns out, the FISA application stated specifically the FBI's speculation that the source, Steele, had been hired to ''find information that could be used to discredit Candidate #1's campaign''—Trump's campaign. As somebody who has pursued affidavits for search warrants and for surveillance warrants before, I can tell you that it is common and standard FBI and Department of Justice practice to leave out unnecessary names. So the fact that Mrs. Clinton wasn't mentioned is perfectly consistent with longstanding Department practice.

The other thing that it omitted was that the Steele information was actually corroborating information for a lot of other information that had begun this investigation beforehand. So the theory that this all depended on this particular source and that this source had an undisclosed relationship with a political opponent was simply baloney. The fact is that that was disclosed in the warrant, and there were additional sources.

That leaves me with the question of why. Why would a legislative committee apparently deliberately put together a report that contained misleading or false statements but tried to create an erroneous or false impression about something that had taken place? Well, did the White House have any connections in that process? That is the question we are entitled answers to. If this was just a botched job by a partisan crew in a legislative committee, that is one set of problems. If this is the Congress of the United States taking its oversight authority and handing it over to the executive branch of government, handing it over to White House operatives when the White House itself is the subject of the inquiry, that is a very different problem. And we are owed an answer as to what the communications were between the White House, the Trump legal team, and the staff of the House Intelligence Committee that prepared the Nunez report.

I have been joined by the distinguished Senator from Connecticut, so I will leave my remarks there.

I yield the floor

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Connecticut.

Mr. BLUMENTHAL. Thank you, Mr. President.

We are here at a critical time for our democracy because our country is under attack. In fact, we are here because Russia is attacking our democracy as part of a campaign of informational warfare. That term is not mine; it is Russia's. It is quoted in an indictment that was handed down by the special counsel less than a month ago against 13 individuals and 3 entities. That document is absolutely stunning. It is chilling in its detail and breadth and in its revelations about the apparatus and personnel, the skills and expertise that Russia methodically and relentlessly brought to bear in the 2016 election, in its attack on our democracy.

That attack began in 2014. It was not a few hackers in the basement of some Moscow apartment; it was literally thousands of people, divided into different departments with different skills, pursuing disinformation, cyber attack, misinformation, and propaganda directed at undermining our democracy and, in fact, our election.

Let's remember, constitutionally, elections are foundational to our democracy, and Russia sought not just to sow discord and dissension but to affect the outcome. According to the indictment, its effort to affect the outcome was to assist then-Candidate Donald Trump and to disparage and damage Hillary Clinton. We will never know how much it affected the outcome, but it certainly impacted the views and the votes of some people in the United States of America.

That attack is now continuing. Our intelligence community is unanimous in the view that Russia interfered in our last election and that this effort is continuing. Indeed, all of the intelligence community that has come before the Armed Services Committee in the last 2 weeks has been unanimous that Russia is continuing its attack.

In his testimony, Admiral Rogers is very clear that they will continue that attack because they are paying no price for it. The cost to them is minimal, if any, and the benefit is highly asymmetrical. In other words, they pay very, very little to undermine our democracy, and they see a lot of return. That is because this country is doing little or nothing—or I should say more accurately that this administration is doing absolutely nothing to make Russia pay a price. In effect, that is the testimony from representatives of the intelligence community, including, most recently today, the Director of National Intelligence, Dan Coats, and GEN Robert Ashley.

When I asked what was being done to deter, counter, or retaliate against the Russians, Director Coats said, in effect, that it is everyone's responsibility, which means, in effect, it is no one's responsibility; that it was the whole of government responding, which means no single agency, and there is no plan and no action underway. There is at most perhaps some kind of study of what should be done.

But the denial of meddling is really the reason why nothing has been done and why no action is underway, and that denial comes from one person—the President of the United States. He has refused to acknowledge that the Russians interfered on the scale and scope that they did, and that denial or refusal to acknowledge is itself a tremendous boon to the Russians continuing to attack our democracy.

As recently as this afternoon, at his press conference with the Swedish Prime Minister, the President said, in effect, that perhaps Russia might have meddled, other countries might have meddled, and other individuals might have meddled, but he has refused to acknowledge the extent and the depth and breadth of past and continuing Russian interference in our democracy.

Make no mistake—others of us on both sides of the aisle have said that the Russians will escalate in the sophistication of their attacks, in the depth of their interference, in the types of tools used through cyber and social media and platforms that are now being developed. They will use American voices. There will no longer be the broken English, no longer be the payment in rubles. They will become evermore astute and adroit in their attack on our democracy.

So the question is, Why? Why has the President declined to acknowledge this attack—a continuing assault on our democratic institutions, particularly on our elections, which are foundational to our democracy? Some have put it this way: What do the Russians have on him? But my view is that we need to look back at the knowledge that the Trump campaign had of that attack in 2016 as it was proceeding.

To take one example, the stolen or hacked emails. Clearly, Trump campaign contacts with WikiLeaks and Russia show that the campaign knew about those stolen or hacked emails, which were then used to attack the Clinton campaign. If those members of the Trump campaign knew about it—those in responsible positions—the question is, How could the President not have known?

In April of 2016, George Papadopoulous, a member of the Trump foreign policy team for at least a substantial period of time, was eager to communicate with senior staff of the Trump campaign that he knew the Russians had hacked emails and that those emails could help the Trump campaign. He was anxious to ingratiate himself with his connections to make himself more valuable in their eyes. So he boasted, in effect, about his contacts with Russians and with Russian officials. Papadopoulous was already working overtime to ingratiate himself with the Trump campaign leadership, and he certainly was not likely to keep valuable information about stolen emails possessed by the Russians to himself.

Remember, when the Trump campaign—specifically Donald Trump, Jr.—was offered dirt on Hillary Clinton, he replied: ''I love it.'' From everything we know about Donald Trump, Jr.'s relationship to his father, he is unlikely to have kept that information to himself.

George Papadopoulous is one of several Trump associates who seemed to know that Russia was trying to help the Trump campaign win the 2016 election. Donald Trump, Jr., again, was in contact with WikiLeaks beginning in September of 2016, and we know this communication continued at least through July of 2017. We know that Donald Trump, Jr., turned over these messages to investigators. When Trump, Jr., received the first message from WikiLeaks, he emailed other senior officers within the Trump campaign. Those officers included Steve Bannon, Kellyanne Conway, Brad Parscale, and Trump's son-in-law, Jared Kushner. How could that information and other similar communications not have been transmitted to Donald Trump himself?

Donald Trump, Jr., received an email in which Rob Goldstone offered to provide the Trump campaign with some official documents from Russia that would supposedly incriminate Hillary Clinton. We know now that Donald Trump, Jr., jumped at the chance to receive this information, responding with the famous: ''If it's what you say, I love it.'' That, then, led to the meeting involving Trump, Jr., Jared Kushner, and Paul Manafort at Trump Tower.

There is more here that raises the likelihood of collusion. There is a credible case of obstruction of justice against the President of the United States. There is a solid factual basis to believe that the Trump campaign not only knew but encouraged and cooperated and even colluded with the Russians in this effort. If motive is necessary for the Trump campaign to have done this kind of collusion—certainly it is in the prospect of impacting the outcome. If motive is necessary for President Trump now refusing to acknowledge Russian meddling during the election campaign and now continuing meddling, it is collusion as well.

So we are in a dangerous time because, in fact, Russia will continue to interfere and undermine our democracy if it pays no price for it. The only way to make sure Russia will pay a price to counter, deter, or retaliate is for the President of the United States to demonstrate leadership and to put aside whatever concern about legitimacy there may be. No one is relitigating the 2016 election as to what the outcome was, in fact. We have a President in office, but that President now must act to protect our democracy and our elections going forward from this day into the future.

Thank you.

I yield the floor to my distinguished colleague from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Connecticut as well as our colleague from Rhode Island for calling us together on the Senate floor today to discuss a timely and important topic.

We know that Vladimir Putin and Russia attacked America's democracy in 2016, and it is clear Vladimir Putin will try again. CIA Director Pompeo recently said he had ''every expectation'' that Russia would try to influence our 2018 election. We have been warned.

We can expect Russia to continue to use the tactics they have used before and to come up with new ones. We can expect them to hack and leak sensitive information. We can expect these Russians to use social media and propaganda to spread false information. We see it almost every week. We can expect them to try to hack into State election systems and more.

I was home over the weekend in Springfield, IL—of course, the State capital—and ran into a fellow who works for the State Board of Elections. We talked for a few minutes about the experience we had in our State in the last election cycle when the Russians hacked into the computer network of the Illinois State Board of Elections. We were the only State, of those that were hacked, to come forward and identify the culprit. It was Russia. We also came forward and notified hundreds of thousands of our voters that their identity—at least in terms of the State election agency is concerned—had been compromised by the Russians. We were open about it.

I asked the individual what was being done for the next election cycle. He said we have patched the problem that gave the Russians entry into the system in 2016, and we spent over $100,000 as a State to put in new security, new cyber protections. We are taking it seriously in Illinois because we know what the Russians tried to do to us. We don't believe they changed a vote or changed a ballot, but we are not sure they will not try in the future.

That is the reality of what we face in Illinois, and that is the reality of what America faces.

Just last week, NSA and U.S. Cyber Command head ADM Mike Rogers bluntly acknowledged what most of us already know; that President Trump is doing nothing—nothing—to protect Illinois or any other State against Russia's ongoing and future attacks on our election process. In fact, President Trump reportedly refuses to even talk about the issue.

Admiral Rogers told the Armed Services Committee that Vladimir Putin has paid ''little price'' for his previous and ongoing attacks and, therefore, hasn't been stopped. Incredibly, the admiral said President Trump has not granted him any new authorities to strike at Russian cyber operations.

Can anyone here imagine what President Ronald Reagan would have said at the stunning abdication of responsibility in addressing this Russian threat to America?

In the face of this fundamental threat of Russian attack on our democracy, we should have spent the last year coming together, on a bipartisan basis, establishing a sound national defense when it comes to the exercise of our democracy. We should be working—Republicans and Democrats together—to hold anyone accountable who participated in this Russian effort. We should be strengthening our laws against foreign election interference—a responsibility of the Senate Judiciary Committee, which has never even taken up that issue—and we should punish and deter Russia and other nations from ever attacking our Democratic process again.

Instead, we have seen the Trump administration consistently refuse to hold the Russians accountable for their election interference or impose meaningful sanctions. President Trump has even gone out of his way to invite top Russian officials to the Oval Office and to call Russia's election interference a ''hoax.'' Despite the fact that all of our intelligence agencies say he is wrong, President Trump calls Russia election interference a hoax.

So what are Republicans in Congress doing about this? With a few exceptions like Senator JOHN MCCAIN, they have mostly tried to change the subject. In fact, instead of trying to get a full accounting of what Russia did to us, Republicans have focused far more on scrutinizing and criticizing anyone who suggests that the Russians interfered.

We need to take a step back and remember what this is all about; specifically, that a foreign adversary of the United States interfered in America's election. They continue to use weaponized cyber campaigns against us and our allies, and most in the majority party of Congress and the President seem not to care at all.

How have we let it get to this point? Have we forgotten our obligation to our Constitution and to this country? For those who watched the devastating two-part episode of the PBS documentary ''Frontline'' last year entitled ''Putin's Revenge,'' there was a deeply telling moment.

Months before the 2016 election, our Nation's top intelligence officials came and told key congressional leaders about Russia's efforts. These intelligence officials were deeply concerned about what Russia was trying to do to the 2016 election. President Obama had wanted a bipartisan message condemning Putin for his efforts so as to avoid any hint of partisanship as we approached the election and so we could put a common face on this common view of unity on this effort.

What was the response of the Republican Party leadership after hearing this bombshell revelation by our intelligence agencies, this threat from Vladimir Putin, which actually goes to the heart of our democracy—the election process? The response of the Republican leader was: No thanks. We don't want to get involved. And they didn't.

Is there anybody in the Senate—anybody who took the oath to protect the Nation against enemies, foreign and domestic—who thinks that any of us, regardless of political party, should get help from a foreign adversary to be elected?

Yet here we are, with aggressive efforts to discredit investigations into this threat, with a White House that ignores Russian sanctions, with the majority party blocking legislation that offers aid to States that request it to secure our election systems, with the failure of this Congress or this White House to do anything to protect against the next such threat, and all the while, Russia continues to conduct disinformation campaigns right under our noses.

On February 14, the tragedy in Parkland, FL, invited comments of those who wanted more gun safety and those who opposed it. When we traced the source of many of the comments, we found out they were Russians—Russians preaching to the United States on both sides of the issue, trying to rile us up at this moment of great human tragedy. That is now commonplace.

We need to wake up. Russian cyber campaigns were pushing for the release of the discredited Nunes memo from the House of Representatives. They have tried to undermine the FBI's credibility. They are at work every single day trying to undermine our democracy. Russian cyber campaigns have attacked even Republican Senators who have been critical of President Trump.

So I say to my Republican friends that not one of us is immune from these threats, and it is long overdue that we put Nation before party in this extremely important matter. The next time it might be China or North Korea taking different sides or pushing a different agenda when it comes to the American political process, but, of course, it doesn't matter whom a foreign adversary is trying to help. An attack on any American political party or Democratic institution by any Nation is an attack on all of us—at least it should be.

This can't be tolerated. We don't want to make America great by letting foreign powers undermine it.

So I ask my Republican friends; in fact, I invite them: Join us to get to the bottom of this. Let's pass legislation together that helps request these States secure their election systems. Let's pass legislation together that forces the administrations—this one and future administrations—to protect our national infrastructure against these cyber threats. Let's work together on a bipartisan basis to ensure that Russia and others are genuinely deterred from such actions. Let's use sanctions when necessary, and other measures, and let's work together to denounce the Russian disinformation campaign regardless of who it might help on any given day.

We have a lot of work to do, and we are only months away from this November election. In just 6 months or so, there will be early voting in this election. Are the Russians going to get to vote? Maybe not directly, but indirectly? Will they be able to invade America's political machinery, election machinery? Will they make a difference in this next election campaign? Shame on us if we can't answer those questions, and shame on us if we do nothing to stop them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I am stunned by President Trump's willful paralysis when it comes to holding Russia accountable on threats made crystal clear by our intelligence community.

Indeed, it has been more than a year since 17 U.S. intelligence agencies issued their report on how the Kremlin sought to ''blend covert intelligence operations—such as cyber activity—with overt efforts by Russian Government agencies, state-funded media, third-party intermediaries, and paid social media users, or 'trolls' '' in order to undermine our 2016 elections.

Today, even the administration's own national security strategy warns that Russia will continue to challenge American power, influence, and security interests, at home and abroad. These threats are precisely why Congress imposed a mandate on President Trump to act. Yet, time and again, this President has refused to hold Russia accountable and refuses to take steps to defend our democracy and our national security. It is alarming, it is reckless, and it is absolutely unacceptable, and, to be honest, I also find it baffling. Here is why.

Pick any policy issue. Chances are, since taking office, President Trump has changed his mind about it at least once. Last week he changed his positions on gun safety so many times in 24 hours, it could make your head spin. A few weeks before that, he rejected a bipartisan deal to protect Dreamers that met the very specifications he outlined to my colleagues and me just days before. Throughout the past year, the President's remarks with respect to NATO's Article 5, the alliance's bedrock principle that guarantees mutual defense, have been wholly inconsistent.

But there is one thing that President Trump has shown rock-solid consistency on since taking office, and that is his shameful embrace of Russian President Vladimir Putin and his refusal to protect American democratic institutions.

President Trump's embrace of Putin has put a straitjacket on U.S. policy toward Russia. In many ways, we are more vulnerable today than we were in 2016. Think about it. Mr. Putin made a serious gamble when he decided to interfere in our election—a gamble that would normally draw the ire of any American President, regardless of their political party. But, as we know, nothing about this administration is normal, and the truth is that we are in far greater peril today because Mr. Putin knows that he has a friend in the White House—a friend who won't do anything to stop him from interfering in our democracy, nor those of our allies; a friend who won't even issue a statement condemning Putin's nuclear sabre rattling last week when he proudly showed a video simulating a nuclear attack on Florida.

It is time for the President to recognize that Mr. Putin's intentions are not up for debate. From the spread of extremist propaganda across Europe, to Russia's continued attack on Ukrainian sovereignty, to the latest revelations made public by Special Counsel Mueller's investigation, the Kremlin is orchestrating a systematic and ongoing campaign to undermine the democracies at the heart of the post-World War II international order.

Consider President Trump's response to the revelations made public by Special Counsel Mueller when he indicted 13 Russians for interfering in our democracy 3 weeks ago. The special counsel's findings left many Americans shocked by Russia's outstanding, sophisticated effort to defraud American voters, stoke division on Facebook, and sow doubt in our electoral process in 2016. Yet President Trump's only response to these stunning revelations of foreign interference—nothing. Nothing. Not a word from the President beyond a victorious tweet once again proclaiming no collusion.

At every turn, President Trump has dismissed the significance of Russia's interference in our elections, and his willful paralysis on Russia is in full display through the White House's refusal to impose sanctions under CAATSA, as well as the unacceptable delays in establishing a strategy for countering the Kremlin's propaganda and disinformation.

Let's remember why Congress passed CAATSA in the first place, why the Senate voted 98 to 2 and the House of Representatives voted 419 to 3 despite overwhelming opposition from the Trump administration. We voted to

hold Russia accountable for its assault on our democracy, and we voted to increase pressure on the Kremlin to stop its illegal war against our friends in Ukraine and its aiding and abetting of war crimes in Syria. But apparently President Trump fails to see that these are real threats from a real foreign adversary—real threats that undermine the integrity of our elections and therefore the security of our country; real threats from a brutal leader who seeks the erosion of Western democracy as a strategic imperative for Russia's future.

We saw it in March of 2014, when Russia authorized the use of military force to illegally occupy Crimea, blatantly violating the sovereignty of the Ukrainian people—violence that continues in eastern Ukraine to this day. We saw it in 2016, when the Kremlin's disinformation campaign targeted American voters on Facebook. We see it today, as Russia continues to spread propaganda throughout Western Europe. Meanwhile, in the Middle East, Russia continues to prop up Assad's brutal dictatorship, dropping bombs on hospitals, homes, and humanitarian aid convoys working to help the Syrian people under siege.

This President's schoolyard swagger stops cold when it comes to confronting the world's biggest bully: Vladimir Putin. It has been 7 months—7 months—since Congress passed the CAATSA sanctions law. While the administration has upheld some sanctions imposed by Obama-era Executive orders, it is appalling to see this White House refuse to implement sanctions that Congress made mandatory—mandatory. Let me say that again: provisions that were made mandatory.

So let me tell you what I have learned about CAATSA's implementation in the recent briefings I have received as the ranking member on the Foreign Relations Committee and membership on the Banking Committee.

President Trump has imposed no sanctions in response to Russia's cyber aggression, as required by section 224. President Trump has imposed no sanctions related to Russian crude oil products, as required by section 225. President Trump has imposed no sanctions on serious human rights abusers in the Russian Federation, as required by section 228. President Trump has imposed no sanctions on those facilitating the transfer of assets owned by the Russian people to oligarchs, handpicked by Putin, as required under section 233. President Trump has imposed no sanctions punishing Russia for its transfer of arms to Syria, as required under section 234. I could go on, but you get the picture.

The Trump administration has refused to implement the law despite the overwhelming, bipartisan will of Congress—a Congress that decided to put ''shall'' in that legislation versus ''may,'' which made it mandatory. The Constitution made Congress a coequal branch of government for a reason, and I take very seriously our responsibility to hold the executive branch accountable.

Given what we know about Russia's interference in European elections over the last year alone, I am especially disappointed in the White House's failure to implement sanctions under section 224. That section targets anyone knowingly undermining the cyber security of an individual or a democratic institution on behalf of the Russian Government. I find it hard to believe this administration has yet to identify one single sanctionable offense, but in case they need some tips, here are two they can look into.

In November, Spain's Government discovered Russian state-sponsored groups using social media to spread disinformation and influence political events in Catalonia. Just last week, the German Government pointed to a massive cyber hack against its foreign ministry, allegedly carried out by a Russian state-sponsored group called Snake.

Meanwhile, our intelligence leaders, including many who were appointed by President Trump himself, have testified that Russia continues to interfere here in the United States and looks forward to doing so during the midterm elections.

I have cosponsored a resolution calling upon President Trump to implement these sanctions, and while we shouldn't have to pass a resolution calling on the administration to enforce the law we passed, which was mandatory, we clearly do. Fortunately, we will have the opportunity to do so next week when the Foreign Relations Committee meets to mark up legislation, and I urge the chairman of the Foreign Relations Committee to take up this important resolution.

Let's remember that Congress also gave the administration additional tools to thwart Russia's disinformation campaigns—an essential priority if we want to protect the integrity of our democracy. Yet it seems that Russia's disinformation campaigns continue to sow chaos online unabated.

Every day that ticks by is one that the Russian Government continues to sharpen its tools and go on the attack. Every day that ticks by, the Russian Government has further encroached on sovereign democracies. We saw it most recently when Russian trolls amplified rightwing hysteria over Congressman DEVIN NUNES' memo with the Twitter hashtag #releasethememo. According to Politico, ''Russian bots and their American allies gamed social media to put a flawed intelligence document atop the political agenda.''

Just this week, the New York Times reported on an ''American strategic void'' in response to Russian threats, highlighting the administration's inability to spend even one dollar—even one dollar—of the $120 million that Congress authorized over a year ago to counter the Kremlin's information warfare.

The Defense Department last week transferred $40 million—a third of what was authorized—to the State Department's Global Engagement Center, although not a penny's worth of action has been taken. Why the ridiculous delay? Why not the full amount?

Any responsible President would be vigorously working to protect Americans from foreign interference aimed at undermining our democracy. Any responsible President would have communicated to the American people the seriousness of the threat and rallied our citizens to respond with classic American resilience and courage. Any responsible President would have worked with Congress on a robust strategy and secured funding for it, and once he got the resources, any responsible President would have moved swiftly to spend them, to empower all the relevant security agencies to mobilize a collective effort to protect the integrity of our democracy. We don't have a responsible President. We have a President asleep at the wheel or maybe even too scared to get into the car at all.

We cannot afford further delays that only cede more ground to Putin on the battlefield of information. Our Global Engagement Center must immediately put these funds to use blunting the effects of Russian Government disinformation. Most urgently, we need the Trump administration to finally develop a comprehensive strategy to shore up American democracy against Russian malign influence and implementing it without delay.

I will close with this. Every day that ticks by, the Russian Government burrows deeper into our society, cultivating extremists and sowing discord. Consider Alexander Torshin. NPR reported that for 6 years, he traveled to the United States to deepen his friendships with the NRA, one of the most active groups in our country. Mr. Torshin cultivated its leadership, meeting with them in Moscow, and now the FBI is reportedly investigating whether he funneled money through the NRA to support Trump's campaign. It is disturbing to think the NRA is so eager to cultivate ties with Putin's inner circle. As we all know, this organization's efforts has left our country a more dangerous place, from our schools to our movie theaters, to our concerts, to our churches.

The American people overwhelmingly want Congress to uphold its solemn responsibility to keep our families safe. Yet the NRA's opposition to commonsense gun safety laws have made this Congress more dysfunctional and less responsive to the needs of our citizens. That, to me, sounds right in line with Kremlin policy.

More than anything, I hope President Trump and our Secretary of State will start treating this threat with the seriousness it deserves. They should appreciate the level of careful planning, resources, and energy the Russian Government invests into destabilizing

American democracy. It is time to protect the integrity of our elections and secure our democracy against the cyber threats of the 21st century, whether they come in the form of election machine tampering or paid propaganda on social media or targeted hacks on public officials.

In the meantime, President Trump's inaction speaks louder than his words. His willful paralysis only serves to embolden our adversaries and weaken democratic institutions at home and abroad. That simply cannot stand, and it cannot stand with the silence we hear from too many of our colleagues on this issue. We need to speak up. We need to act. We need to make sure the law we pass gets enforced. Otherwise, we neuter the very essence of this institution.

With that, I yield.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, as I was walking into the Chamber tonight, the press outside was telling me that they had just been told—and I hope to hear otherwise tomorrow—that the Senate Select Committee on Intelligence, on which the distinguished Presiding Officer and I both serve, would not be holding any public hearings on the financial issues so central to holding the President of the United States accountable.

What I am going to describe for a few minutes is how the executive branch, particularly officials such as Secretary Mnuchin, are ducking these issues, and now it appears the President's Republican allies on the Hill are ducking the issues as well.

I especially believe it is a great mistake for the Senate Select Committee on Intelligence, on which the distinguished Presiding Officer and I both serve, to fail to follow up on the follow-the-money questions. Following the money, as the Presiding Officer knows, is counterintelligence 101. Right at the heart of our duties on the Intelligence Committee is our mandate to vigorously pursue issues relating to counterintelligence. The reason that is so extraordinarily important, it is money that is one of the best and easiest tools to compromise people, to take advantage of counterintelligence measures that, for example, would compromise American public officials.

I believe it is a great mistake for the executive branch, particularly Treasury Secretary Mnuchin—and as the ranking Democrat on the Finance Committee, we have jurisdiction over his agency—and the Senate Select Committee on Intelligence to just punt on these issues that are central to the question tonight, that Senator WHITEHOUSE deserves great credit in terms of pursuing, which is holding the President accountable.

The public, in particular, deserves the full story about financial entanglements between Russia and the President and his associates. Obviously, the American people are constantly reading stories in the press about these connections. The special counsel's indictments of the Trump campaign manager, Paul Manafort, and the campaign aide, Richard Gates, contained voluminous information about money laundering and tax evasion intended to hide money from pro-Russian Ukrainian entities.

The distinguished Presiding Officer and I know a bit about money laundering because we have introduced bipartisan legislation to deal with shell companies and money laundering. It is clear that this is a serious matter because when you are talking about money laundering and tax evasion, particularly as it relates to national security and American sovereignty, it has great implications.

Donald Trump and his administration have consistently tried to prevent the American people from seeing not only his finances but the activities of Russian oligarchs. The President's allies, both here in the Senate and elsewhere in Washington, are just going along with it. Americans need to see both sides of this. They need to understand the corruption in both Russia and in the United States in order to determine how they may be connected.

That is why the Congress required the administration to provide—and I want to emphasize this—a public report on the Russian oligarchs, their relationship with President Putin, and indications of corruption. Secretary Mnuchin released nothing other than a list of rich Russians taken from public sources.

I have wanted to know if the intelligence community had warned the Secretary of Treasury against releasing what they saw as sensitive sources or methods. When I asked the leaders of the intelligence community whether they had weighed in, they all said no. What you have, in effect, is a whitewashing of the responsibilities of the Secretary of Treasury, possibly the White House, and possibly senior Republicans in the Congress on this issue.

I then asked Secretary Mnuchin why the Russian oligarch report was covered up. I have gotten no answer to that either. This is just part of the stonewalling that is preventing the public and the Congress from following the money. In addition, I have inquired of Secretary Mnuchin about Treasury documents associated with a suspicious real estate transaction in which a Russian oligarch bought an estate in Florida from Donald Trump for more than twice what the President paid for it. I have gotten no response from the Secretary on this matter either.

What you have is a period of time—and I just speak from popular news accounts—when President Trump bought this property, essentially did nothing with it. It was at a time when it was very hard in our country to get access to money, and the President sold it to a Russian oligarch for tens of millions of dollars beyond what he paid for it.

I was particularly concerned when I read the press accounts of Florida newspapers with accountants and lawyers and others in the Palm Beach area saying they thought this transaction smelled. They thought it was suspicious. They thought it was questionable. They couldn't see why anybody would pay that amount on top of the purchase price without there being some more sinister kind of motive.

In addition to getting no response from Secretary Mnuchin on that, I have also written to Secretary Mnuchin about press reports regarding connections between the National Rifle Association and yet another Russian oligarch. I wanted to know if there were records held by the Department of the Treasury that would shine a light on these reported connections.

As the ranking Democrat on the Senate Finance Committee, we have jurisdiction over the Department of the Treasury and the work done by the Secretary and his associates. You would think that just as a matter of courtesy Secretary Mnuchin would respond. We have received no response on that matter as well.

I intend to pursue this matter until we get some answers. If the President, his associates, or powerful political entities, like the NRA, have been corrupted by Russian money, the Congress and the public need the full story. There needs to be open hearings, and they need to be in the Senate Intelligence Committee.

The President's associates have not been shy about releasing their side of the story, and they ought to face questions from Members of Congress. Secretary Mnuchin needs to testify about whether the Department of the Treasury knows about these financial entanglements.

I would like to close simply by saying that these questions of following the money, which I have made my top priority since the period in which the Intelligence Committee began to dig into these issues, are central to holding the President accountable. The executive branch and their allies in the Congress simply cannot justify ducking these questions, as apparently the press is about to report on the basis of conversations I had walking into the Chamber.

The American people deserve to know the extent to which Russian money has corrupted their leaders and their democracy. It is long past time to open this up and, for the sake of American national security and sovereignty, get this information out. I intend, as the ranking Democrat on the Senate Finance Committee and a member of the Intelligence Committee, to stay with it, the issue of how this administration and its financial entanglements may have affected policies important to all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise tonight to join my colleagues in speaking to the need to immediately

respond to Russian interference. I would like to thank Senator WHITEHOUSE for bringing us together.

This evening, many of my colleagues have spoken about how Russian aggression affects Americans and our allies across the world. Some have discussed the need for sanctions to defer Russia and the fact that the administration has not yet imposed sanctions, the same sanctions that were passed by the Senate 98 to 2 and 419 to 3 in the House of Representatives. Those were the additional sanctions that were directly related to the interference in the elections and what we saw take place over the last year. They sit dormant.

Others have talked about the importance of Special Counsel Mueller's investigation and the fact that it must move forward without interference from the White House. Nearly a dozen Senators have come to the floor to highlight the need to stand up to Russia. I am here to talk about the critical need to safeguard the most fundamental part of our democracy—the U.S. elections.

Today, I heard the Prime Minister of Sweden address our Nation. When standing next to the President, he was asked a question about this, and he put it simply. He said that in their country, they believe that the people, the citizens of their country, should be the ones who make the decisions about their elections, that they are the ones who should be able to vote, that they are the ones who should be able to have their own opinions not be influenced by foreign countries acting as if they are people in their country.

It is the Presiding Officer who made the statement that I have quoted so many times—that in the last election, it was one candidate and one party, and in the next election, it could be the other candidate and the other party. We do not come here in a partisan way. We come here because the clock is ticking.

Today marks an important day in the 2018 election cycle. Texas is holding the first State primary, and others begin in the coming weeks, including in Illinois. Illinois was one of 21 States that the Russians attempted to hack into—Illinois, where they actually hacked into their voter data, which is the personal information about their voters. Those elections are coming. We are glad that we have a decentralized system so that they have different systems. It is easier to hack into one centralized system. It also means that they have many things to choose from, and we have 40 States that haven't updated their equipment in over 10 years. We have 10 States that don't even have backup paper ballots, and we sit here doing nothing when the solution is right in front of us.

Over the course of the last year, I have come to the floor a number of times to urge this body to take immediate action to beef up our election cybersecurity. There is no longer any doubt that our elections have been and will continue to be a target for foreign adversaries. Intelligence reports make it clear that Russia used covert cyber attacks, espionage, and harmful propaganda to attack our political system.

I mentioned the attempts on 21 State election systems. Do you know when the real election—the general election—is? It is 245 days away, with primaries beginning today. We have not imposed the sanctions—the administration hasn't—despite this body's taking firm action that we wanted to see these sanctions imposed.

We have had six security heads from this administration—not from the Obama administration; they already spoke out on this. The head of the CIA, the Director of National Intelligence, and the head of the FBI have all testified before U.S. Senate committees that, in fact, this is happening now. It was Director Coats, who was once a Senator here, who said that, in fact, he believes the Russians are getting bolder. These are not the words of Obama's security people. These are the words of Trump's security people.

Last week, NSA Director Rogers said this about Russia: ''They haven't paid a price at least that is sufficient to get them to change their behavior.''

Earlier this year, CIA Director Pompeo said that he has seen no signs that Russia has decreased its activity and that Russia is currently working to disrupt the upcoming 2018 elections.

It is the policy of the United States of America to defend against and respond to threats to our Nation. This is a cyber attack. It is not with bullets, and it is not with tanks. It is not with aircraft, but it is an attack. It is, simply, using the computer system. In every briefing that I have gone to, this is always listed as one of the major ways in which foreign adversaries are going to attack our Nation—they are going to use the internet. Here we have it happening right here on our very democracy, itself.

In order to protect our election system, we need to do three key things.

First, we must give State and local officials the tools and resources they need to prevent hacks and safeguard election infrastructure from foreign interference. They need those resources now, not after the election, not after the primaries. Today, more than 40 States, as I mentioned, rely on electronic voting systems that are at least 10 years old. Do you think the Russians don't know that? Do you think I am giving away some state secret here? Of course they know that.

Ten years ago, on February 6, 2008, it was Super Tuesday for the 2008 Presidential election. A lot has changed in the last 10 years but not our voting equipment. It has remained the same. That is why I am leading bipartisan legislation with Senator LANKFORD. This is a bipartisan effort. We also appreciate our cosponsors Senators HARRIS, GRAHAM, COLLINS, and HEINRICH. We call this bill the Secure Elections Act. It would provide $386 million in grant funding for States to secure their elections systems. It is paid for. We found a pay-for.

We have a similar bill that is led by Congressman MEADOWS in the House—the head of the Freedom Caucus—because they understand that freedom is not cheap, that to guarantee freedom, you must have a secure democracy, and $386 million is just 3 percent of the cost of one aircraft carrier.

I think most Americans would agree that, as we see more and more sophisticated types of warfare happening, to not even pay attention to helping the States fund this election equipment that has been woefully underfunded is a huge mistake.

The second thing that we need to do—by the way we can do this now. We can do this in the omnibus bill. The second thing we need to do is improve information sharing so that local election officials know when they are attacked and how to respond. It took the Federal Government nearly a year to notify these 21 States that were targeted by Russian-backed hackers. That cannot happen again.

Finally, we need a reliable backup system. I am talking about paper backup ballots—the old-fashioned way. There are 10 States that don't have them.

The integrity of our election system is the cornerstone of our democracy. Americans have fought and died for our democracy since our country was founded, and we must guarantee that democracy continues.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

## MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### REMEMBERING DANA MARSHALL-BERNSTEIN

• Ms. CORTEZ MASTO. Mr. President, it is with a heavy heart that I honor the life and memory of Dana Marshall-Bernstein and express my deepest condolences to her parents, family, and friends.

Dana was diagnosed as a young child with Crohn's disease, which she succumbed to at age 28, but Dana did not allow her disease to define her and instead will be remembered for her infallible spirit, perseverance, strength, and courage. Through her large collection of hats and artistic spirit, Dana brought joy to so many. She was a light in the lives around her, as a ''spiritual warrior,'' giving hope and

support through her work with the southwest chapter of the Crohn's and Colitis Foundation.

Dana lived life to the fullest—skiing, playing piano, creating art, and singing every chance she got. Dana's intelligence, brilliance, amazing sense of humor and wit, loving compassionate heart, and all-around remarkable soul will always be in the hearts and minds of her loving family and in those who had the fortune of knowing her.●

## 250TH ANNIVERSARY OF SANFORD, MAINE

● Mr. KING. Mr. President, today I wish to recognize the city of Sanford, ME, on their 250th anniversary. As a southern Maine community, Sanford's residents have access to the countryside and a downtown area, while also being close to Maine's coastal communities. Sanford prides itself on being a business friendly community, and the economic growth council has promoted a plan for the future of business which includes greater development and revitalization of the city.

On February 27, Sanford began their year of celebration with a kick-off event in Central Park where residents had the opportunity to ice skate, drink hot chocolate, enjoy music performed by the high school chorus, and end the night with a fireworks show. The city has a year to celebrate this milestone and will do so through events focusing on community engagement and promotion of local business.

In 1661, William Phillips purchased land from two Native American leaders which would be called Phillipstown. The land was first inhabited in 1739, and in 1768, the residents of Phillipstown received town status. The Governor of Massachusetts chose the name for the new town, as Maine was a province of Massachusetts at the time. The name ''Sanford'' was chosen in honor of Peleg Sanford, the stepson of William Phillips, who served as Governor of Rhode Island. In Sanford, work in sawmills saw growth in the early 19th century, followed by development in agriculture and textiles. The establishment of Goodall Mills in the late 1860s attracted skilled workers from Canada and Europe. Looking forward to present day, Sanford achieved city status in January of 2013, making it the newest city in the State of Maine. Today Sanford is home to 21,000 residents that span residential areas and woodlands, including access to three different trail ways. In addition to enjoying the nature surrounding Sanford, the parks and recreation department also hosts a variety of events that meet the interests of all generations, including line-dancing, pickleball games, activities at the YMCA, and an annual Winterfest.

For its 250th anniversary, Sanford is celebrating this milestone with the design of a new anniversary logo, the creation of a commemorative coin, and a communitywide promotion to support businesses in the city. With a history dating back to as early as 1661, the residents of Sanford have worked to develop and improve their community over time. This year the city will see the opening of a new combined high school and technical center designed to prepare students with the skills needed for the 21st century in area industries; the launch of a 50 MW solar array at the Seacoast Regional Airport which will be the largest solar project in Maine and the largest solar array on any airport in the United States; and the construction of SanfordNet Fiber, a 45-mile dark fiber extension to Maine's 3 Ring Binder high-speed internet system.

I would like to congratulate and celebrate with the citizens of Sanford on its 250th anniversary. I wish the city continued success and look forward to seeing the celebration of this milestone throughout the year.●

## TRIBUTE TO DENNIS FRYE

● Mr. MANCHIN. Mr. President, today I wish to honor a prominent Civil War historian, whose work spans the globe as a lecturer, guide, and preservationist. Dennis Frye is the chief historian at Harpers Ferry National Park in my home State of West Virginia.

Born out of the fiery turmoil of the Civil War, the Mountain State was founded by courageous patriots who were willing to risk their lives and fortunes in a united pursuit of justice and freedom for all. As West Virginians, we take great pride in our history, and it is so important to instill this commitment to our values in the next generation. That is Dennis's legacy.

As a preservationist, Dennis is a cofounder and first president of the Save Historic Antietam Foundation and is also a cofounder and former president of the Civil War Trust. His lifetime achievements in the Civil War history community have earned him numerous awards and recognitions, including the Shelby Foote Award by the Civil War Trust and the Nevins-Freeman Award by the Civil War Roundtable of Chicago—the first and oldest Civil War roundtable.

Dennis has authored nearly 100 articles and 10 books and also helped produce the Emmy Award-winning television features about the Battle of Antietam, abolitionist John Brown, and Maryland during the Civil War. He has been published in countless prestigious Civil War magazines, including Civil War Times Illustrated, America's Civil War, Blue & Gray Magazine, North and South Magazine, and Hallowed Ground and has been featured as a guest contributor to the Washington Post. His book, ''Harpers Ferry Under Fire,'' received the national book of the year award from the Association of Partners for Public Lands. ''September Suspense: Lincoln's Union in Peril'' was awarded the 2012 Laney Book Prize for distinguished scholarship and writing on the military and political history of the Civil War.

Dennis is a highly sought after tour guide, having worked with the Smithsonian, National Geographic, and numerous colleges and universities. He has a remarkable gift for storytelling and has certainly made history a favorite subject for countless students.

West Virginia is great because our people are great—Mountaineers who will always be free. In fact, when visitors come to West Virginia, I jump at the chance to tell them about our wonderful State. We have more veterans per capita than most any State in the Nation. We have fought in more wars, shed more blood, and lost more lives for the cause of freedom than most any State. We have always done the heavy lifting and never complained. We have mined the coal and forged the steel that built the guns, ships, and factories that have protected and continue to protect our country. I am so deeply proud of what our citizens have accomplished and what they will continue to accomplish in the days and years ahead.

Dennis has been a vital part of keeping the legacy of our State alive and inspiring the next generation to research, learn, and appreciate what makes West Virginia so special.

While he is retiring and everyone is sure to miss his strong leadership, Dennis's unwavering dedication passion for his work will leave a lasting legacy with the countless lives he has touched. I am sincerely grateful for his remarkable work and for showcasing our beautiful State to the rest of the Nation. I am deeply honored to wish good health and much happiness to Dennis and his family in the days and years ahead.●

## TRIBUTE TO EVERETT LEE

● Mr. MANCHIN. Mr. President, today I wish to honor the legacy of a trailblazing musician and conductor from beautiful Wheeling, WV: Everett Lee.

Everett has not only been witness to changes in the classical music industry in the last century, but he has been an integral part of the change as well. His story began while working at a hotel in Cleveland, OH, where he met the Cleveland Orchestra music director, Artur Rodzinkski. The director, having already heard of Everett's remarkable talent, invited him to attend concerts on Saturdays. Rodzinkski was a mentor to Everett and inspired him to continue his violin training and eventually enroll at the Cleveland Institute of Music.

Everett enlisted in the military of June 1943, serving as an aviation cadet at the Tuskegee Army Air Field. Following an injury in the military, Everett made his way to New York to serve in the orchestra for Broadway's ''Carmen Jones,'' a reimagining of Bizet's opera with an all African-American cast. One evening, the conductor was unable to attend a performance, and

Everett stepped up to fill the role, a move that launched his talent and professionalism into the spotlight.

In 1945, Everett served as the music director of ''On the Town,'' a groundbreaking show for having an integrated cast. Still, despite his success, Everett faced adversity and was once advised against auditioning for a seat in the New York Philharmonic. Many thought the South would not yet embrace him either. His response was to aim even higher and pursue an even more challenging career path as a conductor. In 1947, he founded the Cosmopolitan Symphony, which became famous for its inclusion of all ethnicities and backgrounds.

In time, Everett was invited by national and international symphonies to conduct, including the Louisville Symphony, which in 1953 made Everett the first African-American to lead a major symphony orchestra in the U.S. South. He went on to break even more barriers and rise above any challenge that came his way. Conducting an acclaimed New York City Opera production of ''La Traviata'' in 1955 made him the first African-American to conduct a professional grand opera in the United States.

Deciding that he would find better opportunities outside of America, Everett and his family moved to Germany in 1957. He held the position as chief conductor of the Norrkoping Symphony Orchestra in Sweden for a decade. In 1976, he conducted the New York Philharmonic for the first time. It was a concert in honor of Dr. Martin Luther King, Jr., which was particularly fitting; both men held the ideal that they could embody the change they wanted to see in the world and created opportunities for those who wanted to follow in their footsteps.

Time and time again, sheer talent and strength of character have transcended societal obstacles. It is because of individuals such as Everett Lee that countless musicians, regardless of their background or ethnicity, have pursued their dreams.

On his 100th birthday, the Mayor of Wheeling designated August 31 as ''Everett Lee Day'' so we could all celebrate his extraordinary talent and strength of character. We are truly blessed to have such an international treasure as a part of our West Virginia family. Again, it is a great honor and privilege to recognize his many accomplishments, and I wish him and his family the very best.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## MESSAGES FROM THE HOUSE

At 10:16 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. 831. An act to designate the facility of the United States Postal Service located at 120 West Pike Street in Canonsburg, Pennsylvania, as the ''Police Officer Scott Bashioum Post Office Building''.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1209. An act to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the ''Mission Veterans Post Office Building''.

H.R. 2673. An act to designate the facility of the United States Postal Service located at 514 Broadway Street in Pekin, Illinois, as the ''Lance Corporal Jordan S. Bastean Post Office''.

H.R. 3183. An act to designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the ''U.S. Navy Seaman Dakota Kyle Rigsby Post Office''.

H.R. 4406. An act to designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the ''Tuskegee Airmen Post Office Building''.

H.R. 4646. An act to designate the facility of the United States Postal Service located at 1900 Corporate Drive in Birmingham, Alabama, as the ''Lance Corporal Thomas E. Rivers, Jr. Post Office Building''.

H.R. 4685. An act to designate the facility of the United States Postal Service located at 515 Hope Street in Bristol, Rhode Island, as the ''First Sergeant P. Andrew McKenna Jr. Post Office''.

### ENROLLED BILL SIGNED

At 12:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3656. An act to amend title 38, United States Code, to provide for a consistent eligibility date for provision of Department of Veterans Affairs memorial headstones and markers for eligible spouses and dependent children of veterans whose remains are unavailable.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1209. An act to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the ''Mission Veterans Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2673. An act to designate the facility of the United States Postal Service located at 514 Broadway Street in Pekin, Illinois, as the ''Lance Corporal Jordan S. Bastean Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3183. An act to designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the ''U.S. Navy Seaman Dakota Kyle Rigsby Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4406. An act to designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the ''Tuskegee Airman Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4646. An act to designate the facility of the United States Postal Service located at 1900 Corporate Drive in Birmingham, Alabama, as the ''Lance Corporal Thomas E. Rivers, Jr. Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4685. An act to designate the facility of the United States Postal Service located at 515 Hope Street in Bristol, Rhode Island, as the ''First Sergeant P. Andrew McKenna Jr. Post Office''; to the Committee on Homeland Security and Governmental Affairs.

## 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–4485. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Sean B. MacFarland, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–4486. A communication from the President of the United States, transmitting, pursuant to law, the continuation of the national emergency originally declared in executive order 13288 on March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions; to the Committee on Banking, Housing, and Urban Affairs.

EC–4487. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency originally declared in Executive Order 13692 on March 8, 2015, with respect to Venezuela; to the Committee on Banking, Housing, and Urban Affairs.

EC–4488. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency originally declared in Executive Order 13660 on March 6, 2014, with respect to Ukraine; to the Committee on Banking, Housing, and Urban Affairs.

EC–4489. 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 ''Annual Stress Test—Technical and Conforming Changes'' (RIN1557–AE28) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC–4490. 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 ''Health Insurance Providers Fee'' ((RIN1545–BM52) (TD 9830)) received in the Office of the President pro tempore of the Senate; to the Committee on Finance.

EC–4491. 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 ''Presence of Certain Individuals in the Commonwealth of Puerto Rico or the United States Virgin Islands Under Section 937(a) Following Hurricane Irma or Hurricane Maria'' (Notice 2018–19) received in the Office of the President pro tempore of the Senate; to the Committee on Finance.

EC–4492. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, five (5) reports relative to vacancies in the Department of the Treasury, received in the Office of the President of the Senate on March 1, 2018; to the Committee on Finance.

EC–4493. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Secretary's Final Supplemental Priorities and Definitions for Discretionary Grant Programs'' (RIN1894–AA09) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–4494. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of the Treasury, received in the Office of the President of the Senate on March 1, 2018; to the Select Committee on Intelligence.

EC–4495. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''The Department of Justice Freedom of Information Act 2017 Litigation and Compliance Report'', the Uniform Resource Locator (URL) for all federal agencies' Freedom of Information Act reports; to the Committee on the Judiciary.

EC–4496. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0075)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4497. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0024)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4498. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0029)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4499. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0069)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4500. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0030)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4501. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0070)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4502. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0713)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4503. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0076)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4504. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0707)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4505. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0630)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4506. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0901)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4507. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc., Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0811)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4508. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Millersburg, OH and Coshocton, OH'' ((RIN2120–AA66) (Docket No. FAA–2017–0342)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4509. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Fort Scott, KS and Phillipsburg, KS'' ((RIN2120–AA66) (Docket No. FAA–2017–0523)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4510. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Spanish Fork, UT'' ((RIN2120–AA66) (Docket No. FAA–2017–0897)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4511. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Johnson City, TN'' ((RIN2120–AA66) (Docket No. FAA–2017–0279)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4512. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace; Pulaski, WI'' ((RIN2120–AA66) (Docket No. FAA–2017–0818)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4513. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Cape Girardeau, MO; St. Louis, MO; and Macon, MO'' ((RIN2120–AA66) (Docket No. FAA–2016–9559)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4514. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GE Aviation Czech s.r.o. Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2017–0658)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4515. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rosemont Aerospace, Inc. Pilot Probes'' ((RIN2120–AA64) (Docket No. FAA–2016–6616)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4516. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Stemme AG Gliders'' ((RIN2120–AA64) (Docket No. FAA–2017–0952)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4517. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0066)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4518. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aeroclubul Romaniei Gliders'' ((RIN2120–AA64) (Docket No. FAA–2017–1068)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4519. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0694)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4520. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turboprop Engines'' ((RIN2120–AA64) (Docket No. FAA–2017–0943)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4521. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0026)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4522. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Various Aircraft Equipped with BRP–Rotax GmbH & Co KG 912 A Series Engine'' ((RIN2120–AA64) (Docket No. FAA–2017–1078)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4523. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Textron Aviation Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0068)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4524. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Air Traffic Service (ATS) Routes; Western United States'' ((RIN2120–AA66) (Docket No. FAA–2017–0344)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4525. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Multiple Air Traffic Service (ATS) Routes; North Central United States'' ((RIN2120–AA66) (Docket No. FAA–2017–1082)) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4526. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (71); Amdt. No. 3785'' (RIN2120–AA65) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4527. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (3); Amdt. No. 3786'' (RIN2120–AA65) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

EC–4528. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standard No. 141, Minimum Sound Requirements for Hybrid and Electric Vehicles'' (RIN2127–AL84) received in the Office of the President of the Senate on March 5, 2018; to the Committee on Commerce, Science, and Transportation.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. McCAIN for the Committee on Armed Services.

Army nomination of Lt. Gen. Paul M. Nakasone, to be General.

*Brent K. Park, of Tennessee, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## 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 Ms. WARREN:

S. 2499. A bill to require the Financial Industry Regulatory Authority to establish a relief fund to provide investors with the full value of unpaid arbitration awards issued against brokerage firms or brokers regulated by the Authority; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself and Ms. COLLINS):

S. 2500. A bill to award a Congressional Gold Medal, collectively, to the women in the United States who joined the workforce during World War II, providing the vehicles, weaponry, and ammunition to win the war, that were referred to as ''Rosie the Riveter'', in recognition of their contributions to the United States and the inspiration they have provided to ensuing generations; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GARDNER (for himself, Mr. BENNET, and Mr. WYDEN):

S. 2501. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself and Mr. CRUZ):

S. 2502. A bill to address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms, and for other purposes; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself and Ms. CANTWELL):

S. 2503. A bill to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PETERS (for himself, Mr. CRUZ, Mr. NELSON, and Mr. GARDNER):

S. 2504. A bill to provide for continuing cooperation between the National Aeronautics and Space Administration and the Israel Space Agency, and for other purposes; to the Committee on Foreign Relations.

By Mr. BOOKER (for himself and Mr. CASEY):

S. 2505. A bill to amend the Internal Revenue Code of 1986 to ensure that workers and communities that are responsible for record corporate profits benefit from the wealth that those workers and communities help to create, and for other purposes; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. BALDWIN (for herself and Mr. PERDUE):

S. Res. 424. A resolution honoring the 25th anniversary of the National Guard Youth Challenge Program; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 266

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 517

At the request of Mrs. FISCHER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 607

At the request of Mr. UDALL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 607, a bill to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

S. 720

At the request of Mr. CARDIN, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 834

At the request of Mr. MARKEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 834, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 915

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 915, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1539

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1539, a bill to protect victims of stalking from gun violence.

S. 1600

At the request of Ms. HIRONO, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1600, a bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection.

S. 1667

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1667, a bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates.

S. 1676

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1676, a bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes.

S. 1697

At the request of Mr. GRAHAM, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Nevada (Mr. HELLER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1697, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens and United States Citizens.

S. 1911

At the request of Mr. MANCHIN, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 1911, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 2009

At the request of Mr. MURPHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2009, a bill to require a background check for every firearm sale.

S. 2047

At the request of Mr. MURPHY, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2047, a bill to restrict the use of funds for kinetic military operations in North Korea.

S. 2095

At the request of Mrs. FEINSTEIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2095, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 2135

At the request of Mr. CORNYN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 2135, a bill to enforce current law regarding the National Instant Criminal Background Check System.

S. 2147

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2147, a bill to amend the Internal Revenue Code of 1986 to create a Pension Rehabilitation Trust Fund to establish a Pension Rehabilitation Administration within the Department of the Treasury to make loans to multiemployer defined benefit plans, and for other purposes.

S. 2268

At the request of Mr. BOOKER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2268, a bill to amend the Higher Education Act of 1965 to modify certain provisions relating to the capital financing of historically Black colleges and universities.

S. 2271

At the request of Mr. REED, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2271, a bill to reauthorize the Museum and Library Services Act.

S. 2286

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2286, a bill to amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, and for other purposes.

S. 2289

At the request of Ms. WARREN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2289, a bill to create an Office of Cybersecurity at the Federal Trade Commission for supervision of data security at consumer reporting agencies, to require the promulgation of regulations establishing standards for effective cybersecurity at consumer reporting agencies, to impose penalties on credit reporting agencies for cybersecurity breaches that put sensitive consumer data at risk, and for other purposes.

S. 2334

At the request of Mr. HATCH, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2334, a bill to amend title 17, United States Code, to provide clarity with respect to, and to modernize,

the licensing system for musical works under section 115 of that title, to ensure fairness in the establishment of certain rates and fees under sections 114 and 115 of that title, and for other purposes.

S. 2343

At the request of Mr. WICKER, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 2343, a bill to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States.

S. 2360

At the request of Ms. HEITKAMP, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2360, a bill to provide for the minimum size of crews of freight trains, and for other purposes.

S. 2381

At the request of Ms. KLOBUCHAR, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2381, a bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes.

S. 2383

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2383, a bill to amend title 18, United States Code, to improve law enforcement access to data stored across borders, and for other purposes.

S. 2467

At the request of Ms. HARRIS, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2467, a bill to direct the Joint Committee on the Library to obtain a statue of Shirley Chisholm for placement in the United States Capitol.

S. 2490

At the request of Mr. SCOTT, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2490, a bill to amend the Real Estate Settlement Procedures Act of 1974 to modify requirements related to mortgage disclosures.

S. 2494

At the request of Ms. BALDWIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 2494, a bill to provide standards for short-term limited duration health insurance policies.

S. 2497

At the request of Mr. RUBIO, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Maryland (Mr. CARDIN), the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S.J. RES. 54

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S.J. Res. 54, a joint resolution to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 377

At the request of Ms. WARREN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. Res. 377, a resolution recognizing the importance of paying tribute to those individuals who have faithfully served and retired from the Armed Forces of the United States, designating April 18, 2018, as ''Military Retiree Appreciation Day'', and encouraging the people of the United States to honor the past and continued service of military retirees to their local communities and the United States.

S. RES. 402

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 402, a resolution calling upon the President to exercise relevant mandatory sanctions authorities under the Countering America's Adversaries Through Sanctions Act in response to the Government of the Russian Federation's continued aggression in Ukraine and illegal occupation of Crimea and assault on democratic institutions around the world, including through cyber attacks.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 424—HONORING THE 25TH ANNIVERSARY OF THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM

Ms. BALDWIN (for herself and Mr. PERDUE) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 424

Whereas the National Guard Youth Challenge Program (referred to in this preamble as the ''Youth Challenge Program'') is celebrating 25 years of providing successful and free alternative education and structured discipline to at-risk youth between the ages of 16 and 18;

Whereas the Youth Challenge Program was born from the visionary concept of using a ''whole person'' intervention model to combat the effects of gangs, violence, high rates of school dropout, and drug abuse on a generation of youth;

Whereas the Youth Challenge Program is a federally and State-funded program that offers a unique opportunity for at-risk youth to change course at a critical time in life;

Whereas the multiphased Youth Challenge Program uses quasi-military discipline and training, coupled with educational instruction, learning, and mentorship, to promote the character development and resilience of at-risk youth;

Whereas one phase of the Youth Challenge Program is a 5-month residential program that focuses on the following 8 core components: life-coping skills, leadership and followership, service to community, job skills, academic excellence, responsible citizenship, health and hygiene, and physical fitness;

Whereas another phase of the Youth Challenge Program is a 12-month mentoring phase that builds on the 8 core components to help shape youth into productive citizens ready for societal success;

Whereas the Youth Challenge Program offers more than 10,000 cadets annually an opportunity to succeed outside of a traditional high school environment;

Whereas there are currently 40 Youth Challenge programs operating in 28 States, Puerto Rico, and the District of Columbia;

Whereas more than 160,000 cadets have graduated from the Youth Challenge Program;

Whereas more than 110,000 academic credentials have been awarded under the Youth Challenge Program; and

Whereas graduates of the Youth Challenge Program have improved physically and mentally and are poised to become assets to the communities of the graduates and to the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that the National Guard Youth Challenge Program has been successfully helping at-risk youth for 25 years;

(2) commends the accomplishments of all of the graduates of the National Guard Youth Challenge Program; and

(3) reaffirms the commitment of the Senate to support—

(A) the National Guard Youth Challenge Program; and

(B) the critical mission of the National Guard Youth Challenge Program to help and develop the character of at-risk youth in the United States.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2045. Mr. WICKER (for himself, Ms. DUCKWORTH, Mr. COCHRAN, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table.

SA 2046. Mr. PAUL (for himself, Mr. BLUNT, Mr. HELLER, Mr. SCOTT, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2047. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2048. Mr. RUBIO submitted an amendment intended to be proposed by him to the

bill S. 2155, supra; which was ordered to lie on the table.

SA 2049. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2050. Mr. NELSON (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2051. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2052. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2053. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2054. Ms. WARREN (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2055. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2056. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2057. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2058. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2059. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2060. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2061. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2062. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2063. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2064. Ms. WARREN (for herself and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2065. Ms. WARREN (for herself, Mr. WARNER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2066. Ms. WARREN (for herself and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2067. Ms. WARREN (for herself, Mr. BLUMENTHAL, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2068. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2069. Ms. WARREN (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

SA 2070. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2045.** Mr. WICKER (for himself, Ms. DUCKWORTH, Mr. COCHRAN, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _____. TREATMENT OF CERTAIN NONSIGNIFICANT INVESTMENTS IN THE CAPITAL OF UNCONSOLIDATED FINANCIAL INSTITUTIONS.**

(a) IN GENERAL.—Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828), as amended by section 403(a), is amended by adding at the end the following:

''(bb) TREATMENT OF NONSIGNIFICANT INVESTMENTS IN THE CAPITAL OF UNCONSOLIDATED FINANCIAL INSTITUTIONS.—For purposes of the final rules titled 'Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Capital Adequacy, Transition Provisions, Prompt Corrective Action, Standardized Approach for Risk-weighted Assets, Market Discipline and Disclosure Requirements, Advanced Approaches Risk-Based Capital Rule, and Market Risk Capital Rule' (78 Fed. Reg. 62018; published Oct. 11, 2013 and 79 Fed. Reg. 20754; published April 14, 2014) and any other regulation which incorporates a definition of the term 'nonsignificant investments in the capital of unconsolidated financial institutions', the appropriate Federal banking agencies shall provide that investments in trust preferred securities (pooled and individual instruments) by a depository institution with assets of less than $15,000,000,000 as of July 21, 2010, or a depository institution holding company with assets of less than $15,000,000,000 as of July 21, 2010, shall not be subject to deduction from the regulatory capital of such depository institution or depository institution holding company or any depository institution holding company of such an institution, provided such investments were held prior to July 21, 2010.''.

(b) AMENDMENT TO BASEL III CAPITAL REGULATIONS.—Not later than the end of the 3-month period beginning on the date of the enactment of this Act, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, and the Comptroller of the Currency shall amend the final rules titled ''Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Capital Adequacy, Transition Provisions, Prompt Corrective Action, Standardized Approach for Risk-weighted Assets, Market Discipline and Disclosure Requirements, Advanced Approaches Risk-Based Capital Rule, and Market Risk Capital Rule'' (78 Fed. Reg. 62018; published Oct. 11, 2013 and 79 Fed. Reg. 20754; published April 14, 2014) to implement the amendments made by this Act.

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**SA 2046.** Mr. PAUL (for himself, Mr. BLUNT, Mr. HELLER, Mr. SCOTT, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _____. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.**

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, the Comptroller General of the United States shall complete an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 within 12 months after the date of the enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the audit required pursuant to subsection (a) is completed, the Comptroller General—

(A) shall submit to Congress a report on such audit; and

(B) shall make such report available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests the report.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking the second sentence.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 714 of title 31, United States Code, is amended—

(A) in subsection (d)(3), by striking ''or (f)'' each place such term appears;

(B) in subsection (e), by striking ''the third undesignated paragraph of section 13'' and inserting ''section 13(3)''; and

(C) by striking subsection (f).

(2) FEDERAL RESERVE ACT.—Subsection (s) (relating to ''Federal Reserve Transparency and Release of Information'') of section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended—

(A) in paragraph (4)(A), by striking ''has the same meaning as in section 714(f)(1)(A) of title 31, United States Code'' and inserting ''means a program or facility, including any special purpose vehicle or other entity established by or on behalf of the Board of Governors of the Federal Reserve System or a Federal reserve bank, authorized by the Board of Governors under section 13(3), that is not subject to audit under section 714(e) of title 31, United States Code'';

(B) in paragraph (6), by striking ''or in section 714(f)(3)(C) of title 31, United States Code, the information described in paragraph (1) and information concerning the transactions described in section 714(f) of such title,'' and inserting ''the information described in paragraph (1)''; and

(C) in paragraph (7), by striking ''and section 13(3)(C), section 714(f)(3)(C) of title 31, United States Code, and'' and inserting '', section 13(3)(C), and''.

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**SA 2047.** Mr. ENZI submitted an amendment intended to be proposed by

him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. _____. RATE OF PAY FOR EMPLOYEES OF THE BUREAU OF CONSUMER FINANCIAL PROTECTION.**

(a) IN GENERAL.—Section 1013(a)(2) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5493(a)(2)) is amended to read as follows:

''(2) COMPENSATION.—The rates of basic pay for all employees of the Bureau shall be set and adjusted by the Director in accordance with the General Schedule set forth in section 5332 of title 5, United States Code.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to service by an employee of the Bureau of Consumer Financial Protection following the 90-day period beginning on the date of enactment of this Act.

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**SA 2048.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. _____. GAO REPORT ON PUERTO RICO FORECLOSURES.**

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on foreclosures in the Commonwealth of Puerto Rico, including—

(1) the rate of foreclosures in the Commonwealth of Puerto Rico before and after Hurricane Maria

(2) the rate of return for housing developers in the Commonwealth of Puerto Rico before and after Hurricane Maria;

(3) the rate of delinquency in the Commonwealth of Puerto Rico before and after Hurricane Maria;

(4) the rate of homeownership in the Commonwealth of Puerto Rico before and after Hurricane Maria;

(5) the rate of defaults on federally insured mortgages in the Commonwealth of Puerto Rico before and after Hurricane Maria; and

(6) policy recommendations to address adverse impacts of Hurricane Maria on the rates of foreclosure, delinquency, homeownership, and default rates in the Commonwealth of Puerto Rico.

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**SA 2049.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 504. REPORT ON FOREIGN INVESTMENT IN REAL ESTATE IN THE UNITED STATES.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Commerce, shall submit to the appropriate congressional committees a report on foreign investment in real estate in the United States that includes the following:

(1) For each of the 30 years preceding such date of enactment, an estimate of the following:

(A) The total amount of foreign investment in real estate in the United States.

(B) The amount of investment described in subparagraph (A), disaggregated by—

(i) each of the 10 foreign countries from which the most such investment originates;

(ii) each covered foreign country; and

(iii) investment by public and private entities.

(C) The total amount of foreign investment in real estate in the United States in the 20 metropolitan statistical areas with the most such investment.

(D) The amount of investment described in subparagraph (C), disaggregated by—

(i) each of the metropolitan statistical areas described in that subparagraph;

(ii) each covered foreign country; and

(iii) investment by public and private entities.

(E) The total amount of foreign investment in real estate in the United States in the 10 States with the most such investment.

(F) The amount of investment described in subparagraph (E), disaggregated by—

(i) each of the States described in that subparagraph;

(ii) each covered foreign country; and

(iii) investment by public and private entities.

(2) An estimate of the percentage of the average home price in the metropolitan statistical areas described in paragraph (1)(C) attributable to foreign investment in real estate.

(3) An estimate of the percentage of the average home price in the States described in paragraph (1)(E) attributable to foreign investment in real estate.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED COUNTRY.—The term ''covered country'' means—

(A) Argentina;
(B) Brazil;
(C) Canada;
(D) Colombia;
(E) Germany;
(F) Japan;
(G) Norway;
(H) the People's Republic of China;
(I) Singapore;
(J) South Korea;
(K) Switzerland;
(L) the United Arab Emirates; and
(M) Venezuela.

(3) METROPOLITAN STATISTICAL AREA.—The term ''metropolitan statistical area'' has the meaning given that term by the Office of Management and Budget.

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**SA 2050.** Mr. NELSON (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ____. STANDARDS FOR PHYSICAL CONDITION AND MANAGEMENT OF HOUSING RECEIVING ASSISTANCE PAYMENTS.**

(a) IN GENERAL.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended by inserting after subsection (v) the following:

''(w) STANDARDS FOR PHYSICAL CONDITION AND MANAGEMENT OF HOUSING RECEIVING ASSISTANCE PAYMENTS.—

''(1) STANDARDS FOR PHYSICAL CONDITION AND MANAGEMENT OF HOUSING.—Any entity receiving assistance payments under this section shall maintain decent, safe, and sanitary conditions, as determined by the Secretary, for any structure covered under a housing assistance payment contract.

''(2) SURVEY OF TENANTS.—The Secretary shall develop a process by which a Performance-Based Contract Administrator shall, on a semiannual basis, conduct a survey of the tenants of each structure covered under a housing assistance payment contract for the purpose of identifying consistent or persistent problems with the physical condition of the structure or performance of the manager of the structure.

''(3) REMEDIATION.—A structure covered under a housing assistance payment contract shall be referred to the Secretary for remediation if a Performance-Based Contract Administrator identifies a consistent or persistent problem with the structure or the management of the structure based on—

''(A) a survey conducted under paragraph (2); or

''(B) any other observation made by the Performance-Based Contract Administrator during the normal course of business.

''(4) PENALTY FOR FAILURE TO UPHOLD STANDARDS.—

''(A) IN GENERAL.—The Secretary may impose a penalty on any owner of a structure covered under a housing assistance payment contract if the Secretary finds that the structure or manager of the structure—

''(i) did not satisfactorily meet the requirements under paragraph (1); or

''(ii) is repeatedly referred to the Secretary for remediation by a Performance Based Contract Administrator through the process established under paragraph (3).

''(B) AMOUNT.—A penalty imposed under subparagraph (A) shall be in an amount equal to not less than 1 percent of the annual budget authority the owner is allocated under a housing assistance payment contract.

''(C) USE OF AMOUNTS.—Any amounts collected under this paragraph shall be used solely for the purpose of supporting safe and sanitary conditions at applicable structures or for tenant relocation, as designated by the Secretary, with priority given to the tenants of the structure that led to the penalty.

''(5) APPLICABILITY.—This subsection shall not apply to any property assisted under subsection (o).''.

(b) ISSUANCE OF REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Housing and Urban Development shall submit to Congress a report that—

(1) examines the adequacy of capital reserves for each structure covered under a housing assistance payment contract under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(2) examines the use of funds derived from a housing assistance payment contract for purposes unrelated to the maintenance and capitalization of the structure covered under the contract; and

(3) includes any administrative or legislative recommendations to further improve the living conditions at those structures.

**SA 2051.** Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. PROHIBITION ON FEDERAL CONTRACTS IN EVENT OF DATA BREACH.**

(a) IN GENERAL.—No entity that has been subject to a data breach impacting over 10,000,000 individuals may be awarded any Federal contract until the Federal Trade Commission certifies, after appropriate consultation with the entity, that the issues or failures to adequately protect consumer data that led to the breach have been adequately resolved.

(b) POLICIES.—

(1) IN GENERAL.—Effective December 31, 2018, no entity shall be eligible to be awarded any Federal contract unless they have a policy in place to notify consumers within 30 days of being subject to a data breach.

(2) REGULATIONS.—The Administrator for Federal Procurement Policy shall promulgate regulations that carry out this subsection.

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**SA 2052.** Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. REQUIREMENT TO INVESTIGATE SIGNIFICANT VIOLATIONS AND DATA BREACHES.**

In the case of a potential violation of laws or regulations within its jurisdiction known to affect or reasonably believed to affect at least 1,000,000 consumers, or a data breach known to affect or reasonably believed to affect at least 1,000,000 consumers, the Bureau of Consumer Financial Protection shall investigate the incident and promptly submit to Congress a report detailing why the Bureau of Consumer Financial Protection did or did not assess fines and penalties or take other corrective actions. Such report shall be posted contemporaneously on the website of the Bureau of Consumer Financial Protection at a location that is conspicuous and available to the public.

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**SA 2053.** Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ____. INCREASED CIVIL PENALTIES FOR CERTAIN FALSE CERTIFICATIONS TO SECRETARY OF VETERANS AFFAIRS REGARDING HOME LOANS TO BE GUARANTEED OR INSURED BY DEPARTMENT OF VETERANS AFFAIRS.**

(a) IN GENERAL.—Subchapter III of chapter 37 of title 38, United States Code, is amended by adding at the end the following new section:

**"§ 3737. Civil penalties for lenders making false certifications regarding home loans**

''(a) IN GENERAL.—Notwithstanding section 3802 of title 31, any lender who knowingly and willfully makes a false certification under section 36.4340(k)(2) of title 38, Code of Federal Regulations, or successor regulation, shall be liable to the United States Government for a civil penalty equal to four times the amount of the Secretary's loss on the loan involved or another appropriate amount, not to exceed $50,000, whichever is greater.

''(b) PATTERN OR PRACTICE.—(1) In any case in which a lender described in paragraph (2) makes a false certification under section 36.4340(k)(2) of title 38, Code of Federal Regulations, or successor regulation, that is a part of a pattern or practice of knowingly and willfully making false certifications under such section that has had an effect on 500 or more veterans, the lender shall be liable to the United States Government for a civil penalty equal to $1,000,000 per veteran affected in addition to any amounts the lender may be liable for under subsection (a).

''(2) A lender described in this paragraph is a lender which has been identified as a global systematically important BHC under section 217.402 of title 12, Code of Federal Regulations, or successor regulation, or subject to a determination under section 113 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5323).

''(c) ADDITIONAL REMEDIES.—Any assessment under this section may be in addition to other remedies available to the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of such title is amended by inserting after the item relating to section 3736 the following new item:

''3737. Civil penalties for lenders making false certifications regarding home loans.''.

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**SA 2054.** Ms. WARREN (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

In section 303(a)(2)(A), in the matter preceding clause (i), insert ''under section 502 of the Gramm-Leach-Bliley Act (15 U.S.C. 6802)'' after ''shall not be liable''.

In section 303(a)(2)(B), in the matter preceding clause (i), insert ''under section 502 of the Gramm-Leach-Bliley Act (15 U.S.C. 6802)'' after ''shall not be liable''.

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**SA 2055.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

In section 401(a)(1), strike subparagraph (B) and insert the following:

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''$50,000,000,000'' and inserting ''the applicable threshold''; and

(ii) by adding at the end the following:

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**SA 2056.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 401, add the following:

(g) TARP FUNDS.—Any financial institution that received more than $1,000,000,000 from any funds made available under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) shall be subject to the provisions amended by this section in effect on the day before the date of enactment of this Act.

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**SA 2057.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. USE OF CREDIT CHECKS PROHIBITED FOR EMPLOYMENT PURPOSES.**

(a) PROHIBITION FOR EMPLOYMENT AND ADVERSE ACTION.—Section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b) is amended—

(1) in subsection (a)(3)(B), by inserting ''within the restrictions set forth in subsection (b)'' after ''purposes'';

(2) by redesignating subsections (b) through (g) as subsections (c) through (h), respectively; and

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

''(b) USE OF CERTAIN CONSUMER REPORT PROHIBITED FOR EMPLOYMENT PURPOSES OR ADVERSE ACTION.—

''(1) GENERAL PROHIBITION.—Except as provided in paragraph (3), a person, including a prospective employer or current employer, may not use a consumer report or investigative consumer report, or cause a consumer report or investigative consumer report to be procured, with respect to any consumer where any information contained in the report bears on the creditworthiness, credit standing, or credit capacity of the consumer—

''(A) for employment purposes; or

''(B) for making an adverse action, as described in section 603(k)(1)(B)(ii).

''(2) SOURCE OF CONSUMER REPORT IRRELEVANT.—The prohibition described in paragraph (1) shall apply even if the consumer consents or otherwise authorizes the procurement or use of a consumer report for employment purposes or in connection with an adverse action with respect to the consumer.

''(3) EXCEPTIONS.—Notwithstanding the prohibitions set forth in this subsection, and consistent with the other sections of this Act, an employer may use a consumer report with respect to a consumer in the following situations:

''(A) When the consumer applies for, or currently holds, employment that requires national security clearance.

''(B) When otherwise required by law.

''(4) EFFECT ON DISCLOSURE AND NOTIFICATION REQUIREMENTS.—The exceptions described in paragraph (3) shall have no effect upon the other requirements of this Act, including requirements in regards to disclosure and notification to a consumer when permissibly using a consumer report for employment purposes or for making an adverse action against the consumer.''.

(b) CONFORMING AMENDMENTS AND CROSS REFERENCES.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is further amended as follows:

(1) In section 603 (15 U.S.C. 1681a)—

(A) in subsection (d)(3), by striking ''604(g)(3)'' and inserting ''604(h)(3)''; and

(B) in subsection (o), by striking ''A'' and inserting ''Subject to the restrictions set forth in subsection 604(b), a''.

(2) In section 604 (15 U.S.C. 1681b)—

(A) in subsection (a), by striking ''subsection (c)'' and inserting ''subsection (d)'';

(B) in subsection (c), as redesignated by subsection (a)(2) of this section—

(i) in paragraph (2)(A), by inserting ''and subject to the restrictions set forth in subsection (b)'' after ''subparagraph (B)''; and

(ii) in paragraph (3)(A), by inserting ''and subject to the restrictions set forth in subsection (b)'' after ''subparagraph (B)'';

(C) in subsection (d)(1), as redesignated by subsection (a)(2) of this section, by striking ''subsection (e)'' each place that term appears and inserting ''subsection (f)''; and

(D) in subsection (f), as redesignated by subsection (a)(2) of this section—

(i) in paragraph (1), by striking ''subsection (c)(1)(B)'' and inserting ''subsection (d)(1)(B)''; and

(ii) in paragraph (5), by striking ''subsection (c)(1)(B)'' and inserting ''subsection (d)(1)(B)''.

(3) In section 607(e)(3)(A) (15 U.S.C. 1681e(e)(3)(A)), by striking ''604(b)(4)(E)(i)'' and inserting ''604(c)(4)(E)(i)''.

(4) In section 609(a)(3)(C) (15 U.S.C. 1681g(a)(3)(C))—

(A) in clause (i), by striking ''604(b)(4)(E)(i)'' and inserting ''604(c)(4)(E)(i)''; and

(B) in clause (ii), by striking ''604(b)(4)(A)'' and inserting ''604(c)(4)(A)''.

(5) In section 613(b) (15 U.S.C. 1681k(b)), by striking section ''604(b)(4)(A)'' and inserting ''section 604(c)(4)(A)''.

(6) In section 615(d) (15 U.S.C. 1681m(d))—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''section 604(c)(1)(B)'' and inserting ''section 604(d)(1)(B)''; and

(ii) in subparagraph (E), by striking ''section 604(e)'' and inserting ''section 604(f)''; and

(B) in paragraph (2)(A), by striking ''section 604(e)'' and inserting ''section 604(f)''.

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**SA 2058.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 401, add the following:

(g) RESTRICTION ON CERTAIN BANK HOLDING COMPANIES.—

(1) DEFINITION.—In this subsection, the term ''covered bank holding company'' means a bank holding company that—

(A) on the day before the date of enactment of this Act, was subject to the prudential standards under section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365); and

(B) on or after the date of enactment of this Act, is no longer subject to the prudential standards described in subparagraph (A).

(2) RESTRICTION.—During the 5-year period beginning on the date on which a covered bank holding company is no longer subject to the prudential standards described in paragraph (1)(A), a covered bank holding company may not merge with or acquire another bank holding company.

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**SA 2059.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3____. PREDISPUTE ARBITRATION.**

Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended by adding at the end the following:

''(12) PREDISPUTE AGREEMENTS AND WAIVERS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) POSTSECONDARY EDUCATION LOAN.—The term 'postsecondary education loan'—

''(I) means a loan that is—

''(aa) made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.); or

''(bb) issued or made by a postsecondary education lender and is—

''(AA) extended to a borrower with the expectation that the amounts extended will be used in whole or in part to pay postsecondary education expenses; or

''(BB) extended for the purpose of refinancing or consolidating 1 or more loans described in item (aa) or (bb);

''(II) includes a private education loan; and

''(III) does not include a loan—

''(aa) made under an open-end credit plan; or

''(bb) that is secured by real property.

''(ii) STUDENT LOAN SERVICER.—The term 'student loan servicer'—

''(I) means a person who performs student loan servicing;

''(II) includes a person performing student loan servicing for a postsecondary education loan on behalf of an institution of higher education or the Secretary of Education under a contract or other agreement;

''(III) does not include the Secretary of Education to the extent the Secretary directly performs student loan servicing for a postsecondary education loan; and

''(IV) does not include an institution of higher education, to the extent that the institution directly performs student loan servicing for a Federal Perkins Loan made by the institution.

''(B) NO WAIVER.—

''(i) IN GENERAL.—A borrower may not waive any right or remedy relating to a private education loan that is available to the borrower against a private educational lender, postsecondary education lender, loan holder, or student loan servicer before the dispute as to which the right or remedy relates arises.

''(ii) NO FORCE OR EFFECT.—Any waiver described in clause (i) agreed to before, on, or after the date of enactment of this paragraph shall not be enforceable and shall have no force or effect.

''(C) PREDISPUTE ARBITRATION AGREEMENTS.—An agreement entered before, on, or after the date of enactment of this paragraph to arbitrate a dispute relating to a private education loan that had not arisen at the time the agreement was entered shall not be enforceable and shall have no force or effect.''.

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**SA 2060.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

In section 401, add at the end the following:

(g) PROHIBITION ON STOCK BUYBACKS.—

(1) DEFINITIONS.—In this subsection—

(A) the terms ''bank holding company'' and ''nonbank financial company supervised by the Board of Governors'' have the meanings given the terms in section 102(a) of the Financial Stability Act of 2010 (12 U.S.C. 5311(a)); and

(B) the term ''covered entity'' means a bank holding company or a nonbank financial company supervised by the Board of Governors that is not subject to prudential standards under section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365) because of the amendments made by this section.

(2) PROHIBITION.—During the 5-year period beginning on the date of enactment of this Act, no covered entity may buy back the stock of that covered entity.

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**SA 2061.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 401, add the following:

(__) OUTSOURCING OF JOBS.—

(1) IN GENERAL.—Any financial institution that has outsourced more than 50 jobs in any given year during the 5-year period ending on the date of enactment of this Act shall be subject to the provisions amended by this section in effect on the day before the date of enactment of this Act.

(2) STUDY AND RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Board of Governors of the Federal Reserve System, in consultation with the Secretary of Labor, shall publish a list of financial institutions that have outsourced more than 50 jobs in any given year during the 5-year period ending on the date of enactment of this Act.

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**SA 2062.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 3____. REVENUE SHARING AND DISCLOSURE OF AFFILIATION.**

Chapter 2 of title I of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following:

**''SEC. 140B. PREVENTING UNFAIR AND DECEPTIVE MARKETING OF CONSUMER FINANCIAL PRODUCTS AND SERVICES TO STUDENTS OF INSTITUTIONS OF HIGHER EDUCATION.**

''(a) DEFINITIONS.—In this section:

''(1) AFFILIATE.—The term 'affiliate' means any person that controls, is controlled by, or is under common control with another person.

''(2) AFFILIATED.—

''(A) IN GENERAL.—The term 'affiliated', when used with respect to a consumer financial product or service and an institution of higher education, means an association between such institution and product or service resulting from—

''(i) the name, emblem, mascot, or logo of the institution being used with respect to such product or service; or

''(ii) some other word, picture, or symbol readily identified with the institution in the marketing of the consumer financial product or service in any way that implies that the institution endorses the consumer financial product or service.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to deem an association between an institution of higher education and a consumer financial product or service to be affiliated if such association is solely based on an advertisement

by a financial institution that is delivered to a wide and general audience consisting of more than enrolled students at the institution of higher education.

''(3) CONSUMER FINANCIAL PRODUCT OR SERVICE.—The term 'consumer financial product or service' has the meaning given the term in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).

''(4) FINANCIAL INSTITUTION.—The term 'financial institution' means—

''(A) any person that engages in offering or providing a consumer financial product or service; and

''(B) any affiliate of such person described in subparagraph (A) if such affiliate acts as a service provider to such person.

''(5) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

''(6) PERSON.—The term 'person' means an individual, partnership, company, corporation, association (incorporated or unincorporated), trust, estate, cooperative organization, or other entity.

''(7) REVENUE-SHARING ARRANGEMENT.—The term 'revenue-sharing arrangement'—

''(A) means an arrangement between an institution of higher education and a financial institution under which—

''(i) a financial institution provides or issues a consumer financial product or service to college students attending the institution of higher education;

''(ii) the institution of higher education recommends, promotes, sponsors, or otherwise endorses the financial institution, or the consumer financial products or services offered by the financial institution; and

''(iii) the financial institution pays a fee or provides other material benefits, including revenue or profit sharing, to the institution of higher education, or to an officer, employee, or agent of the institution of higher education, in connection with the consumer financial products and services provided to college students attending the institution of higher education; and

''(B) does not include an arrangement solely based on a financial institution paying a fair market price to an institution of higher education for the institution of higher education to advertise or market the financial institution to the general public.

''(8) SERVICE PROVIDER.—The term 'service provider'—

''(A) means any person that provides a material service to another person in connection with the offering or provision by such other person of a consumer financial product or service, including a person that—

''(i) participates in designing, operating, or maintaining the consumer financial product or service; or

''(ii) processes transactions relating to the consumer financial product or service (other than unknowingly or incidentally transmitting or processing financial data in a manner that such data is undifferentiated from other types of data of the same form as the person transmits or processes); and

''(B) does not include a person solely by virtue of such person offering or providing to another person—

''(i) a support service of a type provided to businesses generally or a similar ministerial service; or

''(ii) time or space for an advertisement for a consumer financial product or service through print, newspaper, or electronic media.

''(b) DISCLOSURE OF AFFILIATION.—

''(1) REPORTS BY FINANCIAL INSTITUTIONS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, each financial institution shall submit a report to the Bureau containing the terms and conditions of all business, marketing, and promotional agreements that the financial institution has with any institution of higher education, or an alumni organization or foundation that is an affiliate of or related to an institution of higher education, relating to any consumer financial product or service offered to college students at institutions of higher education.

''(B) DETAILS OF REPORT.—The information required to be reported by a financial institution under subparagraph (A) includes—

''(i) any memorandum of understanding between or among the financial institution and an institution of higher education, alumni association, or foundation that directly or indirectly relates to any aspect of an agreement referred to in subparagraph (A) or controls or directs any obligations or distribution of benefits between or among the entities; and

''(ii) the number and dollar amount outstanding of consumer financial products or services accounts covered by any such agreement that were originated during the period covered by the report, and the total number and dollar amount of consumer financial products or services accounts covered by the agreement that were outstanding at the end of such period.

''(C) AGGREGATION BY INSTITUTION.—The information required to be reported under subparagraph (A) shall be aggregated with respect to each institution of higher education or alumni organization or foundation that is an affiliate of or related to the institution of higher education.

''(2) REPORTS BY BUREAU.—The Bureau shall submit to Congress, and make available to the public, an annual report that lists the information submitted to the Bureau under paragraph (1).

''(3) ELECTRONIC DISCLOSURES.—

''(A) POSTING AGREEMENTS.—Each financial institution shall establish and maintain an Internet site on which the financial institution shall post the written agreement between the financial institution and the institution of higher education for each affiliated consumer financial product or service.

''(B) FINANCIAL INSTITUTION TO PROVIDE CONTRACTS TO THE BUREAU.—Each financial institution shall provide to the Bureau, in electronic format, the written agreements that it publishes on its Internet site pursuant to this paragraph.

''(C) RECORD REPOSITORY.—The Bureau shall establish and maintain on its publicly available Internet site a central repository of the agreements received from financial institutions pursuant to this paragraph, and such agreements shall be easily accessible and retrievable by the public.

''(D) EXCEPTION.—This paragraph shall not apply to individually negotiated changes to contractual terms, such as individually modified workouts or renegotiations of amounts owed by an institution of higher education.

''(c) CONSUMER FINANCIAL PRODUCTS OR SERVICE REQUIREMENTS.—A financial institution or service provider that offers a consumer financial product or service that is affiliated with an institution of higher education shall—

''(1) work with the institution of higher education to obtain a student's consent to offer a consumer financial product or service before a consumer financial product or service is provided to the student;

''(2) ensure that any personally identifiable information about a student that is received by the financial institution or service provider—

''(A) is used solely for activities in the written agreement between the financial institution and the institution of higher education for each affiliated consumer financial product or service; and

''(B) is not shared with any other affiliate, person, or entity except for the purpose described in subparagraph (A);

''(3) inform the student of the terms and conditions of the consumer financial product or service, before the student uses the consumer financial product or service;

''(4) not charge the student any cost for using the consumer financial product or service for any purpose, including when the student conducts point-of-sale transactions, a balance inquiry, or withdrawal of funds; and

''(5) ensure that—

''(A) consumer financial product or service is not marketed or portrayed as, or converted into, a credit card; and

''(B) no credit is extended or associated with the consumer financial product or service, and no fee is charged to the student for any transaction or withdrawal.

''(d) PROHIBITION OF REVENUE-SHARING ARRANGEMENT.—A financial institution that offers a consumer financial product or service that is affiliated with an institution of higher education may not enter into a revenue-sharing arrangement with the institution of higher education.

''(e) STUDENT'S BEST FINANCIAL INTEREST.—

''(1) IN GENERAL.—A financial institution or service provider that offers a consumer financial product or service that is affiliated with an institution of higher education shall ensure that the terms and conditions of all agreements that the financial institution has with any institution of higher education, or an alumni organization or foundation that is an affiliate of or related to an institution of higher education, relating to any consumer financial product or service offered to college students at institutions of higher education are consistent with the best financial interests of the students using the consumer financial product or service, as described in paragraph (2).

''(2) STUDENT'S BEST INTEREST.—A financial institution or service provider shall be considered to meet the requirement described in paragraph (1) if that financial institution—

''(A) ensures that all agreements that the financial institution has with any institution of higher education relating to any consumer financial product or service offered to college students enrolled at institutions of higher education—

''(i) make provisions for termination of the arrangement by the institution of higher education based on complaints received from students enrolled at the institution; and

''(ii) do not require students enrolled at the institution of higher education to use consumer financial products or services offered by the financial institution in order to receive Federal student aid financial assistance funding authorized by title IV of the Higher Education Act of 1965;

''(B) ensures that requirements of this section are met.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a financial institution from establishing a consumer product or service affiliated with an institution of higher education if—

''(1) the consumer product or service will—

''(A) assist college students in reducing costs or fees associated with the use of consumer financial products or services;

''(B) increase consumer choice; and

''(C) enhance consumer protections; and

''(2) the financial institution is in compliance with the requirements of this Act.''.

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**SA 2063.** Ms. WARREN submitted an amendment intended to be proposed by

her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

In section 401, add at the end the following:

(g) APPLICATION.—
(1) DEFINITIONS.—In this subsection—
(A) the terms ''bank holding company'' and ''nonbank financial company supervised by the Board of Governors'' have the meanings given the terms in section 102(a) of the Financial Stability Act of 2010 (12 U.S.C. 5311(a)); and
(B) the term ''covered entity'' means a bank holding company or a nonbank financial company supervised by the Board of Governors—
(i) that would not be subject to prudential standards under section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365) because of the amendments made by this section; and
(ii) on which the Attorney General, or the head of any other Federal agency, has imposed more than $10,000,000 in fines during the 10-year period preceding the date of enactment of this Act.
(2) APPLICATION TO CERTAIN FINANCIAL INSTITUTIONS.—This section, and the amendments made by this section, shall not apply with respect to a covered entity.

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**SA 2064.** Ms. WARREN (for herself and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

In section 401, add at the end the following:

(g) APPLICATION.—
(1) DEFINITIONS.—In this subsection—
(A) the terms ''bank holding company'' and ''nonbank financial company supervised by the Board of Governors'' have the meanings given the terms in section 102(a) of the Financial Stability Act of 2010 (12 U.S.C. 5311(a)); and
(B) the term ''covered entity'' means a bank holding company or a nonbank financial company supervised by the Board of Governors—
(i) that is not subject to prudential standards under section 165 of the Financial Stability Act of 2010 (12 U.S.C. 5365) because of the amendments made by this section; and
(ii)(I) that is subject to a consent decree or a deferred prosecution agreement; or
(II) with respect to which a monitor has been appointed pursuant to a settlement with the Federal Government or a State agency.
(2) APPLICATION TO CERTAIN FINANCIAL INSTITUTIONS.—This section, and the amendments made by this section, shall not apply with respect to a covered entity.

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**SA 2065.** Ms. WARREN (for herself, Mr. WARNER, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE VI—DATA BREACH PREVENTION AND COMPENSATION**

**SEC. 601. SHORT TITLE.**

This title may be cited as the ''Data Breach Prevention and Compensation Act of 2018''.

**SEC. 602. DEFINITIONS.**

In this title:
(1) CAREER APPOINTEE.—The term ''career appointee'' has the meaning given the term in section 3132(a) of title 5, United States Code.
(2) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.
(3) COVERED BREACH.—The term ''covered breach'' means any instance in which at least 1 piece of personally identifying information is exposed or is reasonably likely to have been exposed to an unauthorized party.
(4) COVERED CONSUMER REPORTING AGENCY.—The term ''covered consumer reporting agency'' means—
(A) a consumer reporting agency described in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a(p)); or
(B) a consumer reporting agency that earns not less than $7,000,000 in annual revenue from the sales of consumer reports.
(5) DIRECTOR.—The term ''Director'' means the Director of the Office of Cybersecurity.
(6) DETAIL.—The term ''detail'' means a temporary assignment of an employee to a different position for a specified period, with the employee returning to his or her regular duties at the end of the detail.
(7) PERSONALLY IDENTIFYING INFORMATION.—The term ''personally identifying information'' means—
(A) a Social Security number;
(B) a driver's license number;
(C) a passport number;
(D) an alien registration number or other government-issued unique identification number;
(E) unique biometric data, such as faceprint, fingerprint, voice print, iris image, or other unique physical representations;
(F) an individual's first and last name or first initial and last name in combination with any information that relates to the individual's past, present, or future physical or mental health or condition, or to the provision of health care to or diagnosis of the individual;
(G)(i) a financial account number, debit card number, or credit card number of the consumer; or
(ii) any passcode required to access an account described in clause (i); and
(H) such additional information, as determined by the Director.

**SEC. 603. CYBERSECURITY STANDARDS AND FTC AUTHORITY.**

(a) ESTABLISHMENT.—There is established in the Commission an Office of Cybersecurity, which shall be headed by a Director, who shall be a career appointee.
(b) DUTIES.—The Office of Cybersecurity—
(1) shall—
(A) supervise covered consumer reporting agencies with respect to data security;
(B) promulgate regulations for effective data security for covered consumer reporting agencies, including regulations that require covered consumer reporting agencies to—
(i) provide the Commission with descriptions of technical and organizational security measures, including—
(I) system and network security measures, including—
(aa) asset management, including—
(AA) an inventory of authorized and unauthorized devices;
(BB) an inventory of authorized and unauthorized software, including application whitelisting; and
(CC) secure configurations for hardware and software;
(bb) network management and monitoring, including—
(AA) mapped data flows, including functional mission mapping;
(BB) maintenance, monitoring, and analysis of audit logs;
(CC) network segmentation; and
(DD) local and remote access privileges, defined and managed; and
(cc) application management, including—
(AA) continuous vulnerability assessment and remediation;
(BB) server application hardening;
(CC) vulnerability handling such as coordinated vulnerability disclosure policy; and
(DD) patch management, including at, or near, real-time dashboards of patch implementation across network hosts; and
(II) data security, including—
(aa) data-centric security mechanisms such as format-preserving encryption, cryptographic data-splitting, and data-tagging and lineage;
(bb) encryption for data at rest;
(cc) encryption for data in transit;
(dd) systemwide data minimization evaluations and policies; and
(ee) data recovery capability; and
(ii) create and maintain documentation demonstrating that the covered consumer reporting agency is employing reasonable technical measures and corporate governance processes for continuous monitoring of data, intrusion detection, and continuous evaluation and timely patching of vulnerabilities;
(C) annually examine the data security measures of covered consumer reporting agencies for compliance with the standards promulgated under subparagraph (B);
(D) investigate any covered consumer reporting agency if the Office has reason to suspect a potential covered breach or noncompliance with the standards promulgated under subparagraph (B);
(E) after consultation with members of the technical and academic communities, develop a rigorous, repeatable methodology for evaluating, testing, and measuring effective data security practices of covered consumer reporting agencies, that employs forms of static and dynamic software analysis and penetration testing;
(F) submit to Congress an annual report on the findings on any investigation under subparagraph (C);
(G) determine whether covered consumer reporting agencies are complying with the regulations promulgated under subparagraph (B); and
(H) coordinate with the National Institute of Standards and Technology and the National Cybersecurity and Communications Integration Center of the Department of Homeland Security; and
(2) may—
(A) investigate any breach to determine if the covered consumer reporting agency was in compliance with the regulations promulgated under paragraph (1)(B); and
(B) if the Commission has reason to believe that any covered consumer reporting agency is violating, or is about to violate, a regulation promulgated under paragraph (1)(B), bring a suit in a district court of the United States to enjoin any such act or practice.
(c) STAFF.—
(1) IN GENERAL.—The Director shall, without regard to the civil service laws and regulations, appoint such personnel, including computer security researchers and practitioners with technical expertise in computer science, engineering, and cybersecurity, as the Director determines are necessary to carry out the duties of the Office.

(2) DETAILS.—An employee of the National Institute of Standards and Technology, the Bureau of Consumer Financial Protection, or the National Cybersecurity and Communications Integration Center of the Department of Homeland Security may be detailed to the Office, without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

**SEC. 604. NOTIFICATION AND ENFORCEMENT.**

(a) NOTIFICATION.—Not later than 10 days after a covered breach, the covered consumer reporting agency that was subject to the covered breach shall notify the Commission of the covered breach.

(b) PENALTY.—

(1) IN GENERAL.—In the event of a covered breach, the Commission shall, not later than 30 days after the date on which the Commission receives notification of the covered breach, commence a civil action to recover a civil penalty in a district court of the United States against the covered consumer reporting agency that was subject to the covered breach.

(2) DETERMINING PENALTY AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in determining the amount of a civil penalty under paragraph (1), the court shall impose a civil penalty on a covered consumer reporting agency of—

(i) $100 for each consumer whose first and last name, or first initial and last name, and at least 1 item of personally identifying information was compromised; and

(ii) an additional $50 for each additional item of personally identifying information compromised for each consumer.

(B) EXCEPTION.—

(i) IN GENERAL.—Except as provided in clause (ii), a court may not impose a civil penalty under this subsection in an amount greater than 50 percent of the gross revenue of the covered consumer reporting agency for the previous fiscal year before the date on which the covered consumer reporting agency became aware of the covered breach.

(ii) PENALTY DOUBLED.—A court shall impose a civil penalty on a covered consumer reporting agency double the penalty described in subparagraph (A), but not greater than 75 percent of the gross revenue of the covered consumer reporting agency for the previous fiscal year before the date on which the covered consumer reporting agency became aware of the covered breach if—

(I) the covered consumer reporting agency fails to notify the Commission of a covered breach before the deadline established under subsection (a); or

(II) the covered consumer reporting agency violates any regulation promulgated under section 603(b)(1)(C).

(3) PROCEEDS OF THE PENALTIES.—Of the penalties assessed under this subsection—

(A) 50 percent shall be used for cybersecurity research and inspections by the Office of Cybersecurity; and

(B) 50 percent shall be used by the Commission to be divided fairly among consumers affected by the covered breach.

(4) NO PREEMPTION.—Nothing in this subsection shall preclude an action by a consumer under State or other Federal law.

(c) INJUNCTIVE RELIEF.—The Commission may bring suit in a district court of the United States or in the United States court of any Territory to enjoin a covered consumer reporting agency to implement or correct a particular security measure in order to promote effective security.

**SEC. 605. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated $100,000,000 to carry out this title, to remain available until expended.

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**SA 2066.** Ms. WARREN (for herself and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. DISCLOSURE OF PAYMENTS FOR SETTLEMENTS OF DISPUTES REGARDING SEXUAL ABUSE AND CERTAIN TYPES OF HARASSMENT AND DISCRIMINATION.**

Section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) is amended by adding at the end the following:

''(s) DISCLOSURE OF CERTAIN ACTIVITIES REGARDING SETTLEMENTS OF DISPUTES RELATING TO SEXUAL ABUSE AND CERTAIN TYPES OF HARASSMENT OR DISCRIMINATION.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered discrimination' means—

''(i) discrimination described in any of clauses (i) through (vi) of subparagraph (B); or

''(ii)(I) a violation of section 704(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–3(a)) that is related to discrimination described in subparagraph (B)(i) or (B)(vi)(I);

''(II) a violation of section 4(d) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623(d)) that is related to discrimination described in subparagraph (B)(ii);

''(III) a violation of subsection (a) or (b) of section 503 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12203) that is related to discrimination described in subparagraph (B)(iii);

''(IV) a violation of section 207(f) of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff–6(f)) that is related to discrimination described in subparagraph (B)(iv);

''(V) a violation of section 4311(b) of title 38, United States Code, that is related to discrimination described in subparagraph (B)(v); and

''(VI) a violation of section 40002(b)(13)(A) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)(13)(A)) that—

''(aa) may cover retaliation described in a provision specified in any of subclauses (I) through (V); and

''(bb) is related to discrimination described in subparagraph (B)(vi)(II);

''(B) the term 'covered harassment' means harassment that is—

''(i) discrimination because of race, color, religion, sex, or national origin under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

''(ii) discrimination because of age under the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.);

''(iii) discrimination on the basis of disability under—

''(I) title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.); or

''(II) section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791);

''(iv) discrimination because of genetic information under title II of the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.);

''(v) discrimination on the basis of status concerning service in a uniformed service under section 4311(a) of title 38, United States Code; or

''(vi) discrimination because of sexual orientation or gender identity under—

''(I) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.); or

''(II) section 40002(b)(13)(A) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)(13)(A));

''(C) the term 'covered issuer' means an issuer that is required to file Form 10–K;

''(D) the term 'Form 10–K' means the form described in section 249.310 of title 17, Code of Federal Regulations, as in effect on the date of enactment of this subsection;

''(E) the term 'gender identity' means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the designated sex of the individual at birth;

''(F) the term 'settlement' means any commitment or agreement—

''(i) without regard to whether the commitment or agreement, as applicable, is in writing; and

''(ii) under which an issuer directly or indirectly—

''(I) provides to an individual compensation or other consideration because of an allegation that the individual has been a victim of covered harassment, covered discrimination, or sexual abuse; or

''(II) establishes conditions that affect the terms of the employment, including by terminating the employment, of the individual with the issuer—

''(aa) because of the experience of the individual with, or the participation of the individual in, an alleged act of covered harassment, covered discrimination, or sexual abuse; and

''(bb) in exchange for which the individual agrees or commits not to—

''(AA) bring legal, administrative, or any other type of action against the issuer; or

''(BB) publicly disclose, for a period of time of any length, any portion of the alleged act described in item (aa) on which the commitment or agreement, as applicable, is based;

''(G) the term 'sexual abuse' means any type of sexual contact or behavior that occurs without the explicit consent of the recipient, including forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape; and

''(H) the term 'sexual orientation' means homosexuality, heterosexuality, or bisexuality.

''(2) DISCLOSURE REQUIREMENTS.—

''(A) IN GENERAL.—Beginning in the first fiscal year that begins after the date of enactment of this subsection, each covered issuer shall disclose annually on Form 10–K, to shareholders of the covered issuer, and to the public—

''(i) with respect to the previous year—

''(I) the total number of settlements entered into by the covered issuer, a subsidiary, contractor, or subcontractor of the covered issuer, or a corporate executive of the covered issuer that relate to any alleged act of sexual abuse, covered harassment, or covered discrimination that—

''(aa) occurred in the workplace of the covered issuer or a subsidiary, contractor, or subcontractor of the covered issuer; or

''(bb) involves the behavior of an employee of the covered issuer, or a subsidiary, contractor, or subcontractor of the covered issuer, toward another such employee, without regard to whether that behavior occurred in the workplace of the covered issuer or the subsidiary, contractor, or subcontractor, as applicable;

''(II) the total dollar amount paid with respect to the settlements described in subclause (I);

''(III) the total number of settlements entered into by the covered issuer, a subsidiary, contractor, or subcontractor of the covered issuer, or a corporate executive of the covered issuer that relate to any alleged act of sexual abuse, covered harassment, or covered discrimination that—

''(aa) was committed by a corporate executive of—

''(AA) the covered issuer; or

''(BB) a subsidiary, contractor, or subcontractor of the covered issuer; and

''(bb)(AA) occurred in the workplace of the covered issuer or a subsidiary, contractor, or subcontractor of the covered issuer, as applicable; or

''(BB) involved the behavior of a corporate executive described in item (aa) toward another employee of the covered issuer or a subsidiary, contractor, or subcontractor of the covered issuer, as applicable, without regard to whether that behavior occurred in the workplace of the covered issuer or a subsidiary, contractor, or subcontractor of the covered issuer;

''(IV) the total dollar amount with respect to the settlements described in subclause (III); and

''(V) the average length of time required for the covered issuer to resolve a complaint relating to covered discrimination, covered harassment, or sexual abuse; and

''(ii) as of the date on which the disclosure is made, the total number of complaints relating to covered discrimination, covered harassment, and sexual abuse that the covered issuer is working to resolve through—

''(I) processes that are internal to the covered issuer; and

''(II) litigation.

''(B) CATEGORIES.—Subject to subparagraph (C), in each disclosure required under subparagraph (A), a covered issuer shall report the total number of settlements in subclauses (I) and (III) of subparagraph (A)(i) and the total dollar amounts in subclauses (II) and (IV) of subparagraph (A)(i) in the aggregate and list each such settlement by any of the following categories that apply to the settlement:

''(i) Settlements relating to sexual abuse, covered discrimination, or covered harassment because of sex.

''(ii) Settlements relating to covered discrimination or covered harassment because of race, color, or national origin.

''(iii) Settlements relating to covered discrimination or covered harassment because of religion.

''(iv) Settlements relating to covered discrimination or covered harassment because of age.

''(v) Settlements relating to covered discrimination or covered harassment on the basis of disability.

''(vi) Settlements relating to covered discrimination or covered harassment because of genetic information.

''(vii) Settlements relating to covered discrimination or covered harassment on the basis of status concerning service in a uniformed service.

''(viii) Settlements relating to covered discrimination or covered harassment because of sexual orientation or gender identity.

''(C) PROHIBITIONS ON CERTAIN DISCLOSURES.—

''(i) PROHIBITION ON DISCLOSURES BY COVERED ISSUERS.—

''(I) IN GENERAL.—A covered issuer may not—

''(aa) in any disclosure made under subparagraph (A), or in any other public disclosure, disclose the name of a victim of an alleged act of sexual abuse, covered harassment, or covered discrimination on which a settlement or complaint, as applicable, described in subparagraph (A) is based; or

''(bb) under subparagraph (B), categorize a settlement described in subclause (I) or (III) of subparagraph (A)(i) if the victim of the alleged act of sexual abuse, covered harassment, or covered discrimination on which the settlement is based objects to that categorization.

''(II) INDICATION OF OBJECTION.—A covered issuer shall indicate in any disclosure made under subparagraph (A) whether any objection has been made under subclause (I)(bb) of this clause.

''(ii) PROHIBITION ON DISCLOSURES BY THE COMMISSION.—The Commission may not disclose the name of a victim of an alleged act of sexual abuse, covered harassment, or covered discrimination on which a settlement or complaint, as applicable, described in subparagraph (A) is based.

''(D) PREVENTION OF SEXUAL ABUSE, COVERED HARASSMENT, AND COVERED DISCRIMINATION.—In each disclosure required under subparagraph (A), the covered issuer making the disclosure shall include a description of the measures taken by the covered issuer and any subsidiary, contractor, or subcontractor of the covered issuer to prevent employees of the covered issuer and any subsidiary, contractor, or subcontractor of the covered issuer from committing or engaging in sexual abuse, covered harassment, or covered discrimination.

''(3) REGULATIONS.—The Commission may promulgate such regulations as the Commission considers necessary to implement the requirements under paragraph (2).''.

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**SA 2067.** Ms. WARREN (for herself, Mr. BLUMENTHAL, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 301 and insert the following:

**SEC. 301. PROTECTING CONSUMERS' CREDIT.**

(a) DEFINITION OF CREDIT FREEZE.—Section 603(q) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)) is amended by adding at the end the following:

''(6) CREDIT FREEZE.—

''(A) IN GENERAL.—The term 'credit freeze' means a restriction placed at the request of a consumer or a personal representative of the consumer, on the consumer report of the consumer, that prohibits a consumer reporting agency from releasing the consumer report for a purpose relating to the extension of credit without the express authorization of the consumer.

''(B) EXCEPTION.—A credit freeze shall not apply to the use of a consumer report by any of the following:

''(i) A person, or the subsidiary, affiliate, agent, subcontractor, or assignee of the person, with whom the consumer has, or prior to assignment had, an account, contract, or debtor-creditor relationship for the purposes of reviewing the active account or collecting the financial obligation owed on the account, contract, or debt.

''(ii) A person, or the subsidiary, affiliate, agent, subcontractor, or assignee of the person, to whom access has been granted pursuant to a request by the consumer described under section 605A(i)(1)(B), for purposes of facilitating the extension of credit or other permissible use.

''(iii) Any person acting pursuant to a court order, warrant, or subpoena.

''(iv) A Federal, State, or local government, or an agent or assignee thereof.

''(v) Any person for the sole purpose of providing a credit monitoring or identity theft protection service to which the consumer has subscribed.

''(vi) Any person for the purpose of providing a consumer with a copy of the consumer report or credit score of the consumer upon request by the consumer.

''(vii) Any person or entity for insurance purposes, including use in setting or adjusting a rate, adjusting a claim, or underwriting.

''(viii) Any person acting pursuant to an authorization from a consumer to use their consumer report for employment purposes.''.

(b) ENHANCEMENT OF FRAUD ALERT PROTECTIONS.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''ONE-CALL'' and inserting ''ONE-YEAR'';

(B) in paragraph (1)—

(i) in the paragraph heading, by striking ''INITIAL ALERTS'' and inserting ''IN GENERAL'';

(ii) in the matter preceding subparagraph (A), by inserting ''or harmed by the unauthorized disclosure of the financial or personally identifiable information of the consumer,'' after ''identity theft,'';

(iii) in subparagraph (A)—

(I) by striking ''90 days'' and inserting ''1 year''; and

(II) by striking ''and'' at the end;

(iv) in subparagraph (B)—

(I) by inserting ''1-year'' before ''fraud alert''; and

(II) by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(C) upon the expiration of the 1-year period described in subparagraph (A) or a subsequent 1-year period, and in response to a direct request by the consumer or such representative, continue the fraud alert for an additional period of 1 year if the information asserted in this paragraph remains applicable.''; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''1-year'' before ''fraud alert''; and

(ii) in subparagraph (B), by striking ''any request described in subparagraph (A)'' and inserting ''the consumer reporting agency includes the 1-year fraud alert in the file of the consumer'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EXTENDED'' and inserting ''SEVEN-YEAR'';

(B) in paragraph (1)—

(i) in subparagraph (B)—

(I) by striking ''5-year period beginning on the date of such request'' and inserting ''the 7-year period described in subparagraph (A)''; and

(II) by striking ''and'' at the end;

(ii) in subparagraph (C)—

(I) by striking ''extended'' and inserting ''7-year''; and

(II) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) upon the expiration of the 7-year period described in subparagraph (A) or a subsequent 7-year period, and in response to a direct request by the consumer or such representative, continue the fraud alert for an additional period of 7 years if the consumer or such representative submits an updated identity theft report.''; and

(C) in paragraph (2), by amending subparagraph (A) to read as follows:

''(A) disclose to the consumer that the consumer may request a free copy of the file of the consumer pursuant to section 612(d) during each 12-month period beginning on the date on which the 7-year fraud alert was included in the file and ending on the date of the last day that the 7-year fraud alert applies to the file of the consumer; and'';

(3) in subsection (c)—

(A) by redesignating paragraphs (1), (2), and (3), as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(B) in the matter preceding subparagraph (A), as so redesignated, by striking ''Upon the direct request'' and inserting the following:

''(1) IN GENERAL.—Upon the direct request''; and

(C) by adding at the end the following:

''(2) ACCESS TO FREE REPORTS.—If a consumer reporting agency includes an active duty alert in the file of an active duty military consumer, the consumer reporting agency shall—

''(A) disclose to the active duty military consumer that the active duty military consumer may request a free copy of the file of the active duty military consumer pursuant to section 612(d), during each 12-month period beginning on the date on which the activity duty military alert is requested and ending on the date of the last day that the active duty alert applies to the file of the active duty military consumer; and

''(B) not later than 3 business days after the date on which the active duty military consumer makes a request described in subparagraph (A), provide to the active duty military consumer all disclosures required to be made under section 609, without charge to the active duty military consumer.'';

(4) by amending subsection (d) to read as follows:

''(d) PROCEDURES.—Each consumer reporting agency described in section 603(p) shall establish and make available to the public on the Internet website of the consumer reporting agency policies and procedures to comply with this section, including policies and procedures—

''(1) that inform consumers of the availability of 1-year fraud alerts, 7-year fraud alerts, active duty alerts, and credit freezes, as applicable;

''(2) that allow consumers to request 1-year fraud alerts, 7-year fraud alerts, and active duty alerts, as applicable, and to place, temporarily lift, or fully remove a credit freeze in a simple and easy manner; and

''(3) for asserting in good faith a suspicion that the consumer has been or is about to become a victim of identity theft, fraud, or a related crime, or harmed by the unauthorized disclosure of the financial or personally identifiable information of the consumer, for a consumer seeking a 1-year fraud alert or credit freeze.'';

(5) in subsection (e), in the matter preceding paragraph (1), by inserting ''1-year or 7-year'' before ''fraud alert'';

(6) in subsection (f), by striking ''or active duty alert'' and inserting ''active duty alert, or credit freeze, as applicable,'';

(7) in subsection (g)—

(A) by inserting ''or has been harmed by the unauthorized disclosure of the financial or personally identifiable information of the consumer,'' after ''identity theft,''; and

(B) by inserting ''or credit freezes'' after ''request alerts''; and

(8) in subsection (h)—

(A) in paragraph (1)—

(i) in the paragraph heading, by striking ''INITIAL'' and inserting ''1-YEAR'';

(ii) in subparagraph (A), by striking ''initial'' and inserting ''1-year''; and

(iii) in subparagraph (B)(i), by striking ''an initial'' and inserting ''a 1-year''; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking ''EXTENDED'' and inserting ''7-YEAR'';

(ii) in subparagraph (A), in the matter preceding clause (i), by striking ''extended'' and inserting ''7-year''; and

(iii) in subparagraph (B), by striking ''an extended'' and inserting ''a 7-year''.

(c) PROVIDING FREE ACCESS TO CREDIT FREEZES.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended by adding at the end the following:

''(i) CREDIT FREEZES.—

''(1) IN GENERAL.—Upon the direct request of a consumer, or an individual acting on behalf of or as a personal representative of a consumer, a consumer reporting agency that maintains a file on the consumer and has received appropriate proof of the identity of the requester (as described in section 1022.123 of title 12, Code of Federal Regulations, or any successor thereto) shall—

''(A)(i) not later than 1 business day after receiving the request sent by postal mail, toll-free telephone, or secure electronic means as established by the agency, place a credit freeze on the file of the consumer;

''(ii) not later than 5 business days after placing a credit freeze described in clause (i), provide the consumer with written confirmation of the credit freeze and a unique personal identification number or password (other than the social security number of the consumer) for use to authorize the release of the file of the consumer for a specific period of time; and

''(iii) disclose all relevant information to the consumer relating to the procedures for temporarily lifting and fully removing a credit freeze, including a statement about the maximum amount of time given to an agency to conduct those actions;

''(B) if the consumer provides a correct personal identification number or password, temporarily lift an existing credit freeze from the file of the consumer for a period of time specified by the consumer for a specific user or category of users, as determined by the consumer—

''(i) not later than 1 business day after receiving the request by postal mail; or

''(ii) not later than 15 minutes after receiving the request by toll-free telephone number or secure electronic means established by the agency, if the request is received during regular business hours, except if the ability of the consumer reporting agency to temporarily lift the credit freeze is prevented by—

''(I) an act of God, including earthquakes, hurricanes, storms, or similar natural disaster or phenomenon, or fire;

''(II) unauthorized or illegal acts by a third party including terrorism, sabotage, riot, vandalism, labor strikes or disputes disrupting operations, or a similar occurrence;

''(III) an operational interruption, including electrical failure, unanticipated delay in equipment or replacement part delivery, computer hardware or software failures inhibiting response time, or a similar disruption;

''(IV) governmental action, including emergency orders or regulations, judicial or law enforcement action, or a similar directive;

''(V) regularly scheduled maintenance or updates to the systems of the consumer reporting agency occurring outside of normal business hours; or

''(VI) commercially reasonable maintenance of, or repair to, the systems of the consumer reporting agency that is unexpected or unscheduled; or

''(C) if the consumer provides a correct personal identification number or password, fully remove an existing credit freeze from the file of the consumer not later than 21 business days after receiving the request by postal mail, toll-free telephone, or secure electronic means established by the consumer reporting agency.

''(2) NO FEE.—A consumer reporting agency may not charge a consumer a fee to place, temporarily lift, or fully remove a credit freeze.

''(3) EXCLUSION FROM THIRD-PARTY LISTS.—During the period beginning on the date on which a consumer or a representative of the consumer requests to place a credit freeze and ending the date on which the consumer or representative requests to fully remove a credit freeze, a consumer reporting agency shall exclude the consumer from any list of consumers prepared by the consumer reporting agency and provided to any third party to offer credit or insurance to the consumer as part of a transaction that was not initiated by the consumer, unless the consumer or that representative requests that the exclusion be rescinded before end of the period.''.

(d) ADDITIONAL FREE CONSUMER REPORT.—Section 612 of the Fair Credit Reporting Act (15 U.S.C. 1681j) is amended—

(1) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting ''or subsection (h)'' after ''through (d)''; and

(2) by adding at the end the following:

''(h) FREE DISCLOSURES IN CONNECTION WITH CREDIT FREEZE.—In addition to the free annual disclosure required under subsection (a)(1)(A), each consumer reporting agency that maintains a file on a consumer who requests a credit freeze under section 605A(i) shall make all disclosures pursuant to section 609 once during any 12-month period without charge to the consumer if the consumer makes a request under section 609.''.

(e) REFUNDS.—

(1) DEFINITIONS.—In this section, the terms ''consumer'', ''consumer reporting agency'', and ''credit freeze'' have the meanings given those terms in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a), as amended by subsection (a).

(2) REFUNDS.—With respect to any consumer who requested a credit freeze from a consumer reporting agency during the period beginning on September 7, 2017, and ending on the day before the date of enactment of this Act, the consumer reporting agency—

(A) shall issue a refund to the consumer for any fees charged to the consumer relating to the request for a credit freeze; and

(B) may not impose a fee on the consumer to temporarily lift or fully remove the credit freeze.

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**SA 2068.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 308. IMPROVED CONSUMER PROTECTIONS FOR PRIVATE EDUCATION LOANS.**

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended by adding at the end the following:

''(12) DISCHARGE OF PRIVATE EDUCATION LOANS IN THE EVENT OF DEATH OR DISABILITY OF THE BORROWER.—Each private education loan shall include terms that provide that the liability to repay the loan shall be cancelled—

''(A) upon the death of the borrower;

''(B) if the borrower becomes permanently and totally disabled, as determined under paragraph (1) or (3) of section 437(a) of the Higher Education Act of 1965 (20 U.S.C. 1087(a)) and the regulations promulgated by the Secretary of Education under that section; and

''(C) if the Secretary of Veterans Affairs or the Secretary of Defense determines that the borrower is unemployable due to a service-connected condition or disability, in accordance with the requirements of section 437(a)(2) of that Act and the regulations promulgated by the Secretary of Education under that section.

''(13) TRANSFER OF SERVICING.—

''(A) DISCLOSURE TO APPLICANT RELATING TO TRANSFER OF SERVICING.—A private education lender shall disclose to each person who applies for a private education loan, at

the time of application for the private education loan, whether there may be a transfer of servicing of the private education loan at any time during which the private education loan is outstanding.

''(B) NOTICE BY TRANSFEROR SERVICER AT TIME OF TRANSFER OF SERVICING.—

''(i) NOTICE REQUIREMENT.—A transferor servicer shall notify the borrower under a private education loan, in writing, of any transfer of student loan servicing for the private education loan (with respect to which such notice is made).

''(ii) TIME OF NOTICE.—

''(I) IN GENERAL.—Except as provided under subclause (II), the notice required under clause (i) shall be made to the borrower not less than 15 days before the effective date of transfer of the student loan servicing of the private education loan.

''(II) EXCEPTION FOR CERTAIN PROCEEDINGS.—The notice required under clause (i) shall be made to the borrower not more than 30 days after the effective date of transfer of the student loan servicing of the borrower's private education loan if the transfer of student loan servicing is preceded by—

''(aa) termination of the contract for student loan servicing of the private education loan for cause;

''(bb) commencement of bankruptcy proceedings of the transferor servicer; or

''(cc) any other situation in which the Bureau determines that such exception is warranted.

''(C) CONTENTS OF NOTICE.—The notice required under subparagraph (B) shall—

''(i) be made in writing and, if the transferor servicer has an email address for the borrower, by email; and

''(ii) include—

''(I) the effective date of the transfer;

''(II) the name, address, website, and toll-free or collect-call telephone number of the transferee servicer;

''(III) a toll-free or collect-call telephone number for an individual employed by the transferor servicer, or the office or department of, the transferor servicer that can be contacted by the borrower to answer inquiries relating to the transfer of servicing;

''(IV) the name and toll-free or collect-call telephone number for an individual employed by the transferee servicer, or the office or department of, the transferee servicer that can be contacted by the borrower to answer inquiries relating to the transfer of servicing;

''(V) the date on which the transferor servicer will cease to accept payments relating to the borrower's private education loan and the date on which the transferee servicer will begin to accept such payments;

''(VI) a statement that the transfer of student loan servicing of the private education loan does not affect any term or condition of the private education loan other than terms directly related to the student loan servicing of the private education loan;

''(VII) a statement disclosing—

''(aa) whether borrower authorization for recurring electronic funds transfers will be transferred to the transferee servicer; and

''(bb) if any such recurring electronic funds transfers cannot be transferred, information as to how the borrower may establish new recurring electronic funds transfers in connection with transfer of servicing to the transferee servicer;

''(VIII) a statement disclosing—

''(aa) the application of all payments and charges relating to the borrower's private education loan as of the effective date of the transfer, including—

''(AA) the date the last payment of the borrower was received;

''(BB) the date the last late fee, arrearages, or other charge was applied; and

''(CC) the amount of the last payment allocated to principal, interest, and other charges;

''(bb) the status of the borrower's private education loan as of the effective date of the transfer, including whether the loan is in default;

''(cc) whether any application for an alternative repayment arrangement submitted by the borrower is pending; and

''(dd) an itemization and explanation for all arrearages claimed to be due as of the effective date of the transfer;

''(IX) a detailed description of any benefit, alternative repayment arrangement, or other term or condition arranged between the transferor servicer and the borrower that is not included in the terms of the promissory note;

''(X) a detailed description of any item identified under subclause (VIII) that will cease to apply upon transfer, including an explanation; and

''(XI) information on how to file a complaint with the Bureau.

''(D) NOTICE BY TRANSFEREE SERVICER AT TIME OF TRANSFER OF SERVICING.—

''(i) NOTICE REQUIREMENT.—A transferee servicer shall notify the borrower under a private education loan, in writing, of any transfer of servicing of the private education loan.

''(ii) TIME OF NOTICE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the notice required under clause (i) shall be made to the borrower not more than 15 days after the effective date of transfer of the student loan servicing of the borrower's private education loan.

''(II) EXCEPTION FOR CERTAIN PROCEEDINGS.—The notice required under clause (i) shall be made to the borrower not more than 30 days after the effective date of transfer of the student loan servicing of the student loan servicing of borrower's private education loan if the transfer of servicing is preceded by—

''(aa) termination of the contract for student loan servicing the private education loan for cause;

''(bb) commencement of bankruptcy proceedings of the transferor servicer; or

''(cc) any other situation in which the Bureau determines that such exception is warranted.

''(E) METHOD OF NOTIFICATION.—The notification required under this subsection shall be provided in writing.

''(F) TREATMENT OF LOAN PAYMENTS DURING TRANSFER PERIOD.—

''(i) IN GENERAL.—During the 60-day period beginning on the effective date of transfer relating to a borrower's private education loan, a late fee may not be imposed on the borrower with respect to any payment on the private education loan, and no such payment may be treated as late for any other purposes, if the payment is received by the transferor servicer (rather than the transferee servicer who should properly receive payment) before the due date applicable to such payment.

''(ii) NOTICE.—To the maximum extent practicable, a transferor servicer shall notify a borrower, both in writing and by telephone, regarding any payment received by the transferor servicer (rather than the transferee servicer who should properly receive payment).

''(G) ELECTRONIC FUND TRANSFER AUTHORITY.—A transferee servicer shall make available to a borrower whose student loan servicing is transferred to the transferee servicer a simple, online process through which the borrower may transfer to the transferee servicer any existing authority for an electronic fund transfer that the borrower had provided to the transferor servicer.

''(14) PAYMENTS AND FEES.—

''(A) PROHIBITION ON RECOMMENDING DEFAULT.—A loan holder or student loan servicer may not recommend or encourage default or delinquency on an existing private education loan prior to and in connection with the process of qualifying for or enrolling in an alternative repayment arrangement, including the origination of a new private education loan that refinances all or any portion of such existing loan or debt.

''(B) LATE FEES.—

''(i) IN GENERAL.—A late fee may not be charged to a borrower under a private education loan under any of the following circumstances, either individually or in combination:

''(I) On a per-loan basis when a borrower has multiple private education loans in a billing group.

''(II) In an amount greater than 4 percent of the amount of the payment past due.

''(III) Before the end of the 15-day period beginning on the date the payment is due.

''(IV) More than once with respect to a single late payment.

''(V) The borrower fails to make a singular, non successive regularly-scheduled payment on the private education loan.

''(ii) COORDINATION WITH SUBSEQUENT LATE FEES.—No late fee may be charged to a borrower under a private education loan relating to an insufficient payment if the payment is made on or before the due date of the payment, or within any applicable grace period for the payment, if the insufficiency is attributable only to a late fee relating to an earlier payment, and the payment is otherwise a full payment for the applicable period.

''(15) MODIFICATION AND DEFERRAL FEES PROHIBITED.—A loan holder or student loan servicer may not charge a borrower any fee to modify, renew, extend, or amend a private education loan, or to defer any payment due under the terms of a private education loan.''.

(b) PROHIBITION OF ACCELERATION OF PAYMENTS ON PRIVATE EDUCATION LOANS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a private education loan (as defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)) executed after the date of enactment of this Act may not include a provision that permits the loan holder or student loan servicer to accelerate, in whole or in part, payments on the private education loan.

(2) ACCELERATION CAUSED BY A PAYMENT DEFAULT.—A private education loan may include a provision that permits acceleration of the loan in cases of payment default.

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**SA 2069.** Ms. WARREN (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

**TITLE VI—MISCELLANEOUS**

**SEC. 601. SHORT TITLE.**

This title may be cited as the ''21st Century Glass-Steagall Act of 2017''.

**SEC. 602. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress finds that—

(1) in response to a financial crisis and the ensuing Great Depression, Congress enacted the Banking Act of 1933, known as the ''Glass-Steagall Act'', to prohibit commercial banks from offering investment banking and insurance services;

(2) a series of deregulatory decisions by the Board of Governors of the Federal Reserve

System and the Office of the Comptroller of the Currency, in addition to decisions by Federal courts, permitted commercial banks to engage in an increasing number of risky financial activities that had previously been restricted under the Glass-Steagall Act, and also vastly expanded the meaning of the ''business of banking'' and ''closely related activities'' in banking law;

(3) in 1999, Congress enacted the ''Gramm-Leach-Bliley Act'', which repealed the Glass-Steagall Act separation between commercial and investment banking and allowed for complex cross-subsidies and interconnections between commercial and investment banks;

(4) former Kansas City Federal Reserve President Thomas Hoenig observed that ''with the elimination of Glass-Steagall, the largest institutions with the greatest ability to leverage their balance sheets increased their risk profile by getting into trading, market making, and hedge fund activities, adding ever greater complexity to their balance sheets.'';

(5) the Financial Crisis Inquiry Report issued by the Financial Crisis Inquiry Commission concluded that, in the years between the passage of the Gramm-Leach Bliley Act and the global financial crisis, ''regulation and supervision of traditional banking had been weakened significantly, allowing commercial banks and thrifts to operate with fewer constraints and to engage in a wider range of financial activities, including activities in the shadow banking system.''. The Commission also concluded that ''[t]his deregulation made the financial system especially vulnerable to the financial crisis and exacerbated its effects.'';

(6) a report by the Financial Stability Oversight Council pursuant to section 123 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5333) states that increased complexity and diversity of financial activities at financial institutions may ''shift institutions towards more risk-taking, increase the level of interconnectedness among financial firms, and therefore may increase systemic default risk. These potential costs may be exacerbated in cases where the market perceives diverse and complex financial institutions as 'too big to fail,' which may lead to excessive risk taking and concerns about moral hazard.'';

(7) the Senate Permanent Subcommittee on Investigations report, ''Wall Street and the Financial Crisis: Anatomy of a Financial Collapse'', states that repeal of the Glass-Steagall Act ''made it more difficult for regulators to distinguish between activities intended to benefit customers versus the financial institution itself. The expanded set of financial services investment banks were allowed to offer also contributed to the multiple and significant conflicts of interest that arose between some investment banks and their clients during the financial crisis.'';

(8) the Senate Permanent Subcommittee on Investigations report, ''JPMorgan Chase Whale Trades: A Case History of Derivatives Risks and Abuses'', describes how traders at JPMorgan Chase made risky bets using excess deposits that were partly insured by the Federal Government;

(9) in Europe, the Vickers Independent Commission on Banking (for the United Kingdom) and the Liikanen Report (for the Euro area) have both found that there is no inherent reason to bundle ''retail banking'' with ''investment banking'' or other forms of relatively high risk securities trading, and European countries are set on a path of separating various activities that are currently bundled together in the business of banking;

(10) private sector actors prefer having access to underpriced public sector insurance, whether explicit (for insured deposits) or implicit (for ''too big to fail'' financial institutions), to subsidize dangerous levels of risk-taking, which, from a broader social perspective, is not an advantageous arrangement; and

(11) the financial crisis, and the regulatory response to the crisis, has led to more mergers between financial institutions, creating greater financial sector consolidation and increasing the dominance of a few large, complex financial institutions that are generally considered to be ''too big to fail'', and therefore are perceived by the markets as having an implicit guarantee from the Federal Government to bail them out in the event of their failure.

(b) PURPOSES.—The purposes of this title are—

(1) to reduce risks to the financial system by limiting the ability of banks to engage in activities other than socially valuable core banking activities;

(2) to protect taxpayers and reduce moral hazard by removing explicit and implicit government guarantees for high-risk activities outside of the core business of banking; and

(3) to eliminate any conflict of interest that arises from banks engaging in activities from which their profits are earned at the expense of their customers or clients.

**SEC. 603. DEFINITIONS.**

In this title—

(1) the term ''bank holding company'' has the meaning given the term in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841); and

(2) the terms ''insurance company'', ''insured depository institution'', ''securities entity'', and ''swaps entity'' have the meanings given those terms in section 18(s)(6)(D) of the Federal Deposit Insurance Act, as added by section 604(a) of this title.

**SEC. 604. SAFE AND SOUND BANKING.**

(a) INSURED DEPOSITORY INSTITUTIONS.—Section 18(s) of the Federal Deposit Insurance Act (12 U.S.C. 1828(s)) is amended by adding at the end the following:

''(6) LIMITATIONS ON BANKING AFFILIATIONS.—

''(A) PROHIBITION ON AFFILIATIONS WITH NONDEPOSITORY ENTITIES.—An insured depository institution may not—

''(i) be or become an affiliate of any insurance company, securities entity, or swaps entity;

''(ii) be in common ownership or control with any insurance company, securities entity, or swaps entity; or

''(iii) engage in any activity that would cause the insured depository institution to qualify as an insurance company, securities entity, or swaps entity.

''(B) INDIVIDUALS ELIGIBLE TO SERVE ON BOARDS OF DEPOSITORY INSTITUTIONS.—

''(i) IN GENERAL.—An individual who is an officer, director, partner, or employee of any securities entity, insurance company, or swaps entity may not serve at the same time as an officer, director, employee, or other institution-affiliated party of any insured depository institution.

''(ii) EXCEPTION.—Clause (i) shall not apply with respect to service by any individual which is otherwise prohibited under clause (i), if the appropriate Federal banking agency determines, by regulation with respect to a limited number of cases, that service by such an individual as an officer, director, employee, or other institution-affiliated party of an insured depository institution would not unduly influence—

''(I) the investment policies of the depository institution; or

''(II) the advice that the institution provides to customers.

''(iii) TERMINATION OF SERVICE.—Subject to a determination under clause (i), any individual described in clause (i) who, as of the date of enactment of the 21st Century Glass-Steagall Act of 2017, is serving as an officer, director, employee, or other institution-affiliated party of any insured depository institution shall terminate such service as soon as is practicable after such date of enactment, and in no event, later than the end of the 60-day period beginning on that date of enactment.

''(C) TERMINATION OF EXISTING AFFILIATIONS AND ACTIVITIES.—

''(i) ORDERLY TERMINATION OF EXISTING AFFILIATIONS AND ACTIVITIES.—Any affiliation, common ownership or control, or activity of an insured depository institution with any securities entity, insurance company, swaps entity, or any other person, as of the date of enactment of the 21st Century Glass-Steagall Act of 2017, which is prohibited under subparagraph (A) shall be terminated as soon as is practicable, and in no event later than the end of the 5-year period beginning on that date of enactment.

''(ii) EARLY TERMINATION.—The appropriate Federal banking agency, at any time after opportunity for hearing, may order termination of an affiliation, common ownership or control, or activity prohibited by clause (i) before the end of the 5-year period described in clause (i), if the agency determines that such action—

''(I) is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices; and

''(II) is in the public interest.

''(iii) EXTENSION.—Subject to a determination under clause (ii), an appropriate Federal banking agency may extend the 5-year period described in clause (i) as to any particular insured depository institution for not more than an additional 6 months at a time, if—

''(I) the agency certifies that such extension would promote the public interest and would not pose a significant threat to the stability of the banking system or financial markets in the United States; and

''(II) such extension, in the aggregate, does not exceed 1 year for any single insured depository institution.

''(iv) REQUIREMENTS FOR ENTITIES RECEIVING AN EXTENSION.—Upon receipt of an extension under clause (iii), the insured depository institution shall notify shareholders of the insured depository institution and the general public that it has failed to comply with the requirements of clause (i).

''(D) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

''(i) INSURANCE COMPANY.—The term 'insurance company' has the meaning given the term in section 2(q) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(q)).

''(ii) INSURED DEPOSITORY INSTITUTION.—The term 'insured depository institution'—

''(I) has the meaning given the term in section 3(c)(2); and

''(II) does not include a savings association controlled by a savings and loan holding company, as described in section 10(c)(9)(C) of the Home Owners' Loan Act (12 U.S.C. 1467a(c)(9)(C)).

''(iii) SECURITIES ENTITY.—The term 'securities entity'—

''(I) includes any entity engaged in—

''(aa) the issue, flotation, underwriting, public sale, or distribution of stocks, bonds, debentures, notes, or other securities;

''(bb) market making;

''(cc) activities of a broker or dealer, as those terms are defined in section 3(a) of the

Securities Exchange Act of 1934 (15 U.S.C. 78c(a));

''(dd) activities of a futures commission merchant;

''(ee) activities of an investment adviser or investment company, as those terms are defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)) and section 3(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(a)(1)), respectively; or

''(ff) hedge fund or private equity investments in the securities of either privately or publicly held companies; and

''(II) does not include a bank that, pursuant to its authorized trust and fiduciary activities—

''(aa) purchases and sells investments for the account of its customers; or

''(bb) provides financial or investment advice to its customers.

''(iv) SWAPS ENTITY.—The term 'swaps entity' means any swap dealer, security-based swap dealer, major swap participant, or major security-based swap participant, that is registered under—

''(I) the Commodity Exchange Act (7 U.S.C. 1 et seq.); or

''(II) the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.).''.

(b) LIMITATION ON BANKING ACTIVITIES.—Section 21 of the Banking Act of 1933 (12 U.S.C. 378) is amended by adding at the end the following:

''(c) BUSINESS OF RECEIVING DEPOSITS.—For purposes of this section, the term 'business of receiving deposits' includes the establishment and maintenance of any transaction account (as defined in section 19(b)(1)(C) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(C))).''.

(c) PERMITTED ACTIVITIES OF NATIONAL BANKS.—The paragraph designated as ''Seventh'' of section 24 of the Revised Statutes (12 U.S.C. 24) is amended to read as follows:

''Seventh. (A) To exercise by its board of directors or duly authorized officers or agents, subject to law, all such powers as are necessary to carry on the business of banking.

''(B) As used in this paragraph, the term 'business of banking' shall be limited to the following core banking services:

''(i) RECEIVING DEPOSITS.—A national banking association may engage in the business of receiving deposits.

''(ii) EXTENSIONS OF CREDIT.—A national banking association may—

''(I) extend credit to individuals, businesses, not for profit organizations, and other entities;

''(II) discount and negotiate promissory notes, drafts, bills of exchange, and other evidences of debt; and

''(III) loan money on personal security.

''(iii) PAYMENT SYSTEMS.—A national banking association may participate in payment systems, defined as instruments, banking procedures, and interbank funds transfer systems that ensure the circulation of money.

''(iv) COIN AND BULLION.—A national banking association may buy, sell, and exchange coin and bullion.

''(v) INVESTMENTS IN SECURITIES.—

''(I) IN GENERAL.—A national banking association may invest in investment securities, defined as marketable obligations evidencing indebtedness of any person, copartnership, association, or corporation in the form of bonds, notes, or debentures (commonly known as 'investment securities'), obligations of the Federal Government, or any State or subdivision thereof, and includes the definition of 'investment securities', as may be jointly prescribed by regulation by—

''(aa) the Comptroller of the Currency;

''(bb) the Federal Deposit Insurance Corporation; and

''(cc) the Board of Governors of the Federal Reserve System.

''(II) LIMITATIONS.—The business of dealing in securities and stock by the association shall be limited to—

''(aa) purchasing and selling such securities and stock without recourse, solely upon the order, and for the account of, customers, and in no case for its own account, and the association shall not underwrite any issue of securities or stock; and

''(bb) purchasing for its own account investment securities under such limitations and restrictions as the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Board of Governors of the Federal Reserve System may jointly prescribe, by regulation.

''(III) PROHIBITION ON AMOUNT OF INVESTMENT.—In no event shall the total amount of the investment securities of any single obligor or maker, held by the association for its own account, exceed 10 percent of its capital stock actually paid in and unimpaired and 10 percent of its unimpaired surplus fund, except that such limitation shall not require any association to dispose of any securities lawfully held by it on August 23, 1935.

''(C) PROHIBITION AGAINST TRANSACTIONS INVOLVING STRUCTURED OR SYNTHETIC PRODUCTS.—A national banking association may not—

''(i) invest in a structured or synthetic product, a financial instrument in which a return is calculated based on the value of, or by reference to the performance of, a security, commodity, swap, other asset, or an entity, or any index or basket composed of securities, commodities, swaps, other assets, or entities, other than customarily determined interest rates; or

''(ii) otherwise engage in the business of receiving deposits or extending credit for transactions involving structured or synthetic products.''.

(d) PERMITTED ACTIVITIES OF FEDERAL SAVINGS ASSOCIATIONS.—Section 5(c)(1) of the Home Owners' Loan Act (12 U.S.C. 1464(c)(1)) is amended—

(1) by striking subparagraph (Q); and

(2) by redesignating subparagraphs (R) through (U) as subparagraphs (Q) through (T), respectively.

(e) CLOSELY RELATED ACTIVITIES.—Section 4(c) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(c)) is amended—

(1) in paragraph (8), by striking ''had been determined'' and all that follows through the end and inserting the following: ''are so closely related to banking so as to be a proper incident thereto, as provided under this paragraph or any rule or regulation issued by the Board under this paragraph, provided that for purposes of this paragraph, closely related shall not be considered to include—

''(A) serving as an investment adviser (as defined in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a))) to an investment company registered under that Act, including sponsoring, organizing, and managing a closed-end investment company;

''(B) agency transactional services for customer investments, except that this subparagraph may not be construed as prohibiting purchases and sales of investments for the account of customers conducted by a bank (or subsidiary thereof) pursuant to the bank's trust and fiduciary powers;

''(C) investment transactions as principal, except for activities specifically allowed by paragraph (14); and

''(D) management consulting and counseling activities;'';

(2) in paragraph (13), by striking ''or'' at the end;

(3) by redesignating paragraph (14) as paragraph (15); and

(4) by inserting after paragraph (13) the following:

''(14) purchasing, as an end user, any swap, to the extent that—

''(A) the purchase of any such swap occurs contemporaneously with the underlying hedged item or hedged transaction;

''(B) there is formal documentation identifying the hedging relationship with particularity at the inception of the hedge; and

''(C) the swap is being used to hedge against exposure to—

''(i) changes in the value of an individual recognized asset or liability or an identified portion thereof that is attributable to a particular risk;

''(ii) changes in interest rates; or

''(iii) changes in the value of currency; or''.

(f) PROHIBITED ACTIVITIES.—Section 4(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(a)) is amended—

(1) in paragraph (1), by striking '', or'' and inserting a semicolon;

(2) in paragraph (2), by striking the ''requirements of this Act.'' and inserting ''requirements of this Act; or''; and

(3) by inserting before the undesignated matter following paragraph (2) the following:

''(3) with the exception of the activities permitted under subsection (c), engage in the business of a 'securities entity' or a 'swaps entity', as those terms are defined in section 18(s)(6)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1828(s)(6)(D)), including dealing or making markets in securities, repurchase agreements, exchange traded and over-the-counter swaps, as defined by the Commodity Futures Trading Commission and the Securities and Exchange Commission, or structured or synthetic products, as defined in the paragraph designated as 'Seventh' of section 24 of the Revised Statutes (12 U.S.C. 24), or any other over-the-counter securities, swaps, contracts, or any other agreement that derives its value from, or takes on the form of, such securities, derivatives, or contracts;

''(4) engage in proprietary trading, as provided by section 13, or any rule or regulation under that section;

''(5) own, sponsor, or invest in a hedge fund, or private equity fund, or any other fund, as provided by section 13, or any rule or regulation under that section, or any other fund that exhibits the characteristics of a fund that takes on proprietary trading activities or positions;

''(6) hold ineligible securities or derivatives;

''(7) engage in market-making; or

''(8) engage in prime brokerage activities.''.

(g) ANTI-EVASION.—

(1) IN GENERAL.—Any attempt to structure any contract, investment, instrument, or product in such a manner that the purpose or effect of such contract, investment, instrument, or product is to evade or attempt to evade the prohibitions described in section 18(s)(6) of the Federal Deposit Insurance Act (12 U.S.C. 1828(s)(6)), section 21(c) of the Banking Act of 1933 (12 U.S.C. 378(c)), the paragraph designated as ''Seventh'' of section 24 of the Revised Statutes (12 U.S.C. 24), section 5(c)(1) of the Home Owners' Loan Act (12 U.S.C. 1464(c)(1)), or section 4(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(a)), as added or amended by this section, shall be considered a violation of the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), the Banking Act of 1933 (Public Law 73–66; 48 Stat. 162), section 24 of the Revised Statutes (12 U.S.C. 24), the Home Owners' Loan Act (12 U.S.C. 1461 et seq.), and the Bank Holding Company Act of 1956 (12 U.S.C. 1841 et seq.), respectively.

(2) TERMINATION.—

(A) IN GENERAL.—Notwithstanding any other provision of law, if a Federal agency

has reasonable cause to believe that an insured depository institution, securities entity, swaps entity, insurance company, bank holding company, or other entity over which that Federal agency has regulatory authority has made an investment or engaged in an activity in a manner that functions as an evasion of the prohibitions described in paragraph (1) (including through an abuse of any permitted activity) or otherwise violates such prohibitions, the Federal agency shall—

(i) order, after due notice and opportunity for hearing, the entity to terminate the activity and, as relevant, dispose of the investment;

(ii) order, after the procedures described in clause (i), the entity to pay a penalty equal to 10 percent of the entity's net profits, averaged over the previous 3 years, into the Treasury of the United States; and

(iii) initiate proceedings described in section 8(e) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)) for individuals involved in evading the prohibitions described in paragraph (1).

(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the inherent authority of any Federal agency or State regulatory authority to further restrict any investments or activities under otherwise applicable provisions of law.

(3) REPORTING REQUIREMENT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter, each Federal agency having regulatory authority over any entity described in paragraph (2)(A) shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives and make available to the public a report, which shall identify—

(i) the number and character of any activities that took place in the preceding year that function as an evasion of the prohibitions described in paragraph (1);

(ii) the names of the particular entities engaged in those activities; and

(iii) the actions of the Federal agency taken under paragraph (2).

(h) ATTESTATION.—Section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843), as amended by section 604(a)(1) of this title, is amended by adding at the end the following:

''(k) ATTESTATION.—Executives of any bank holding company or its affiliate shall attest in writing, under penalty of perjury, that the bank holding company or affiliate is not engaged in any activity that is prohibited under subsection (a), except to the extent that such activity is permitted under subsection (c).''.

**SEC. 605. REPEAL OF GRAMM-LEACH-BLILEY ACT PROVISIONS.**

(a) TERMINATION OF FINANCIAL HOLDING COMPANY DESIGNATION.—

(1) IN GENERAL.—Section 4 of the Bank Holding Company Act of 1956 (12 U.S.C. 1843) is amended by striking subsections (k), (l), (m), (n), and (o).

(2) TRANSITION.—

(A) ORDERLY TERMINATION OF EXISTING AFFILIATION.—In the case of a bank holding company which, pursuant to the amendments made by paragraph (1), is no longer authorized to control or be affiliated with any entity that was permissible for a financial holding company on the day before the date of enactment of this Act, any affiliation, ownership or control, or activity by the bank holding company that is not permitted for a bank holding company shall be terminated as soon as is practicable, and in no event later than the end of the 5-year period beginning on the date of enactment of this Act.

(B) EARLY TERMINATION.—The Board of Governors of the Federal Reserve System (in this section referred to as the ''Board''), after opportunity for hearing, at any time, may terminate an affiliation prohibited by subparagraph (A) before the end of the 5-year period described in subparagraph (A) if the Board determines that such action—

(i) is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices; and

(ii) is in the public interest.

(C) EXTENSION.—Subject to a determination under subparagraph (B), the Board may extend the 5-year period described in subparagraph (A), as to any particular bank holding company, for not more than an additional 6 months at a time, if—

(i) the Board certifies that such extension would promote the public interest and would not pose a significant risk to the stability of the banking system or financial markets of the United States; and

(ii) such extension, in the aggregate, does not exceed 1 year for any single bank holding company.

(D) REQUIREMENTS FOR ENTITIES RECEIVING AN EXTENSION.—Upon receipt of an extension under subparagraph (C), a bank holding company shall notify the shareholders of the bank holding company and the general public that the bank holding company has failed to comply with the requirements of subparagraph (A).

(b) FINANCIAL SUBSIDIARIES OF NATIONAL BANKS DISALLOWED.—

(1) IN GENERAL.—Section 5136A of the Revised Statutes (12 U.S.C. 24a) is repealed.

(2) TRANSITION.—

(A) ORDERLY TERMINATION OF EXISTING AFFILIATION.—In the case of a national bank which, pursuant to the amendment made by paragraph (1), is no longer authorized to control or be affiliated with a financial subsidiary as of the date of enactment of this Act, such affiliation, ownership or control, or activity shall be terminated as soon as is practicable, and in no event later than the end of the 5-year period beginning on the date of enactment of this Act.

(B) EARLY TERMINATION.—The Comptroller of the Currency (in this section referred to as the ''Comptroller''), after opportunity for hearing, at any time, may terminate an affiliation prohibited by subparagraph (A) before the end of the 5-year period described in subparagraph (A) if the Comptroller determines, having due regard for the purposes of this title, that such action—

(i) is necessary to prevent undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices; and

(ii) is in the public interest.

(C) EXTENSION.—Subject to a determination under subparagraph (B), the Comptroller may extend the 5-year period described in subparagraph (A) as to any particular national bank for not more than an additional 6 months at a time, if—

(i) the Comptroller certifies that such extension would promote the public interest and would not pose a significant risk to the stability of the banking system or financial markets of the United States; and

(ii) such extension, in the aggregate, does not exceed 1 year for any single national bank.

(D) REQUIREMENTS FOR ENTITIES RECEIVING AN EXTENSION.—Upon receipt of an extension under subparagraph (C), a national bank shall notify the shareholders of the national bank and the general public that the national bank has failed to comply with the requirements described in subparagraph (A).

(3) CLERICAL AMENDMENT.—The table of sections for chapter one of title LXII of the Revised Statutes is amended by striking the item relating to section 5136A.

(c) REPEAL OF PROVISION RELATING TO FOREIGN BANKS FILING AS FINANCIAL HOLDING COMPANIES.—Section 8(c) of the International Banking Act of 1978 (12 U.S.C. 3106(c)) is amended by striking paragraph (3).

**SEC. 606. REPEAL OF BANKRUPTCY PROVISIONS.**

Title 11, United States Code, is amended by repealing sections 555, 559, 560, and 562.

**SEC. 607. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) BANK HOLDING COMPANY ACT OF 1956.—The Bank Holding Company Act of 1956 (12 U.S.C. 1841 et seq.) is amended—

(1) in section 2 (12 U.S.C. 1841)—

(A) by striking subsection (p); and

(B) by redesignating subsection (q) as subsection (p); and

(2) in section 5 (12 U.S.C. 1844)—

(A) in subsection (a), by striking the last sentence;

(B) in subsection (c), by striking paragraphs (3), (4), and (5); and

(C) by striking subsection (g).

(b) BANK HOLDING COMPANY ACT AMENDMENTS OF 1970.—Section 106(a) of the Bank Holding Company Act Amendments of 1970 (12 U.S.C. 1971(a)) is amended by striking the last sentence.

(c) CLAYTON ACT.—Section 7A(c) of the Clayton Act (15 U.S.C. 18a(c)) is amended—

(1) in paragraph (7), by striking '', except that'' and all that follows and inserting a semicolon; and

(2) in paragraph (8), by striking '', except that'' and all that follows and inserting a semicolon.

(d) COMMODITY EXCHANGE ACT.—The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended—

(1) in section 1a(21)(G) (7 U.S.C. 1a(21)(G)), by striking ''(as defined in section 2 of the Bank Holding Company Act of 1956)'';

(2) in section 2(c)(2)(B)(i)(II)(dd) (7 U.S.C. 2(c)(2)(B)(i)(II)(dd)), by striking ''(as defined in section 2 of the Bank Holding Company Act of 1956)''; and

(3) in section 2(h)(7)(C)(i)(VIII) (7 U.S.C. 2(h)(7)(C)(i)(VIII)), by striking '', as defined in section 4(k) of the Bank Holding Company Act of 1956''.

(e) COMMUNITY REINVESTMENT ACT OF 1977.—Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(f) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—Section 201(a)(11)(B) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5381(a)(11)(B)) is amended by striking ''for purposes of section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k))'' each place that term appears.

(g) FEDERAL DEPOSIT INSURANCE ACT.—The Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.) is amended—

(1) in section 8(b)(3) (12 U.S.C. 1818(b)(3)), by striking ''section 50'' and inserting ''section 48'';

(2) in section 18(u)(1)(B) (12 U.S.C. 1828(u)(1)(B)), by striking ''or section 45 of this Act'';

(3) by striking sections 45 and 46 (12 U.S.C. 1831v and 1831w); and

(4) by redesignating sections 47 through 50 as sections 45 through 48, respectively.

(h) FEDERAL RESERVE ACT.—The Federal Reserve Act (12 U.S.C. 221 et seq.) is amended—

(1) in the 20th undesignated paragraph of section 9 (12 U.S.C. 335), by striking the last sentence; and

(2) in section 23A (12 U.S.C. 371c)—

(A) in subsection (b)(11), by striking ''subparagraph (H) or (I) of section 4(k)(4) of the Bank Holding Company Act of 1956 or'';

(B) by striking subsection (e); and

(C) by redesignating subsection (f) as subsection (e).

(i) FINANCIAL STABILITY ACT OF 2010.—The Financial Stability Act of 2010 (12 U.S.C. 5301 et seq.) is amended—

(1) in section 113(c)(5) (12 U.S.C. 5323(c)(5)), by striking ''(as defined in section 4(k) of the Bank Holding Company Act of 1956)'';

(2) in section 163 (12 U.S.C. 5363)—

(A) by striking subsection (b); and

(B) in subsection (a), by striking ''(a)'' and all that follows through ''For purposes'' and inserting ''For purposes'';

(3) in section 167(b) (12 U.S.C. 5367(b)), by striking ''under section 4(k) of the Bank Holding Company Act of 1956'' each place that term appears; and

(4) in section 171(b) (12 U.S.C. 5371(b))—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

(j) GRAMM-LEACH-BLILEY ACT.—The Gramm-Leach-Bliley Act (Public Law 106–102; 113 Stat. 1338) is amended—

(1) by striking section 115 (12 U.S.C. 1820a);

(2) in section 307(f) (15 U.S.C. 6715(f)), by amending paragraph (2) to read as follows:

''(2) BOARD.—The term 'Board' has the meaning given the term in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841).'';

(3) in section 505(c) (15 U.S.C. 6805(c))—

(A) by striking ''section 47(g)(2)(B)(iii) of the Federal Deposit Insurance Act'' and inserting ''section 45(g)(2)(B)(iii) of the Federal Deposit Insurance Act''; and

(B) by striking ''section 47(a)'' and inserting ''section 45(a)''; and

(4) in section 509(3)(A) (15 U.S.C. 6809(3)(A)), by striking ''as described in section 4(k) of the Bank Holding Company Act of 1956''.

(k) HOME OWNERS' LOAN ACT.—Section 10(c) of the Home Owners' Loan Act (12 U.S.C. 1467a(c)) is amended—

(1) in paragraph (2), by striking subparagraph (H); and

(2) in paragraph (9)(A), by striking ''permitted'' and all that follows and inserting ''permitted under paragraph (1)(C) or (2) of this subsection.''.

(l) INTERNAL REVENUE CODE.—Section 864(f)(4)(C)(ii) of the Internal Revenue Code of 1986 is amended by striking ''(within the meaning of section 2(p) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(p))''.

(m) PAYMENT, CLEARING, AND SETTLEMENT SUPERVISION ACT OF 2010.—Section 803(5)(A) of the Payment, Clearing, and Settlement Supervision Act of 2010 (12 U.S.C. 5462(5)(A)) is amended—

(1) in clause (viii), by adding ''and'' at the end;

(2) in clause (ix), by striking ''; and'' and inserting a period; and

(3) by striking clause (x).

(n) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended—

(1) in section 3(a)(4)(B)(vi)(II) (15 U.S.C. 78c(a)(4)(B)(vi)(II)), by striking ''other than'' and all that follows and inserting ''other than a registered broker or dealer.''; and

(2) in section 3C(g)(3)(A) (15 U.S.C. 78c–3(g)(3)(A))—

(A) in clause (vi), by adding ''and'' at the end;

(B) in clause (vii), by striking the semicolon and inserting a period; and

(C) by striking clause (viii).

(o) TITLE 11.—Title 11, United States Code, is amended—

(1) in section 101—

(A) in paragraph (25)(E), by striking '', measured in accordance with section 562'';

(B) in paragraph (47)(A)(v), by striking '', measured in accordance with section 562 of this title''; and

(C) in paragraph (53B)(A)(vi), by striking '', measured in accordance with section 562'';

(2) in section 103(a), by striking ''555 through 557, and 559 through 562'' and inserting ''556, 557, and 561'';

(3) in section 362(b)—

(A) in paragraph (6), by striking ''555 or'' each place that term appears;

(B) in paragraph (7), by striking ''(as defined in section 559)'' each place that term appears;

(C) in paragraph (17), by striking ''(as defined in section 560)'' each place that term appears; and

(D) in paragraph (27), by striking ''(as defined in section 555, 556, 559, or 560)'' each place that term appears and inserting ''(as defined in section 556)'';

(4) in section 502(g)—

(A) by striking ''(1)'' before ''A claim''; and

(B) by striking paragraph (2);

(5) in section 553—

(A) in subsection (a)—

(i) in paragraph (2)(B)(ii), by striking ''555, 556, 559, 560, or 561'' and inserting ''556 or 561''; and

(ii) in paragraph (3)(C), by striking ''555, 556, 559, 560, or 561'' and inserting ''556 or 561''; and

(B) in subsection (b)(1), by striking ''555, 556, 559, 560, 561'' and inserting ''556, 561'';

(6) in section 561(b)(1), by striking ''555, 556, 559, or 560'' and inserting ''556'';

(7) in section 741(7)(A)(xi), by striking '', measured in accordance with section 562'';

(8) in section 761(4)(J), by striking '', measured in accordance with section 562''; and

(9) in section 901(a), by striking ''555, 556, 557, 559, 560, 561, 562'' and inserting ''556, 557, 561''.

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**SA 2070.** Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 308. IMPROVED CONSUMER PROTECTIONS FOR STUDENT LOAN SERVICING.**

(a) IN GENERAL.—The Truth in Lending Act (15 U.S.C. 1601 et seq.) is amended by adding at the end the following new chapter:

**''CHAPTER 6—POSTSECONDARY EDUCATION LOANS**



**''§ 188. Definitions**

''In this chapter:

''(1) ALTERNATIVE REPAYMENT ARRANGEMENT.—The term 'alternative repayment arrangement' means an agreed upon arrangement between a loan holder (or, for a Federal Direct Loan or a Federal Perkins Loan, the Secretary of Education or the institution of higher education that made such loan, respectively) or student loan servicer and a borrower—

''(A) that is different than the terms under an existing postsecondary education loan; and

''(B) pursuant to which remittance of a monthly payment—

''(i) satisfies the terms of the postsecondary education loan; or

''(ii) is not required for a period of 1 or more months in order to satisfy the terms of the postsecondary education loan.

''(2) BILLING GROUP.—The term 'billing group' means a postsecondary education loan account that—

''(A) is serviced by a student loan servicer; and

''(B) includes 2 or more postsecondary education loans that are in repayment status.

''(3) BUREAU.—The term 'Bureau' means the Bureau of Consumer Financial Protection.

''(4) EFFECTIVE DATE OF TRANSFER.—The term 'effective date of transfer' means the date on which the first payment is due to a transferee servicer from a borrower under a postsecondary education loan.

''(5) FEDERAL DIRECT LOAN.—The term 'Federal Direct Loan' means a loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.).

''(6) FEDERAL PERKINS LOAN.—The term 'Federal Perkins Loan' means a loan made under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.).

''(7) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

''(8) LATE FEE.—The term 'late fee' means a late fee, penalty, or adjustment to principal, imposed because of a late payment or delinquency by the borrower under a postsecondary education loan.

''(9) LOAN HOLDER.—The term 'loan holder' means a person who owns the title to or promissory note for a postsecondary education loan (except for a Federal Direct Loan or a Federal Perkins Loan).

''(10) OPEN END CREDIT PLAN.—The term 'open end credit plan' has the meaning given that term in section 103.

''(11) POSTSECONDARY EDUCATION EXPENSE.—The term 'postsecondary education expense' means any expense that is included as part of the cost of attendance (as that term is defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) of a student.

''(12) POSTSECONDARY EDUCATION LENDER.—The term 'postsecondary education lender'—

''(A) means —

''(i) a financial institution, as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) that solicits, makes, or extends postsecondary education loans;

''(ii) a Federal credit union, as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752) that solicits, makes, or extends postsecondary education loans; and

''(iii) any other person engaged in the business of soliciting, making, or extending postsecondary education loans; and

''(B) does not include—

''(i) the Secretary of Education; or

''(ii) an institution of higher education with respect to any Federal Perkins Loan made by the institution.

''(13) POSTSECONDARY EDUCATION LOAN.—The term 'postsecondary education loan'—

''(A) means a loan that is—

''(i) made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.); or

''(ii) issued or made by a postsecondary education lender and is—

''(I) extended to a borrower with the expectation that the amounts extended will be used in whole or in part to pay postsecondary education expenses; or

''(II) extended for the purpose of refinancing or consolidating 1 or more loans described in subclause (I) or clause (i);

''(B) includes a private education loan; and

''(C) does not include a loan—

''(i) made under an open-end credit plan; or

''(ii) that is secured by real property.

''(14) PRIVATE EDUCATION LOAN.—The term 'private education loan' has the meaning given the term in section 140(a).

''(15) QUALIFIED WRITTEN REQUEST.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'qualified written request' means a written correspondence of a borrower (other than notice on a payment medium supplied by the student loan servicer) transmitted by mail, facsimile, or electronically through an email address or website designated by the student loan servicer to receive communications from borrowers that—

''(i) includes, or otherwise enables the student loan servicer to identify, the name and account of the borrower; and

''(ii) includes, to the extent applicable—

''(I) sufficient detail regarding the information sought by the borrower; or

''(II) a statement of the reasons for the belief of the borrower that there is an error regarding the account of the borrower.

''(B) CORRESPONDENCE DELIVERED TO OTHER ADDRESSES.—

''(i) IN GENERAL.—A written correspondence of a borrower is a qualified written request if the written correspondence—

''(I) meets the requirements under clauses (i) and (ii) of subparagraph (A); and

''(II) is transmitted to and received by a student loan servicer at a mailing address, facsimile number, email address, or website address other than the address or number designated by that student loan servicer to receive communications from borrowers.

''(ii) DUTY TO TRANSFER.—A student loan servicer shall, within a reasonable period of time, transfer a written correspondence of a borrower received by the student loan servicer at a mailing address, facsimile number, email address, or website address other than the address or number designated by that student loan servicer to receive communications from borrowers to the correct address or appropriate office or other unit of the student loan servicer.

''(iii) DATE OF RECEIPT.—A written correspondence of a borrower transferred in accordance with clause (ii) shall be deemed to be received by the student loan servicer on the date on which the written correspondence is transferred to the correct address or appropriate office or other unit of the student loan servicer.

''(16) STUDENT LOAN SERVICER.—The term 'student loan servicer'—

''(A) means a person who performs student loan servicing;

''(B) includes a person performing student loan servicing for a postsecondary education loan on behalf of an institution of higher education or the Secretary of Education under a contract or other agreement;

''(C) does not include the Secretary of Education to the extent the Secretary directly performs student loan servicing for a postsecondary education loan; and

''(D) does not include an institution of higher education, to the extent that the institution directly performs student loan servicing for a Federal Perkins Loan made by the institution.

''(17) STUDENT LOAN SERVICING.—The term 'student loan servicing' includes any of the following activities:

''(A) Receiving any scheduled periodic payments from a borrower under a postsecondary education loan (or notification of such payments).

''(B) Applying payments described in subparagraph (A) to an account of the borrower pursuant to the terms of the postsecondary education loan or of the contract governing the servicing of the postsecondary education loan.

''(C) During a period in which no payment is required on the postsecondary education loan—

''(i) maintaining account records for the postsecondary education loan; and

''(ii) communicating with the borrower on behalf of the loan holder or, with respect to a Federal Direct Loan or Federal Perkins Loan, the Secretary of Education or the institution of higher education that made the loan, respectively.

''(D) Interacting with a borrower to facilitate the activities described in subparagraphs (A), (B), and (C), including activities to help prevent default by the borrower of the obligations arising from the postsecondary education loan.

''(18) TRANSFER OF SERVICING.—The term 'transfer of servicing' means the assignment, sale, or transfer of any student loan servicing of a postsecondary education loan from a transferor servicer to a transferee servicer.

''(19) TRANSFEREE SERVICER.—The term 'transferee servicer' means the person to whom any student loan servicing of a postsecondary education loan is assigned, sold, or transferred.

''(20) TRANSFEROR SERVICER.—The term 'transferor servicer' means the person who assigns, sells, or transfers any student loan servicing of a postsecondary education loan to another person.

**''§ 189. Servicing of postsecondary education loans**

''(a) STUDENT LOAN SERVICER REQUIREMENTS.—A student loan servicer may not—

''(1) charge a fee for responding to a qualified written request under this chapter;

''(2) fail to take timely action to respond to a qualified written request from a borrower to correct an error relating to an allocation of payment or the payoff amount of the postsecondary education loan;

''(3) fail to take reasonable steps to avail the borrower of all possible alternative repayment arrangements to avoid default;

''(4) fail to perform the obligations required under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

''(5) fail to respond within 10 business days to a request from a borrower to provide the name, address, and other relevant contact information of the loan holder of the borrower's postsecondary education loan or, for a Federal Direct Loan or a Federal Perkins Loan, the Secretary of Education or the institution of higher education who made the loan, respectively;

''(6) fail to comply with any applicable requirement of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.);

''(7) fail to comply with any other obligation that the Bureau, by regulation, has determined to be appropriate to carry out the consumer protection purposes of this chapter; or

''(8) fail to perform other standard servicer's duties.

''(b) BORROWER INQUIRIES.—

''(1) DUTY OF STUDENT LOAN SERVICERS TO RESPOND TO BORROWER INQUIRIES.—

''(A) NOTICE OF RECEIPT OF REQUEST.—If a borrower under a postsecondary education loan submits a qualified written request to the student loan servicer for information relating to the student loan servicing of the postsecondary education loan, the student loan servicer shall provide a written response acknowledging receipt of the qualified written request within 5 business days unless any action requested by the borrower is taken within such period.

''(B) ACTION WITH RESPECT TO INQUIRY.—Not later than 30 business days after the receipt from any borrower of any qualified written request under subparagraph (A) and, if applicable, before taking any action with respect to the qualified written request of the borrower, the student loan servicer shall—

''(i) make appropriate corrections in the account of the borrower, including the crediting of any late fees, and transmit to the borrower a written notification of such correction (which shall include the name and toll-free or collect-call telephone number of a representative of the student loan servicer who can provide assistance to the borrower);

''(ii) after conducting an investigation, provide the borrower with a written explanation or clarification that includes—

''(I) to the extent applicable, a statement of the reasons for which the student loan servicer believes the account of the borrower is correct as determined by the student loan servicer; and

''(II) the name and toll-free or collect-call telephone number of an individual employed by, or the office or department of, the student loan servicer who can provide assistance to the borrower; or

''(iii) after conducting an investigation, provide the borrower with a written explanation or clarification that includes—

''(I) information requested by the borrower or an explanation of why the information requested is unavailable or cannot be obtained by the student loan servicer; and

''(II) the name and toll-free or collect-call telephone number of an individual employed by, or the office or department of, the student loan servicer who can provide assistance to the borrower.

''(C) LIMITED EXTENSION OF RESPONSE TIME.—

''(i) IN GENERAL.—There may be 1 extension of the 30-day period described in subparagraph (B) of not more than 15 days if, before the end of such 30-day period, the student loan servicer notifies the borrower of the extension and the reasons for the delay in responding.

''(ii) REPORTS TO BUREAU.—Each student loan servicer shall, on an annual basis, report to the Bureau the aggregate number of extensions sought by the student loan servicer under clause (i).

''(2) PROTECTION OF CREDIT INFORMATION.—During the 60-day period beginning on the date on which a student loan servicer receives a qualified written request from a borrower relating to a dispute regarding payments by the borrower, a student loan servicer may not provide negative credit information to any consumer reporting agency (as defined in section 603 of the Truth in Lending Act (15 U.S.C. 1681a)) relating to the subject of the qualified written request or to such period, including any information relating to a late payment or payment owed by the borrower on the borrower's postsecondary education loan.

''(3) HIGH-TOUCH STUDENT LOAN SERVICING.—A student loan servicer shall designate an office or other unit of the student loan servicer to act as a point of contact regarding postsecondary education loans for borrowers considered to be at risk of default, including—

''(A) any borrower who requests information related to options to reduce or suspend his or her monthly payment, or otherwise indicates that he or she is experiencing or is about to experience financial hardship or distress;

''(B) any borrower who becomes 60 calendar days delinquent on any loan;

''(C) any borrower who has not completed the program of study for which the borrower received the loan;

''(D) any borrower who is enrolled in discretionary forbearance for more than 9 months of the previous 12 months;

''(E) any borrower who has rehabilitated or consolidated one or more student loans out of default within the prior 12 months;

''(F) a borrower under a private education loan who is seeking to modify the terms of the repayment of the postsecondary education loan because of hardship; and

''(G) any borrower or segment of borrowers determined by the Director of the Bureau to be at risk of default.

''(c) LIAISON FOR MEMBERS OF THE ARMED FORCES AND VETERANS.—

''(1) DEFINITION.—In this subsection, the term 'veteran' has the meaning given that term in section 101 of title 38, United States Code.

''(2) DESIGNATION.—A student loan servicer shall designate 1 or more employees to act as a liaison for members of the Armed Forces, veterans, and spouses and dependents of a member of the Armed Forces or a veteran, who shall be—

''(A) responsible for answering inquiries relating to postsecondary education loans from members of the Armed Forces, veterans, and spouses and dependents of a member of the Armed Forces or a veteran; and

''(B) specially trained on the benefits available to members of the Armed Forces and veterans under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal and State laws relating to postsecondary education loans.

''(3) TOLL FREE NUMBER.—A student loan servicer shall establish and maintain a toll-free telephone number that—

''(A) may be used by a member of the Armed Forces, veteran, or spouse or dependent of a member of the Armed Forces or a veteran to connect directly to the liaison designated under paragraph (2); and

''(B) shall be listed on the primary Internet website of the student loan servicer and on monthly billing statements.

**''§ 190. Payments and fees**

''(a) PROHIBITION ON RECOMMENDING DEFAULT.—A loan holder or student loan servicer may not recommend or encourage default or delinquency on an existing postsecondary education loan prior to and in connection with the process of qualifying for or enrolling in an alternative repayment arrangement, including the origination of a new postsecondary education loan that refinances all or any portion of such existing loan or debt.

''(b) LATE FEES.—

''(1) IN GENERAL.—A late fee may not be charged to a borrower under a postsecondary education loan under any of the following circumstances, either individually or in combination:

''(A) On a per-loan basis when a borrower has multiple postsecondary education loans in a billing group.

''(B) In an amount greater than 4 percent of the amount of the payment past due.

''(C) Before the end of the 15-day period beginning on the date the payment is due.

''(D) More than once with respect to a single late payment.

''(E) The borrower fails to make a singular, non successive regularly-scheduled payment on the postsecondary education loan.

''(2) COORDINATION WITH SUBSEQUENT LATE FEES.—No late fee may be charged to a borrower under a postsecondary education loan relating to an insufficient payment if the payment is made on or before the due date of the payment, or within any applicable grace period for the payment, if the insufficiency is attributable only to a late fee relating to an earlier payment, and the payment is otherwise a full payment for the applicable period.

''(c) PAYOFF STATEMENT.—

''(1) FEES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) or (D), a loan holder or student loan servicer may not charge a fee for informing or transmitting to a borrower or a person authorized by the borrower the balance due to pay off the outstanding balance on a postsecondary education loan.

''(B) TRANSACTION FEE.—If a loan holder or student loan servicer provides the information described in subparagraph (A) by facsimile transmission or courier service, the loan holder or student loan servicer may charge a processing fee to cover the cost of such transmission or service in an amount that is not more than a comparable fee imposed for similar services provided in connection with consumer credit transactions.

''(C) FEE DISCLOSURE.—A loan holder or student loan servicer shall disclose to the borrower that payoff balances are available for free pursuant to subparagraph (A) before charging a transaction fee under subparagraph (B).

''(D) MULTIPLE REQUESTS.—If a loan holder or student loan servicer has provided the information described in subparagraph (A) without charge, other than the transaction fee permitted under subparagraph (B), on 4 or more occasions during a calendar year, the loan holder or student loan servicer may thereafter charge a reasonable fee for providing such information during the remainder of the calendar year.

''(2) PROMPT DELIVERY.—A loan holder or a student loan servicer that has received a request by a borrower or a person authorized by a borrower for the information described in paragraph (1)(A) shall provide such information to the borrower or person authorized by the borrower not later than 5 business days after receiving such request.

''(d) INTEREST RATE AND TERM CHANGES FOR CERTAIN POSTSECONDARY EDUCATION LOANS.—

''(1) NOTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in paragraph (3), a student loan servicer shall provide written notice to a borrower of any material change in the terms of the postsecondary education loan, including an increase in the interest rate, not later than 45 days before the effective date of the change or increase.

''(B) MATERIAL CHANGES IN TERMS.—The Bureau shall, by regulation, establish guidelines for determining which changes in terms are material under subparagraph (A).

''(2) LIMITS ON INTEREST RATE AND FEE INCREASES APPLICABLE TO OUTSTANDING BALANCE.—Except as provided in paragraph (3), a loan holder or student loan servicer may not increase the interest rate or other fee applicable to an outstanding balance on a postsecondary education loan.

''(3) EXCEPTIONS.—The requirements under paragraphs (1) and (2) shall not apply to—

''(A) an increase in any applicable variable interest rate incorporated in the terms of a postsecondary education loan that provides for changes in the interest rate according to operation of an index that is not under the control of the loan holder or student loan servicer and is published for viewing by the general public;

''(B) an increase in interest rate due to the completion of a workout or temporary hardship arrangement by the borrower or the failure of the borrower to comply with the terms of a workout or temporary hardship arrangement if—

''(i) the interest rate applicable to a category of transactions following any such increase does not exceed the rate or fee that applied to that category of transactions prior to commencement of the arrangement; and

''(ii) the loan holder or student loan servicer has provided the borrower, prior to the commencement of such arrangement, with clear and conspicuous disclosure of the terms of the arrangement (including any increases due to such completion or failure); and

''(C) an increase in interest rate due to a provision included within the terms of a postsecondary education loan that provides for a lower interest rate based on the borrower's agreement to a prearranged plan that authorizes recurring electronic funds transfers if—

''(i) the borrower withdraws the borrower's authorization of the prearranged recurring electronic funds transfer plan; and

''(ii) after withdrawal of the borrower's authorization and prior to increasing the interest rate, the loan holder or student loan servicer has provided the borrower with clear and conspicuous disclosure of the impending change in borrower's interest rate and a reasonable opportunity to reauthorize the prearranged electronic funds transfers plan.

''(e) PROMPT AND FAIR CREDITING OF PAYMENTS.—

''(1) PROMPT CREDITING.—Payments received from a borrower under a postsecondary education loan by the student loan servicer shall be posted promptly to the account of the borrower as specified in regulations of the Bureau. Such regulations shall prevent a fee from being imposed on any borrower if the student loan servicer has received the borrower's payment in readily identifiable form, by 5:00 p.m. on the date on which such payment is due, in the amount, manner, and location specified by the student loan servicer.

''(2) APPLICATION OF PAYMENTS.—

''(A) IN GENERAL.—

''(i) TREATMENTS OF PREPAYMENTS.—A student loan servicer that services a billing group of a borrower shall, upon receipt of a payment from the borrower, apply amounts in excess of the monthly payment amount first to the principal of the postsecondary education loan bearing the highest interest rate, and then to each successive principal balance bearing the next highest interest rate until the payment is exhausted, unless otherwise specified in writing by the borrower.

''(ii) TREATMENT OF UNDERPAYMENTS.—

''(I) REGULATIONS REQUIRED.—Not later than 1 year after the date of enactment of the Economic Growth, Regulatory Relief, and Consumer Protection Act, the Bureau shall issue regulations establishing the manner in which a student loan servicer shall apply amounts less than the total payment due during the billing cycle.

''(II) CONSIDERATIONS.—In issuing the regulations required under subclause (I), the Bureau shall consider—

''(aa) the impact of the regulations on—

''(AA) outstanding debt of borrowers and the imposition of late fees;

''(BB) credit ratings of borrowers; and

''(CC) continued availability of alternative repayment arrangements; and

''(bb) any other factors the Bureau determines are appropriate.

''(B) CHANGES BY STUDENT LOAN SERVICER.—If a student loan servicer makes a material change in the mailing address, office, or procedures for handling borrower payments, and such change causes a material delay in the crediting of a payment made during the 60-day period following the date on which such change took effect, the student loan servicer may not impose any late fee for a late payment on the postsecondary education loan to which such payment was credited.

''(f) ADDITIONAL REQUIREMENTS FOR PREPAYMENTS.—

''(1) ADVANCEMENT OF DATE DUE.—A student loan servicer may advance the date due of the next regularly scheduled installment payment of a postsecondary education loan upon remittance of a prepayment by the borrower, if—

''(A) the borrower's payment is sufficient to satisfy at least 1 additional installment payment;

''(B) the number of billing cycles for which the date due is advanced is equal to total number of installment payments satisfied by the prepayment; and

''(C) upon receipt by the student loan servicer, the prepayment is applied—

''(i) to the principal balance of the postsecondary education loan; or

''(ii) if the student loan servicer services a billing group of a borrower, to the principal balance of the postsecondary education loan with the highest interest rate in such billing group.

''(2) BORROWER RIGHTS.—A student loan servicer shall provide a clear, understandable and transparent means, including through submission of an online form, for the borrower to elect to—

''(A) instruct the servicer not to advance the date due of future installment payments as described in paragraph (1); and

''(B) voluntarily make payments in excess of the borrower's regularly scheduled installment payment amount on a periodic basis via recurring electronic funds transfers or other automatic payment arrangement.

''(g) TIMING OF PAYMENTS.—A student loan servicer may not treat a payment on a postsecondary education loan as late for any purpose unless the student loan servicer has adopted reasonable procedures designed to ensure that each billing statement required under subsection (j)(1) is mailed or delivered to the consumer not later than 21 days before the payment due date.

''(h) OTHER REQUIREMENTS FOR POSTSECONDARY EDUCATION LOANS.—

''(1) STATEMENT REQUIRED WITH EACH BILLING CYCLE.—A student loan servicer for each borrower's account that is being serviced by that student loan servicer and that includes a postsecondary education loan shall transmit to the borrower, for each billing cycle at the end of which there is an outstanding balance in that account, a statement that includes—

''(A) the outstanding balance in the account at the beginning of the billing cycle;

''(B) the total amount credited to the account during the billing cycle;

''(C) the amount of any fee added to the account during the billing cycle, itemized to show the amounts, if any, due to the application of an increased interest rate, and the amount, if any, imposed as a minimum or fixed charge;

''(D) the balance on which the fee described in subparagraph (C) was computed and a statement of how the balance was determined;

''(E) whether the balance described in subparagraph (D) was determined without first deducting all payments and other credits during the billing cycle, and the amount of any such payments and credits;

''(F) the outstanding balance in the account at the end of the billing cycle;

''(G) the date by which, or the period within which, payment must be made to avoid late fees, if any;

''(H) the address of the student loan servicer to which the borrower may direct billing inquiries;

''(I) the amount of any payments or other credits during the billing cycle that was applied to pay down principal, and the amount applied to interest;

''(J) in the case of a billing group, the allocation of any payments or other credits during the billing cycle to each of the postsecondary education loans in the billing group;

''(K) information on how to file a complaint with the Bureau and with the ombudsman designated pursuant to section 1035 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5535); and

''(L) any other information determined by the Bureau, which may include information in the Bureau's Student Loan Payback Playbook.

''(2) PAYMENT DEADLINES AND PENALTIES.—

''(A) DISCLOSURE OF PAYMENT DEADLINES.—In the case of a postsecondary education loan account under which a late fee or charge may be imposed due to the failure of the borrower to make payment on or before the due date for such payment, the billing statement required under paragraph (1) with respect to the account shall include, in a conspicuous location on the billing statement, the date on which the payment is due or, if different, the date on which a late fee will be charged, together with the amount of the late fee to be imposed if payment is made after that date.

''(B) PAYMENTS AT LOCAL BRANCHES.—If the loan holder, in the case of a postsecondary education loan account referred to in subparagraph (A), is a financial institution that maintains a branch or office at which payments on any such account are accepted from the borrower in person, the date on which the borrower makes a payment on the account at such branch or office shall be considered to be the date on which the payment is made for purposes of determining whether a late fee may be imposed due to the failure of the borrower to make payment on or before the due date for such payment.

''(i) CORRECTIONS AND UNINTENTIONAL VIOLATIONS.—A loan holder or student loan servicer who, when acting in good faith, fails to comply with any requirement under this section will to be deemed to have not violated such requirement if the loan holder or student loan servicer establishes that —

''(1) not later than 30 days after the date of execution of the postsecondary education loan and prior to the institution of any action under subtitle E of title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5561 et seq.)—

''(A) the borrower is notified of or discovers the compliance failure;

''(B) appropriate restitution to the borrower is made; and

''(C) necessary adjustments are made to the postsecondary education loan that are necessary to bring the postsecondary education loan into compliance with the requirements of this section; or

''(2) not later than 60 days after the loan holder or student loan servicer discovers or is notified of an unintentional violation or bona fide error and prior to the institution of any action under subtitle E of title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5561 et seq.)—

''(A) the borrower is notified of the compliance failure;

''(B) appropriate restitution to the borrower is made; and

''(C) necessary adjustments are made to the postsecondary education loan that are necessary to bring the postsecondary education loan into compliance with the requirements of this section.

''(j) RULE OF CONSTRUCTION FOR FEDERAL POSTSECONDARY EDUCATION LOANS.—Nothing in this section shall be construed to supercede any reporting or disclosure requirement required for a postsecondary education loan that is made, issued, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), if such reporting requirement does not directly conflict with the requirements of this section.

**''§ 191. Authority of Bureau**

''(a) AUTHORIZATION.—The Bureau is authorized to prescribe such rules and regulations, make such interpretations, and grant such reasonable exemptions, in accordance with, and as may be necessary to achieve the purposes of, this chapter.

''(b) DISCLOSURE REQUIREMENTS.—

''(1) IN GENERAL.—The Bureau shall issue regulations requiring disclosures to borrowers that clearly and conspicuously inform borrowers of the protections afforded to them under this chapter and under other provisions relating to postsecondary education loans. The Bureau shall consider whether special disclosures are required to accommodate the unique needs of borrowers who are members of the Armed Forces or veterans.

''(2) REGULATIONS REQUIRED.—The regulations issued under paragraph (1) shall—

''(A) ensure that a borrower is made aware of—

''(i) all repayment options available to the borrower, including the availability of refinancing products, and the effect of each repayment option on the total amount owed under, total cost of, and time to repay the postsecondary education loan;

''(ii) the risks and costs associated with default; and

''(iii) the eligibility of certain borrowers for discharge of certain postsecondary education loans; and

''(B) require provision of information about how a borrower can file a complaint with the Bureau relating to an alleged violation of this chapter.

''(3) TIMING OF DISCLOSURES.—The regulations issued under paragraph (1) shall specify the timing of the disclosures described in paragraph (2)(A). Such timing may include—

''(A) before the first payment is due under the postsecondary education loan; or

''(B) when the borrower—

''(i) first exhibits difficulty in making payments under the postsecondary education loan;

''(ii) is 30 days delinquent under the postsecondary education loan;

''(iii) is 60 days delinquent under the postsecondary education loan;

''(iv) notifies the student loan servicer of the intent of the borrower to forbear or defer payment under the postsecondary education loan;

''(v) inquires about or requests the refinancing or consolidation of the postsecondary education loan; or

''(vi) informs the student loan servicer, or a postsecondary education lender acting on behalf of the borrower informs the student loan servicer, that the borrower will be refinancing or consolidating the loan.

''(c) UNFAIR, DECEPTIVE, AND ABUSIVE ACTS OR LENDING PRACTICES.—The Bureau, by regulation or order, shall prohibit acts or practices in connection with—

''(1) a postsecondary education loan that the Bureau finds to be unfair, deceptive, or designed to evade the provisions of this chapter; or

''(2) the refinancing of a postsecondary education loan, including facilitation of refinancing or enrollment in an alternative repayment arrangement, that the Bureau finds to be associated with abusive lending practices, or that are otherwise not in the interest of the borrower.

''(d) CONSULTATION WITH SECRETARY OF EDUCATION.—In order to avoid duplication, to the extent practicable, the Bureau, in consultation with the Secretary of Education, may consider obligations of student loan servicers under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

**''§ 192. State laws unaffected; inconsistent Federal and State provisions**

''Nothing in this chapter shall annul, alter, or affect, or exempt any person subject to

the provisions of this chapter from complying with the laws of any State with respect to student loan servicing practices, fees on postsecondary education loans, or other requirements relating to postsecondary education loans, except to the extent that those laws are inconsistent with any provision of this chapter, and then only to the extent of the inconsistency. The Bureau is authorized to determine whether such inconsistencies exist. The Bureau may not determine that any State law is inconsistent with any provision of this chapter if the Bureau determines that such law gives greater protection to the consumer. In making these determinations the Bureau shall consult with the appropriate Federal agencies.''.

(b) EXEMPTED TRANSACTIONS.—Section 104 of the Truth in Lending Act (15 U.S.C. 1603) is amended—

(1) in the matter preceding paragraph (1), by striking ''This title'' and inserting ''(A) IN GENERAL.—This title''; and

(2) by adding at the end the following:

''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall prevent or be construed to prevent the provisions of chapter 6 from applying to any postsecondary education lender, loan holder, or student loan servicer (as those terms are defined in section 188).''.

(c) CIVIL LIABILITY.—Section 130 of the Truth in Lending Act (15 U.S.C. 1640) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''and any postsecondary education lender, loan holder, or student loan servicer (as such terms are defined in section 188) who fails to comply with any requirement imposed under chapter 6 with respect to any person'' before ''is liable to such person'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''; or (iv)'' and inserting '', or (iv)''; and

(II) by inserting '', or (v) in the case of a postsecondary education lender, loan holder, or student loan servicer (as such terms are defined in section 188) who fails to comply with any requirement imposed under chapter 6, not less than $400 or greater than $4,000'' before the semicolon; and

(ii) in subparagraph (B), by inserting '', postsecondary education lender, loan holder, or student loan servicer'' after ''creditor'' each place it appears; and

(C) in the matter following paragraph (4)—

(i) in the first sentence—

(I) by inserting '', postsecondary education lender, loan holder, or student loan servicer'' after ''creditor'' each place it appears; and

(II) by striking ''creditor's failure'' and inserting ''failure by the creditor, postsecondary education lender, loan holder, or student loan servicer'';

(ii) in the fourth sentence, by inserting ''other than the disclosures required under section 128(e)(12),'' after ''referred to in section 128,''; and

(iii) in the fifth sentence, by inserting '', postsecondary education lender, loan holder, or student loan servicer'' after ''creditor'';

(2) in subsection (c), by striking ''creditor or assignee'' each place it appears and inserting ''creditor, assignee, postsecondary education lender, loan holder, or student loan servicer'';

(3) in subsection (e)—

(A) in the second sentence, by inserting ''or chapter 6'' after ''section 129, 129B, or 129C''; and

(B) in the fourth sentence, by inserting ''or chapter 6'' after ''or 129H''; and

(4) in subsection (h)—

(A) by striking ''creditor or assignee'' and inserting ''creditor, assignee, postsecondary education lender, loan holder, or student loan servicer''; and

(B) by striking ''creditor's or assignee's liability'' and inserting ''liability of the creditor, assignee, postsecondary education lender, loan holder, or student loan servicer''.

## NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator TAMMY DUCKWORTH, intend to object to proceeding to the nomination of Howard C. Nielson, Jr., of Utah, to be United States District Judge for the District of Utah, dated March 6, 2018.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 6, 2018, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, March 6, 2018, at 10 a.m., to conduct a hearing on the nomination of James Reilly, of Colorado, to be Director of the United States Geological Survey, Department of the Interior.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, March 6, 2018, at 10 a.m., to conduct a hearing entitled ''Protecting E-Commerce Consumers and from Counterfeits.''

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Tuesday, March 6, 2018, at 2 p.m., to conduct a joint hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, March 6, 2018, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee Armed Services is authorized to meet during the session of the Senate on Tuesday, March 6, 2018 at 10 a.m. to conduct a hearing.

## PRIVILEGES OF THE FLOOR

Mr. BROWN. Mr. President, I ask unanimous consent that Reilly Steel, a fellow with the Banking Committee, be granted floor privileges during the pendency of S. 2155.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I ask unanimous consent that Ari Rabin-Havt be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Senator BLUMENTHAL's legislative fellow Mary Miller Flowers be granted floor privileges until the end of June 2018.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR WEDNESDAY, MARCH 7, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, March 7; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate resume consideration of the motion to proceed to S. 2155.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PORTMAN and our Democratic colleagues.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida.

## RUSSIAN ELECTION INTERFERENCE

Mr. NELSON. Mr. President, I join our colleagues who have spoken about the concern of the Russian cyber attacks on this country.

Every day that passes, we gather new information about how Russia, at Vladimir Putin's direction, has gone about interfering by committing cyber attacks on this country, not only in its stealing names and personal information but now in its interfering in our elections.

In a long indictment, Special Counsel Robert Mueller spelled out how the so-called Internet Research Agency—a front in Russia—created fake accounts on social media and other internet platforms. It spread divisive content, and it even organized political rallies in the United States with the help of unwitting Americans—all backed by one of Putin's cronies through a so-called catering company. This indictment tells a pretty remarkable and alarming story, and if you are still not

sure what this was all about, just read the Internet Research Agency's own words: ''information warfare against the United States of America.'' That says it all.

I know there has been a lot of discussion about Russian interference in our elections, and there should be. We have to get to the bottom of this. It is coming fast and furious, and it is going to be happening in the elections this year. We know what Russia did in the last election. Just as the CIA Director and the Director of National Intelligence told us, we know, in their words, that Russia will do it again. The more we learn, though, the more it becomes clear that we are not doing enough to protect ourselves from further attacks.

This is not a partisan issue; it is an attack on the very foundation of our democracy. At a time when it is getting harder and harder to come together as a country—when polarization is so rampant, when excessive partisanship is so evident—what Russia is doing is particularly sinister. It is trying to exacerbate our divisions and undermine Americans' faith in their institutions.

Months away from an election, the question is, What are we going to do about it? We are just days away from an election in Texas and about 8 months away from the November general election. What are we going to do? One thing we ought to do is to start defending ourselves.

Last month, Senator SHAHEEN, Senator BLUMENTHAL, and I wrote to the Secretary of Defense and urged him to use our cyber forces—U.S. Cyber Command, which is the one instructed with protecting us—to disrupt Russian cyber operations that target our elections. We urged the Secretary of Defense to implement the recommendations of the Department's own task force to deter these cyber operations. Those were the recommendations of the Department of Defense's own task force.

Just a few days ago, four-star Admiral Rogers, commander of Cyber Command, told our Armed Services Committee that he had still not been directed to counter these cyber operations and that he needed approval from the White House. The White House, unbelievably, hasn't authorized him to act.

Until the Trump administration starts cracking down on Russia, Vladimir Putin is going to continue to get away with his cyber attacks on our elections and all of his other cyber attacks on our country. Admiral Rogers also told the committee that Russia has not paid a sufficient enough price for what it has done to us to get it to change its behavior.

This is the kind of thing—defending the Nation—for which our cyber forces were created. This Senator is the ranking member of the Cybersecurity Subcommittee of the Armed Services Committee. I can tell you that our cyber forces are growing, and they are getting better and better, but they are only good if they are put to work and given the task of defending us.

So, Mr. President, I ask unanimous consent that this letter that several of us sent to the Secretary of Defense be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
*Washington, DC, February 6, 2018.*

Hon. JAMES N. MATTIS,
*Secretary of Defense,*
*Washington, DC.*

DEAR SECRETARY MATTIS: The Government of Russia, at President Vladimir Putin's direction, conducted an extensive campaign to influence our elections in 2016. The Russian campaign—a mix of covert intelligence operations, disinformation, and propaganda spread through traditional and social media—represents a serious and unprecedented attack on American democracy.

While the Obama Administration imposed targeted sanctions on Russia in response to the attack, just last week, the Trump Administration elected not to impose further sanctions. Yet, Russia's influence activities continue in the United States and elsewhere, according to the Director of the Central Intelligence Agency. As the 2018 midterm elections are now only months away, there is no time to lose in countering Russian influence through multiple means.

Because Russian influence is conducted largely through cyberspace, National Mission Teams (NMTs), part of the U.S. Cyber Command's Cyber Mission Force, should be ordered to prepare to engage Russian cyber operators and disrupt their activities as they conduct clandestine influence operations against our forthcoming elections. The mission of these forces is to defend the Nation, including critical infrastructure like our election systems, from foreign attack and we urge the Department of Defense to consider employing them as soon as possible.

Additionally, we urge you to implement the recommendations of the Department's own Defense Science Board's Task Force on Cyber Deterrence. The Task Force's report outlined a strategy to deter further Russian attacks on our democracy by threatening those things that our adversaries hold most dear through tailored campaigns of both cyber and information operations. To my knowledge, the Department has yet to implement these critical recommendations.

Defending our democracy must rank among the most important responsibilities of our government, including our military cyber forces. We are grateful for your continued service to the country and appreciate your prompt attention to this most pressing threat.

Sincerely,

BILL NELSON.
RICHARD BLUMENTHAL.
JEANNE SHAHEEN.

Mr. NELSON. Mr. President, I want to take this opportunity to say that all of us have to get to work—the White House, our cyber forces, and the whole of government. When it comes to defending our democracy, many of us have taken up arms, many of us have worn the uniform of this country to defend it, many of us, in civilian performance of the duties of this government, have likewise performed duties to defend this Nation. We now have to defend this Nation against cyber attacks, and more immediately we have to defend against the cyber attacks to undo and undermine our democratic institutions by attacking our elections.

I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

## ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION BILL

Mr. PORTMAN. Mr. President, I rise tonight to talk about the bipartisan legislation that is before the body. It is an opportunity that provides significant needed regulatory relief, primarily to smaller financial institutions like community banks and credit unions.

The Economic Growth, Regulatory Relief, and Consumer Protection Act will modernize the Federal Dodd-Frank regulations to ensure that small- and medium-sized banks, as well as credit unions, can lower their compliance costs, which will mean more loans to small businesses and better deals for their customers.

For years, Dodd-Frank has hurt these smaller community banks and credit unions that have been caught up in this broader effort to rein in a select few larger financial institutions—primarily financial institutions on Wall Street. In effect, these smaller banks were caught in the web.

Last week, I met with some of Ohio's community banks. I meet with them regularly, and they tell me these stories. Their view, of course, is these Dodd-Frank rules targeted at the big banks are actually hurting the little guys. Over the past several years, they have told me story after story about how their compliance costs have increased. A small bank will say they used to have one person doing compliance, but now they have three people doing compliance, and those costs get passed along to their consumers. They also say, with the redtape and regulations and rules they live under, it makes it harder for them to lend to small businesses, which is one of the problems we have today in our economy. As the economy is beginning to grow, we need to ensure that startups and people who are interested in taking a risk and may not have a lot of business experience are able to get that loan to get started.

What has happened is, there has been a consolidation of these community banks because of these costs. In fact, they say one community bank is becoming insolvent every day in this country because of these big compliance costs, but others are consolidating into larger banks. That may be fine in some cases, but I like these community banks.

I like the fact that these community banks are close to the people in the neighborhood, and they know the businesses that are coming to them for loans. Again, it is easier for small businesses to get loans when you actually have a banking relationship. They also are very involved in our communities.

So these community banks, which are really the backbone of America's financial sector, are what this bill is primarily about. The bill on the floor this week makes it easier for them to extend credit, loans, mortgages, and provide other products and services to working families in Ohio and around the country.

The legislation does more than that though. It also focuses on the regional banks in Ohio. These are banks that were not part of the financial crisis. They had nothing to do with it, but despite that, they have been required to live under the onerous systemically important financial institution rules and regulations or the SIFI designation. It has caused higher compliance costs for them. Again, it has hurt lending to Ohio businesses.

In Ohio, we happened to have three very big employers in the State that are regional banks—Fifth Third Bank, Huntington Bank, and KeyBank. They are all examples of well-capitalized Ohio regional banks that will benefit from this legislation, and the benefit will go to their thousands of employees, but it will also go to their many thousands of customers.

This legislation also increases important consumer protections for veterans, senior citizens, victims of fraud, and those who have fallen on tough financial times.

Another thing I like about the legislation that is particularly important to me is it includes a specific piece of legislation I authored to make it easier for a group called Habitat for Humanity to carry out their mission of providing safe and affordable housing to those in need. Habitat is a great organization. I volunteer at Habitat regularly. I see firsthand the great work they are doing back in my home State of Ohio.

My legislation is called the Housing Opportunity Made Easier Act or HOME Act, and it simply ensures that Habitat affiliates and other organizations—nonprofits—can receive donated appraisals of the homes they build. This is a really important issue for Habitat because Dodd-Frank disallows this donated appraisal, and the affiliates have traditionally accepted the donations. That has allowed them to have lower costs. When they have to pay the appraisal fees, it increases the cost of the homes to the families that are so badly in need of affordable housing. So getting rid of this redtape is something that should be bipartisan and even nonpartisan. It has been tough for us to get this legislation moving because people have wanted to block anything that has to with Dodd-Frank, but this obviously, I hope, was inadvertent. So in this legislation we have the ability for Habitat and other nonprofits to take advantage of these donated appraisals. Getting rid of that redtape is going to help create more affordable housing for families in need.

I want to thank Chairman CRAPO for including that legislation. I also want to congratulate him and his colleagues on the Banking Committee for their bipartisan work on this legislation, dealing with the very real problem we have, which is the burdens, the redtape, the compliance costs, and coming up with a balanced product that can be supported on both sides of the aisle, get through the House, get through the Senate, get to the President for signature, and begin to improve this economy even more.

## TAX REFORM

Mr. PORTMAN. Mr. President, on another economic issue, I want to talk for a minute about the good news coming out of my State of Ohio with regard to the tax reform legislation. In just the past few weeks, I have visited eight separate businesses across the State talking about this issue, asking them what has been the impact of the tax reform bill, what are they doing with their savings.

There are three of these I want to talk about tonight, briefly. One is a small auto parts manufacturing business in Zanesville, OH. They have three auto parts stores. One is a multinational credit card processing company headquartered in Cincinnati, OH, and one is a premier medical center in Cleveland, OH. They are very different businesses in different sectors of our economy, but all are benefiting from the tax legislation.

GKM is the small auto parts store in Zanesville. They are reinstating healthcare benefits to their employees directly as a result of this tax reform bill. Under the Affordable Care Act, the company's healthcare costs increased dramatically—like so many other businesses—by double digits every year. They had a 22-percent increase in their costs in 2016, and the company went to its employees and said: We simply cannot afford to pay for this 22-percent increase on top of other double-digit increases. We don't know what to do. We are going to have to have you go out on your own and find healthcare, including in the exchanges.

Now, with the money GKM Auto Parts is saving as the result of this tax reform, all of their full-time employees are once again able to get healthcare through the company, and they are very grateful, having talked to some of the employees who had to go out to the exchanges, while others chose to pay the penalty. They are really happy to have their healthcare back.

These kinds of real, tangible benefits are exactly what we intended to accomplish in developing tax reform, but businesses small and large are benefiting from these pro-growth changes to the Tax Code.

The second company I want to talk about is a big C corporation—Worldpay, Inc. It is the largest credit card processing company in the world now by volume. It has about 2,000 employees in Ohio at their headquarters. I recently went to their headquarters to talk about what they were doing, and when I was there, they announced cash bonuses of $1,000 and up to $2,000 for all of their hourly employees, higher wages for their frontline positions, an increased 401(k) match, greater company investment in employee wellness and recognition programs, and significantly more charitable giving. As Worldpay's executive chair said, tax reform is ''ensuring Ohio companies like Worldpay can remain competitive and recruit the region's top talent.''

They merged recently with a foreign company. Thank goodness they stayed in Ohio, but now they are rewarded for that because, although they were punished for being a U.S. company before, now with our Tax Code changes in place, they are actually benefiting from being an American company, where it is more beneficial to make the investment here rather than, in their case, in the United Kingdom.

A more competitive business tax code, an international tax code that encourages investments in this country rather than overseas, and incentives like immediate expensing that is in the Tax Code now are helping to create jobs in my home State of Ohio. It is helping Worldpay continue to be an American company and to be strong. It also is helping foreign direct investment in my home State because companies that are not American companies but foreign companies invested in Ohio are more likely to increase that investment rather than an investment somewhere else in the world because of the tax reform legislation. Immediate expensing and lower tax rates, this all helps to create good American jobs.

The most recent Federal jobs report shows strong job gains and the fastest wage growth since 2009. According to a recent National Federation of Independent Business survey, the NFIB, which represents a lot of small businesses in Ohio, 32 percent of their companies now say they are going to expand. By the way, that is the highest level in the survey's history, and it is the highest level of optimism also in their survey about the future among these small businesses. A lot of that is from the increased opportunity and the optimism that comes from this tax reform legislation.

One website I saw here in Washington tells us that across the country more than 400 businesses have now announced bonuses, higher wages, increased benefits, or a combination of these things as the result of the tax reform law. Four hundred is impressive, but I have to tell you it is a lot more businesses than that. I have been to small business roundtable discussions and individual businesses over the past several weeks in Ohio and talked to over two dozen individual companies—none of whom are on the list of 400 because they are not big companies that made a big public announcement—but every single one of them are taking this tax reform and the benefits they are getting from that, and they are reinvesting it into their people, their

workers, their company's plant, equipment, technology, making their workers more productive. So 400 is impressive, but I know it is much larger than that. Thousands of businesses are taking advantage of this and therefore their employers are and therefore you are seeing this increased optimism.

The final example I want to talk about is one that has to do with our communities. I recently visited the University Hospital Rainbow Center for Women and Children in Cleveland, OH—a really impressive new facility they are building. This is a new $26 million medical facility, and I learned during this visit that it was the new markets tax credit that was key to making this project possible. New markets is a tax incentive to spur economic growth and community redevelopment projects, and it helps to spur private investment, as it did in this case. In this Cleveland case, it spawned significant private investment from foundations and from individuals. This is something that has worked in the cities I represent in Ohio. We fought to preserve the new markets tax credit in the Senate version of the tax legislation, and the final agreement that became law has the new markets tax credit made permanent. That is critical for economic development opportunities like this new university hospital medical center I talked about.

So these benefits from tax reform are not abstract. They are very real. They are extra money in your paycheck, they are more affordable healthcare coverage, they are increased investments in emerging communities, and much more.

As the good news continues to roll in from tax reform, I will keep traveling Ohio, meeting with businesses, families, and workers to discuss ways tax reform can help them achieve a better economic future. A brighter future is really what our tax reform and tax cut legislation was all about.

## SESTA

Mr. PORTMAN. Mr. President, finally, I want to talk about something else we were working on in Congress to create a brighter future for many Americans. I am talking about our efforts to provide justice for victims of sex trafficking and to hold accountable those online entities, those websites that knowingly facilitate these evil crimes. I am talking about this because, although this week we are focused on these reforms to Dodd-Frank to help our smaller banks make the economy stronger and help individuals and small companies, next week we hope to take up this issue of sex trafficking.

We are closer than ever to getting this legislation passed, and just recently we had some good news in our bipartisan effort. The Stop Enabling Sex Traffickers Act, or SESTA, a bill I introduced with 24 Senators back in August, is gaining momentum in Congress. Last week, the House of Representatives actually offered the SESTA legislation as an amendment on the floor to a broader bill, and it passed by an overwhelming vote—over 300 votes. Just a couple of days later, the White House expressed their support for this legislation.

It is now the Senate's turn to act on this critically important issue, and Leader MCCONNELL—the leadership in the Senate—again has made a commitment to me and my colleagues that we will hold a vote on this sex trafficking legislation, the SESTA legislation, in the next couple of weeks. We now have 67 Senate cosponsors for SESTA. That is not typical around here.

It is a majority of Democrats; it is a majority of Republicans—two-thirds of the Senators in this body. By the way, this is a diverse group with wide-ranging political and ideological backgrounds. They have all signed on to this legislation because they want to be part of the solution. It is a commonsense solution to what is unfortunately a growing problem here in our country and in every State represented here in this body.

Unbelievably, sex trafficking is actually increasing in this country right now. In this century, in this country, sex trafficking is actually increasing. How can that be? What the experts tell us is that it is because of the online presence of these evil websites that are selling women and children online. The ruthless efficiency of social media—of the online presence of these websites—is what is causing this increase.

Victims of sex trafficking in Ohio have told me, as I have met with them: Rob, this has moved from the street corner to the smartphone. One website called backpage.com is the industry leader in online sex trafficking. They are involved in nearly 75 percent of all child trafficking reports that the National Center for Missing and Exploited Children receives from the public. Seventy-five percent of the reports that this great organization receives to try to stop sex trafficking relate to this one site.

The Permanent Subcommittee on Investigations here in the Senate, which I chair, conducted an 18-month investigation into this issue. We looked at what the online presence was and why it was happening. We learned, of course, that backpage.com was by far the biggest problem. We found that backpage not only had the vast majority of the commercial sex traffic on their site, but they had knowingly facilitated and assisted criminal sex trafficking and covered up evidence of those crimes in order to increase their own profits.

For years, unbelievably, we have allowed them to get away with it. I think that is a stain on our national character. I think we need to address it, particularly because we have the opportunity here in the Senate to change a Federal law to help stop this.

Courts have consistently ruled that backpage.com and these other websites are protected by a Federal law—a law that we passed over two decades ago—called the Communications Decency Act that protects these websites from liability for crimes users commit through their site, no matter how complicit they are in those crimes. It was certainly not the intent of Congress to permit this, but that is how the courts have interpreted it.

Prosecutors and courts from across the country, including 50 State attorneys general, have called on Congress to fix this injustice. In one of the most direct calls that I have seen, a Sacramento judge last year dropped pimping charges against backpage.com, stating: ''If and until Congress sees fit to amend the immunity law, the broad reach of Section 230 of the Communications Decency Act even applies to those alleged to support the exploitation of others by human trafficking.'' In other words, this judge is saying that there is now an immunity—a protection under Federal law—that allows these people, even when they are knowingly involved with sex trafficking, to continue to do what they are doing.

Our legislation makes two very simple changes to the Federal law that currently protects websites like backpage in an effort to restore justice.

First, SESTA says that if you are violating a Federal law, the Federal law on trafficking—and that is a law that was in existence long before we started this investigation. It is a law that is well established. If you are violating the Federal law on trafficking, assisting, supporting, or facilitating sex trafficking, and if you are doing it knowingly, which is a very high standard to prove, then you can be held liable and held to account. Again, this is very narrowly targeted legislation to deal with this specific problem.

Second, the legislation will allow State attorneys general—who cannot now but would be able under this legislation—to prosecute websites that violate Federal sex trafficking laws. It is very important because that is where you are going to see most of the action—at the State level, the State prosecutors.

We have tailored this legislation narrowly to ensure no threat to the freedom of the internet but ensure we are getting at this problem and actually dealing with immunity in Federal law.

Sex trafficking survivors, their families, and anti-trafficking advocates have shown great courage by sharing their tragic stories and personal accounts of injustice at the hands of online sex traffickers as we worked with them to develop this narrowly crafted legislation.

In testimony before the Permanent Subcommittee on Investigations and in testimony before the Commerce Committee—which unanimously endorsed this legislation—we heard from victims and their families. We heard from moms who told us about their teenage daughters having been trafficked online.

One mom talked about her daughter who, at 14, was trafficked. She had been missing for 10 weeks. She finally found a photograph of her daughter on backpage. She called and said: I found my daughter. She is on your website. Thank you for taking her off your website. She is 14 years old.

The person at the other end of the line from backpage said: Did you pay for the ad?

The mom said: No, I didn't pay for the ad. That is my daughter.

They said: Then we can't take down the ad.

That is who these people are.

They have shown great courage by coming forward with their stories. Now it is our turn to show courage by coming together and voting on this bill, sending it to the President's desk, and fixing this problem, fixing the Federal law to allow justice for the trafficking victims and to finally hold accountable those who knowingly facilitate these crimes.

We have an opportunity to do something important here to create a better, safer, and more just society. I am hopeful that next week we will have that legislation before this body. We will have the debate. We will pass the legislation and begin to provide these victims of trafficking the justice they deserve and, most importantly, stop women and children from being exploited online.

Thank you, Mr. President.

I yield back my time.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:06 p.m., adjourned until Wednesday, March 7, 2018, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF DEFENSE

LISA PORTER, OF VIRGINIA, TO BE A DEPUTY UNDER SECRETARY OF DEFENSE. (NEW POSITION)

### DEPARTMENT OF TRANSPORTATION

PATRICK FUCHS, OF WISCONSIN, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR THE TERM OF FIVE YEARS. (NEW POSITION)

MICHELLE A. SCHULTZ, OF PENNSYLVANIA, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR THE TERM OF FIVE YEARS. (NEW POSITION)

### DEPARTMENT OF ENERGY

JAMES EDWARD CAMPOS, OF NEVADA, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY, VICE LADORIS GUESS HARRIS.

### ENVIRONMENTAL PROTECTION AGENCY

PETER C. WRIGHT, OF MICHIGAN, TO BE ASSISTANT ADMINISTRATOR, OFFICE OF SOLID WASTE, ENVIRONMENTAL PROTECTION AGENCY, VICE MATHY STANISLAUS.

### DEPARTMENT OF THE TREASURY

MICHAEL J. DESMOND, OF CALIFORNIA, TO BE CHIEF COUNSEL FOR THE INTERNAL REVENUE SERVICE AND AN ASSISTANT GENERAL COUNSEL IN THE DEPARTMENT OF THE TREASURY, VICE WILLIAM J. WILKINS.

### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JON PARRISH PEEDE, OF MISSISSIPPI, TO BE CHAIRPERSON OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES FOR A TERM OF FOUR YEARS, VICE WILLIAM D. ADAMS.

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DIRECTOR OF ADMISSIONS AT THE UNITED STATES AIR FORCE ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 9333(C) AND 9336(B):

*To be colonel*

ARTHUR W. PRIMAS, JR.

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

GREGORY J. PAYNE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

*To be lieutenant colonel*

MICHAEL J. PATTERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

BRAD R. MATHERNE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

JONATHAN A. MORRIS

### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

ERIC T. ASHLEY
BRENT W. CLARK
KEN JO
ROBERT KEELER
NAM K. KIM
BENJAMIN R. METHVIN
DALE A. NICHOLS
DAVID OLSON
KARL RICHARDS
MICHAEL J. RYHN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

GILBERT AIDINIAN
ROGER A. ANDERSON
THOMAS J. BACKENSON
KIMBERLY R. BARRETT
TYSON E. BECKER
RONALD D. BEESLEY
PHILIP J. BERRAN
WILLIAM F. BIMSON
JAMES B. BRANCH
JAMES M. BROWN
KEVIN L. BUFORD
JASON B. CABOOT
MICKEY S. CHO
PATRICK J. CONTINO
CORD W. CUNNINGHAM
KARLA L. DAVIS
DAVID H. DENNISON
JEANNE C. DILLON
CRAIG P. DOBSON
JOSEPH G. DOUGHERTY
JEREMY V. EDWARDS
THOMAS E. ELLWOOD
MATTHEW V. FARGO
ROBERT G. FOWERS
DUNCAN A. GILLIES II
BABETTE GLISTERCARLSON
THOMAS J. HAIR
BRIAN T. HALL
DAWN M. HAROLD
DAVID P. HARPER
TYLER E. HARRIS
WAYNE J. HARSHA
JASON S. HAWLEY
GARTH S. HERBERT
MATTHEW H. HOEFER
AARON B. HOLLEY
NELSON HOWARD
PAULA J. JACKSON
MARK L. JACQUES
JEFFERSON W. JEX
DAVID E. JOHNSON
RYAN J. KENEALLY
EUGENE H. KIM
WON I. KIM
JACQUELINE N. KING
JUDY KOVELL
DAVID G. LAWTON
LLEWELLYN V. LEE
DOWNING LU
RODD E. MARCUM
JENNIFER W. MBUTHIA
THANE MCCANN
MICHAEL Y. MCCOWN
SCOTT T. MCNEAR
STEVE B. MIN
CRISTIN A. MOUNT
JEANNIE M. MUIR
LAUREL A. NEFF
DANA R. NGUYEN
CHARLES D. NOBLE
PETER D. OCONNOR
STEPHEN W. OLSON
JEREMY C. PAMPLIN
IOANNIS B. PAPADOPOULOS
DINA S. PAREKH
PARESH R. PATEL
BENJAMIN K. POTTER
NICOLE C. POWELLDUNFORD
GORDON K. RAINEY
ROSEANNE A. RESSNER
PEACHES A. RICHARDS
ERIC A. ROBERGE
JEFFERSON R. ROBERTS
DAVID RUFFIN
KEVIN E. SCHLEGEL
MICHELE A. SOLTIS
MARK E. STACKLE
NEIL R. STOCKMASTER
ABRAHAM W. SUHR
TIMOTHY L. SWITAJ
NATHAN TAGG
WILLIAM THOMAS
CHRISTOPHER TROLLMAN
DAVID C. VANECHO
PETER H. VANGEERTRUYDEN
LUTHER WIEST
HARRY J. WRIGHT
BELINDA J. YAUGER
D011955

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

HAYLEY R. ASHBAUGH
PEGGY I. BAIN
CHAD E. BROWN
CRAIG M. CALKINS
AMI D. CAMPBELL
ANDREW J. CHAMBERS
JAMES S. CORRIGAN
JENNIFER D. CWIKLA
LINDSEY S. DAY
HANNAH S. DOLLAR
NATALIE A. ERKER
BRIAN D. FARR
DANIEL K. FINNEGAN
KIMBERLY M. FOX
CASSANDRA M. FRAMSTAD
JEREMY L. GALLMAN
AMBRE N. GEJER
JANAS L. GRAY
ERIN C. HENNESSEY
AIMEE M. HUNTER
ASHLEY M. HYDRICK
DAVID A. JOHNSTON
AMORY L. KOCH
KELLY M. MALLETTE
BRITTANY M. MARBLE
JACOB G. MARCEK
BRET A. MILLER
LYNN J. MILLER
JESSICA A. PERPICH
LAUREN M. SEAL
TERESA M. VAUGHN
WHITNEY E. VICKERY
SARAH T. WATKINS
HEATHER L. WEAVER
JORDAN N. YOLLES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

JEFFREY A. ANDERSON
JOSEPH R. BONGIORNO
ALLEN R. BYRNE
PATRICK R. CASEY
ROBYN L. CHALUPA
DONALD W. CHASE
WILLIAM R. CONKRIGHT
CARLY R. COOPER
ROMMEL B. DAFFON
PATRICK T. DEPRIEST
ROBERT C. DICHIERA
ADRIAN DONIAS
ABE R. DUMMAR
BRIAN G. GOMEZ
JOSEPH N. GOMEZ
CHARISSE L. GONZALEZ
SETH GRUBBS
JAMES R. GRUENEWALD
DANNY L. HARRIS
JEFFERY L. HEILESON
GARY L. HELTON
ALLISON F. HOWELL
STEVEN D. HURTLE, JR.
ADAM R. IRBY
MACKENZIE J. JONES
ANNA L. KAUS
CHRISTINA M. KOREERAT
NICHOLAS R. KOREERAT
KURT D. KRESTA
FRANCES P. LANG
JOSEPH M. LANG
DEANA M. LAWRENCE
KAREN M. LONG

NICOLE T. LOPEZ
PRESTON E. LOPEZ
JOHN B. LOSCH
MAYA L. LOWELL
MARK R. MATEJA
KEVIN E. MAYBERRY
TAMARA J. MAYBERRY
SHANE D. MCDONALD
ROBERT M. MEADOWS
ROBERT B. MILLER
BRIAN J. MIMS
JACOB A. NAYLOR
LARISSA R. PARSEK
ANTHONY K. RAKOFSKY
CLAY T. RANDLES
CHRISTOPHER P. ROGERS
CHRISTOPHER R. SMITH
JEFFERY G. TAYLOR
JON M. THIBODEAU
CHARLES A. TRINGO
SHAVANA TURAY
VERN WAGNER
ANGELA R. WESTON
MELISSA D. WILKES
JEFFREY A. WITTKOPP
LYDIA A. ZELLERS
D012178
D012189
D012878

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

AHMAD B. ALEXANDER
MONICA I. ALLEN
JAMIE R. ARRUIZA
ERICA V. ATKISSON
BRIAN V. BAGGETT
VIRGINIA B. BAILEY
ROBERT L. BAKER
BRUCE W. BARNES
MATTHEW L. BARRETT
DAVID M. BARRY
NATHANIEL D. BASTIAN
LEBARON D. BATES
RICHARD H. BENSON
ANDREW J. BODWELL
STEPHEN T. BONNEY
DANIEL M. BOUDREAUX
AMY L. BREGUET
LACHARLES M. BROWN
MEREDITH A. BROWN
JENNA M. BURNESKIS
CLINTON J. BURROUGHS
CARLOS O. BUSTAMANTE
ELISA MARIE K. CALACE
VERN E. CAMPIGOTTO, JR.
JOSE A. CAPELLAN
KEYIA N. CARLTON
JOSHUA M. CARMEN
JINO I. CARO
MAXWELL G. CARROLL
WILLIAM A. CEBALLOS
MICHAEL C. CHASE
JAMES E. CHRISTENSEN
ERIKA CHU
JAE H. CHUNG
AMANDA A. CLINE
MATTHEW A. COOLEY
ADAM D. COOPER
MICHAEL L. COOPER
GARION E. DAVENPORT
DANIEL C. DAVIS
SEAN T. DAVIS
DAVID W. DRAPER
ASHLEY H. FAIR
KENT A. FISHER
ALEXANDER F. FLYNN
DEREK K. FOLK
ALHAJI FONAH
JAMES S. FOX
MIGUEL A. FRAGUEIRO
GREG A. FULLER
JORDAN T. GARRETT
LOTISHA E. GARVIN
DANIEL M. GAZZANO
JESSICA L. GIDWANI
JINA A. GILMORE
RAQUEL L. GIUNTA
BRIAN J. GOMES
FABIA M. GOMEZSALAS
KENNETH R. GONZALES
BRADLEY J. GREGORY
HELEN L. HAMPTON
JESSIE G. HART
JOHN HENIGER
FRANCIS J. HEREL III
ROBERT N. HJULER
THOMAS J. HOLMES
HEATHER L. HOLUB
TIMOTHY J. HOPPER
THOMAS J. HORAL
CHIH C. HUANG
ERIKA G. HUERTA
MATTHEW S. JEWETT
ANTHONY L. JOHN II
JEFF A. JOHNSON
WAYNE D. JOHNSON
JOSHUA I. JONES
TREVOR P. JOSEPH
SEUNGHO KANG
NADIA T. KENDALLDIAZ
SHAWN A. KIRBY
MELISSA A. KOTTKE
NICHOLAS C. KUCAN, SR.
JENNIFER S. KUNTZ
JOSHUA D. KUPER
MARCUS H. LAI
LAKESHA L. LEE
ERICA J. LINDROTH
DAVID M. MARSHALL
MATTHEW N. MASCITELLI
RANDAL MAURER
MATTHEW P. MCCREERY
SEAN A. MCFARLING
MARK J. MEDLEY II
LAKISHA S. MERCER
TERRY L. MERCIER
JONATHAN D. METCALF
RICHARD H. MILLER
CLINT H. MITCHELL
ZACHARY R. MITCHELL
ANDREA MOUNTNEY
JANESSA R. MOYER
ERIC M. NEUTKENS
LAURA M. NEWELL
TIFFANY T. NGUYEN
TOSHA M. NICHOLS
LINDSEY E. NIELSEN
RONALD E. NIXON, JR.
JENNIFER M. NOETZEL
SAMUEL P. OCHINANG
RALPH M. ODOM
AZUWUIKE N. OHUKA
JEB S. ORR
ELBERT T. OSBORNE, JR.
EDWARD K. OSEI
GLORIA I. OSORIOGIRAUD
KIRSTEN B. OUIMETTE
JAMES J. PAK
JUSTIN C. PAO
CHOICEY L. PELLERIN
HALI J. PICCIANO
DENISE L. QUINTANA
DREW D. REINBOLDWASSON
ROSALINDA C. REYES
BRANDON C. RITCHEY
YASHEBA M. ROBINSON
GILBERTO RODRIGUEZ
ROBERT E. ROSENBERG
PRESTON D. ROY
SHARLEEN M. RUPP
RENATA M. RUSSO
TOMMY W. SANDMEL
DAWN E. SERVIDIO
ERNEST A. SEVERE
ROBYN M. SHARIER
ERICKA SHELDON
VERONICA C. SIMMONS
JOSHUA T. SINGLETON
LEONARD D. SKIPPER
LOUISA M. SLAYDEN
MATTHEW D. SLYKHUIS
JASON R. SMEDBERG
AMBER L. SMITH
CARL D. SMITH
MARIETTA M. SQUIRE
ISAAC A. STEPHEN
ALLISON S. STERNBERG
MATTHEW B. STOKLEY
MICHAEL E. SUDWEEKS
RAJINDER N. SUMAIR
LAUREN N. TEAL
LUIS A. TEJADA
NICHOLAS K. TONEY
TAMARA K. TRAN
NICHOLAS M. TRICHE
TOAN M. TRINH
CAROLYN D. TYSON
REMINGTON W. VANDERGRIFF
CASSANDRA O. WEBB
RHONDA M. WELLS
TRAVIS E. WHITESIDE
KENNETH S. WILDER
CHARLES R. WILLIAMS
GLENNDALE L. WILLIAMS
JONATHAN W. WILLIAMS
WILLIAM J. WILTBANK
MEAGAN L. WISNIEWSKI
MICHAEL B. WRIGHT
RONALD O. YOUNG, JR.
STEVEN D. ZUMBRUN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

ASHLEY K. AITON
JACQUELINE K. ALLEN
CYNTHIA A. ANDERSON
DEANNA R. ANDREWS
KEREN E. ANDUJAR
JESSICA M. ARNOLD
LEROY A. BARBOUR
MARIE A. BAUTISTA
LANCE M. BELL
MARKO PAULO M. BENITO
MARQUS O. BERRY
MOLLY M. BLACK
ERICA L. BLOCK
MELISSA A. BOETIG
TANYA L. BOLDEN
SARAH E. BOLIN
DAVID G. BOWEN
MYLINH P. BRUHN
MARCUS R. BURGESS
LINDSAY J. BURGNER
KATRINA D. BURRUS
RUBY L. CANNON
IVONNE E. CARTAGENA
ANTHONY L. CARTHON
MARIACRISTINA CARUSO
JESSICA M. CASSIDY
KIRT D. CLINE
LUANE D. COVINGTON
LUTISHA T. CRAWFORD
SHAYNA L. DEBARROS
JARRETT M. EDWARDS
SUIN C. ELLISON
GLORIA J. ERNEST
JENNIFER ESPARZA
MATTHEW M. FANNING
DANIEL J. FEDDERSON
ALVIN G. FERRER
CLIFF FONTANEZ
GHARIWAYNE A. FORNILLOS
STEPHANIE FOSCANTEBOWLING
PAMELA L. FRANCIS
MAYA A. FRAZIER
MICHELLE L. FREDACH
KIMBERLY A. GENKOV
STACIE M. GIBSON
JOHN M. GILLESPIE
MARSHALL P. GLENISTER
MARIA L. GONZALEZ
TRAVIS J. GRAHAM
MICHELLE L. GRANT
ERIC S. GRAYBILL
JASMIN A. GREGORY
SAMANTHA M. HANSON
STEPHEN C. HARMON
JESSE M. HARTMANN
KRISTINA M. HERRIOTT
ELIZABETH HICKSON
LESLEY A. HUCKABY
ANDREA R. HUDSON
RENATA K. HUNLEY
JEFFERSON U. HUNTER
SUWAIBA IBRAHIM
PAULA JABBOUR
GILBERT C. JARAMILLO
MONIQUE JEANBAPTISTE
MARLIN L. JOLLY
CHANEL D. JONES
MATTHEW A. KALIS
BENJAMIN M. KAUFMAN
WILLIAM KELLY
STEPHANIE K. KESSINGER
JANETTE J. KIM
SUSAN KING
ELAINE B. KIRISH
ALBERT R. KNIGHT
LORI S. KUYT
CHRISTIE M. LANG
RACHEL H. LAROSE
MARIA A. LIGHTFOOT
MEGAN E. LUCCIOLA
BECKY LUX
AIMEE A. MACK
SCOTT A. MADDOX
TODD B. MALONE
MARIMON I. MASKELL
PATRICIA MAUVAIS
TIERRA L. MCDEARMON
CODY J. MCDONALD
MARCUS L. MCGEE
TAMELA J. MCGRAWSCHENCK
PAUL D. MCLEMORE
JOSE E. MENDOZA
JOSEPH A. MICHNA
JASON MILLER
JENNIFER A. MILLER
BRENDA F. MITCHELL
SUNNIE R. MURRAY
LAURA M. OGLE
JOEL J. OSTERHOUT
WINCESS PAPIUS
ALEX J. PASSMORE
ELZONA M. PATTERSON
NAJUMA A. PEMBERTON
DONALD W. PITCOCK
JEFFREY C. RANSOM
LUCAS R. REAVIS
ASHLEA RICHMOND
YADIRA RODRIGUEZ
KENNETH J. ROMITO
JASON F. RYNCARZ
SABAS SALGADO
DALE R. SCOTT, JR.
LISA M. SHROPSHIRE
JENNIFER L. SIEGERT
JESSIE M. SMITH
MICHAEL D. SMITHERS
RYAN L. STAAB
SERENA K. STAPLES
JUSTIN R. STEPHENS
CYNTHIA L. STYNER
ANGELA SUMMERS
ELIZABETH A. SZAKEL
LISA TAYLOR
SAMUEL G. TEAGUE
PAUL B. TENPENNY
JUSTIN T. TETREAULT
GERALDINE M. WATERS
LAURENCE B. WEBB
BRETT S. WEIR
MYRA D. WHITE
ANNETTE E. WICKETT
ANGELA N. WILHOIT
FELICIA M. WILLIAMS
TERESA A. WILLIAMS
EDWARD L. WITHERS
KEVIN M. WOODSON
TRACY L. ZINN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

WILSON R. RAMOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

CURTIS D. BOWE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

CARL E. FOSTER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

MICHAEL A. FOWLES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

ANDREW K. SINDEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

*To be major*

D013264
D013298

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

CHRISTOPHER F. RUDER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

BRIAN P. WALSH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

JUSTIN M. ADCOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

DANIEL A. WARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

ROBERT M. HESS

## CONFIRMATION

Executive nomination confirmed by the Senate March 6, 2018:

THE JUDICIARY

TERRY A. DOUGHTY, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

# EXTENSIONS OF REMARKS

## RECOGNITION OF MR. BELL

### HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. BRAT. Mr. Speaker, I rise today to recognize the passing of a constituent Richard Bell, Jr. Mr. Bell lived in Blackstone, and served as a truck driver in the renown Red Ball Express where he drove supplies to the front line in France during the invasion of Normandy. It was this group that preserved the 28 Army divisions through the summer and fall of 1944 throughout France and Belgium, and allowed the allied troops to advance relentlessly, pushing the Germans out.

My office was privileged to assist his family when they learned there were seven medals he earned, but never received, during his service during World War II. Having the opportunity to present those medals to him at a special ceremony organized by his family is a memory I will never forget. I am extending my heartfelt sympathy to his family as they mourn his passing.

## HONORING THE WORK OF WILLIAM MILLER

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Ms. ESHOO. Mr. Speaker, I rise today to include in the RECORD a tribute to Master William Miller who has written a book entitled, Biography of Congressman George Miller. In his book, William outlines the life and work of his grandfather, The Honorable George Miller.

William's detailed account of his grandfather's early life paints a vivid picture of his time as a firefighter and a pear-picker, and moves on to discuss Congressman Miller's work, including some of his greatest legislative accomplishments.

I thank William for his detailed research and hard work to write this book for all to learn from, enjoy, and be inspired by one of the most consequential legislators of our time.

BIOGRAPHY OF CONGRESSMAN GEORGE MILLER

(By William Miller)

INTRODUCTION

Do you want to learn about the coolest congressman ever? Yes, you do? Then read this awesome book to find out all about George Miller! I will tell you about when he was growing up. He was a working man! George did jobs like being a firefighter, a pear picker and much more. I will also tell you about some of George's biggest accomplishments. Keep on reading to learn more about this totally awesome man!

CHAPTER 1: GROWING UP

George Miller was born in San Francisco, CA at the Children's Hospital on May 17, 1945. He lived in Richmond until he was five years old. When George moved to Martinez. He has 3 sisters Laura, Gretchen, and Katie. For fun, George rode horses and participated in the rodeo. He also likes hiking, skiing, and fishing. George was a working man. For jobs George was a firefighter. ''Wow, that must have been HOT!''and he was a pear picker and baled hay.

CHAPTER 2: WORK AND CONGRESS

How did George get interested in Congress? Well, he got interested by his dad who was the state senator too. George always wanted to help people. The first year was fun and exciting. Making laws for are country is fun. Did you know that the first law he made was letting kids with disabilities go to school. Some of his friends were Nancy Pelosi and John Burton. Did you know that he rode with several presidents on Air Force one the president's plane. He rode with President Ford, Carter and Clinton.

CHAPTER 3: BIGGEST ACCOMPLISHMENTS

His Biggest Accomplishment was his first law that helped let kids with disabilities go to school and work.

He also helped in the Head Start committee. This was a program for children from low income places where they could get help with school work, supplies, and food. This started in 1965.

And health care for all or known as Obama Care.

GLOSSARY

Congressman: Someone who serves the community by making laws in Washington, D.C.

Committee: A group of Congressman that work together to help make a law.

Head Start: A program for kids in low income neighborhoods that help kids with school work.

Obama Care: A health care program for anyone that needs it.

## PERSONAL EXPLANATION

### HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for roll call votes 92 and 93 on Monday, March 5, 2018. Had I been present, I would have voted Yea on both of these votes.

## PERSONAL EXPLANATION

### HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. HUIZENGA. Mr. Speaker, I rise today regarding missed votes due to a mild medical issue. Had I been present for roll call vote number 81, on Motion to Suspend the Rules and Pass, as Amended, H.R. 1222 the Congenital Heart Futures Reauthorization Act of 2017 I would have voted ''yay.'' Had I been present for roll call vote number 82, on Motion to Suspend the Rules and Pass, as Amended, H.R. 2422 the Action for Dental Health Act of 2017 I would have voted ''yay.'' Had I been present for roll call vote number 83, on the Table Appeal of the Ruling of the Chair, I would have voted ''yay.'' Had I been present for roll call vote number 84, On Ordering the Previous Question, on H. RES. 748 Providing for consideration of the bill H.R. 1865, the Allow States and Victims to Fight Online Sex Trafficking Act of 2017, I would have voted ''yay.'' Had I been present for roll call vote number 85, On Agreeing to the Resolution to H. RES. 748 Providing for consideration of the bill H.R. 1865, the Allow States and Victims to Fight Online Sex Trafficking Act of 2017, I would have voted ''yay.'' Had I been present for roll call vote number 86, On Ordering the Previous Question, to H. RES. 747, Providing for consideration of the bill H.R. 4296 to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency, and providing for consideration of the bill H.R. 4607 the Comprehensive Regulatory Review Act, I would have voted ''yay.'' Had I been present for roll call vote number 87, On Agreeing to the Resolution, to H. RES. 747, Providing for consideration of the bill H.R. 4296 to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency, and providing for consideration of the bill H.R. 4607 the Comprehensive Regulatory Review Act, I would have voted ''yay.'' Had I been present for roll call vote number 88, On Motion to Recommit with Instructions, H.R. 4296, To place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency, I would have voted ''nay.'' Had I been present for roll call vote number 89, On Passage to H.R. 4296 To place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency, I would have voted ''yay.'' Had I been present for roll call vote number 90, On Agreeing to the Amendment to H.R. 1865 Mimi Walters of California Amendment No. 2, I would have voted ''yay.'' Had I been present for roll call vote number 91, On Passage of H.R. 1865 Allow States and Victims to Fight Online Sex Trafficking Act, I would have voted ''yay.''

## IN MEMORY OF DR. LAKSHMI CHAPARALA, PH.D.

### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. SESSIONS. Mr. Speaker, I rise today to honor Dr. Lakshmi Chaparala, Ph.D.—Gothram Koundinyasa, on the anniversary of her death. Dr. Chaparala was born and raised in Eluru, Andhra Pradesh, India, on a particularly important day in the Hindu calendar—the date of Krishna's birthday—and belonged to a

Hindu Brahmin Telugu community in India. Throughout her life, she educated thousands of students and believed that America is the greatest nation in the world. Lakshmi held strong beliefs that education, discipline, diligence, cleanliness and devotion to God are of utmost importance to succeed in life.

Lakshmi is the loving mother of one of my constituents, Praveen. She is also survived by her husband, Dr. Babji Chaparala, along with her two other children, Suneetha and Swapna. She was an extraordinary woman who touched the hearts of many. Although no words can really help to ease the loss, her life was truly a blessing and she is held very close in thought and prayer. In honor of her memory, I would like to take this opportunity to thank Dr. Lakshmi Chaparala for her service to our country and her faith in our great nation.

## PVT. ALBERT M. PERRY

### HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. MESSER. Mr. Speaker, I rise today to honor Private Albert Perry, who was killed in action in Saarlautern, Germany on December. 18, 1944.

Private Perry was born on October 1, 1920 in Banta, Indiana, to William Herman Perry and Dessie Day Perry. He was the ninth of ten siblings, with two sisters and seven brothers. He attended Bargersville and Center Grove schools, but after only one year of high school he went to work full-time at the Earl Wilson Service Station and Garage in Franklin, Indiana to help his family.

Private Perry enlisted in the Army on March 3, 1944 at Fort Benjamin Harrison in Indianapolis. After several months of training, he was deployed on August 6, 1944 from Boston, MA on the SS *Mariposa*. He served with the Company K, 378th Infantry Regiment, 95th Infantry Division of the Third Army, which earned the nickname "Iron Men of Metz" after defending the town in France from repeated German attacks.

Like many of our brave young soldiers, Private Perry paid the ultimate sacrifice defending and protecting our freedom. Although our debt to him can never be repaid, we have a duty to honor and recognize the sacrifice that he made protecting this great country.

## RECOGNIZING THE LIFE AND SERVICE OF EDMUND L. REGALIA

### HON. MARK DeSAULNIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize the life and service of a longtime Contra Costa resident, Mr. Edmund Regalia.

At an early age, Ed committed to his passion for serving others by participating in school leadership, acting as President of a social-civil rights club, and joining the Naval ROTC while attending U.C. Berkeley. He spent his summers with the Navy in locations around the country and abroad, including travel through the Panama Canal. After graduating with a degree in Political Science in 1952, Ed reported for duty immediately to San Diego where he served mainly on destroyers in the Pacific during the Korean War. Toward the end of his tour, he served as Legal Officer on his ship, the *Laws*. During his time with the Navy, Ed visited Hiroshima, Nagasaki, Tokyo, Hong Kong, Guam, the Philippines, Taiwan, and Hawaii. Ed retired from active service in 1955 as a Lieutenant.

After he left the military, Ed enrolled at Boalt Hall Law School at U.C. Berkeley, and in 1964 was a co-founder of Miller Starr Regalia, a law firm focusing on real property cases. During his time as a practicing attorney, Ed received numerous awards for his work and contributions to the legal field. Ed went on to serve two terms on the California Law Revision Commission, appointed first by Governor Davis and re-appointed by Governor Schwarzenegger.

Motivated by the assassinations of Martin Luther King, Jr. and Robert Kennedy in 1968, Ed and other members of the Walnut Creek Democratic Club formed the Kennedy-King Memorial Scholarship Fund, a 501(c)(3) nonprofit organization. From 1968 through 2017, he served continuously on the Board where he oversaw $4.4 million in scholarships awarded to assist 750 students from Contra Costa County Community Colleges transition to four-year universities. Ed also served on Homeowner's Boards, both as President and probono legal advisor, and the Board of both the Diablo Symphony and the Walnut Creek Library Foundation.

Ed's dedication to his job, his family, and his community was admirable. Ed passed away on February 6, 2018. He will be missed sincerely by those who had the pleasure of knowing him, including his wife Gwen; children Doug, Ken, Phil, and Connie; and his grandchildren and great-grandchildren.

## CONGRATULATING MELISSA BURNISON

### HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. SIMPSON. Mr. Speaker, I rise today to congratulate Melissa Burnison on her recent confirmation to serve as the Department of Energy's Assistant Secretary for Congressional and Intergovernmental Affairs. Melissa is well known to Members of the House, and President Trump made an excellent choice when he nominated her for this important position.

Melissa Burnison is a native of Kentucky and she began her career on Capitol Hill working for Senator Mitch McConnell. Melissa later worked for Congressman Zach Wamp of Tennessee where she focused on Department of Energy issues. She later served as a senior advisor at the Department of Energy and most recently represented the Nuclear Energy Institute as Director for Federal Programs. In that capacity, my staff and I have worked closely with Melissa to address challenges and opportunities facing the nuclear industry. Melissa also worked tirelessly to foster increased collaboration between the DOE national labs and the nuclear industry. I have especially appreciated her work in this area.

While Melissa Burnison is a respected and effective professional, she truly stands out as a wife and mother. Melissa is an adoring mother of three daughters and with her husband, Scott, they have formed a warm and close family.

One of the pleasures of serving in the U.S. House of Representatives is seeing young, talented people come to Washington to serve their country. I commend Melissa for her confirmation in this important position, and I expect we will be hearing more about this talented and gracious public servant in the years ahead.

## PERSONAL EXPLANATION

### HON. TIMOTHY J. WALZ

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. WALZ. Mr. Speaker, I was absent for the vote on the passage of H.R. 1865 (Roll Call No. 91). Had I been present, I would also have voted yea.

I was also absent for the vote on the passage of H.R. 4296 (Roll Call No. 89). Had I been present, I would have voted no.

## PERSONAL EXPLANATION

### HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Ms. MOORE. Mr. Speaker, due to unforeseen flight delays, I was absent for roll call votes 92 and 93 on March 5, 2018. Had I been present, I would have voted AYE on Roll Call No. 92 and AYE on Roll Call No. 93, both naming certain post offices.

## TRIBUTE TO POLICE CHIEF ALAN R. GORDON

### HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. MCGOVERN. Mr. Speaker, I rise today to thank Chief Alan R. Gordon for his 43 years of exceptional service to the people of Westborough, Massachusetts. Though Alan retired as Chief of Police in January, his reputation of integrity, excellence, and service above self will remain an example for law enforcement offices throughout the nation.

Alan first joined the force in 1972, and became a full-time officer in 1978 after attending the Worcester Police Department Academy. While supporting a family and working long hours, often on the midnight shift, Alan rose through the ranks of the department, becoming Sergeant in 1988, Lieutenant in 1994, and Chief of Police in 2005.

His bravery and quick thinking have saved lives and property countless times. One night in particular stands out in his mind; in October of 1983, he raced to the scene of a 911 call. A baby was not breathing. With seconds to spare, Alan's training kicked in, and alongside another officer, Alan administered CPR and saved the baby's life.

Though Alan's duties changed as Chief, he always put the people of Westborough first: spending time listening to residents, addressing their concerns, and communicating the work of the department to his neighbors. And he always led by example—ensuring that his officers had the tools, training, and compassion they needed to effectively do their jobs.

Mr. Speaker, all of Alan's professional accomplishments would be praiseworthy on their own. Alan's work has no doubt made Westborough a safer community and a better place to live. But what really makes Alan a model public servant—what really sets him apart—is how he goes above and beyond to give back to his community time and time again.

As President of the Westborough Police Patrolmen's Association, Alan started a program to provide food for the less fortunate on Christmas and Thanksgiving. As a volunteer at the Lighthouse Mission Soup Kitchen, Alan regularly served meals to the homeless in Worcester.

Alan continues to volunteer at the Boston Marathon, the Falmouth Road Race, and as a baseball umpire and basketball referee at Westborough Middle School and High School. And, he serves as the Police Department's liaison to numerous statewide boards.

Mr. Speaker, I ask my colleagues to join me in extending our congratulations to Alan on his retirement, and our heartfelt gratitude to him and his family on behalf of the residents of Westborough and the United States Congress.

## PERSONAL EXPLANATION

### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote on H.R. 3183—To designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the ''U.S. Navy Seaman Dakota Kyle Rigsby Post Office'', (Roll Call No. 92), I would have voted ''aye.''

Additionally, had I been present for the vote on H.R. 4406—To designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the ''Tuskegee Airman Post Office Building'', (Roll Call No. 93), I would have voted ''aye.''

## PERSONAL EXPLANATION

### HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. O'ROURKE. Mr. Speaker, I was unavoidably absent from the Chamber on Tuesday, February 13. Had I been present, I would have voted ''yea'' on rollcall votes 70 and 71.

## PERSONAL EXPLANATION

### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. LONG. Mr. Speaker, on Monday, February 26, 2018, and Tuesday, February 27, 2018 I was unable to vote on any legislative measures. Had I been present, I would have voted the following:

(Roll no. 81) On passage of H.R. 1222—Congenital Heart Futures Reauthorization Act, had I been present I would have voted yes;

(Roll no. 82) On passage of H.R. 2422—Action for Dental Health Act, had I been present I would have voted yes;

(Roll no. 83) On motion to table the appeal of the PERSONAL EXPLANATION ruling of the chair, had I been present I would have voted yes;

(Roll no. 84) On ordering the previous question providing for consideration of 1865—Allow States and Victims to Fight Online Sex Trafficking Act of 2017, had I been present I would have voted yes;

(Roll no. 85) On adoption of the rule providing for consideration of H.R. 1865—Allow States and Victims to Fight Online Sex Trafficking Act of 2017, had I been present I would have voted yes;

(Roll no. 86) On ordering the previous question providing for consideration of H.R. 4296—to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency and H.R. 4607—the Comprehensive Regulatory Review Act, had I been present I would have voted yes;

(Roll no. 87) On adoption of the combined rule providing for consideration of H.R. 4296—to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency and H.R. 4607—the Comprehensive Regulatory Review Act, had I been present I would have voted yes;

(Roll no. 88) On democrat motion to recommit, had I been present I would have voted no;

(Roll no. 89) On passage of H.R. 4296—to place requirements on operational risk capital requirements for banking organizations established by an appropriate Federal banking agency, had I been present I would have voted yes;

(Roll no. 90) On Walters of California Amendment to H.R. 1865—Allow States and Victims to Fight Online Sex Trafficking Act, had I been present I would have voted yes; and

(Roll no. 91) On passage of H.R. 1865—Allow States and Victims to Fight Online Sex Trafficking Act, had I been present I would have voted yes.

## HONORING OWEN J. ROBERTS SCHOOL BOARD MEMBER JAMES B. FREES II

### HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to pay tribute to a true champion for students and a tireless advocate for educational excellence in the Owen J. Roberts School District.

James B. ''Jamie'' Frees II graduated from Owen J. Roberts High School in 1989. He began giving back to his alma matter in December 2009, following in the footsteps of his father and grandfather by becoming a third-generation member of the Owen J. Roberts School Board.

With a background in banking, Jamie was instrumental in the annual budget process and served as Finance Committee Chairman. He was later selected as Board Vice President and Board President.

Jamie's contributions went well beyond serving as a School Board Member.

As an OJR Music Parents Organization member, Jamie spent many weekends driving the equipment truck for the Marching Band and serving as announcer at the Fall Preview and Annual Cavalcade of Bands.

In addition, he founded and served as president of the Coventry Rugby Football Club, was a member of the Famous Bucktown Boosters and a member of the board of the Charlestown Playschool.

Sadly, Jamie passed away unexpectedly on February 1st. His death is a profound loss for the entire community.

Mr. Speaker, I join the Owen J. Roberts community in mourning Jamie's passing, expressing gratitude for the countless ways he made the entire district better during his three terms on the school board, and extending my condolences to the Frees family.

## RECOGNIZING THE TREMENDOUS SERVICE OF COUNCILMAN LANCE LIVERMAN

### HON. BONNIE WATSON COLEMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today to recognize the tremendous service of Councilman Lance Liverman as he prepares to retire from Princeton's Town Council this year.

Born at Princeton Hospital in 1962, Lance Liverman has been a lifelong resident of the town he loves. He was educated in Princeton public schools before attending college at Fairleigh Dickinson University and then transferring to Trenton State College, now known as the College of New Jersey so that he could be closer to home to help his ailing stepfather. After graduating college, Lance went into his stepfather's business before working for himself—first as a special courier and then in real estate.

A native son of Princeton, Lance has given 30 years of public service to his community. For the last 15 years, Lance Liverman has served as a member of the Princeton Town Council where he has been hands on in addressing the issues facing residents.

With his deep understanding of how Princeton works and with his charitable nature, Councilman Liverman has been a great asset on his council assignments. On the Affordable Housing Board, the Councilman uses his real estate knowledge to benefit the community, while he provides counseling for youth and their families dealing with alcohol and drug addiction on the Princeton Alcohol & Drug Alliance.

All of Councilman Liverman's colleagues have called him, ''a truly unique Princeton citizen and a great human being.'' Another member of the council has called him ''Princeton's Hero,'' as he not only serves on the council, but also through his church, working with youth, and through his constant presence around town. This is why the local paper has described him as the ''Son of the Community.''

Though Councilman Liverman will be stepping down from his seat at the end of this year, this does not end his service to his community. He has pledged that he will continue to serve the community and help make Princeton a model for social justice. He will also use his time away from the council to spend more of it with his wife LaTonya and his three daughters, Kelsey, Ashlyn, and Savannah.

I urge my colleagues to join me in acknowledging the tremendous work of Councilman Lance Liverman and to wish him the best in his future endeavors.

## CONGRESSIONAL INTENT FOR H.R. 620

### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. SMITH of Texas. Mr. Speaker, I supported H.R. 620, the ADA Education and Reform Act last month on the House floor. The bill will improve compliance with the Americans with Disabilities Act (ADA) and curb lawsuit abuse. H.R. 620 requires the Department of Justice to develop a program to educate state and local governments and property owners on strategies for providing improved access to public accommodations for persons with disabilities. The legislation also gives owners and operators of public accommodations, after receiving written notice of ADA violations, an opportunity to address those violations before being sued.

The bill's notice and cure provisions apply to the owners and operators of public accommodations just like the underlying ADA statute. They are in the best position of control over the condition of their premises and compliance with the ADA. It is appropriate that disabled individuals who have been subject to discrimination in violation of the ADA should seek redress from owners and operators.

This does not affect the ability of owners and operators to seek indemnity from design and construction entities. However, such intent is not meant to authorize direct lawsuits against design and construction entities with or without compliance with notice and cure requirements on owners and operators under H.R. 620.

## HONORING THE WORK OF MIRAH HOROWITZ

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Ms. ESHOO. Mr. Speaker, I rise today to honor the special leadership of Mirah Horowitz, the Founder and Executive Director of Lucky Dog Animal Rescue, and include in the RECORD an article entitled, Southwest and Lucky Dog Animal Rescue Fly Plane to Puerto Rico to Save 62 Pets and Donate 14,400 lbs. of Supplies that was published by People Magazine. This article outlines the rescue mission embarked on by Southwest Airlines and Lucky Dog Animal Rescue.

It was the extraordinary leadership of Mirah Horowitz that this rescue effort was launched and coordinated with Southwest Airlines. I'm exceedingly proud of my constituent for her professionalism, dedication and compassion. Mirah has built an organization that is highly respected, and it is her determination that led to the nationally recognized rescue of animals in Puerto Rico, bringing them to their new homes in the United States.

I salute Mirah and all the volunteers involved in this historic effort. In this unique undertaking, they demonstrated the very best of America.

[From People Magazine]

SOUTHWEST AND LUCKY DOG ANIMAL RESCUE FLY PLANE TO PUERTO RICO TO SAVE 62 PETS AND DONATE 14,400 LBS. OF SUPPLIES

(By Kelli Bender)

On Saturday Jan. 20, Lucky Dog Animal Rescue and Southwest Airlines drastically changed the lives of 62 Puerto Rican animals, flying the homeless, furry passengers up the East Coast to a new life.

It was a trip long in the making, powered by dozens of brilliant, compassionate animal lovers, who asked for nothing in return except the chance to change an animal's life.

Southwest Airlines has a history of helping those in need, especially after natural disasters. So when Washington D.C.-based Lucky Dog Animal Rescue approached the company about flying out homeless pets stranded in Puerto Rico following the devastation of Hurricane Maria, Southwest responded immediately.

''We had a goal to do something for each of the hurricanes. The situation in San Juan was a little different because our employees and their families were affected, and with the electricity being out, we couldn't focus on the animals right away,'' Lisa Tiller, Southwest's Senior Communications Manager told PEOPLE.

But just because they couldn't fly pets out, didn't mean Southwest wasn't bringing help in. The airline routinely shipped planes loaded with supplies to the island, much of which is still without running water and electricity. Many of the runs included pet essentials to help rescuers in Puerto Rico look after animals.

In January, three months after the hurricane hit, things were finally in a place where Lucky Dog Animal Rescue and Southwest could put their plan into action.

For the mutt-filled mission, Southwest took one of its planes out of service and staffed it with some of its finest employees, all of whom chose to donate their time to this effort.

The plane's cargo hold and overhead bins were filled with supplies Puerto Rico's humans and animals needed before taking off from Baltimore-Washington International airport at 5 a.m. on Saturday.

''The morning started off with Lucky Dog getting Starbucks for everyone,'' Lucky Dog Animal Rescue's founder and Executive Director Mirah Horowitz said of the day, which began at 3:45 a.m. ''The pilots brought doughnuts. My parents brought doughnuts. We had a lot of doughnuts on that flight, a lot of sugar.''

After three hours and 45 minutes in the air, the volunteers landed in San Juan and began unloading the 14,400 lbs. of much-needed supplies they brought with them.

''Everyone was just so nice and helpful. The minute we landed, Lucky Dog volunteers were unloading, Southwest volunteers were unloading, the cargo staff on the ground was unloading,'' Horowitz recalled. ''Everyone jumped in to help. It was truly amazing how wonderful everyone meshed for two groups that had never met before.''

Next it was time to handle the precious cargo. Sixteen cats and 46 dogs looking for forever homes were carefully loaded into carriers off the tarmac and prepared for their flight to a new life.

''Everyone was jubilant. I was shocked! For as long of a day as it was, and as early as it started, people were just in the best moods the whole time,'' Horowitz said.

The furry passengers were a mix of pets from different circumstances. Some were living in foster homes before the storm hit, others were abandoned by their previous owners once Hurricane Maria touched down. But it was the rescuers of PR Animals who were caring for these pets before Lucky Dog Animal Rescue and Southwest arrived. And it was these rescuers who were there on the ground to greet the volunteers and say their goodbyes.

''It was very emotional; the rescuers putting their dogs in the crates and saying goodbye to them, because these are animals they have been caring for through very difficult and traumatic times—whether they were caring for them before Maria and weathered the storm with these people, which were a few of the dogs, or whether they were rescued in the immediate aftermath,'' Horowitz added.

While the rescuers had to say goodbye to the animals they sacrificed so much for, they didn't leave empty-handed. All of the PR Animal rescuers present left in vehicles packed with donated supplies. Important items like batteries, bottled water, towels and tarps were given to the rescuers, more than half of whom are still living without running water and electricity.

''It wasn't about taking the pets off the island, it was about giving hope and physical help to people and reminding them that we haven't forgotten them,'' Horowitz said of the trip's mission. Once the pets were packed up, they were loaded on to the plane with their carriers securely strapped into the seats.

You might think a plane packed with 62 pets in the cabin would be a bit of a circus, but there were only a few howls upon landing.

''Amazingly during the flight, the hum and vibration kind of put them all to sleep,'' Horowitz said.

With carriers of kittens and puppies aboard, not everyone stayed in their crate during the trip. Horowitz admitted that the volunteers and flight attendants couldn't resist getting some quality puppy-holding and kitten-cuddling time in during the trip back.

''It was great,'' the Lucky Dog Animals Rescue founder said of the ride back to BWI. Even the pilots got a chance to hold the pups.

Back on the mainland, the dogs and cats were loaded into transport vans and driven to Dogma Dog Bakery in Virginia, where a crowd was waiting to welcome the animals, including several new pet parents.

Nine dogs and two cats were adopted right off the transport vans by animal lovers who had falling in love with the pets' pictures online.

An adoption event the following day found homes for 10 more of the Puerto Rican natives. By the end of the weekend, 21 of the 62 pets were with their forever families. The rest spent some time in foster homes before being moved to local rescues, including Lucky Dog Animal Rescue, where they will surely find their own pet parents soon.

It was a trip that made sense to Southwest, whose logo is a large heart—even if it meant giving up time and money.

''We've always been an airline that has lead with heart,'' Tiller said of her company. ''It's hard to find a spare aircraft with more than 3,500 flights a day. To be able to get our top leadership to donate time and plane fuel to save animals is touching. It's when our employees shine the most are, when people donating time. Everyone is almost in tears because they are so touched to be a part of this.''

And for Lucky Dog Animal Rescue, this trip was another small but important step to finding loving homes for all the needy animals of the world.

The non-profit plans to continue helping the pets of Puerto Rico and is working to send more animals to the mainland through the pressurized cargo holds of United Airlines planes, because caring for animals is a way to help everyone.

''When we lose sight of how we treat animals, we tend to lose sight of our humanity,'' Horowitz said of what the trip meant to her. ''We can't forget the pets.''

## CONGRATULATING THE UCONN FIELD HOCKEY TEAM ON THEIR HISTORIC NATIONAL CHAMPIONSHIP

### HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. COURTNEY. Mr. Speaker, today I rise to honor the latest achievement of the University of Connecticut Women's Field Hockey team. On Sunday, November 19, 2017, the UConn women celebrated a 2–1 win over the University of Maryland in the National Collegiate Athletic Association's Division I Field Hockey championship. The victory marked the 23rd straight win of the Huskies' historic undefeated season.

The championship is the fifth in UConn field hockey history, and caps the sixth perfect season in all of NCAA field hockey history. The team's senior class is also the most successful in the school's history, with a record of 87–6 and a pair of national championships.

The victory was Coach Nancy Stevens' third championship title. Stevens, who is field hockey's winningest coach, has brought much success to UConn. In the past five seasons alone under Stevens, UConn has won three of those five national championship titles.

Mr. Speaker, I ask my colleagues to please join me in congratulating the University of Connecticut Field Hockey team on yet another successful season. May their win be an example to all, that with hard work, dedication, and passion, greatness is within reach.

## TRIBUTE TO BRIGITTE MARIE KELLEY

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to Brigitte ''Brig'' Kelley, who passed away in California on December 10, 2017. Brig was the loving wife of former California State Senator David G. Kelley and she will be deeply missed.

Brig was born in Potsdam, Germany, a suburb of Berlin, to Dr. Herman-Walter Frey and Marie Frey-Richter on Nov. 20, 1926. She spent her youth in Berlin, Germany; Salzburg, Austria; Rome, Italy; and Freiburg, Germany. She studied English at the University of Freiburg and in 1948 she received a Quaker Scholarship to attend Mills College in Oakland, California.

Brig spent two years in the United States and upon her return met David, her husband to be. They married in 1953 and returned to Hemet in 1955 to settle on their citrus ranch in Bautista Canyon. Brig taught German in Adult Continuing Education and Spanish at Mt. San Jacinto Junior College. She loved collecting art and antiques—in particular Spanish and religious art—and enjoyed traveling all over the world.

I have had the distinct privilege of knowing Brig for many years. I was proud to call her my friend and I will deeply miss her. I extend my heartfelt condolences to my good friend Dave Kelley as well as the entire Kelley family. Although Brig may be gone, her legacy and memory will live on.

## HONORING JOSEPH GERCZAK

### HON. LLOYD SMUCKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. SMUCKER. Mr. Speaker, today I honor and remember one of Pennsylvania's sons, and a native of Philadelphia, United States Coast Guard Signalman Third Class Joseph Gerczak.

Working as an apprentice machinist making gun parts after graduating high school, Joseph enlisted in the U.S. Coast Guard on September 26, 1942.

Following his training and early assignments, Joseph joined the crew of Landing Ship Tank 66, and was on board during the first assault against the Japanese-held Borgen Bay Area of New Britain on December 26, 1943.

Joseph's ship was in the bay while other vessels unloaded cargo onto the beach when seven Japanese dive bombers attacked his ship. He immediately manned his battle station and was the first crew member to return fire against the enemy.

Joseph opened fire, unloading his drums of ammunition into the dive bombers, blasting two from the sky while bombs fell from the planes, striking his ship. He continued his assault against the enemy planes until he was struck by a blast that fatally wounded him and destroyed his battle station.

The American assault at Borgen Bay was successful, due in part to Joseph's courage, perseverance, and unwavering strength in the face of tremendous odds. Joseph was recognized for his sacrifice, posthumously awarded the Silver Star, Purple Heart, and the Presidential Unit Commendation.

This weekend, on March 9th, 2018, the Coast Guard will commission a Fast Response Cutter in Honolulu, Hawaii. The cutter will be named USCGC *Joseph Gerczak*. Joseph's sister and only surviving sibling, 92-year-old Stella Gerczak, will be in attendance at the ship's commissioning. Stella lives in my community, and we owe her, Joseph, and their entire family a debt of gratitude we will never be able to fully repay.

The commissioning of the USCGC *Joseph Gerczak* is just one way we can show our heartfelt and lasting gratitude for a brave young man who gave his life in service to our great nation.

## PERSONAL EXPLANATION

### HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 6, 2018*

Mr. DUFFY. Mr. Speaker, on Monday, March 5, 2018 I missed the following votes and was not recorded. Had I been present, I would have voted YEA on Roll Call No. 92, and YEA on Roll Call No. 93.

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S1343–S1404***

**Measures Introduced:** Seven bills and one resolution were introduced, as follows: S. 2499–2505, and S. Res. 424. **Page S1378**

**Measures Considered:**

**Economic Growth, Regulatory Relief, and Consumer Protection Act—Agreement:** Senate resumed consideration of the motion to proceed to consideration of S. 2155, to promote economic growth, provide tailored regulatory relief, and enhance consumer protections.

**Pages S1343–48, S1348–50, S1350–74**

During consideration of this measure today, Senate also took the following action:

By 67 yeas to 32 nays (Vote No. 48), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S1347–48**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 9:30 a.m., on Wednesday, March 7, 2018. **Page S1398**

**Nomination Confirmed:** Senate confirmed the following nomination:

By a unanimous vote of 98 yeas (Vote No. EX. 49), Terry A. Doughty, of Louisiana, to be United States District Judge for the Western District of Louisiana. **Pages S1348, S1404**

**Nominations Received:** Senate received the following nominations:

Lisa Porter, of Virginia, to be a Deputy Under Secretary of Defense.

Patrick Fuchs, of Wisconsin, to be a Member of the Surface Transportation Board for the term of five years.

Michelle A. Schultz, of Pennsylvania, to be a Member of the Surface Transportation Board for the term of five years.

James Edward Campos, of Nevada, to be Director of the Office of Minority Economic Impact, Department of Energy.

Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

Jon Parrish Peede, of Mississippi, to be Chairperson of the National Endowment for the Humanities for a term of four years.

Routine lists in the Air Force, Army, and Navy. **Pages S1402–04**

**Messages from the House:** **Page S1376**

**Measures Referred:** **Page S1376**

**Executive Communications:** **Pages S1376–78**

**Executive Reports of Committees:** **Page S1378**

**Additional Cosponsors:** **Pages S1379–80**

**Statements on Introduced Bills/Resolutions:** **Page S1380**

**Additional Statements:** **Pages S1374–76**

**Amendments Submitted:** **Pages S1380–98**

**Notices of Intent:** **Page S1398**

**Authorities for Committees to Meet:** **Page S1398**

**Privileges of the Floor:** **Page S1398**

**Record Votes:** Two record votes were taken today. (Total—49) **Page S1348**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 7:06 p.m., until 9:30 a.m. on Wednesday, March 7, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1398.

## Committee Meetings

*(Committees not listed did not meet)*

### BUSINESS MEETING

*Committee on Armed Services:* Committee ordered favorably reported 1 nomination in the Army, and the nomination of Brent K. Park, of Tennessee, to be Deputy Administrator for Defense Nuclear Nonproliferation, National Nuclear Security Administration.

### WORLDWIDE THREATS

*Committee on Armed Services:* Committee concluded a hearing to examine worldwide threats, after receiving testimony from Daniel R. Coats, Director of National Intelligence; and Lieutenant General Robert P. Ashley, Jr., USA, Director, Defense Intelligence Agency, Department of Defense.

### DEFENSE AUTHORIZATION REQUEST AND FUTURE YEARS DEFENSE PROGRAM

*Committee on Armed Services:* Subcommittee on SeaPower concluded a hearing to examine Navy and Marine Corps aviation programs in review of the Defense Authorization Request for fiscal year 2019 and the Future Years Defense Program, after receiving testimony from Vice Admiral Paul A. Grosklags, USN, Commander, Naval Air Systems Command, Lieutenant General Steven R. Rudder, USMC, Deputy Commandant for Aviation, Headquarters United States Marine Corps, and Rear Admiral Scott D. Conn, USN, Director, Air Warfare, Office of the Chief of Naval Operations (OPNAV N98), all of the Department of Defense.

### NOMINATION

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the nomination of James Reilly, of Colorado, to be Director of the United States Geological Survey, Department of the Interior, after the nominee, who was introduced by Senator Gardner, testified and answered questions in his own behalf.

### PROTECTING E-COMMERCE CONSUMERS

*Committee on Finance:* Committee concluded a hearing to examine protecting e-commerce consumers from counterfeits, after receiving testimony from Kimberly Gianopoulos, Director, International Affairs and Trade, Government Accountability Office; Brenda Smith, Executive Assistant Commissioner, Office of Trade, Customs and Border Protection, Department of Homeland Security; Jim Joholske, Director, Office of Import Surveillance, Consumer Product Safety Commission; and Terrence R. Brady, Underwriters Laboratories Inc., Northbrook, Illinois.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 18 public bills, H.R. 5171–5188; 1 private bill, H.R. 5189; and 2 resolutions, H. Res. 764–765, were introduced. **Pages H1440–41**

**Additional Cosponsors:** **Pages H1442–43**

**Reports Filed:** Reports were filed today as follows:

H.R. 4986, to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decisionmaking, and for other purposes, with an amendment (H. Rept. 115–587, Part 1);

H.R. 1116, to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes (H. Rept. 115–588); and

H.R. 4545, to amend the Federal Financial Institutions Examination Council Act of 1978 to improve the examination of depository institutions, and for other purposes (H. Rept. 115–589). **Page H1440**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Harper to act as Speaker pro tempore for today. **Page H1375**

**Recess:** The House recessed at 10:38 a.m. and reconvened at 12 noon. **Page H1379**

**Moment of Silence:** The House observed a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families. **Page H1379**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Portfolio Lending and Mortgage Access Act:*** H.R. 2226, amended, to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio; **Pages H1389–93**

***Community Bank Reporting Relief Act:*** H.R. 4725, to amend the Federal Deposit Insurance Act to require short form call reports for certain depository institutions; **Pages H1393–95**

***National Strategy for Combating the Financing of Transnational Criminal Organizations Act:*** H.R. 4768, amended, to require the President to develop a national strategy to combat the financial networks of transnational organized criminals; **Pages H1395–98**

***Federal Communications Commission Reauthorization Act of 2018:*** H.R. 4986, amended, to amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, to provide for certain procedural changes to the rules of the Commission to maximize opportunities for public participation and efficient decision-making; **Pages H1398–S1414**

Agreed to amend the title so as to read: ''To amend the Communications Act of 1934 to reauthorize appropriations for the Federal Communications Commission, and for other purposes''; **Page H1414**

***Political Appointee Burrowing Prevention Act:*** H.R. 1132, amended, to amend title 5, United States Code, to provide for a 2-year prohibition on employment in a career civil service position for any former political appointee; **Pages H1414–16**

***Social Media Use in Clearance Investigations Act:*** H.R. 3737, to provide for a study on the use of social media in security clearance investigations; **Pages H1416–17**

***Whistleblower Protection Extension Act:*** H.R. 4043, amended, to amend the Inspector General Act of 1978 to reauthorize the whistleblower protection program; and **Pages H1417–18**

***Eliminating Government-funded Oil-painting Act:*** S. 188, amended, to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government; **Pages H1418–19**

Agreed to amend the title so as to read: ''To amend title 31, United States Code, to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government, and for other purposes.''. **Page H1419**

**Comprehensive Regulatory Review Act:** The House passed H.R. 4607, to amend the Economic Growth and Regulatory Paperwork Reduction Act of 1996 to ensure that Federal financial regulators perform a comprehensive review of regulations to identify outdated or otherwise unnecessary regulatory requirements imposed on covered persons, by a yea-and-nay vote of 264 yeas to 143 nays, Roll No. 95. **Pages H1382–89, H1420–21**

Rejected the Clark (MA) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 182 yeas to 228 nays, Roll No. 94. **Pages H1419–20**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–61, modified by the amendment printed in part B of H. Rept. 115–582, shall be considered as adopted. **Page H1382**

H. Res. 747, the rule providing for consideration of the bills (H.R. 4296) and (H.R. 4607) was agreed to Tuesday, February 27th.

**Committee Resignation:** Read a letter from Representative Demings wherein she resigned from the Committee on Oversight and Government Reform. **Page H1421**

**Committee Elections:** The House agreed to H. Res. 764, electing Members to a certain standing committee of the House of Representatives. **Page H1421**

**Quorum—Calls Votes:** Two yea-and-nay votes developed during the proceedings of today and appear on pages H1419–20 and H1420–21. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 7:01 p.m.

# *Committee Meetings*

## APPROPRIATIONS—DEPARTMENT OF LABOR

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a budget hearing on the Department of Labor. Testimony was heard from Alexander Acosta, Secretary, Department of Labor.

## APPROPRIATIONS—DEPARTMENT OF THE TREASURY

*Committee on Appropriations:* Subcommittee on Financial Services and General Government held a budget hearing on the Department of the Treasury. Testimony was heard from Steven Mnuchin, Secretary, Department of the Treasury.

### NATIONAL SECURITY CHALLENGES AND U.S. MILITARY ACTIVITIES IN AFRICA

*Committee on Armed Services:* Full Committee held a hearing entitled "National Security Challenges and U.S. Military Activities in Africa". Testimony was heard from General Thomas D. Waldhauser, Commander, U.S. Africa Command.

### DEPARTMENT OF THE NAVY FY 2019 BUDGET REQUEST FOR SEAPOWER AND PROJECTION FORCES

*Committee on Armed Services:* Subcommittee on Seapower and Projection Forces held a hearing entitled "Department of the Navy FY 2019 Budget Request for Seapower and Projection Forces". Testimony was heard from James F. Geurts, Assistant Secretary of the Navy, Research, Development and Acquisition, U.S. Navy; Vice Admiral William R. Merz, Deputy Chief of Naval Operations for Warfare Systems, U.S. Navy; and Lieutenant General Robert S. Walsh, Commanding General, Marine Corps Combat Development Command, U.S. Marine Corps.

### MARINE CORPS READINESS POSTURE

*Committee on Armed Services:* Subcommittee on Readiness held a hearing entitled "Marine Corps Readiness Posture". Testimony was heard from Lieutenant General Brian D. Beaudreault, Deputy Commandant for Plans, Policies, and Operations, U.S. Marine Corps; Lieutenant General Michael G. Dana, Deputy Commandant, Installations and Logistics, U.S. Marine Corps; Lieutenant General Rex C. McMillian, Commander, Marine Forces Reserve, and Commander, Marine Forces North, U.S. Marine Corps.

### STRENGTHENING WELFARE TO WORK WITH CHILD CARE

*Committee on Education and the Workforce:* Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled "Strengthening Welfare to Work With Child Care". Testimony was heard from Laurie J. Smith, Senior Policy Advisor, Education and Workforce Development, Office of Governor Phil Bryant, Mississippi; and public witnesses.

### OVERSIGHT OF THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

*Committee on Energy and Commerce:* Subcommittee on Communications and Technology held a hearing entitled "Oversight of the National Telecommunications and Information Administration". Testimony was heard from David Redl, Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce.

### BUSINESS MEETING

*Committee on Financial Services:* Full Committee held a business meeting to consider the Committee's Views and Estimates on the Budget for Fiscal Year 2018. The Committee's Views and Estimates were adopted, as amended.

### EXAMINING CLASS ACTION LAWSUITS AGAINST INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES (ICF/IID)

*Committee on the Judiciary:* Subcommittee on the Constitution and Civil Justice held a hearing entitled "Examining Class Action Lawsuits Against Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID)". Testimony was heard from public witnesses.

### EXPLORING INNOVATIVE SOLUTIONS TO REDUCE THE DEPARTMENT OF THE INTERIOR'S MAINTENANCE BACKLOG

*Committee on Natural Resources:* Full Committee held a hearing entitled "Exploring Innovative Solutions to Reduce the Department of the Interior's Maintenance Backlog". Testimony was heard from P. Daniel Smith, Deputy Director, National Park Service, Department of the Interior; Steve Guertin, Deputy Director, Fish and Wildlife Service, Department of the Interior; and public witnesses.

### EXAMINING THE U.S. ARMY CORPS OF ENGINEERS

*Committee on Oversight and Government Reform:* Subcommittee on the Interior, Energy, and Environment held a hearing entitled "Examining the U.S. Army Corps of Engineers". Testimony was heard from James C. Dalton, Director of Civil Works, Army Corps of Engineers; Sean Strawbridge, Chief Executive Officer, Port of Corpus Christi Authority; and public witnesses.

### THE FUTURE OF U.S. FUSION ENERGY RESEARCH

*Committee on Science, Space, and Technology:* Subcommittee on Energy held a hearing entitled "The Future of U.S. Fusion Energy Research". Testimony was heard from James W. Van Dam, Acting Associate Director, Fusion Energy Sciences, Office of Science, Department of Energy; Mark Herrmann, Director, National Ignition Facility, Lawrence Livermore National Laboratory; and public witnesses.

### DISCONNECTED: RURAL BROADBAND AND THE BUSINESS CASE FOR SMALL CARRIERS

*Committee on Small Business:* Subcommittee on Health and Technology; and Subcommittee on Agriculture,

Energy, and Trade held a joint hearing entitled "Disconnected: Rural Broadband and the Business Case for Small Carriers". Testimony was heard from public witnesses.

### EXAMINING THE ADMINISTRATION'S INFRASTRUCTURE PROPOSAL

*Committee on Transportation and Infrastructure:* Full Committee held a hearing entitled "Examining the Administration's Infrastructure Proposal". Testimony was heard from Elaine Chao, Secretary, Department of Transportation.

## *Joint Meetings*

### VETERANS SERVICE ORGANIZATIONS LEGISLATIVE PRESENTATION

*Committee on Veterans' Affairs:* Senate Committee on Veterans' Affairs concluded a joint hearing with the House Committee on Veterans' to examine the legislative presentation of multiple veterans service organizations, after receiving testimony from David Zurfluh, Paralyzed Veterans of America, Tacoma, Washington; Marion Polk, American Veterans (AMVETS), and Vincent W. Patton III, Non Commissioned Officers Association of the United States of America, both of Alexandria, Virginia; John Rowan, Vietnam Veterans of America, Middle Village, New York; Charles A. Susino, American Ex-Prisoners of War, Metuchen, New Jersey; Melissa Bryant, Iraq and Afghanistan Veterans of America, and Rene C. Bardorf, Wounded Warrior Project, both of Washington, D.C.; Rear Admiral Christopher Cole, USN (Ret.), Association of the United States Navy, Vienna, Virginia; and Roy Robinson, National Guard Association of the United States, Meridian, Mississippi.

## COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 7, 2018

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on the Budget:* to hold hearings to examine Department of Defense audit and business operations reform at the Pentagon, 10:30 a.m., SD–608.

*Committee on Foreign Relations:* to hold hearings to examine the nominations of Joseph E. Macmanus, of New York, to be Ambassador to the Republic of Colombia, Marie Royce, of California, to be an Assistant Secretary (Educational and Cultural Affairs), Robin S. Bernstein, of Florida, to be Ambassador to the Dominican Republic, and Edward Charles Prado, of Texas, to be Ambassador to the Argentine Republic, all of the Department of State, 2:30 p.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* business meeting to consider the nominations of John F. Ring, of the District of Columbia, to be a Member of the National Labor Relations Board, Frank T. Brogan, of Pennsylvania, to be Assistant Secretary for Elementary and Secondary Education, and Mark Schneider, of the District of Columbia, to be Director of the Institute of Education Science, both of the Department of Education, Marco M. Rajkovich, Jr., of Kentucky, to be a Member of the Federal Mine Safety and Health Review Commission, and other pending nominations, Time to be announced, Room to be announced.

*Committee on Homeland Security and Governmental Affairs:* to continue a business meeting to consider H.R. 2825, to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, 10 a.m., SD–342.

*Committee on the Judiciary:* to hold hearings to examine the nominations of John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, Kari A. Dooley, to be United States District Judge for the District of Connecticut, Dominic W. Lanza, to be United States District Judge for the District of Arizona, Jill Aiko Otake, to be United States District Judge for the District of Hawaii, and Joseph H. Hunt, of Maryland, to be an Assistant Attorney General, Department of Justice, 10 a.m., SD–226.

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts, to hold hearings to examine small business bankruptcy, focusing on assessing the system, 2:30 p.m., SD–226.

*Committee on Veterans' Affairs:* to hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars of the United States, 10 a.m., SD–G50.

*Select Committee on Intelligence:* to hold hearings to examine security clearance reform, 9:30 a.m., SD–106.

*Special Committee on Aging:* to hold hearings to examine stopping senior scams, 1 p.m., SD–562.

### House

*Committee on Appropriations,* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, budget hearing on the Commodity Futures Trading Commission, 10 a.m., 2362–A Rayburn.

Subcommittee on Defense, budget hearing on the Navy and Marine Corps, 10 a.m., H–140 Capitol.

*Committee on Armed Services,* Full Committee, hearing entitled "Assessing Military Service Acquisition Reform", 10 a.m., 2118 Rayburn.

Subcommittee on Tactical Air and Land Forces, hearing entitled "The F–35 Joint Strike Fighter (JSF) Lightning II Program", 2 p.m., 2212 Rayburn.

Subcommittee on Strategic Forces, hearing entitled "U.S. Strategic Forces Posture and the Fiscal Year 2019 Budget Request", 3:30 p.m., 2118 Rayburn.

*Committee on the Budget,* Full Committee, hearing entitled "Member's Day Hearing on Oversight of the Congressional Budget Office", 10:30 a.m., 1334 Longworth.

*Committee on Energy and Commerce,* Subcommittee on Digital Commerce and Consumer Protection, hearing entitled ''Review of Emerging Tech's Impact on Retail Operations and Logistics'', 10 a.m., 2123 Rayburn.

Subcommittee on Environment, hearing entitled ''The Future of Transportation Fuels and Vehicles'', 10:15 a.m., 2322 Rayburn.

*Committee on Financial Services,* Subcommittee on Housing and Insurance, hearing on H.R. 5059, the ''State Insurance Regulation Preservation Act'', 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''Legislative Proposals to Reform the Current Data Security and Breach Notification Regulatory Regime'', 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs,* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''China in Africa: The New Colonialism?'', 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* Full Committee, markup on H.R. 4176, the ''Air Cargo Security Improvement Act of 2017''; H.R. 4227, the ''Vehicular Terrorism Prevention Act of 2017''; H.R. 4467, the ''Strengthening Aviation Security Act of 2017''; H.R. 4627, the ''Shielding Public Spaces from Vehicular Terrorism Act''; H.R. 5074, the ''DHS Cyber Incident Response Teams Act''; H.R. 5079, the ''DHS Field Engagement Accountability Act''; H.R. 5081, the ''Surface Transportation Security and Technology Accountability Act of 2018''; H.R. 5089, the ''Strengthening Local Transportation Security Capabilities Act of 2018''; H.R. 5094, the ''Enhancing Suspicious Activity Reporting Initiative Act''; H.R. 5099, the ''Enhancing DHS' Fusion Center Technical Assistance Program''; and H.R. 5131, the ''Surface Transportation Security Improvement Act of 2018'', 10:30 a.m., HVC–210.

Subcommittee on Cybersecurity and Infrastructure Protection; and Subcommittee on Oversight and Management Efficiency, joint hearing entitled ''Examining DHS' Efforts to Strengthen its Cybersecurity Workforce'', 2 p.m., HVC–210.

*Committee on House Administration,* Full Committee, business meeting on Committee Resolution 115–9, to allocate funds from the Committee reserve fund, 1 p.m., 1310 Longworth.

*Committee on the Judiciary,* Full Committee, markup on H.R. 2152, the ''Citizens' Right to Know Act of 2017'', 10 a.m., 2141 Rayburn.

*Committee on Natural Resources,* Full Committee, markup on H.R. 520, the ''National Strategic and Critical Minerals Production Act''; H.R. 4731, to extend the retained use estate for the Caneel Bay resort in St. John, United States Virgin Islands, and for other purposes; and H.R. 5133, the ''Federal Land Transaction Facilitation Act Reauthorization of 2018'', 10:15 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* Subcommittee on Information Technology, hearing entitled ''Game Changers: Artificial Intelligence Part II, Artificial Intelligence and the Federal Government'', 2 p.m., 2154 Rayburn.

*Committee on Science, Space, and Technology,* Subcommittee on Space, hearing entitled ''An Overview of the National Aeronautics and Space Administration Budget for Fiscal Year 2019'', 10 a.m., 2318 Rayburn.

*Committee on Small Business,* Full Committee, hearing entitled ''Regulatory Reform and Rollback: The Effects on Small Businesses'', 2 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* Subcommittee on Highways and Transit, hearing entitled ''Building a 21st Century Infrastructure for America: Long-Term Funding for Highways and Transit Programs'', 10 a.m., 2167 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, hearing entitled ''Implementation of Coast Guard Programs'', 2 p.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* Subcommittee on Oversight and Investigations, hearing on H.R. 3497, the ''Modernization of Medical Records Access for Veterans Act of 2017''; H.R. 4245, the ''Veterans' Electronic Health Record Modernization Oversight Act of 2017''; legislation on purchase card misuse; and legislation on the Medical Surgical Prime Vendor program, 2 p.m., 334 Cannon.

*Committee on Ways and Means,* Subcommittee on Social Security, hearing entitled ''Lacking a Leader: Challenges Facing the SSA after over 5 Years of Acting Commissioners'', 10 a.m., 1100 Longworth.

## Joint Meetings

*Joint Hearing:* Senate Committee on Veterans' Affairs, to hold a joint hearing with the House Committee on Veterans' Affairs to examine the legislative presentation of the Veterans of Foreign Wars of the United States, 10 a.m., SD–G50.

*Joint Economic Committee:* to hold hearings to examine the Economic Report of the President, 2 p.m., SH–216.

*Next Meeting of the* **SENATE**

**9:30 a.m., Wednesday, March 7**

**Senate Chamber**

**Program for Wednesday:** Senate will continue consideration of the motion to proceed to consideration of S. 2155, Economic Growth, Regulatory Relief, and Consumer Protection Act, post-cloture.

*Next Meeting of the* **HOUSE OF REPRESENTATIVES**

**10 a.m., Wednesday, March 7**

**House Chamber**

**Program for Wednesday:** Consideration of H.R. 1917—Blocking Regulatory Interference from Closing Kilns Act (Subject to a Rule). Begin consideration of H.R. 1119—Satisfying Energy Needs and Saving the Environment Act (Subject to a Rule).

## Extensions of Remarks, as inserted in this issue

HOUSE



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